

# federal register

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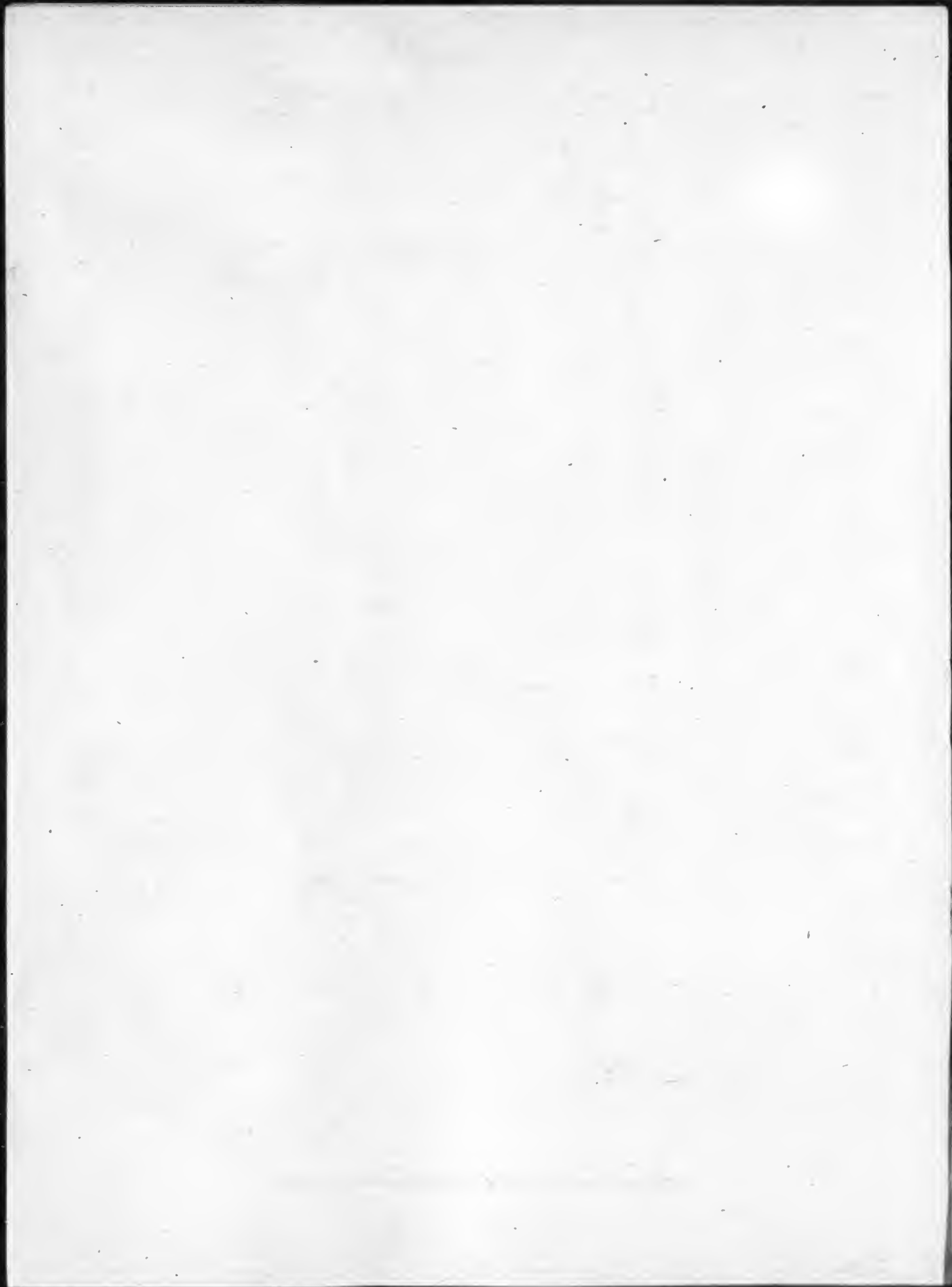
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# rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

## Title 7—Agriculture

### SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

[Amdt. 2]

#### PART 20—EXPORT SALES REPORTING REGULATIONS

##### Certain Agricultural Commodities

On December 27, 1974, a document was published in the FEDERAL REGISTER (39 FR 44764) proposing several amendments to the Export Sales Reporting Regulations which require exporters to report certain information with respect to contracts for export sales of specified agricultural commodities. It was proposed to amend §§ 20.4 (h) and (m) to limit reportable transactions to export sales containing fixed prices and § 20.6 (e) to require reporting of only ultimate countries of destination.

A total of 39 comments have been received in response to the proposal. All 39 comments opposed adoption of the proposed amendment to limit reportable transactions to sales containing fixed prices. Of the 39 comments received, seven opposed adoption of the proposal to require reporting of only ultimate countries of destination, while two supported this change.

After careful review and analysis of the comments received it has been determined that the proposed amendment to § 20.6(e) to include only ultimate countries of destination should be modified and adopted as set forth below. Further, a decision on the proposed amendments to §§ 20.4 (h) and (m) to limit reportable transactions to fixed price export sales will be deferred pending additional review and evaluation. Such evaluation will include the development of a supplemental reporting procedure for selected commodities to obtain additional information relating to unfixed (basis) price export sales.

Section 20.6(e) of Part 20 of Subtitle A of Title 7 of the Code of Federal Regulations is amended as follows:

#### § 20.6 Submission of reports.

(e) *Reporting of destinations.* The reporting exporter shall report the country of destination specified in the export sale contract or otherwise declared in writing by the foreign buyer. (Where a government, or agency of such government, is the sole importer of the commodity in a country, the exporter shall report that country as the country of destination only if he or his foreign buyer has made a direct sale to that foreign government or agency.) If the country of destination

is not so specified or declared, he shall report the destination as "unknown". If by the time of exportation the exporter has not so ascertained the country of destination, he should report the name of the country reported to the Bureau of Customs on the Shipper's Export Declaration for such export shipment, even though it may be an intermediate destination. The reporting exporter is not expected to report destination changes made after reporting the export on Form C.E. 06-0098, Report of Export Sales and Exports.

*Effective date.* Since the action taken herewith amounts to an interpretation and clarification of the requirement with respect to reporting destination of export sales, it is found that compliance with the 30-day effective date provision of 5 U.S.C. 533 is inapplicable and that the amendment shall be effective March 11, 1975.

(Sec. 812 of the Agricultural Act of 1970 as added by the Agriculture and Consumer Protection Act of 1973, 87 Stat. 238 (7 U.S.C. 612c-3).)

Signed at Washington, D.C., on March 6, 1975.

RICHARD J. GOODMAN,  
Acting Administrator,  
Foreign Agricultural Service.

[FR Doc. 75-6262 Filed 3-10-75; 8:45 am]

#### CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS) DEPARTMENT OF AGRICULTURE)

[Grapefruit Reg. 75, Amdt. 5; Export Reg. 24, Amdt. 3]

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

##### Amendment of Grade Regulations

Amendment 5 to Regulation 75 and Amendment 3 to Regulation 24 lower the minimum grade requirements applicable to domestic and export shipments of Florida pink seedless grapefruit, respectively, to U.S. No. 2 Russet on March 10, 1975. The U.S. No. 2 Russet minimum grade requirement specified for domestic and export shipments of pink seedless grapefruit recognizes the lesser quality of such grapefruit estimated to be remaining for fresh shipment from the production area.

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905),

regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the Growers Administrative Committee established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the minimum grade requirements applicable to pink seedless grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) These amendments reflect the Department's appraisal of the prospective demand for fresh pink seedless grapefruit by domestic and export outlets. The lower grade requirement specified for domestic and export shipments of pink seedless grapefruit is consistent with the external appearance and remaining supply of such grapefruit. Fresh shipments of Florida grapefruit for the season through February 23, 1975, totaled 17,613 carlots, and there were an estimated 9,387 carlots remaining for shipment.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of these amendments until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which these amendments are based became available and the time when these amendments must become effective in order to effectuate the declared policy of the act is insufficient; and these amendments lower requirements applicable to the handling of pink seedless grapefruit grown in Florida.

*Order.* 1. In § 905.556 (Grapefruit Regulation 75; 39 FR 32976, 37186, 40745, 42899; 40 FR 8321) the provisions of paragraph (b)(3) are amended to read as follows:

#### § 905.556 Grapefruit Regulation 75.

(b) . . .

(3) Any seedless grapefruit, other than pink seedless grapefruit, grown in the production area, which do not grade at least Improved No. 2, or any pink seedless grapefruit which do not grade at least U.S. No. 2 Russet; or

2. In § 905.559 (Export Regulation 24; 39 FR 32976; 37186; 40 FR 2792) the

provisions of paragraph (b) (13) are amended to read as follows:

§ 905.559 Export Regulation 24.

(b) . . . .

(13) Any seedless grapefruit, other than pink seedless grapefruit, grown in the production area, which do not grade at least Improved No. 2, or any pink seedless grapefruit which do not grade at least U.S. No. 2 Russet;

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

Dated: March 6, 1975, to become effective March 10, 1975.

CHARLES R. BRADER,  
Deputy Director, Fruit and  
Vegetable Division, Agricultural  
Marketing Service.

[FR Doc.75-6306 Filed 3-10-75; 8:45 am]

[Grapefruit Reg. 15, Amdt. 3]

**PART 944—FRUITS; IMPORT  
REGULATIONS**

**Minimum Grade Requirements for Imports  
of Pink Seedless Grapefruit**

This amendment lowers the minimum grade requirement applicable to imported pink seedless grapefruit to U.S. No. 2 Russet on March 10, 1975. The requirement is the same as that applicable to grapefruit produced in Florida and regulated pursuant to Marketing Order No. 905.

This amendment is consistent with Section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This section requires that whenever specified commodities, including grapefruit, are regulated under a federal marketing order, imports of that commodity must meet the same or comparable grade requirements as those in effect for the domestically produced commodity. This regulation fixes the same minimum grade requirement on imported pink seedless grapefruit as is effective under Marketing Order No. 905, as amended (7 CFR Part 905) regulating the handling of oranges, grapefruit, tangerines and tangelos grown in Florida.

Order. In § 944.111 (Grapefruit Regulation 15; 39 FR 33306, 37188; 40 FR 8322) paragraphs (a) (1), (2), and (3) are revised to read as follows:

§ 944.111 Grapefruit Regulation 15.

(a) . . . .

(1) Seeded grapefruit shall grade at least U.S. No. 1 and be of a size not smaller than 3 $\frac{1}{16}$  inches in diameter except that a tolerance for seeded grapefruit smaller than such minimum size shall be permitted as specified in § 51.761 of the United States Standards for Florida Grapefruit;

(2) Seedless grapefruit, other than pink seedless grapefruit, shall grade at least Improved No. 2 ("Improved No. 2" shall mean grapefruit grading at least U.S. No. 2 and also meeting the requirements of the U.S. No. 1 grade as to shape (form) and color), and pink seedless

grapefruit shall grade at least U.S. No. 2 Russet; and

(3) Seedless grapefruit, other than pink seedless grapefruit, shall be of a size not smaller than 3 $\frac{1}{16}$  inches in diameter, and pink seedless grapefruit shall be of a size not smaller than 3 $\frac{1}{16}$  inches in diameter, except that a tolerance for seedless grapefruit smaller than such minimum sizes shall be permitted as specified in § 51.761 of the United States Standards for Florida Grapefruit.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) this amendment fixes the same requirement for imports of pink seedless grapefruit as is applicable under amended Grapefruit Regulation 75 (§ 905.556 to the shipment of pink seedless grapefruit grown in Florida; and (c) this amendment lowers the minimum grade requirement applicable to imported pink seedless grapefruit.

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

Dated: March 6, 1975, to become effective March 10, 1975.

CHARLES R. BRADER,  
Deputy Director, Fruit and Veg-  
etable Division, Agricultural  
Marketing Service.

[FR Doc.75-6306 Filed 3-10-75; 8:45 am]

**Title 9—Animal and Animal Products  
CHAPTER I—ANIMAL AND PLANT HEALTH  
INSPECTION SERVICE, DEPARTMENT  
OF AGRICULTURE**

**SUBCHAPTER D—EXPORTATION AND IMPORTA-  
TION OF ANIMALS (INCLUDING POULTRY)  
AND ANIMAL PRODUCTS**

**PART 97—OVERTIME SERVICES  
RELATING TO IMPORTS AND EXPORTS**

**Commuted Traveltime Allowances**

The purpose of this amendment is to establish commuted traveltime periods as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which an employee of Veterinary Services performs overtime or holiday duty when such travel is performed solely on account of overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Inspection Service.

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions 9 CFR 97.2 (1974 ed.), as amended

November 27, 1974 (39 FR 41356-41358), December 11, 1974 (39 FR 43294), January 3, 1975 (40 FR 757), and February 21, 1975 (40 FR 7620), prescribing the commuted traveltime that shall be included in each period of overtime or holiday duty, are hereby amended by adding to the respective lists therein as follows:

§ 97.2 Administrative instructions pre-  
scribing commuted travel time.

**WITHIN METROPOLITAN AREA**

**ONE HOUR**

Helena, Montana.

(64 Stat. 561; (7 U.S.C. 2260).)

*Effective date.* The foregoing amendment shall become effective on March 11, 1975.

It is to the benefit of the public that this instruction be made effective at the earliest practicable date. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this instruction are impracticable, unnecessary, and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of March, 1975.

J. M. HEJL,  
Deputy Administrator, Veteri-  
nary Services, Animal and  
Plant Health Inspection Ser-  
vice.

[FR Doc.75-6307 Filed 3-10-75; 8:45 am]

**CHAPTER III—ANIMAL AND PLANT  
HEALTH INSPECTION SERVICE, (MEAT  
AND POULTRY PRODUCTS INSPEC-  
TION), DEPARTMENT OF AGRICULTURE**

**SUBCHAPTER A—MANDATORY MEAT  
INSPECTION**

**TENANTS AND SUBSIDIARIES IN  
OFFICIAL ESTABLISHMENTS**

**Application for Grant of Inspection;  
Correction**

The notice of final rulemaking published in the FEDERAL REGISTER of January 14, 1975 (40 FR 2575, FR Doc. 75-1043) concerning the requirements for application for grant of inspection by tenants and subsidiaries in official establishments contained an error. The second paragraph of the statement of considerations stated that the effective date of the change had been delayed one year from the date of publication. The effective date used, however, was July 14, 1976. The effective date used is correct. The words should read: "has accordingly been delayed for eighteen months from publication" rather than "has accordingly been delayed for one year from publication."

Done at Washington, D.C., on: March 5, 1975.

F. J. MULHERN,  
Administrator, Animal and Plant  
Health Inspection Service.

[FR Doc.75-6309 Filed 3-10-75;8:45 am]

**PART 317—LABELING, MARKING  
DEVICES, AND CONTAINERS**

**PART 381—POULTRY PRODUCTS  
INSPECTION REGULATIONS**

**Spanish Labeling of Products Distributed  
Solely in Puerto Rico**

The Animal and Plant Health Inspection Service, pursuant to the authority conferred by the Federal Meat Inspection Act, as amended (21 U.S.C. 601 et seq.), and the Poultry Products Inspection Act, as amended (21 U.S.C. 451 et seq.), is amending § 317.2 of the meat inspection regulations (9 CFR Part 317) and § 381.116 of the poultry products inspection regulations (9 CFR Part 381) to provide for the labeling of products in the Spanish language when intended for distribution solely in Puerto Rico.

*Statement of Considerations.* On April 23, 1974, there were published in the FEDERAL REGISTER (39 FR 14351, 14352) proposed amendments to the meat inspection regulations and the poultry products inspection regulations. The proposal provided for labeling in Spanish of products distributed solely in Puerto Rico and gave interested parties until May 24, 1974, to comment.

It has been the policy of this Department's meat and poultry inspection labeling program for many years to require that mandatory labeling information be in English. However, regulations with respect to labeling of meat products for export (9 CFR 317.7) and for poultry products for foreign commerce (9 CFR 381.128) allow the presentation of mandatory labeling information, except for the inspection legend and establishment number, in a language other than English.

As processors and distributors attempt to provide more consumer information on the labeling and as new labeling requirements are imposed, the quantity of labeling information will expand. This expansion may result in severe space limitation for the display of legible information on the labels of small containers, such as baby foods.

The predominant language in Puerto Rico is Spanish. These amendments bring the Federal meat inspection regulations and the poultry products inspection regulations into accord with the regulations of the Food and Drug Administration, under which products distributed solely in Puerto Rico may be labeled in Spanish in lieu of English.

No comments were received concerning the proposed amendments. Therefore, it is concluded that there are no objections to the proposal and that the amendments as proposed do indeed provide desirable changes in the regulations. The Department has noted that

§ 317.7 of the meat inspection regulations and § 381.128 of the poultry products inspection regulations could be construed as in conflict with the addition as proposed. Therefore, a clarifying phrase has been added to the proposed regulations in cognizance of these sections.

With the exception of the clarification noted above, the amendments to the Federal meat inspection regulations and the poultry products inspection regulations are adopted as set forth in the proposal.

(Sec. 21, 34 Stat. 1260, as amended, 21 U.S.C. 621; sec. 14, 71 Stat. 441, as amended, 21 U.S.C. 463; 37 FR 28464, 28477)

The foregoing amendments shall become effective April 14, 1975.

Done at Washington, D.C., on: March 5, 1975.

F. J. MULHERN,  
Administrator, Animal and Plant  
Health Inspection Service.

1. Section 317.2 is amended by adding the following to the end of paragraph (b):

§ 317.2 Labels: definition; required features.

(b) \* \* \* Except as provided in § 317.7, all words, statements, and other information required by or under authority of the Act to appear on the label or labeling shall appear thereon in the English language; *Provided, however,* That in the case of products distributed solely in Puerto Rico, Spanish may be substituted for English for all printed matter except the USDA inspection legend.

2. Section 381.116 is amended by adding the following to the end of paragraph (a):

§ 381.116 Wording on labels of immediate containers.

(a) \* \* \* Except as provided in § 381.128, all words, statements and other information required by or under authority of the Act to appear on the label or labeling shall appear thereon in the English language; *Provided, however,* That in the case of products distributed solely in Puerto Rico, Spanish may be substituted for English for all printed matter except the USDA inspection legend.

[FR Doc.75-6310 Filed 3-10-75;8:45 am]

**Title 18—Conservation of Power and Water  
Resources**

**CHAPTER I—FEDERAL POWER  
COMMISSION**

**SUBCHAPTER D—APPROVED FORMS,  
FEDERAL POWER ACT**

[Docket No. RM 75-21; Order No. 527]

**PART 141—STATEMENTS AND REPORTS  
(SCHEDULES)**

**Order Prescribing Revision of FPC Form  
No. 12F, Power Line and Generating  
Plant Data**

Consonant with purposes of this Commission's Order No. 383-2 issued April 10,

1970, FPC Form No. 12F is hereby amended to accommodate the following changes resulting in simplification of the Form and causing it to conform with the established standards of Order No. 383-2.

Instruction No. 4 and its reporting Schedule D, identified "Scheduled Changes in System Generating Plants", of Form No. 12F are deleted to avoid needless duplication of data which is also presently submitted in response to FPC Form No. 12E1. This deletion necessitates revision of the Form title to "Power Line Construction Data", as well as revision of the title of § 141.57 to read "Form No. 12F, Power Line Construction Data".<sup>1</sup>

The retitling of existing Schedule C of Form No. 12F to read "Lines Proposed for Installation in Next 6 Years But Not Under Construction" is made to conform with Order No. 383 data requirements and to eliminate confusion over the meaning of the present term "authorized".

Coding symbols are also changed for the purpose of simplification, and the addition of the name of the respondents to the back of the Form is made so that copying may be accomplished without loss of respondent identification.

The Form No. 12F adopted revisions do not require issuance of a notice of proposed rulemaking thereupon because no additional substantive information is to be collected and the overall effect of the revisions is to reduce respondent burden.

*The Commission finds.* (1) The revisions to FPC Form No. 12F as herein prescribed are necessary and appropriate for the administration of the Federal Power Act.

(2) Since the revisions to FPC Form No. 12F prescribed herein do not substantially alter the form and are primarily for the purpose of simplification or clarification, and since the adoption of such changes reduces the reporting burden and relates to matters of agency practice and procedure necessary and appropriate for the administration of the Federal Power Act, compliance with the notice, public procedure and effective date provisions of 5 U.S.C. 553 is unnecessary.

(3) Since the revisions to FPC Form No. 12F prescribed herein are for use for reports covering the calendar year ending June 30, 1975, good cause exists for making this order effective upon issuance.

*The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 309 and 311 (49 Stat. 858, 859 (16 U.S.C. 825h, 825j)) orders.* (A) Deletion of Instruction No. 4 and its reporting Schedule D, identified "Scheduled Changes in System Generating Plants", from FPC Form No. 12F:

Revision of the title of Form No. 12F from "Power Line and Generating Sta-

<sup>1</sup> Form No. 12F is filed as part of the original document.

tion Construction Data" to "Power Line Construction Data";

Revision of the title of § 141.57 of the Commission's rules (18 CFR 141.57) from "Form No. 12F, Power Line and Generating Plant Data" to "Form No. 12F, Power Line Construction Data";

Retitling of Schedule C of Form No. 12F to "Lines Proposed for Installation in Next 6 Years But Not Under Construction";

Addition of the name of respondents to the back of Form No. 12F; and

Change of the coding symbols as indicated within the Form.

(B) The revisions adopted herein shall be effective upon issuance of this order.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-6219 Filed 3-10-76; 8:45 am]

#### Title 21—Food and Drugs

### CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

#### SUBCHAPTER C—DRUGS

#### SUBCHAPTER D—DRUGS FOR HUMAN USE

#### Sterile Benzathine Cloxacillin for Intramammary Infusion

The Commissioner of Food and Drugs has evaluated a new animal drug application (55-068V) filed by E. R. Squibb & Sons, Inc., P.O. Box 4000, Princeton, NJ 08540, proposing the safe and effective use of sterile benzathine cloxacillin suspension for intramammary infusion in the treatment of bovine mastitis in dry cows. The application is approved.

The mailing address of the firm has been changed, and the address included in the regulations is changed accordingly.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512 (i) and (n), 82 Stat. 347, 350-351; (21 U.S.C. 360b (i) and (n))) and under authority delegated to the Commissioner (21 CFR 2.120), Chapter I of Title 21 of the Code of Federal Regulations is amended as follows:

#### PART 135—NEW ANIMAL DRUGS

1. In § 135.501(c) by changing the address of code No. 035 as follows:

§ 135.501 [Amended]

(c) . . .

|           |  |
|-----------|--|
| Code No.: | Firm name and address  |
| 035-----  | E. R. Squibb & Sons,<br>Inc., P.O. Box 4000,<br>Princeton, N.J. 08540. |

#### PART 135d—NEW ANIMAL DRUGS FOR INTRAMAMMARY USE

2. By adding the following new section:

§ 135d.15 Sterile benzathine cloxacillin for intramammary infusion, veterinary.

(a) *Specifications.* The drug is sterile and contains benzathine cloxacillin equivalent to 500 milligrams cloxacillin in each 6 milliliters of peanut oil vehicle, and conforms to the certification requirements of § 149j.11 of this chapter.

(b) *Sponsor.* See code No. 035 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) The drug is used for treatment of mastitis caused by *Staphylococcus aureus* and *Streptococcus agalactiae* in dairy cows at the time of drying-off of the cow.

(2) It is administered aseptically at the rate of 6 milliliters per infected quarter immediately after last milking at the time of drying-off of the cow.

(3) For use in dry cows only.

(4) Not to be used within 30 days of calving.

(5) Milk taken from treated cows prior to 72 hours (6 milkings) after calving must not be used for human food.

(6) Animals infused with this product the time of infusion until 72 hours after must not be slaughtered for food from calving.

(7) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

3. By adding a new Part 149j consisting at this time of two sections to read as follows:

#### PART 149j—CLCXCILLIN FOR VETERINARY USE

Sec.

149j.1 Sterile benzathine cloxacillin, veterinary.

149j.11 Sterile benzathine cloxacillin for intramammary infusion, veterinary.

*AUTHORITY:* Sec. 512 (i) and (n), 82 Stat. 347, 350-351; (21 U.S.C. 360b (i) and (n)).

§ 149j.1 Sterile benzathine cloxacillin, veterinary.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Benzathine cloxacillin is the *N,N'*-dibenzylethylenediamine salt of 5-methyl-3-(*o*-chlorophenyl)-4-isoxazolyl penicillin. It is so purified and dried that:

(i) Its potency is not less than 704 nor more than 821 micrograms of cloxacillin per milligram on an anhydrous basis.

(ii) It is sterile.

(iii) It passes the safety test.

(iv) Its moisture content is not more than 5.0 percent.

(v) Its pH in an aqueous suspension containing 10 milligrams per milliliter is not less than 3.0 nor more than 6.5.

(vi) It passes the identity test.

(vii) It is crystalline.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.

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

(i) Results of tests and assays on the batch for potency, sterility, safety, moisture, pH, identity, and crystallinity.

(ii) Samples required:

(A) For all tests except sterility: 10 packages, each containing approximately 300 milligrams.

(B) For sterility testing: 20 packages, each containing approximately 600 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Use the microbiological agar diffusion assay method: Proceed in accordance with § 436.105 of this chapter, using the cloxacillin working standard as the standard of comparison and prepare the sample for assay as follows: Dissolve an accurately weighed portion of the sample in sufficient methanol to give a convenient stock solution. Immediately dilute an aliquot of this stock solution with solution 1 to the reference concentration of 5.0 micrograms of cloxacillin per milliliter estimated.

(2) *Sterility.* Proceed as directed in § 436.20 of this chapter, using the method described in paragraph (e) (2) of that section, except use medium C in lieu of medium A, medium F in lieu of medium E, and during the period of incubation shake the tubes at least once daily.

(3) *Safety.* Proceed in accordance with § 436.33 of this chapter.

(4) *Moisture.* Proceed in accordance with § 436.201 of this chapter.

(5) *pH.* Proceed in accordance with § 436.202 of this chapter, using an aqueous suspension prepared by adding 10 milligrams per milliliter.

(6) *Identity.* Transfer approximately 20 milligrams of the sample to a 50-milliliter Erlenmeyer flask. Add 5.0 milliliters of 5*N* sodium hydroxide and heat in a steam bath 20 minutes. Cool. Transfer 1 milliliter to an extraction funnel; add approximately 10 milliliters of water and 1 milliliter of dilute sulfuric acid (1:2). Shake with 50 milliliters of ether. Discard the aqueous layer and wash the ether layer with approximately 30 milliliters of water. Discard the aqueous layer again and extract with approximately 50 milliliters of 0.1*N* sodium hydroxide solution from 300 nanometers to 240 nanometers against a reagent blank. Treat about 15 milligrams of the cloxacillin working standard in the same manner. The sample is satisfactory if the spectrum obtained from the sample solution matches that of the standard solution with maximum at about 282 nanometers and minimum of about 257 nanometers.

(7) *Crystallinity.* Proceed as directed in § 436.203 of this chapter.

§ 149j.11 Sterile benzathine cloxacillin for intramammary infusion, veterinary.

(a) *Requirements for certification*—  
 (1) *Standards of identity, strength, quality, and purity.* Sterile benzathine cloxacillin suspension veterinary is sterile benzathine cloxacillin in a suitable and harmless oil base. It may contain one or more suitable and harmless preservatives, antioxidants, complexing and suspending agents. Each dose contains benzathine cloxacillin equivalent to 500 milligrams of cloxacillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of cloxacillin that it is represented to contain. It is sterile. Its moisture content is not more than 1.0 percent. The benzathine cloxacillin used conforms to the requirements of § 149j.1.

(2) *Labeling.* It shall be labeled in accordance with the requirements of §§ 135d.15 and 148.3 of this chapter.

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

(i) The results of tests and assays on:

(A) The benzathine cloxacillin used in making the batch for potency, safety, moisture, pH, identity, sterility and crystallinity;

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

(ii) Samples required:

(A) The benzathine cloxacillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(B) The batch:

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

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

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed for cloxacillin in § 436.105 of this chapter using the sodium cloxacillin working standard as the standard of comparison and preparing the sample for assay as follows: Expel the contents of the syringe into a high speed glass blender jar containing sufficient methanol to give a final volume of 500 milliliters. Blend for 3-5 minutes. Immediately dilute an aliquot of the stock solution with solution 1 to the reference concentration of 5.0 micrograms of cloxacillin per milliliter.

(2) *Sterility.* Proceed in accordance with § 436.20 of this chapter using the method described in paragraph (e) (2) of that section, except use medium C in lieu of medium A and medium F in lieu of medium E. During the period of incubation, shake the tubes at least once daily.

(3) *Moisture.* Proceed as directed in § 436.201 of this chapter.

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC-CONTAINING DRUGS

4. In § 436.33(b) by inserting alphabetically in the table a new item as follows:

§ 436.33 Safety test.

(b) . . . . .

| Antibiotic drug             | Diluent (diluent number as listed in § 436.21) | Test dose   |  | Route of administration as described in paragraph (c) of this section |
|-----------------------------|--|---|--|---|
|                             |  | Concentration in units or milligrams of activity per milliliter | Volume in milliliters to be administered to each mouse |   |
| Benzathine cloxacillin..... | 10   | 10 mg.....  | 0.5  | Intraperitoneal.  |

*Effective date.* This order shall be effective March 11, 1975.

(Sec. 512(i) and (n), 82 Stat. 347, 350-351; (21 U.S.C. 360b(1) and (n)))

Dated: March 4, 1975.

FRED J. KINGMA,  
 Acting Director,  
 Bureau of Veterinary Medicine.

[FR Doc.75-8378 Filed 3-10-75; 8:45 am]

[Bristol Laboratories (55-058V); Beecham Massengill Pharmaceuticals (55-069V)]

PART 135d—NEW ANIMAL DRUGS FOR INTRAMAMMARY USE

PART 149j—CLOXACILLIN FOR VETERINARY USE

Benzathine Cloxacillin for intramammary Infusion

The Commissioner of Food and Drugs has evaluated new animal drug applications filed by Bristol Laboratories, Division of Bristol-Myers Co., Syracuse, NY 13201 (55-058V), and Beecham-Massengill Pharmaceuticals, Division of Beecham, Inc., Bristol, TN 37620 (55-069V) proposing safe and effective use of benzathine cloxacillin suspension for intramammary infusion in the treatment of bovine mastitis in dairy cows. The applications are approved.

The drug is subject to the batch certification provisions of section 512(n) of the Federal Food, Drug, and Cosmetic Act. This order provides for appropriate amendments to the antibiotic drug certification regulations.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512 (i) and (n), 82 Stat. 347, 350-351; (21 U.S.C. 360 (i) and (n))) and under authority delegated to the Commissioner (21 CFR 2.120), Chapter I of Title 21 of the Code of Federal

Regulations is amended as follows:

1. In Part 135d by adding a new section as follows:

§ 135d.16 Benzathine cloxacillin for intramammary infusion, veterinary.

(a) *Specifications.* The drug contains benzathine cloxacillin equivalent to 500 milligrams cloxacillin in each dose, and conforms to the certification requirements of § 149j.12 of this chapter.

(b) *Sponsor.* (1) See code No. 044 in § 135.501(c) of this chapter for conditions of use as in paragraph (c) (1) of this section.

(2) See code No. 046 in § 135.501(c) of this chapter, approval for use as in paragraph (c) (2) of this section.

(c) *Conditions of use.* (1) (i) The drug is used for treatment of mastitis caused by *Staphylococcus aureus* and *Streptococcus agalactiae* including penicillin resistant strains in dairy cows during the dry period.

(ii) It is administered aseptically into each infected quarter immediately after last milking or early in dry period.

(iii) For use in dry cows only.

(iv) Not to be used within 30 days of calving.

(v) Animals infused with this product must not be slaughtered for food use for 30 days after the latest infusion.

(vi) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(2) (i) The drug is used for treatment and prophylaxis of bovine mastitis in nonlactating cows due to *Streptococcus agalactiae* and *Staphylococcus aureus*.

(ii) It is administered in each infected quarter immediately after last milking.

(iii) For use in dry cows only.

(iv) Not to be used within 4 weeks (28 days) of calving.

(v) Animals infused with this product must not be slaughtered for food use for 4 weeks (28 days) after the latest infusion.

(vi) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

2. In Part 149j by adding new sections as follows:

§ 149j.2 Benzathine cloxacillin, veterinary.

(a) *Requirements for certification—*  
(1) *Standards of identity, strength, quality, and purity.* Benzathine cloxacillin is the *N, N'*-dibenzylethylenediamine salt of 5-methyl-3-(*o*-chlorophenyl)-4-isoxazolyl penicillin. It is so purified and dried that:

(i) Its potency is not less than 704 nor more than 821 micrograms of cloxacillin per milligram on an anhydrous basis.

(ii) It passes the safety test.

(iii) Its moisture content is not more than 5.0 percent.

(iv) Its pH in an aqueous suspension containing 10 milligrams per milliliter is not less than 3.0 nor more than 6.5.

(v) It passes the identity test.

(vi) It is crystalline.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.

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

(1) Results of tests and assays on the batch for potency, safety, moisture, pH, identity, and crystallinity.

(ii) Samples required: 10 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Use the microbiological agar diffusion assay method. Proceed in accordance with § 436.105 of this chapter, using the cloxacillin working standard as the standard of comparison and preparing the sample for assay as follows: Dissolve an accurately weighed portion of the sample in sufficient methanol to give a convenient stock solution. Immediately dilute an aliquot of this stock solution with solution 1 to the reference concentration of 5 micrograms of cloxacillin per milliliter estimated.

(2) *Safety.* Proceed in accordance with § 436.33 of this chapter.

(3) *Moisture.* Proceed in accordance with § 436.201 of this chapter.

(4) *pH.* Proceed in accordance with § 436.202 of this chapter, using an aqueous suspension prepared by adding 10 milligrams per milliliter.

(5) *Identity.* Transfer approximately 20 milligrams of the sample to a 50-milliliter Erlenmeyer flask. Add 5.0 milliliters of 5*N* sodium hydroxide and heat in a steam bath 20 minutes. Cool. Transfer 1 milliliter to an extraction funnel; add approximately 10 milliliters of water and 1 milliliter of dilute sulfuric acid (1:2). Shake with 50 milliliters of ether. Discard the aqueous layer, and wash the ether layer with approximately 30 milliliters of water. Discard the aqueous layer again

and extract with approximately 50 milliliters of 0.1*N* sodium hydroxide. Obtain a spectrum of the 0.1*N* sodium hydroxide solution from 300 nanometers to 240 nanometers against a reagent blank. Treat about 15 milligrams of the cloxacillin working standard in the same manner. The sample is satisfactory if the spectrum obtained from the sample solution matches that of the standard solution with maximum at about 282 nanometers and minimum at about 257 nanometers.

(6) *Crystallinity.* Proceed as directed in § 436.203 of this chapter.

§ 149j.12 Benzathine cloxacillin for intramammary infusion, veterinary.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Benzathine cloxacillin suspension veterinary is benzathine cloxacillin in a suitable and harmless oil base. It may contain one or more suitable and harmless preservatives, antioxidants, complexing and suspending agents. Each dose contains benzathine cloxacillin equivalent to 500 milligrams of cloxacillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of cloxacillin that it is represented to contain. Its moisture content is not more than 1.0 percent. The benzathine cloxacillin used conforms to the requirements of § 149j.2.

(2) *Labeling.* It shall be labeled in accordance with the requirements of §§ 135d.16 and 148.3 of this chapter.

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

(1) The results of tests and assays on:

(a) The benzathine cloxacillin used in making the batch for potency, safety, moisture, pH, identity, and crystallinity.

(b) The batch for potency and moisture.

(ii) Samples required:

(a) The benzathine cloxacillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 5 immediate containers.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed for cloxacillin in § 436.105 of this chapter using the sodium cloxacillin working standard as the standard of comparison and preparing the sample for assay as follows: Expel the contents of the syringe into a high speed glass blender jar containing sufficient methanol to give a final volume of 500 milliliters. Blend for 3-5 minutes. Immediately dilute an aliquot of this stock solution with solution 1 to the reference concentration of 5.0 micrograms of cloxacillin per milliliter.

(2) *Moisture.* Proceed as directed in § 436.201 of this chapter.

*Effective date.* This order shall be effective March 11, 1975.

(Sec. 512(l) and (n), 82 Stat. 347, 350-351; (21 U.S.C. 360b(1) and (n)).)

Dated: March 4, 1975.

FRED J. KINGMA,  
Acting Director,  
Bureau of Veterinary Medicine.  
[FR Doc.75-6225 Filed 3-10-75; 8:45 am]

PART 431—CERTIFICATION OF ANTIBIOTIC DRUGS

Reduction in Certification Fees

The Commissioner of Food and Drugs has reviewed the costs involved in performing the "Free chloride" and the "Capreomycin I content" tests and has concluded that the fees should be lowered, effective immediately.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357)), and under authority delegated to the Commissioner (21 CFR 2.120), Part 431 is amended in § 431.53 (b) (1) by revising the entries "Capreomycin I content" and "Free chloride" to read as follows:

§ 431.53 [Amended]

| Test:                      | Chargeable<br>fee per test |
|----------------------------|----------------------------|
| Capreomycin I content..... | \$110                      |
| Free chloride .....        | 36                         |

As this change reduces a chargeable fee, relaxes the regulation, and is non-controversial in nature, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

*Effective date.* This order shall be effective on March 11, 1975.

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

Dated: March 5, 1975.

JEAN MANSUR,  
Acting Assistant Director  
for Regulatory Affairs.

[FR Doc.75-6226 Filed 3-10-75; 8:45 am]

PART 442—CEPHA ANTIBIOTIC DRUGS

Injectable Dosage Forms; Cephalothin Sodium Injection

The Commissioner of Food and Drugs has evaluated data submitted in accordance with regulations promulgated under sec. 507 of the Federal Food, Drug, and Cosmetic Act, as amended, with respect to approval of the antibiotic drug product, cephalothin sodium injection.

The Commissioner concludes that data supplied by the manufacturer concerning the subject antibiotic drug product are adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations should

be amended to provide for certification of this drug product.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended (21 U.S. 357)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 442 is amended as follows:

1. By redesignating the existing § 442.225 *Sterile sodium cephalothin* as § 442.225a, and by establishing a new § 442.225 to read as follows:

§ 442.225 *Cephalothin sodium injectable dosage forms.*

§ 442.225a *Sterile sodium cephalothin.*

The requirements for certification and the tests and methods of assay for sterile sodium cephalothin packaged for dispensing are described in § 442.25a.

2. By adding a new § 442.225b, to read as follows:

§ 442.225b *Cephalothin sodium injection.*

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Cephalothin sodium injection is a frozen aqueous solution of cephalothin sodium with one or more suitable and harmless buffer substances. Each milliliter contains cephalothin sodium equivalent to 100 milligrams of cephalothin. Its potency is satisfactory if it is not less than 90 percent and not more than 115 percent of the number of milligrams of cephalothin that it is represented to contain. It is sterile. It is nonpyrogenic. It passes the safety test. Its pH is not less than 6.0 and not more than 8.5. The cephalothin sodium used conforms to the standards prescribed by § 442.25a(a) (1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 431.1 of this chapter, each such request shall contain:

(i) *Results of tests and assays on:*

(A) The cephalothin sodium used in making the batch for potency, loss on drying, pH, specific rotation, identity, and crystallinity.

(B) The batch for potency, sterility, pyrogens, safety, and pH.

(ii) *Samples required:*

(A) The cephalothin sodium used in making the batch: 10 packages, each containing approximately 500 milligrams.

(B) *The batch:*

(1) For all tests except sterility: A minimum of 10 immediate containers.

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

(b) *Tests and methods of assay.* Thaw the ampoule contents as directed in the labeling. The sample solution used for testing must be at room temperature.

(1) *Potency.* Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 436.105 of this chapter, preparing the sample for assay as follows: Using a suitable hypodermic needle and syringe, remove an accurately measured representative portion from each container and dilute with sufficient 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration. Further dilute an aliquot of the stock solution with solution 1 to the reference concentration of 1.0 microgram of cephalothin per milliliter (estimated).

(ii) *Hydroxylamine colorimetric assay.* Proceed as directed in § 436.205 of this chapter, preparing the sample as follows: Using a suitable hypodermic needle and syringe, remove and accurately measured representative portion from each container and dilute with distilled water to give a stock solution of convenient concentration. Further dilute with distilled water to the prescribed concentration.

(2) *Sterility.* Proceed as directed in § 436.20 of this chapter, using the method described in paragraph (e) (1) of that section.

(3) *Pyrogens.* Proceed as directed in § 436.32(b) of this chapter, using a solution containing 50 milligrams of cephalothin per milliliter.

(4) *Safety.* Proceed as directed in § 436.33 of this chapter.

(5) *pH.* Proceed as directed in § 436.202 of this chapter, using the undiluted solution.

As the conditions prerequisite to providing for certification of the subject antibiotic drug product have been complied with and since the matter is non-controversial in nature, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

*Effective date.* This order shall be effective on March 11, 1975.

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

Dated: March 5, 1975.

JEAN MANSUR,  
Acting Assistant Director  
for Regulatory Affairs.

[FR Doc.75-6227 Filed 3-10-75;8:45 am]

PART 121—FOOD ADDITIVES

Reinstatement of the Regulations Pertaining to Diethylstilbestrol for use in Cattle and Sheep

Correction.

In FR Doc. 75-5069, appearing at page 8329 in the issue for Thursday, February 27, 1975 make the following changes:

1. In § 121.241(f) (5) (iv), change the word "cyclohexanol" which appears in the next to the last line, to read "cyclohexanol".

2. In § 121.251(d), in Table 2 under "Limitations", change the chemical notation "(C-C<sub>12</sub>)" to read "(C-C<sub>16</sub>)".

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1903—INSPECTIONS, CITATIONS, AND PROPOSED PENALTIES

Petitions for Modification of Abatement Dates; Corrections

In FR Doc. 75-3794 appearing in the issue of February 11, 1975 at pages 6334-6335, the following corrections should be made:

1. In the first line of the first paragraph (second column, page 6334), "19 (c)" should be changed to read "10 (c)".

2. In the 11th line of the second paragraph (third column, page 6344), the words "uncontested cases" should be changed to read "contested petitions".

3. In the 23rd line of the second paragraph of the document (3rd column, page 6334) the period "." following the word "determination" should be changed to a comma ",".

4. In the first line of the third paragraph of the document (3rd column, page 6334) "provision" should read "provisions".

5. In the seventh and eighth lines of the third paragraph of the document (3rd column, page 6334) a period "." should be inserted following the word "Act" and "(5 U.S.C. 553)" should be deleted.

6. At the end of the third paragraph of the document (3rd column, page 6334) the following should be added: "[5 U.S.C. 553(b) (3) (A)]".

7. In the first line of § 1903.14a(b) (3rd column, page 6334) a dash "-" between the words "petition" and "for" should be deleted.

8. In the fifth and sixth lines of § 1903.14a(c) (1) (first column, page 6335), the phrase "ten (10) days" should be changed to read "ten (10) working days".

9. In the seventh line of § 1903.14a(d) (first column, page 6335), the reference to "paragraph (c) (1)" should be changed to read "paragraph (c) (4)".

10. In the last paragraph of the document, first column, page 6335, "February 11, 1975" should be changed to read "February 18, 1975".

Signed at Washington, D.C. this 4th day of March, 1975.

JOHN STENDER,  
Assistant Secretary of Labor.  
[FR Doc.75-6315 Filed 3-10-75;8:45 am]

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

New Jersey; Withdrawal of Plan

Notice is hereby given that the State of New Jersey has withdrawn its approved State plan. Consequently, Subpart H of Part 1952 of Title 29, Code of Federal Regulations, is revoked.

The State, in a letter from Joseph Hoffman, Commissioner, Department of

Labor and Industry, dated January 14, 1975, has given notice of its intention to withdraw its approved plan effective March 31, 1975. In accordance with 29 CFR 1951.25(d), the State will also terminate its grant approved under section 23(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 672) (hereinafter called the Act) effective March 31, 1975.

In accordance with section 18(f) of the Act, the State may retain jurisdiction in any case commenced before March 31, 1975, the effective date of the withdrawal.

This decision does not preclude the submission of another occupational safety and health plan by New Jersey under section 18 of the Act at some future time.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Washington, D.C. this 4th day of March, 1975.

JOHN STENDER,  
Assistant Secretary of Labor.

[FE Doc.75-6316 Filed 3-10-75; 8:45 am]

#### PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

##### Virgin Islands Plan; Completion of Developmental Steps

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. On September 11, 1973, a notice was published in the FEDERAL REGISTER (38 FR 24896) of the approval of the Virgin Islands plan and of the adoption of Subpart S of Part 1952 containing the decision of approval. On April 2, 1974, the State submitted a letter listing changes in the plan and the completion of developmental steps (See 29 CFR Part 1953). In addition, a notice was published in the FEDERAL REGISTER on November 5, 1974, concerning the approval of the Virgin Island standards by the Assistant Regional Director of the Occupational Safety and Health Administration (39 FR 39110). The promulgation of these standards represents a completion of a developmental step as outlined in 29 CFR 1952.253.

The supplement concerns the enactment of legislation identical to that originally submitted by the State along with remedial amendments to correct typographical errors and renumber the Act. In addition the supplement includes an amendment allowing adoption of standards by reference.

2. *Location of the plan and its supplement for inspection and copying.* A copy of this supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the As-

sociate Assistant Secretary for Regional Programs, Room 850, 1726 M Street, N.W., Washington, D.C. 20210; Office of the Assistant Regional Director, Occupational Safety and Health Administration, 1515 Broadway, New York, New York 10036; and the Department of Labor, Occupational Safety and Health Division, Building No. 2, Second floor, Government Complex, Lagoon Street, Frederiksted, St. Croix, Virgin Islands 00840.

3. *Public participation.* Under § 1953.2 of this chapter, the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) may prescribe alternative procedures to expedite the review process or for any other good cause which may be consistent with applicable law. The Assistant Secretary finds that the enacted legislation passed by Virgin Islands is identical to that originally submitted in the plan. Accordingly, it is found that further public comment is unnecessary.

4. *Decision.* After careful consideration, the Virgin Islands Plan Supplement outlined above is approved under Part 1953. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. In addition, Subpart S of 29 CFR Part 1952 is amended to reflect the completion of a developmental step by the promulgation and approval of the Virgin Islands occupational safety and health standards. Accordingly § 1952.254 in Subpart S of Part 1952 is amended by adding a new § 1952.254 as follows:

##### § 1952.254 Completed developmental steps.

(a) In accordance with § 1952.253(b), amendments to the Virgin Island legislation were passed March 11, and February 26, 1974.

(b) In accordance with § 1952.253(c), the Virgin Islands occupational safety and health standards were promulgated on March 21, 1974.

(Secs. 8(g)(2), 18, Pub. L. 91-596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g)(2), 667))

Signed at Washington, D.C. this 4th day of March 1975.

JOHN STENDER,  
Assistant Secretary of Labor.

[FR Doc.75-6317 Filed 3-10-75; 8:45 am]

#### Title 40—Protection of Environment

##### CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

##### SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 343-4; OPP 262809]

#### PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

##### N-(Mercaptomethyl)Phthalimide S-(O,O-Dimethyl Phosphorodithioate)

On March 6, 1974, notice was given (39 FR 8656) that Stauffer Chemical Co., 1200 S. 47th St., Richmond, CA 94804, had filed a petition (PP 4F1464) for a pesticide tolerance with the Environ-

mental Protection Agency (EPA). This petition proposed establishment of tolerances for combined residues of the insecticide N-(mercaptomethyl)phthalimide S-(O,O-Dimethyl phosphorodithioate) and its oxygen analog N-(mercaptomethyl)phthalimide S-(O,O-dimethyl phosphorothioate) in or on almond hulls, blueberries, corn forage and fodder (including sweet corn, field corn, and popcorn), cranberries, pea-vine forage and hay at 10 parts per million; citrus fruits at 5 parts per million; fresh corn including sweet corn (kernels plus cob, with husk removed), corn grain (including popcorn), and peas (including succulent peas with pods and dry peas) at 0.5 part per million; and nuts at 0.1 part per million (negligible residue). Stauffer Chemical Co., subsequently amended the petition to request a tolerance of 0.2 part per million for residues in meat, fat, and meat byproducts of horses.

The data submitted in the petition and other relevant material have been evaluated. The tolerances for combined residues of the insecticide and its oxygen analog have been determined adequate in the raw agricultural commodities listed above except in citrus for which additional residue data are needed. The insecticide is considered useful for the purposes for which the tolerances are sought. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies. The tolerances established by this amendment, as set forth below, will protect the public health.

Any person adversely affected by this regulation may within 30 days after publication in the FEDERAL REGISTER file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW., East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objection. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

On March 12, 1975, Part 180, Subpart C, is amended by revising § 180.261 to read as follows:

Sec. 408(d)(2), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2)), transferred to the Administrator EPA in Reorganization Plan No. 3, 1970 (35 FR 15623).

DR. LEONARD R. AXELROD,  
Acting Deputy Assistant Administrator for Pesticide Programs.

In § 180.261, paragraphs "10 parts per million" and "0.2 part per million" and "0.1 part per million" are revised and paragraph "0.5 part per million" is added after "5 parts per million". The revised and added provisions read as follows:



§ 180.261 N - (Mercaptomethylphthalimide S-(O,O-dimethyl phosphorodithioate) and its oxygen analog; Tolerances for Residues.

10 parts per million in or on almond hulls, apples, blueberries, cherries, corn forage, and fodder (including sweet corn, field corn, and popcorn), cranberries, grapes, peaches, pears, pea forage and hay, and sweet potatoes (from postharvest application).

0.5 part per million in or on fresh corn including sweet corn (kernels plus cob, with husk removed) and corn grain (including popcorn), and peas.

0.2 part per million in meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep.

0.1 part per million in or on nuts (negligible residue) and potatoes.

[FR Doc.75-6368 Filed 3-10-75; 10:36 am]

Title 47—Telecommunication  
CHAPTER 1—FEDERAL COMMUNICATIONS COMMISSION  
[Docket No. 20215; FCC 75-347]

PART 73—RADIO BROADCAST SERVICES

Calibration of Remote Control Instruments

1. As a result of the continuing Task Force efforts concerning the re-regulation of broadcasting, the Commission adopted a notice of proposed rule making in this proceeding on October 22, 1974 (FCC 74-1151). Closing date for comments was December 6, 1974; and for reply comments (with one extension ordered) was January 3, 1975.

2. Comments were filed by the firm of A. Earl Cullum, Jr. and Associates of radio Station KIIS. Reply comments were filed by A. Earl Cullum, Jr. and Associates.

3. This proceeding was initiated for the purpose of creating clearer and more precise rules for the proper guidance of licensees in conforming to the Commission's requirements for the calibration of remote control instruments against the instruments at the transmitter; in the logging of these calibration checks in the station maintenance log; and in the matter of the accuracy range of the remote control instruments compared to the transmitter site instruments.

4. A. Earl Cullum, Jr. and Associates (Cullum) stated there is no useful purpose to the requirements that AM broadcast stations employ antenna base ammeters, remote reading base ammeters or repeat readings of such base ammeters when operating by remote control, and urged that all such references to same be deleted from the rules. Further, Cullum recommends that the rules require that all stations measure the resistance and calibrate the ammeter used in the power determination once per year, preferably, and certainly at no greater intervals than once per three years, shortly prior to filing for license renewal. While we take

no position herein regarding the merit of these suggestions, we do conclude that they relate to matters beyond the scope of this proceeding and fail to come to grips with the purpose for which this proceeding was initiated, i.e., clarification of the rules pertaining to calibration of remote control instruments, the accuracy range of remote control meters at the logging of the results of these calibrations.

5. Comment of Station KIIS, which is buttressed by a Cullum reply comment, suggests that the proposed requirement that "not more than 7 days shall elapse between calibrations" imposes a hardship on licensees' staffs who must also make a complete inspection of their transmitting systems and required monitoring equipment "at least once each calendar week" with "the interval between successive required inspections . . . not . . . less than 5 days." The Commission is persuaded that these requirements, considered together, do impose an "unnecessarily burdensome time limitation on licensees," or, as stated in the supporting reply comment, "will impose unnecessary plant operator schedules upon broadcast stations operated by remote control." Therefore the rule is restated to simply require calibration "at least once each calendar week."

6. As a final matter, the rules adopted herein include several editorial revisions of the regulations as presented in the Notice of Proposed Rulemaking. These revisions are made for the sake of additional clarity and more exact conformation of the requirements as they will appear in the rule sections for the AM, FM, noncommercial educational FM and TV services.

7. Having considered all of the information before it, and in accordance with the above discussion, *It is ordered*, That, effective April 11, 1975, Part 73 of the Commission's Rules and Regulations is amended as set forth in the attached Appendix.

8. Authority for the action taken herein is contained in sections 4(i) and 303 (j) and (r) of the Communications Act of 1934, as amended.

9. *It is further ordered*, That this proceeding is terminated.  
Secs. 4, 303, 48 Stat., as amended, 1066, 1082; (47 U.S.C. 184, 303)

Adopted: February 26, 1975.

Released: March 6, 1975.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] VINCENT J. MULLINS,  
Secretary.

1. In § 73.67 new paragraphs (a) (5), (6) and (7) are added to read as follows:  
§ 73.67 Remote control operation.

(a) . . . .  
(5) Calibration of required indicating instruments at each remote control point shall be made against the corresponding instruments at the transmitter site at least once each calendar week. Results

of calibrations shall be entered in the maintenance log. Remote control point meters shall be calibrated to provide an indication within 2 percent of the corresponding instrument reading at the transmitter site. In no event shall a remote control meter be calibrated against another remote meter.

(6) All remote control meters shall conform with specifications prescribed for regular transmitter, antenna, and monitor meters.

(7) Meters with arbitrary scale divisions may be used provided that calibration charts or curves are provided at the transmitter remote control point showing the relationship between the arbitrary scales and the reading of the main meters.

2. Section 73.114(a) (1) (vi) is amended to read as follows:

§ 73.114 Maintenance log.

(a) . . . .  
(1) . . . .

(vi) A notation of the results of calibration of indicating instruments at each remote control point against the corresponding instruments at the transmitter site, as required by § 73.67(a) (5). The entry shall include a showing of the actual value of parameters indicated by each meter prior to recalibration of the remote control point meters.

3. In § 73.275 paragraphs (a) (5), (6) and (7) are amended to read as follows:

§ 73.275 Remote control operation.

(a) . . . .

(5) Calibration of required indicating instruments at each remote control point shall be made against the corresponding instruments at the transmitter site at least once each calendar week. Results of calibration shall be entered in the maintenance log. Remote control point meters shall be calibrated to provide an indication within 2 percent of the corresponding instrument reading at the transmitter site. In no event shall a remote control meter be calibrated against another remote meter.

(6) All remote control meters shall conform with specifications required for the regular transmitter, antenna, and monitor meters.

(7) Meters with arbitrary scale divisions may be used provided that calibration charts or curves are provided at the transmitter remote control point showing the relationship between the arbitrary scales and the reading of the main meters.

4. In § 73.284, a new paragraph (a) (5) is added, present paragraphs (a) (5) (i), (ii), (iii) and (iv) redesignated as paragraphs (a) (6) (i), (ii), (iii) and (iv), and present paragraphs (a) (6) through (8) redesignated paragraphs (a) (7) through (9).

## § 73.284 Maintenance log.

(a) . . . .

(5) A notation of the results of calibration of indicating instruments at each remote control points against the corresponding instruments at the transmitter site, as required by § 73.275(a) (5). The entry shall include a showing of the actual value of parameters indicated by each meter prior to recalibration of the remote control point meters.

5. In § 73.573 new paragraphs (a) (5), (6) and (7) are added to read as follows:

## § 73.573 Remote control operation.

(a) . . . .

(5) Calibration of required indicating instruments at each remote control point shall be made against the corresponding instruments at the transmitter site at least once each calendar week. Results of calibration shall be entered in the maintenance log. Remote control point meters shall be calibrated to provide an indication within 2 percent of the corresponding instrument reading at the transmitter site. In no event shall a remote control meter be calibrated against another remote meter.

(6) All remote control meters shall conform with specifications prescribed for the regular transmitter, antenna, and monitoring meters.

(7) Meters with arbitrary scale divisions may be used provided that calibration charts or curves are provided at the transmitter remote control point showing the relationship between the arbitrary scales and the reading of the main meters.

6. In § 73.584, paragraph (a) (5) is added, present (a) (5) (i), (ii), (iii), and (iv) redesignated as (a) (6) (i), (ii), (iii) and (iv), and present paragraphs (a) (6) through (8) redesignated as paragraphs (a) (7) through (9).

## § 73.584 Maintenance log.

(a) . . . .

(5) A notation of the results of calibration of indicating instruments at each remote control point against the corresponding instruments at the transmitter site as required by § 73.573(a) (5). The entry shall include a showing of the actual value of parameters indicated by each meter prior to recalibration of the remote control point meters.

7. In § 73.672, new paragraph (a) (4) is added; present paragraph (a) (4) redesignated paragraph (a) (5), present (a) (5) (i), (ii), (iii), and (iv) redesignated paragraphs (a) (6) (i), (ii), (iii), and (iv), and present paragraphs (a) (6) through (9) redesignated paragraphs (a) (7) through (10).

## § 73.672 Maintenance log.

(a) . . . .

(4) A notation of the results of call-

ibration of indicating instruments at each remote control point against the corresponding instruments at the transmitter site as required by § 73.676 (g) and (h). The entry shall include a showing of the actual value of parameters indicated by each meter observed prior to recalibration of the remote control point meters.

8. In § 73.676, paragraph (a) (2) is amended to read as follows; new paragraphs (a) (3) and (4) are added and present paragraphs (a) (3), (4), (5), (6), (7) and (8) are redesignated paragraphs (a) (5), (6), (7), (8), (9) and (10).

## § 73.676 Remote control operation.

(a) . . . .

(2) Suitable instruments for indicating the operating parameters which are required by § 73.671 to be entered in the operating log. The indicating instruments shall show the actual values of such parameters, or decimal multiples of those parameters and shall be calibrated to provide an indication within 2% of the corresponding instrument at the transmitter site.

(3) All remote control meters shall conform with specifications required for the regular transmitter, antenna, and monitor meters.

(4) Meters with arbitrary scale divisions may be used provided that calibration charts or curves are provided at the transmitter remote control point showing the relationship between the arbitrary scales and the reading of the main meters.

[FR Doc.75-6254 Filed 3-10-75; 8:45 am]

[Docket No. 19690; FCC 75-248]

### PART 73—RADIO BROADCAST SERVICES

#### FM Broadcast Stations; Table of Assignments

In the matter of amendment of § 73.202 (b), table of assignments, FM Broadcast Stations. (Wilmington, Ill.; *Many, La.*; Moyock, N.C.; Lake Providence, La.; Newton, Miss.; Bay Springs, Miss.; York, Ala.; Rehoboth Beach, Del.; Canton, Tex.; Brandon, Miss.; Southport, N.C.; Harrison, Mich.; Greenfield, Mo.; Belhaven, N.C.; *Ruston, La.*; *Shreveport, La.*; Bethany Beach, Del.; and Alexandria, and Ferriday, La.); (RM-2003; RM-2062; RM-2027; RM-2068; RM-2046; RM-2085; RM-2051; RM-2097; RM-2054; RM-2098; RM-2057; RM-2100; RM-2058; RM-2002; RM-2144; RM-2160; RM-2059; RM-2194).

1. The Commission has before it the further notice of proposed rule making, 38 FR 13658 (1973), and the Order to Show Cause, 43 F.C.C. 2d 693 (1973) as well as filings from Thomas C. White, Ruston Broadcasting Company, Inc., Edwin T. Baldrige and United Communications, Inc.

2. At issue in this remaining portion of the proceeding is a group of pro-

posals<sup>1</sup> involving possible FM assignments to Alexandria, Many, Ruston, and Shreveport, and Ferriday, all in Louisiana. Ferriday is involved only because the Alexandria proposal depends on a change in the current Ferriday assignment, a matter which was the subject of the above Show Cause Order. In two of the cases, Alexandria and Shreveport, the proposed assignments would be in addition to the current assignments; the Many proposal is for a first FM assignment and finally, the Ruston proposal would substitute a Class C channel for the Class A channel which is the community's only assignment.

3. Ruston offered, alternatively, proposals for the use of Channel 297 or Channel 298. Only Channel 297 would conflict with the Many proposal and with the proposed change in the Ferriday channel to accommodate the Alexandria proposal. None of the parties argues that the use of Channel 297 would offer any advantage over Channel 298 and we find no such advantage either. That being the case, we shall compare the possible uses of Channel 298 at Ruston or at Shreveport. Since the choice of either community would not impinge on the other proposals, the other proposals can be judged separately on their own terms. This we shall do first and then turn to the possible use of Channel 298.

4. Many, Louisiana, is a small community (population 3,112) in Sabine Parish (population 18,638). Many has no FM station and its only AM station is a Class IV station the nighttime coverage of which would be limited. While it is not a large community, Many is located in a tourist area which has only limited radio service. Although the showings do not establish the extent to which a first or second FM service or a first or second aural service would be provided, it is clear that some such areas exist. It has been shown that the area overall can be characterized as underserved. The channel can be assigned consistent with applicable spacing requirements and without affecting any existing assignment. Since it would bring needed service and provide the community with its first FM station we shall assign Channel 296A to Many as requested.

5. Alexandria is a community of 41,557 persons in Rapides Parish, population 118,078. The proposal before us is to assign a third Class C channel (226). Recognizing that the Commission ordinarily assigns no more than two channels to a community under 50,000 population, the proponent points to Commission statements that this has not been considered an immutable standard, only a guideline. Its view is that the case for a third assignment here is stronger than that of Panama City, Florida, where the Commission assigned a third channel to a community, which like Alexandria, had

<sup>1</sup> While reference in some filings was made to possible assignments not now before us, these matters will not be discussed here. They were mentioned in a theoretical way only and thus were not validly raised here as counterproposals.

a population between 40,000 and 50,000. It lists a number of points it sees in common with the Panama City case and argues that on this basis the channel should be assigned, particularly since it could lead to better serving the needs of the large Black community in Alexandria.<sup>2</sup>

6. The population criteria are not absolutes and in a number of cases like this one where the population was near 50,000 we have made a third assignment. The city and the Parish have been growing, and Alexandria has been shown to be the large metropolitan center for a sizable area of Louisiana. The Parish population is 118,078 and that of the trade area is estimated at 355,050. In our view, these points are sufficient to demonstrate the appropriateness of making an assignment unless countervailing considerations would require us to act otherwise. The need to change the existing channel of the station at Ferriday is not such a countervailing consideration, for such changes are from time to time needed in order to obtain the maximum efficiency from the pattern of FM assignments. Moreover, the station has interposed no objection, and will be reimbursed for its expenses in effectuating the change. Similarly, no obstacle exists in the spacing requirements which would necessitate use of a transmitter site 25 miles from Alexandria (to the north-northeast), as the station could still provide the required city-grade signal to the community. There is one impediment that does require consideration. The proposal would have a preclusionary effect on the use of Channel 224A, preventing it from being used at one of a number of communities in the area. All of these places except one have populations under 2,800 and the exception, Vidalia, Louisiana, with a population of 5,538, is just across the state line from and closely connected with Natchez, Mississippi. We also have to recognize that a substitute channel does not appear to be available to offset the preclusion. On the other hand, the proposal could bring a first FM service to a small area and a second FM service to a much larger one, with a population estimated at 10,000. To us the gains thus made possible outweigh the preclusion to such communities of such small size or to one that even if it is somewhat larger is in the immediate vicinity of and overshadowed by a much larger city. Therefore, we shall make the assignment of Channel 226 as requested and order the change in the Ferriday channel from 228A to 296A.

7. The final matter to be resolved is the use of Channel 298. Since there is merit to both claims, it is a matter of choosing between Shreveport and Ruston. Simply put: should we prefer a sixth<sup>3</sup> FM assignment to a commu-

<sup>2</sup>No reliance can be placed on this point as there can be no guarantee that an applicant proposing such service would prevail over an applicant not proposing specialized programming.

<sup>3</sup>One of the five is a Class A channel. A Texarkana, Texas, station also identifies with Shreveport and provides it with a city-grade signal.

nity of 182,064 (Shreveport) or a first Class C channel at a community of 17,365 (Ruston) as a replacement for its current Class A assignment. Both possible assignments are consistent with the population guidelines, and each has been shown to be appropriate in terms of community need. Neither, it should be pointed out, is in a category of urgent cases<sup>4</sup> of great need in terms of local service. Rather, it is in the areas beyond the towns and their immediate environs that the differences can most clearly be found. When it comes to providing a first or second FM service, a Ruston station would far exceed one at Shreveport. The figures for Shreveport, depending on the site selected, would be 3,430 first FM service and 10,660 second FM service, or 3,930 first FM service and 9,180 second FM service. The figures for Ruston are 9,487 first FM service, more than double the higher Shreveport figure, and 17,011 second FM service, more than 60% higher than Shreveport. In addition, the Ruston proponent's study of nighttime AM service suggest that significant first aural and second aural service would be provided as well. This advantage to Ruston in terms of being able to bring FM service where it is most needed and its being able to bring a first or second aural service are matters of such importance as to dictate a choice of Ruston and the channel will be substituted there as requested.

8. Accordingly, it is ordered, That the authority contained in sections 4(i), 303 (g) and (r), and 316 of the Communications Act of 1934, as amended, § 73.202(b) of the Commission's Rules as it pertains to the listed communities is amended to read as follows:

| City:               | Channel No.    |
|---------------------|----------------|
| Alexandria, La..... | 226, 245, 262. |
| Ferriday, La.....   | 296A.          |
| Many, La.....       | 296A.          |
| Ruston, La.....     | 298.           |

9. It is further ordered, That effective April 11, 1975, and pursuant to section 316 of the Communications Act of 1934, as amended, the outstanding license of Ruston Broadcasting Company, Inc. for Station KRUS-FM, Ruston, Louisiana, is modified to specify operation on Channel 298 in lieu of Channel 296A subject to the following conditions:

(a) The licensee shall inform the Commission in writing by no later than April 11, 1975, of its acceptance of this modification.

(b) The licensee shall submit to the Commission by May 1, 1975, all necessary information complying with the applicable technical rules for modification of authorization to cover the operation of Station KRUS-FM on Channel 298 at Ruston, Louisiana.

(c) The licensee may continue to operate on Channel 296A under its outstanding authorization for one year from the effective date of this order, or effect the change sooner should it so desire.

<sup>4</sup>Other cities much larger than Shreveport have only five channels and others larger than Ruston, have only a single Class A channel. Here, fortunately, our ability to assign channels is not so restricted.

Ten days prior to commencing operation on Channel 298, the licensee shall submit the same measurement data normally required in an application for an FM broadcast station license.

(d) The licensee shall not commence operation on Channel 298 until the Commission specifically authorizes it to do so.

10. It is further ordered, That effective April 11, 1975, and pursuant to Section 316 of the Communications Act of 1934, as amended, the outstanding license of Miss Lou Broadcasting Company for Station KFNV-FM, Ferriday, Louisiana, is modified to specify operation on Channel 296A in lieu of Channel 228A subject to the following conditions:

(a) The licensee shall inform the Commission in writing by no later than April 11, 1975, of its acceptance of this modification.

(b) The licensee shall submit to the Commission by May 1, 1975, all necessary information complying with the applicable technical rules for modification of authorization to cover the operation of Station KFNV-FM on Channel 296A at Ferriday, Louisiana.

(c) The licensee may continue to operate on Channel 228A under its outstanding authorization for one year from the effective date of this order or until 60 days after the grant of a construction permit on Channel 226 at Alexandria, Louisiana, whichever is later, or it may effect the change sooner should it so desire. Ten days prior to commencing operation on Channel 296A the licensee shall submit the same measurement data normally required in an application for an FM broadcast station license.

(d) The licensee shall not commence operation on Channel 296A until the Commission specifically authorizes it to do so.

11. It is further ordered, That the Secretary of the Commission is directed to send a copy of this Second Report and Order by certified mail, return receipt requested to Ruston Broadcasting Company, Inc., and to Miss Lou Broadcasting Company, Ferriday, Louisiana.

12. It is further ordered, That, this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082, Sec. 316, 66 Stat. 717; (47 U.S.C. 154, 303, 316).)

Adopted: February 26, 1975.

Released: March 6, 1975.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.75-6255 Filed 3-10-75;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 74-29; Notice 1]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires for Passenger Cars; Correction

In FR Doc. 74-18525, appearing in the issue of August 28, 1974, republishing and

## RULES AND REGULATIONS

correcting Motor Vehicle Safety Standard No. 109, the first paragraph of S4.3 should read:

§ 571.109a [Amended]

S4.3 Labeling requirements. Except as provided in S4.3.1 and S4.3.2, each tire shall have permanently molded into or onto both sidewalls, in letters and numerals not less than 0.078 inches high, the information shown below in (a) through (g). On at least one sidewall, the information shall be positioned in an area between the maximum section width and bead of the tire. However, in no case shall the information be positioned on the tire so that it is obstructed by the flange of any rim designed for use with that tire in Standard Nos. 109 and 110 (§§ 571.109 and 571.110 of this part).

[This language was added to the standard March 15, 1973 (38 FR 6999).] (Secs. 103, 119, 201, 202, Pub. L. 89-563, 80 Stat. 718, (15 U.S.C. 1392, 1407, 1421, 1422); delegations of authority at 49 CFR 1.51)

Issued on March 4, 1975.

JAMES B. GREGORY,  
Administrator.

[FR Doc. 75-6224 Filed 3-10-75; 8:45 am]

## CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER D—TARIFFS AND SCHEDULES  
[Docket No. 35613]

## PASSENGER AND FREIGHT TARIFFS AND SCHEDULES

## Regulations for the Transmission and Furnishing of Tariffs and Schedules to Subscribers and Other Interested Persons; Miscellaneous Amendments

## Correction

In FR Doc. 75-4808 appearing in the issue of Friday, February 21, 1975, on page 7660, the certification form in § 1309.5(d) should read as set forth below:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

-----  
Signature of person  
transmitting publication(s)  
-----

Date

## Title 50—Wildlife and Fisheries

## CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

## PART 28—PUBLIC ACCESS, USE AND RECREATION

Mason Neck National Wildlife Refuge,  
Virginia

The following special regulations are issued and are effective during the period

March 17, 1975 through December 31, 1975.

§ 28.28 Special regulations, public access, use and recreation; for individual wildlife refuge areas.

## VIRGINIA

## MASON NECK NATIONAL WILDLIFE REFUGE

Entry on foot is permitted from April 1 through November 30, during daylight hours only on roads and trails, as posted, for nature study, photography, and sight-seeing. Advance appointments for environmental education trips must be made with the refuge manager.

The refuge, comprising 1,020 acres, and those portions open to public access are delineated on maps available at refuge headquarters or from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

This special regulation supplements the regulations governing recreation on wildlife refuge areas generally, as set forth in Title 50, Code of Federal Regulations, Part 28 and is effective through December 31, 1975.

RICHARD E. GRIFFITH,  
Regional Director,  
U.S. Fish and Wildlife Service.

MARCH 4, 1975.

[FR Doc. 75-6272 Filed 3-10-75; 8:45 am]

# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Rural Electrification Administration

#### [ 7 CFR Part 1701 ]

### RURAL ELECTRIFICATION

#### REA Loan Policy

Notice is hereby given that pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to issue a supplement to REA Bulletin 20-6, "Loans for Generation and Transmission." The purpose of this supplement is to set forth REA policy as to which loans for major generation or transmission facilities will be subject to receiving financial assistance from REA in the form of loan guarantees, and which will be subject to receiving financial assistance in the form of insured REA loans.

In order to achieve an orderly transition to the proposed new policy, it is necessary to establish an immediate cutoff date for the acceptance of loan applications under the insured loan program for the financing of certain major generation or transmission facilities. However, this cutoff date, as well as the remainder of the proposed policy, is subject to comment as described below.

It is contemplated that following the adoption of this proposed new policy, REA will, beginning July 1, 1975, be able to make loans to distribution borrowers to meet their 2-year loan requirements for amounts up to \$1 million under the insured loan program.

Interested persons may submit written data, views or comments on this proposed policy to the Assistant Administrator-Electric, Rural Electrification Administration, Room 4056, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 60 days from the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection by the Office of the Assistant Administrator-Electric.

The text of the proposed supplement to REA Bulletin 20-6 is as follows:

#### RURAL ELECTRIFICATION ADMINISTRATION

#### STATEMENT OF LOAN POLICY AND PROCEDURES

In order to make the maximum amount of REA insured loan funds available for the financing of electric distribution facilities, priority will be given to the financing of these facilities in the administration of REA insured loan funds under the Rural Electrification Act of 1936 (7 U.S.C. 901-950(b)).

Effective immediately, the Rural Electrification Administration will no longer accept loan applications under the insured loan program for the financing of major genera-

tion or transmission facilities. Major generation or transmission facilities for this purpose are defined as all facilities of power supply type borrowers and projects of distribution borrowers consisting of generation or transmission facilities which in aggregate cost more than \$10 million.

This policy applies in all cases, except where (a) the borrower qualifies for a loan under the "special rate," or (b) the Administrator has determined the need for an insured loan in order to maintain loan security.

All loan applications for insured loan funds that have already been accepted by the Administrator of the Rural Electrification Administration for major generation or transmission facilities will be considered as in the past.

REA guarantees of loans provided by others will continue to be available for the financing of major generation or transmission facilities.

Dated at Washington, D.C., this 3rd day of March, 1975.

DAVID A. HAMIL,  
Administrator, Rural  
Electrification Administration.

[FR Doc.75-6232 Filed 3-10-75; 8:45 am]

## DEPARTMENT OF LABOR

### Office of the Secretary

#### [ 29 CFR Part 90 ]

### WORKER ADJUSTMENT ASSISTANCE

#### Notice of Proposed Rulemaking

The Department of Labor is considering revision of 29 CFR Part 90 due to enactment of Chapter 2, Title II, Trade Act of 1974, 88 Stat. 1978, 2019 (19 U.S.C. 2271-2322), establishing a new worker adjustment assistance program, effective April 3, 1975, for workers adversely affected by lack of work to which increased imports have contributed importantly.

Currently 29 CFR Part 90 implements the certification provisions of the worker adjustment assistance program established by Chapter 3, Title III, Trade Expansion Act of 1962, Pub. L. 87-794, 76 Stat. 872 (19 U.S.C. 1931-1978), which is repealed by the Trade Act of 1974 effective April 3, 1975.

Proposed 29 CFR Part 90 sets forth procedures pertaining to petitions and determinations of eligibility to apply for adjustment assistance. The Trade Act of 1974 significantly alters and liberalizes previous criteria for eligibility set forth in the Trade Expansion Act of 1962, and vests greater authority in the Secretary of Labor. Significant changes include the following:

(a) Under the previous law, the United States Tariff Commission accepted and made initial determinations on worker petitions. The Secretary now has au-

thority to receive and act upon such petitions.

(b) A determination on a petition must be issued not later than 60 days after the filing of the workers' petition. (Proposed 29 CFR 90.15 and 90.16.)

(c) As required by statute, judicial review of a determination by a U.S. court of appeals is specifically provided. (Proposed 29 CFR 90.18.) Petitions for review may be filed by a worker, group of workers, their union, or other authorized representative, aggrieved by a final determination.

(d) There are specific provisions for public notice concerning actions taken on petitions and determinations, and such notice is to be published in the FEDERAL REGISTER and transmitted to the parties concerned. (Proposed 29 CFR 90.12, 90.13, 90.16, 90.17, 90.21.)

(e) Whenever the International Trade Commission (formerly the U.S. Tariff Commission) begins an investigation which may lead to import relief for an entire industry, the Secretary will conduct a study of workers and the extent that they may be aided by adjustment assistance programs. (Proposed 29 CFR 90.21 and 90.22.)

(f) Several terms have been defined or redefined, in order to clarify the criteria and procedures for the petitioning and determination processes; particular attention is called to the distinction between "date of filing" and "date of the petition." (Proposed 29 CFR 90.2.)

(g) Opportunity is provided for a public hearing if requested by a petitioner or other party showing a substantial interest in the proceedings within 10 days of the filing of a petition. (Proposed 29 CFR 90.13.)

(h) Opportunity is provided for public comment and hearing before certification of eligibility is terminated, unless a termination date was specified in the original determination. (Proposed 29 CFR 90.17.)

(i) The Secretary or his designated representative may subpoena witnesses and documents necessary in order to make a determination. (Proposed 29 CFR 90.14.)

(j) Petitions which are in substantial compliance with the regulations will be accepted, and the approach has been to minimize the filing requirements for petitioners. (Proposed 29 CFR 90.11 and 90.31.)

(k) The definition of "firm" includes agricultural operations, and workers in such operations would be covered on the same basis as industrial workers. (Proposed 29 CFR 90.2.)

(1) The requirements for certifications have been significantly liberalized. Increased imports need not be the "major factor" causing adverse effects in sales, production, and employment, but must only "contribute importantly" to such adverse effects. (Proposed 29 CFR 90.16 (b).)

Written data, views, and arguments as to the proposed revisions may be submitted to the Office of the Solicitor, United States Department of Labor, Room N2464, New Department of Labor Building, 200 Constitution Avenue NW., Washington, D.C. 20210, on or before March 26, 1975. All material received in response to this invitation will be available for public inspection during normal business hours at that address.

It is therefore proposed to revise 29 CFR Part 90, as follows:

Effective April 3, 1975, Part 90 of Title 29 of the Code of Federal Regulations would be revised to read:

**PART 90—CERTIFICATION OF ELIGIBILITY TO APPLY FOR WORKER ADJUSTMENT ASSISTANCE**

**Subpart A—General**

- Sec.  
90.1 Purpose.  
90.2 Definitions.  
90.3 Applicability of part.

**Subpart B—Petitions and Determinations of Eligibility To Apply for Adjustment Assistance**

- 90.11 Petitions.  
90.12 Investigation.  
90.13 Public hearings.  
90.14 Subpoena power.  
90.15 Recommendation.  
90.16 Determinations and certifications of eligibility to apply for adjustment assistance.  
90.17 Termination of certifications of eligibility.  
90.18 Judicial review of determinations.

**Subpart C—Initiation and Conduct of Study With Respect to Workers in Industry Which is the Subject of an Investigation for Industry Import Relief**

- 90.21 Study.  
90.22 Dissemination of program knowledge and assistance to workers.

**Subpart D—General Provisions**

- 90.31 Filing of documents.  
90.32 Availability of information.  
90.33 Confidential businesses information.  
90.34 Notice procedures.  
90.35 Transitional provisions.

**AUTHORITY:** Sec. 248, Pub. L. 93-618, 88 Stat. 2029 (19 U.S.C. 2320).

**Subpart A—General**

**§ 90.1 Purpose.**

The purpose of this Part 90 is to set forth regulations relating to the responsibilities vested in the Secretary of Labor by the Trade Act of 1974 (Pub. L. 93-618) concerning petitions and determinations of eligibility to apply for worker adjustment assistance. Section 248 of the Act directs the Secretary of Labor to prescribe regulations which will implement the provisions relating to adjustment assistance for workers. This part will provide for the efficient disposition of workers' petitions for certification of eligibility to apply for adjustment assistance. It reflects delegations of au-

thority which will be published in the **FEDERAL REGISTER**.

**§ 90.2 Definitions.**

As used in this part, the term:

"Act" means the Trade Act of 1974, Pub. L. 93-618, 88 Stat. 1978, 2011-2030 (19 U.S.C. 2271-2322).

"Appropriate subdivision" means an establishment in a multi-establishment firm which produces the domestic articles in question or a distinct part or section of an establishment (whether or not the firm has more than one establishment) where the articles are produced. The term "appropriate subdivision" includes auxiliary facilities operated in conjunction with (whether or not physically separate from) production facilities.

"Certifying officer" means an official in the Bureau of International Labor Affairs, U.S. Department of Labor, who has been delegated responsibility to make determinations of eligibility to apply for adjustment assistance, preside at public hearings under section 221(b) of the Act, issue subpoenas, and perform such further duties as may be required by the Secretary or by this part 90.

"Commission" means the United States International Trade Commission, formerly named the United States Tariff Commission.

"Date of the petition" means the date thereon, but which in no event shall be more than 30 days before the date of filing.

"Date of filing" means the date on which petitions and other documents are received in the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, Washington, D.C. 20210.

"Date of issuance" means the date on which a certification of eligibility to apply for adjustment assistance is signed by the certifying officer.

"Director" means the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, Washington, D.C. The Director is responsible for the conduct of worker investigations under this part and for recommending to the certifying officer whether or not to issue certifications of eligibility to apply for adjustment assistance.

"Firm" includes an individual proprietorship, partnership, joint venture, association, corporation (including a development corporation), business trust, cooperative, trustee in bankruptcy, and receiver under decree of any court.

"Group" means three or more workers in a firm or an appropriate subdivision thereof.

"Layoff" means a suspension from pay status for lack of work initiated by the employer and expected to last for no less than seven (7) consecutive calendar days.

"Like or directly competitive" means that "like" articles are those which are substantially identical in inherent or intrinsic characteristics (i.e., materials from which the articles are made, appearance, quality, texture, etc.); and

"directly competitive" articles are those which, although not substantially identical in their inherent or intrinsic characteristics, are substantially equivalent for commercial purposes (i.e., adapted to the same uses and essentially interchangeable therefor).

"Partial separation" means, with respect to an individual who has not been totally separated, that:

(a) The worker's hours of work have been reduced to 80 percent or less of the worker's average weekly hours at the firm or appropriate subdivision thereof, and

(b) The worker's wages have been reduced to 80 percent or less of the worker's average weekly wage at the firm or appropriate subdivision thereof.

"Secretary" means the Secretary of Labor, U.S. Department of Labor.

"Significant number or proportion of the workers" means:

(a) The total or partial separations, or both, in a firm or appropriate subdivision thereof, are the equivalent to a total unemployment of five percent (5 percent) of the workers or 50 workers, whichever is less; or

(b) At least three workers in a firm (or appropriate subdivision thereof) with a work force of fewer than 50 workers.

"Threatened to begin" means, in the context of impending total or partial separations, the date on which it could reasonably be predicted that separations were imminent.

"Total separation" means the layoff or severance of an individual from a firm or an appropriate subdivision thereof.

**§ 90.3 Applicability of part.**

This Part 90 generally relates to certifications of eligibility made under the Act. Subpart B specifically applies to the initiation and conduct of worker investigations and the issuance of determinations and certifications of eligibility to apply for adjustment assistance. Subpart C applies to studies of workers in industries which are the subject of investigations for industry import relief. Subpart D contains general provisions with respect to filing of documents and public availability of documents.

**Subpart B—Petitions and Determinations of Eligibility To Apply for Adjustment Assistance**

**§ 90.11 Petitions.**

(a) *Who may file petitions.* A petition under section 221(a) of the Act and this Subpart B shall be filed by a group of workers for a certification of eligibility to apply for adjustment assistance or by their certified or recognized union or other duly authorized representative.

(b) *Identification of petitioners.* Every petition filed with the Department shall clearly state the group of workers on whose behalf the petition is filed and the name(s) and address(es) of the person(s) by whom the petition is filed. Every petition shall be signed by at least three individuals of the petitioning group or by an official of a certified or recognized union or other duly authorized

representative. Signing of a petition shall constitute acknowledgement that each signer has read the entire petition, that to the best of the signer's knowledge and belief the statements therein are true, and that each signer is duly authorized to sign such a petition.

(c) *Contents.* Petitions may be filed on a U.S. Department of Labor form. Copies of this form may be obtained at State Employment Security Agency local offices or by writing the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, Washington, D.C. 20210. Every petition shall include: (1) The name(s), address(es), and telephone number(s) of the petitioner(s); (2) The name or a description of the group of workers on whose behalf the petition is filed (e.g., all hourly and salaried employees of the XYZ plant of ABC corporation); (3) The name and address of the workers' firm or appropriate subdivision thereof; (4) The approximate date(s) on which the total or partial separation of a significant number or proportion of the workers in the workers' firm or subdivision began and continued, or threatened to begin, and the approximate number of workers affected by such actual or threatened total or partial separations; (5) A statement of reasons for believing that increases of like or directly competitive imports contributed importantly to total or partial separations and to the decline in the sales or production (or both) of the firm or subdivision (e.g., company statements, articles in trade association publications, etc.); and (6) A description of the articles produced by the workers' firm or appropriate subdivision, the production or sales of which are adversely affected by increased imports, and a description of the imported articles concerned. When available, the petition also should include information concerning the method of manufacture, end uses, and wholesale or retail value of the domestic articles produced and the United States tariff provision under which the imported articles are classified.

(d) *Number of copies.* One (1) signed original and two (2) clear copies of the petition shall be filed. The name(s) of the person(s) signing the petition shall be typewritten or otherwise clearly reproduced.

#### § 90.12 Investigation.

Upon receipt of a petition, properly filed, the Director of the Office of Trade Adjustment Assistance shall promptly publish notice in the FEDERAL REGISTER that the petition has been received and an investigation has been initiated.

#### § 90.13 Public hearings.

(a) *When held.* A public hearing shall be held in connection with an investigation instituted under § 90.12 of this part whenever, not later than ten (10) days after the date of publication in the FEDERAL REGISTER of the notice of receipt of the petition, such a hearing is requested in writing by:

- (1) The petitioner; or

(2) Any other person found by the Secretary or certifying officer to have a substantial interest in the proceedings. Such petitioner and other interested persons shall be afforded an opportunity to be present, to produce evidence, and to be heard.

(b) *Time and place.* Public hearings will be held at the time and place specified in a notice published in the FEDERAL REGISTER. Such notice shall be published at least seven (7) calendar days before the scheduled hearing.

(c) *Presiding officers.* A certifying officer shall conduct and preside over public hearings.

(d) *Order of testimony.* Witnesses will testify in the order designated by the presiding officer. Each witness, after being duly sworn, will proceed with testimony. After testifying, a witness may be questioned by the presiding officer or an agent designated by the presiding officer. Any person who has entered an appearance in accordance with paragraph (j) of this section may direct questions to the witness, but only for the purpose of assisting the presiding officer in obtaining relevant and material facts with respect to the subject matter of the hearing.

(e) *Evidence.* Witnesses may produce evidence of a relevant and material nature to the subject matter of the hearing.

(f) *Briefs.* Briefs of the evidence produced at the hearing and arguments thereon may be presented to the presiding officer by parties who have entered an appearance. Three (3) copies of such briefs shall be filed with the presiding officer within ten (10) days of the completion of the hearing.

(g) *Oral argument.* The presiding officer shall provide opportunity for oral argument after conclusion of the testimony in a hearing. The presiding officer will determine in each instance the time to be allowed for argument and the allocation thereof.

(h) *Authentication of evidence.* Evidence, oral or written, submitted at hearings, will upon order of the presiding officer be subject to verification from books, papers, and records of the parties submitting such evidence and from any other available sources.

(i) *Transcripts.* All hearings will be stenographically reported. Persons interested in transcripts of the hearings may inspect them at the U.S. Department of Labor in Washington, D.C., or purchase copies as provided in 29 CFR 70.62(c).

(j) *Appearances.* The petitioner or any other person showing a substantial interest in the proceedings may enter an appearance at a hearing, either in person or by a duly authorized representative.

#### § 90.14 Subpoena power.

(a) The Secretary or certifying officer may require by subpoena the attendance and testimony of witnesses and the production of evidence necessary to make a determination.

(b) If a person refuses to obey a subpoena issued under paragraph (a) of this section, the Secretary or a certifying officer may petition the United States dis-

trict court within the jurisdiction of which the proceeding is being conducted requesting an order requiring compliance with such subpoena.

(c) Witnesses subpoenaed under this section shall be paid the same fees and mileage as are paid for like services in the District Court of the United States. The witness fees and mileage shall be paid by the United States Department of Labor.

#### § 90.15 Recommendation.

As promptly as possible, but in any event not later than 45 days after the filing of a worker petition, the Director of the Office of Trade Adjustment Assistance shall submit to the certifying officer recommendations concerning whether or not to issue a certification of eligibility to apply for adjustment assistance. These recommendations shall be forwarded together with an investigative report, proposed findings of fact, transcripts of any public hearing conducted under this subpart, and other material developed during the investigation.

#### § 90.16 Determinations and certifications of eligibility to apply for adjustment assistance.

(a) *General.* Not later than 15 days after receipt of the recommendations forwarded pursuant to § 90.15 of this part, the certifying officer shall make a determination on the petition and where affirmative issue a certification of eligibility as provided below.

(b) *Requirements for determinations.* After reviewing the material submitted under § 90.15 of this part, including any supplemental material which may be required in reaching a determination the certifying officer shall make findings of fact concerning whether:

- (1) A significant number or proportion of the workers in such workers' firm (or an appropriate subdivision of the firm) have become, or are threatened to become, totally or partially separated;
- (2) Sales or production, or both, of such firm or subdivision have decreased absolutely; and
- (3) Increases (absolute or relative) of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production. For purposes of this paragraph, the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

(c) *Notice of affirmative determination and certification of eligibility.* Upon reaching a determination on a petition that a group of workers has met all the requirements set forth in section 222 of the Act and paragraph (b) of this section, the certifying officer shall issue a certification of eligibility to apply for adjustment assistance and shall promptly publish in the FEDERAL REGISTER a summary of the determination together with the reasons for making such

## PROPOSED RULES

determination (with the exception of information which the certifying officer determines to be confidential). Such summary shall include the certification of eligibility and shall constitute a Notice of Determination and Certification of Eligibility.

(d) *Contents of certification of eligibility.* The certification shall specify in detail:

(1) The firm or subdivision thereof at which the workers covered by the certification have been employed (which need not be limited to the unit specified in the petition), and may identify individual workers by name; and

(2) The impact date(s) on which the total or partial separations of the workers covered by the certification began or threatened to begin. When applicable, the certification shall specify the date(s) after which the total or partial separations of the petitioning group of workers from the firm or subdivision thereof specified in the certification are no longer attributable to the conditions set forth in paragraph (h) of this section. For purposes of this section, the "impact date" is the earliest date on which any part of the total or partial separations involving a significant number or proportion of workers began or threatened to begin.

(e) *Exclusions from coverage of a certification of eligibility.* A certification of eligibility to apply for adjustment assistance shall not apply to any worker:

(1) Whose last total or partial separation from the firm or appropriate subdivision occurred more than one (1) year before the date of the petition; or

(2) Whose last total or partial separation from the firm or appropriate subdivision occurred before October 3, 1974.

(f) *Notice of negative determination.* Upon reaching a determination that a group of workers has not met all the requirements set forth in section 222 of the Act and paragraph (b) of this section, the certifying officer shall promptly publish in the FEDERAL REGISTER a summary of the determination together with the reasons for making such determinations (with the exception of information which the certifying officer deems to be confidential). Such summary shall constitute a Notice of Negative Determination.

#### § 90.17 Termination of certifications of eligibility.

(a) *Investigation.* Whenever the Director of the Office of Trade Adjustment Assistance has reason to believe, with respect to any certification of eligibility, that the total or partial separations from a firm or appropriate subdivision thereof are no longer attributable to the conditions specified in section 222 of the Act and § 90.16(b) of this part, the Director shall promptly make an investigation. Notice of the initiation of the investigation shall be published in the FEDERAL REGISTER and shall be transmitted to the group of workers concerned.

(b) *Opportunity for comment and*

*hearing.* Within 10 days after publication of the notice under paragraph (a) of this section, the group of workers or other persons showing a substantial interest in the proceedings may request a public hearing or may make written submissions to show why the certification should not be terminated. If a hearing is requested under this paragraph, such hearing shall be conducted in accordance with § 90.13 of this part.

(c) *Recommendation.* Upon the conclusion of any public hearing conducted under this section, and after consideration of any written comments received under paragraph (b) of this section, the Director shall recommend to the certifying officer whether or not the certification should be terminated.

(d) *Notice of termination.* Within ten (10) days of receipt of a report recommending termination of a certification of eligibility, the certifying officer shall determine whether or not such certification shall be terminated. Upon reaching a determination that the certification of eligibility shall be terminated, the certifying officer shall make findings of fact and shall promptly have published in FEDERAL REGISTER a summary of the determination and the reasons therefor (with the exception of information which the certifying officer determines to be confidential). Such summary shall constitute a Notice of Termination. Such termination shall apply only with respect to total or partial separations occurring after the termination date specified by the certifying officer.

#### § 90.18 Judicial review of determinations.

(a) *General.* Pursuant to section 250 of the Act, any worker, group of workers, certified or recognized union, or authorized representative of such worker or group, aggrieved by a final determination issued pursuant to the Act and §§ 90.16(c), 90.16(f), or 90.17(d) of this part may file a petition for review of such determination with the United States court of appeals for the circuit in which such worker or group is located or in the United States Court of Appeals for the District of Columbia Circuit. The party seeking judicial review must file for review in the appropriate court within sixty (60) days after the notice of determination has been published in the FEDERAL REGISTER.

(b) *Certified record of the Secretary.* Upon receiving a copy of the petition for review from the clerk of the appropriate court of appeals, the certifying officer shall promptly certify and file in such court the record on which the determination was based. The record shall include transcripts of any public hearings, recommendations received pursuant to § 90.15 of this part, the findings of fact made pursuant to § 90.16(b) or § 90.17(d) of this part, and other documents on which the determination was based.

(c) *Further proceedings.* If a case is remanded to the Secretary by the court

of appeals for the taking of further evidence, the certifying officer shall direct that further proceedings be conducted in accordance with the provisions of Subpart B of this part, including the taking of further evidence. The certifying officer, after the conduct of such further proceedings, may make new or modified findings of fact and may modify or affirm the previous determination. Upon the completion of such further proceedings, the certifying officer shall certify and file in the appropriate court of appeals the record of such further proceedings.

(d) *Substantial evidence.* The findings of fact by the certifying officer shall be conclusive if the appropriate court of appeals determines that such findings of fact are supported by substantial evidence.

#### Subpart C—Initiation and Conduct of Study With Respect to Workers in Industry Which is the Subject of an Investigation for Industry Import Relief

##### § 90.21 Study.

(a) *Initiation.* Upon notification by the Commission, pursuant to section 224 of the Act, that the Commission has begun an investigation under section 201 with respect to an industry import relief action, the Secretary shall direct the Director of the Office of Trade Adjustment Assistance to immediately begin a study of (1) the number of workers in the domestic industry producing the like or directly competitive article(s) who have been or are likely to be certified eligible for adjustment assistance; and (2) the extent to which the adjustment of such workers to the import competition may be facilitated through the use of existing programs.

(b) *Report.* The report of the Secretary of the study under section 224(a) of the Act and paragraph (a) of this section shall be made to the President not later than fifteen (15) days after the day on which the Commission makes its report under section 201.

(c) *Release of report.* Upon making the report of the study to the President, the Secretary shall also promptly make the report public (with the exception of information which the Secretary determines to be confidential) and shall have a summary of it published in the FEDERAL REGISTER.

##### § 90.22 Dissemination of program knowledge and assistance to workers.

Whenever the Commission makes an affirmative finding under section 201(b) of the Act that increased imports are a substantial cause of serious injury or threat thereof with respect to an industry, the Secretary shall, to the extent feasible, make available to the workers in such industry full information about programs which may facilitate their adjustment to the import competition. He shall provide assistance to such workers in the preparation and processing of petitions and applications for program benefits.



**Subpart D—General Provisions**

**§ 90.31 Filing of documents.**

(a) *Where to file, date of filing.* Petitions and all other documents shall be filed at the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, Washington, D.C. 20210. If properly filed, such documents shall be deemed filed on the date on which they are actually received in the Office of Trade Adjustment Assistance.

(b) *Conformity with rules.* Documents filed in support of the initiation of an investigation by the Director of the Office of Trade Adjustment Assistance shall be considered properly filed if they conform with the pertinent rules prescribed in this Part 90. The Director may accept documents in substantial compliance with the pertinent rules of this part provided good and sufficient reason is stated in the document for inability to comply fully with the pertinent rules. The Director cannot waive full compliance with a rule which is required by the Act.

**§ 90.32 Availability of information.**

(a) *Information available to the public.* Upon request to the Director of the Office of Trade Adjustment Assistance, members of the public may inspect petitions and other documents filed with the Director under the provisions of this Part 90, transcripts of testimony taken and exhibits submitted at public hearings held under the provisions of this Part 90, recommendations to the certifying officer concerning determinations on petitions for certification of eligibility and determinations on termination of the effect of certifications of eligibility, summaries of the certifying officer's determinations concerning certifications of eligibility and terminations of the effect of certifications of eligibility, public notices concerning worker assistance under the Act and other reports and documents issued for general distribution.

(b) *Information not available to the public.* Confidential business information, defined in § 90.33 of this Part 90, shall not be available to the public.

**§ 90.33 Confidential business information.**

(a) *Definition.* Confidential business information means trade secrets and commercial or financial information which are obtained from a person and are privileged or confidential, as set forth in 5 U.S.C. 552(b) and 29 CFR Part 70.

(b) *Identification of information submitted in confidence.* Business information which is to be treated as confidential shall be submitted on separate sheets each clearly marked at the top, "Business Confidential." When submitted at hearings, such business information shall be offered as a confidential exhibit with a brief description of the nature of the information.

(c) *Acceptance of information in confidence.* The Director of the Office of

Trade Adjustment Assistance may refuse to accept in confidence any information which he determines is not entitled to confidential treatment under this section. In the event of such refusal, the person submitting such information shall be notified and shall be permitted to withdraw such information.

**§ 90.34 Notice procedures.**

Formal notice of a certification, negative determination, or termination shall be transmitted promptly to the group of workers concerned and to all State Employment Security Agencies concerned whenever such notices are published in the FEDERAL REGISTER.

**§ 90.35 Transitional provisions.**

As more particularly provided in section 246 of the Act, a group of workers, their certified or recognized union, or other duly authorized representative who filed a petition under section 301(a)(2) of the Trade Expansion Act of 1962 before December 3, 1974, may file a new petition under section 221 of this Act if:

(a) The Commission has not rejected such previous petition before April 3, 1975; and

(b) No certification has been issued to the petitioning group under section 302(c) of the Trade Expansion Act of 1962 before April 3, 1975; and

(c) The new petition under section 221 of the Act is filed not later than July 2, 1975.

Signed at Washington, D.C., this 6th day of March, 1975.

PETER J. BRENNAN,  
Secretary of Labor.

[FR Doc.75-6318 Filed 3-10-75; 8:45 am]

**DEPARTMENT OF  
TRANSPORTATION**

Federal Highway Administration

[ 23 CFR Part 750 ]

[FHWA Docket No. 74-3]

**HIGHWAY BEAUTIFICATION**

**Amendments to the Notice of Proposed Rulemaking on Outdoor Advertising Control**

The Federal-Aid Highway Amendments of 1974, Pub. L. 93-643, effective January 4, 1975, have necessitated some changes in the notice of proposed rulemaking on Outdoor Advertising Control, published in the FEDERAL REGISTER at 39 FR 36490, October 10, 1974, corrected at 39 FR 43409, December 13, 1974. A notice of changes to existing procedures was published in the FEDERAL REGISTER at 40 FR 4671, January 31, 1975. That notice indicated appropriate changes would be made in forthcoming rulemaking. These amendments to the notice of proposed rulemaking only make changes required by Federal-Aid Highway Amendments of 1974.

The time for commenting on the proposed rule generally is closed, but those wishing to comment on the changes suggested herein may do so by submitting

their comments on or before March 26, 1975. Please submit two copies of all comments to: Federal Highway Administration, Room 4226, 400 7th Street, SW., Washington, D.C. 20590, and refer to the above docket number [74-3]. The comment should include the name and address of the person submitting it. All comments received before the closing date will be considered. Comments received will be available to any interested person both before and after the closing date in Room 4226, Office of the Chief Counsel, Federal Highway Administration, U.S. Department of Transportation, 400-7th Street, SW., Washington, D.C.

The amendments to the notice of proposed rulemaking are as follows:

1. The Table of Contents is changed to reflect the addition of a new proposed § 750.710 entitled *Exemption of Landmark Signs*, and the numbering is changed so that present §§ 750.710, 750.711, 750.712, and 750.713 become, respectively, §§ 750.711, 750.712, 750.713, and 750.714.

2. Section 750.702, entitled *Applicability*, is amended to read:

**§ 750.702 Applicability.**

The provisions of this subpart are applicable to all areas adjacent to the Federal-Aid Interstate and Primary System, including toll sections thereof, except for areas beyond 660 feet of the nearest edge of the right-of-way in urban areas. These provisions apply regardless of whether Federal funds participated in the costs of such highways. The provisions of this subpart do not apply to the Federal-Aid Secondary or Urban Highway Systems.

3. Section 750.703, *Definitions*, is amended by adding a new paragraph (s), as follows:

**§ 750.703 Definitions.**

(s) The term 'urban area' means an urbanized area or, in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or an urban place as designated by the Bureau of the Census having a population of five thousand or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urban place designated by the Bureau of the Census.

**§ 750.704 [Amended]**

4. Section 750.704, *Statutory Requirements*, is amended by the following changes:

a. The introductory sentence of § 750.704(a) is amended to read:

(a) 23 U.S.C. 131 (c) and (d) provide that signs adjacent to the Interstate and Federal-Aid Primary Systems which are visible from the main traveled way and within 660 feet of the nearest edge of the right-of-way and signs beyond 660 feet outside of urban areas which are visible from the main traveled way and erected with the purpose of their message being

read from such main traveled way, shall be limited to the following six types: . . .

b. Section 750.704(a)(4) is amended by adding the words "660 feet of the nearest edge of the right-of-way within" between the words "devices within" and "areas adjacent."

c. Section 750.704(a)(5) is amended by adding the words "660 feet of the nearest edge of the right-of-way within" between the words "devices within" and "areas adjacent."

d. A new paragraph (a)(6) is added as follows:

(6) signs lawfully in existence on October 22, 1965, which are determined to be landmark signs.

e. A new § 750.704(c) is added as follows:

(c) 23 U.S.C. 131 does not permit signs to be located within zoned or unzoned commercial or industrial areas beyond 660 feet of the nearest edge of the right-of-way adjacent to the Interstate or Federal-Aid Primary System outside of urban areas.

f. Existing § 750.704(c) is renumbered to become § 750.704(d).

#### § 750.705 [Amended]

5. § 750.705, *Effective Control*, is amended by the following changes:

a. A new § 750.705(a)(6) is added as follows:

(6) Comply with § 750.710 if landmark signs are allowed.

b. A new § 750.705(b) is added as follows:

(b) Where a sign is erected with the purpose of its message being read from two or more highways, one or more of which is a controlled highway under the provisions of 23 U.S.C. 131 and regulations issued pursuant thereto, such signs shall be subject to the most stringent of the applicable control requirements.

c. Existing § 750.705(b) is redesignated § 750.705(c) and amended to read as follows:

(c)(1) The State shall develop laws, regulations, and procedures to accomplish the requirements of paragraphs (a) and (b) of this section. These shall include criteria for determining which signs have been erected with the purpose of their message being read from the main traveled way of an Interstate or primary highway, except where State law makes such criteria unnecessary. The criteria should include consideration of:

(i) Traffic counts, sign angle and size, message content, physical obstructions and similar factors;

(ii) Distance from the controlled highway in relation to the size of the sign; and

(iii) Exposure time.

(2) If these requirements are not carried out under a permit system, the State must set up a continuing surveillance of

Interstate and Federal-aid primary highways in order to accomplish the desired results. If a permit system is utilized by the State, it shall be accompanied by regularly scheduled inspections designed to discover violations of the State's law and permit system. State enforcement, procedures must be sufficient to discover illegally erected or maintained signs shortly after such occurrence and to cause the removal of same promptly in accordance with State legal procedures.

6. Section 750.706 is amended by adding the following introductory sentence before existing § 750.706(a):

§ 750.706 Sign controls in zoned or unzoned commercial and industrial areas.

The following requirements apply to signs located in zoned and unzoned commercial and industrial areas within 660 feet of the nearest edge of the right-of-way adjacent to the Interstate and Federal-Aid Primary Highways:

#### § 750.707 [Amended]

7. Section 750.707, *Nonconforming Signs and Grandfather Clause*, is amended as follows:

a. The first sentence of § 750.707(a) is amended by adding the words "within 660 feet of the nearest edge of the right-of-way" between the words "industrial areas" and "which come."

b. The first sentence of § 750.707(b) is amended by adding the words "within 660 feet of the nearest edge of the right-of-way" between the words "industrial areas" and "may apply."

8. Section 750.708 is amended by revising § 750.708(a) to read as follows:

#### § 750.708 Acceptance of State zoning.

(a) 23 U.S.C. 131(d) provides that signs "may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas . . . which are zoned industrial or commercial under authority of State law."

9. A new § 750.710 is added as follows:

#### § 750.710 Exemption of landmark signs.

(a) 23 U.S.C. 131(c) permits the existence of signs lawfully in existence on October 22, 1965, determined by the State, subject to the approval of the Secretary, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance, the preservation of which is consistent with the purpose of 23 U.S.C. 131.

(b) States electing to permit this type of sign by amended State legislation or state rules and regulation shall submit a one-time list to FHWA for approval. The list should identify the sign as being in the original 1966 inventory. In the event a sign was omitted in the 1966 inventory, the State may submit other evidence to support a determination that the sign was in existence on October 22, 1965. States not electing to permit this type of sign are requested to submit a negative statement.

(c) Reasonable maintenance, repair and restoration of a landmark sign is permitted. Substantial change in size, lighting or message content will terminate its exempt status. Likewise, the location of a landmark sign may not be changed except for causes beyond the control of the owner, and the sign, display or device is capable of being physically relocated.

#### §§ 750.710-750.713 [Amended]

10. Existing §§ 750.710, 750.711, 750.712 and 750.713 are renumbered to §§ 750.711, 750.712, 750.713 and 750.714, respectively.

Dated: March 4, 1975.

J. R. COUPAL, Jr.,  
Deputy Administrator,  
Federal Highway Administration.

[FR Doc.75-6222 Filed 3-10-75; 8:45 am]

#### Hazardous Materials Regulations Board [49 CFR Part 179]

[Docket No. HM-109; Notice 75-1]

#### TANK CAR TANK HEAD SHIELDS Proposed Amendments

The Hazardous Materials Regulations Board is considering amending the requirements of Part 179 to provide for more flexibility and clarity in the specifications for applying the head shields to DOT 112A and 114A tank car tanks.

It is proposed to amend § 179.100-23 to include steels produced in accordance with ASTM specifications A515-70 and A516 GR70 and AAR specification TC 128A and B; provide that the inside edges of the shield are to be chamfered at least 1/8-inch; specify that the bottom of the head shield must touch the top of the center sill; and permit one-half of a tank car head to be used as a head shield. These amendments are being proposed to deal with matters raised in discussions between representatives of the Federal Railroad Administration, the Railway Progress Institute—Association of American Railroads Project Review Committee, and a shipper.

It is also proposed to provide a change in the tank car marking so that cars with head shields will display a different specification marking. This will be accomplished by substituting the letter "S" in place of the "A" in DOT 112A and DOT 114A for cars that have a head shield meeting the requirements of Part 179.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 179 as follows:

In § 179.100, paragraphs (a)(1), (a)(2), (a)(2)(i), (ii), (v), and (vi) in § 179.100-23 would be revised; paragraph (a)(2)(vii) would be added to read as follows:

§ 179.100 General specification applicable to pressure tank car tanks.

#### § 179.100-23 Head shields.

(a) . . .  
(1) At least 1/2-inch thick, and made from steel produced in accordance with

specifications ASTM A242, A572 GR50, A515-70, A516 GR70 and AAR TC 128A and B.

(2) In the shape and size of the lower half of the head of the tank car or in the shape of a trapezoid with the following dimensions:

(i) A minimum width at the top of the center sill of four feet six inches, measured in a straight line between the extreme edges.

(ii) A minimum width at the top of shield of 9 feet measured in a straight line between the extreme edges.

(v) All inside edges of the shield chamfered to a minimum of 1/8-inch.

(vi) A minimum height of four feet and six inches, and

(vii) Located so that the bottom of the shield touches the top of the center sill.

In § 179.101, footnote 12 would be added following the table in § 179.101-1(a) and reference thereto would be added in the following column headings: 112A200W, 112A340W, 112A400F<sup>1</sup>, 112A-400W, 112A500W, 114A340W, 114A400W.

§ 179.101 Individual specification requirements applicable to pressure tank car tanks.

§ 179.101-1 Individual specification requirements.

(a) . . . .

<sup>1</sup> When tank car head shields meeting the requirements of § 179.100 have been applied, an "S" must be substituted for the "A" in the specification marking.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590. Communications received before April 15, 1975 will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, room 6215, Trans Point Building, Second and V Streets SW., Washington, D.C., both before and after closing date for comments.

This notice is issued under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C. on March 5, 1975.

R. H. WRIGHT,  
Acting Associate Administrator,  
Alternate Member, Hazardous  
Materials Regulations Board.

[FR Doc.75-6290 Filed 3-10-75; 8:45 am]

**FEDERAL ENERGY  
ADMINISTRATION**

[ 10 CFR Part 210 ]

**STRIPPER WELL LEASE EXEMPTION  
Correction**

On February 28, 1975, the Federal Energy Administration gave notice (40 FR

10195, March 5, 1975) of a proposal to revise § 210.32 of the General Allocation and Price Rules (Stripper well leases).

That notice inadvertently stated that a public hearing on this proposal would be held beginning at 9:30 a.m. on Thursday, March 21, 1975. The notice should have stated that the public hearing in this proceeding will be held beginning at 9:30 a.m. on Friday, March 21, 1975. Therefore, the February 28 notice is hereby corrected by changing the reference from "Thursday, March 21, 1975" to "Friday, March 21, 1975."

Dated: March 6, 1975.

ROBERT E. MONTGOMERY, Jr.,  
General Counsel,  
Federal Energy Administration.

[FR Doc.75-6243 Filed 3-6-75; 1:11 pm]

**FEDERAL HOME LOAN BANK BOARD**

[ 12 CFR Part 531 ]

[No. 75-210]

**FEDERAL HOME LOAN BANK SYSTEM**

Proposed Amendment Regarding  
Liquidating Dividends in Mergers

MARCH 5, 1975.

The Federal Home Loan Bank Board considers it desirable to propose to amend Part 531 of the Regulations for the Federal Home Loan Bank System (12 CFR Part 531) by adding thereto a new § 531.10. The purpose of new § 531.10 is to set forth the Board's policy regarding "liquidating dividends" paid in connection with mergers (including certain bulk purchases of assets) and how the Board's rate control rules (12 CFR Part 526) affect such payments.

The effect of this policy would be to preclude the payment of liquidating or similar dividends to savings account-holders in institutions whose assets are being acquired by statutory merger or bulk purchase involving an assumption of savings accounts and other liabilities whether or not such payment is intended to adjust the relative net worths of the disappearing and acquiring institutions. When savings accounts are being assumed in such an acquisition, the Board does not consider an actual liquidation to have occurred so as to entitle the savings account-holders in the disappearing institution to a distribution of all or part of its net worth. This policy would not apply to a distribution of net worth made by a non-member disappearing institution prior to execution of a merger agreement or other merger commitment.

If this policy is adopted in final form substantially as proposed, the Board will consider exceptions in the case of payments made prior to consummation of the acquisition under merger agreements or other merger commitments entered into by non-member disappearing institutions prior to March 11, 1975 (the date of FEDERAL REGISTER publication of this proposal).

Accordingly, the Board hereby proposes to add new § 531.10, immediately following § 531.9, to read as set forth below.

Interested persons are invited to submit written data, views, and arguments

to the Office of the Secretary, Federal Home Loan Bank Board, 320 First Street, N.W., Washington, D.C. 20552, by April 14, 1975, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.5 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.5).

**§ 531.10 Liquidating dividends in mergers.**

(a) If a payment is made to holders of any savings accounts in a disappearing institution as part of a merger with a member institution as defined in § 526.1 of this chapter, the Board will consider such payment as a violation of § 526.2(a) of this chapter by the member institution if the payment together with any other return to such holders, exceeds the maximum rate of return prescribed in § 526.2(a), whether such payment is characterized as a "liquidating dividend", "bonus dividend", "equalizing dividend" or otherwise. The term "merger" includes consolidations and bulk purchases of assets in exchange for assumption of savings accounts and other liabilities. However, a payment made as part of an actual liquidation of a disappearing institution in a transaction involving a bulk purchase of its assets without an assumption of its savings accounts and other liabilities would not be viewed as being made as part of a merger, and such payment would not violate § 526.2(a). A merger of the bulk purchase of assets type with an assumption of savings accounts and other liabilities does not involve an actual liquidation of a disappearing mutual institution so as to entitle the holders of its savings accounts to a distribution of its net worth. For these purposes, a savings account will be considered to have been assumed unless full payment therefor has been made to the holder.

(b) The Board will not consider a payment made to the holders of savings accounts in a non-member disappearing institution in contemplation of a merger with a member institution as a violation of § 526.2(a) if the payment is made by the non-member institution prior to the execution of a merger agreement or other merger commitment with the member institution. However, in acting upon any application under §§ 546.2 or 563.22 of this chapter the Board will consider the affect of any such payment on the financial condition of the surviving insured institution along with other factors relevant to the insurance risk on the Federal Savings and Loan Insurance Corporation.

(Sec. 5B, 47 Stat. 727, as added by sec. 4, 80 Stat. 824. Sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1425b, 1437); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,  
Assistant Secretary.

[FR Doc.75-6319 Filed 3-10-75; 8:45 am]

# notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF STATE

### Agency for International Development HOUSING GUARANTIES

#### Prescription of Rate

Pursuant to section 223(f) of the Foreign Assistance Act of 1961 as amended (the "Act"), contracts of guaranty to be entered into for loan investments in housing under sections 221 and 222 of the Act will be subject to the following restriction:

The maximum allowable rate of interest on an eligible U.S. investor shall not exceed nine per centum (9%) per annum.

This prescription of rate shall be effective immediately.

Dated: February 27, 1975.

J. F. OWENS,  
Acting Assistant Administrator,  
Bureau for Program and  
Management Services.

[FR Doc. 75-6221 Filed 3-10-75; 8:45 am]

## DEPARTMENT OF THE TREASURY

### Customs Service

[T.D. 75-59]

### INSTRUMENTS OF INTERNATIONAL TRAFFIC

#### Certain Metal Shipping Racks Used for the Transportation of Insulating Glass Units Designated as Instruments of International Traffic

MARCH 4, 1975.

It has been established to the satisfaction of the U.S. Customs Service that racks composed of metal and wood, measuring 24 inches in width, 96 inches in length, and 60 inches in height, with the name "C-E Glass" and a serial number stenciled on the rack, are substantial, suitable for, and capable of, repeated use, and are used in significant numbers in international traffic for the transportation of insulating glass units.

Under the authority of section 10.41a (a)(1), Customs Regulations (19 CFR 10.41a(a)(1)), I hereby designate the steel racks so marked as "instruments of international traffic" within the meaning of section 322a, Tariff Act of 1930, as amended. These racks may be released under the procedures provided for in section 10.41a, Customs Regulations.

[SEAL]

VERNON D. ACRRE,  
Commissioner of Customs.

[FR Doc. 75-6240 Filed 3-10-75; 8:45 am]

## DEPARTMENT OF DEFENSE

### Office of the Secretary of Defense DEPARTMENT OF DEFENSE WAGE COMMITTEE

#### Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that meetings of the Department of Defense Wage Committee will be held on:

Tuesday, April 1, 1975.  
Tuesday, April 8, 1975.  
Tuesday, April 15, 1975.  
Tuesday, April 22, 1975.  
Tuesday, April 29, 1975.

These meetings will convene at 9:45 a.m. and will be held in Room 1E-801, The Pentagon, Washington, D.C.

The Committee's primary responsibility is to consider and make recommendations to the Assistant Secretary of Defense (Manpower and Reserve Affairs) on all matters involved in the development and authorization of wage schedules for Federal prevailing rate employees pursuant to Public Law 92-392.

At these scheduled meetings, the Committee will consider wage survey specifications, wage survey data, local reports and recommendations, statistical analyses and proposed pay schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92-463, the Assistant Secretary of Defense (Manpower and Reserve Affairs) has determined that these meetings will be closed to the public because the matters considered are related to the internal personnel rules and practices of the Department of Defense (5 U.S.C. 552 (b)(2)) and the wage survey data considered by the Committee have been obtained from private industry with the guarantee of confidentiality (5 U.S.C. 552 (b)(4)).

However, members of the public who may wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the Committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Department of Defense Wage Committee, Room 3D-281, The Pentagon, Washington, D.C.

Dated: March 5, 1975.

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

[FR Doc. 75-6241 Filed 3-10-75; 8:45 am]

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration MANUFACTURE OF CONTROLLED SUBSTANCES

#### Application

Section 303(a)(1) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 823(a)(1)) states:

The Attorney General shall register an applicant to manufacture controlled substances in schedules I or II if he determines that such registration is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on the effective date of this part. In determining the public interest, the following factors shall be considered:

(1) Maintenance of effective controls against diversion of particular controlled substances and any controlled substance in schedule I or II compounded therefrom into other than legitimate medical, scientific, research, or industrial channels, by limiting the importation and bulk manufacture of such controlled substances to a number of establishments which can produce an adequate and uninterrupted supply of these substances under adequately competitive conditions for legitimate medical, scientific, research, and industrial purposes;

Section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)) provides that the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedules I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Pursuant to § 1301.43 of Title 21 of the Code of Federal Regulations, notice is hereby given that the following manufacturers made application to the Drug Enforcement Administration to be registered as bulk manufacturers of the basic class of controlled substances listed below:

Mallinckrodt Inc., Mallinckrodt and Second Streets, St. Louis, Missouri 63147 (January 13, 1975).

| Drug:                    | Schedule |
|--------------------------|----------|
| Cocaine .....            | II       |
| Dihydrocodeine .....     | II       |
| Oxycodone .....          | II       |
| Diphenoxylate .....      | II       |
| Hydrocodone .....        | II       |
| Pethidine-Inter. B. .... | II       |
| Methadone .....          | II       |
| Morphine .....           | II       |

| Drug:                | Schedule |
|----------------------|----------|
| Thebaine             | II       |
| Opium extracts       | II       |
| Opium fluid extracts | II       |
| Opium tinctures      | II       |
| Opium powders        | II       |
| Opium granulated     | II       |

Merck & Co., Inc., Merck Chemical Division, Lincoln Ave., Rahway, New Jersey 07065 (January 8, 1975).

| Drug:         | Schedule |
|---------------|----------|
| Anileridine   | II       |
| Apomorphine   | II       |
| Cocaine       | II       |
| Codeine       | II       |
| Ethylmorphine | II       |
| Hydrocodone   | II       |
| Morphine      | II       |
| Thebaine      | II       |

Gane's Chemical Works, Inc., Lessee of Siegfried Chemical, Inc., Industrial Park Road, Pennaville, New Jersey 08070 (January 14, 1975).

| Drug:           | Schedule |
|-----------------|----------|
| Methamphetamine | II       |
| Amobarbital     | II       |
| Pentobarbital   | II       |
| Secobarbital    | II       |
| Methaqualone    | II       |

Any person registered to manufacture any of the above mentioned substance in bulk may, on or before April 10, 1975, file written comments on or objections to the issuance of the proposed registration for those substances and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of the Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street NW., Washington, D.C. 20537.

Dated: March 4, 1975.

JOHN R. BARTELS, Jr.,  
Administrator,  
Drug Enforcement Administration.  
[FR Doc.75-6247 Filed 3-10-75;8:45 am]

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**ADVISORY COMMITTEE ON INDIAN TRUST RESPONSIBILITIES**

**Establishment, Charter, and Functions**

**FEBRUARY 27, 1975.**

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that on January 6, 1975, the Secretary of the Interior approved the charter establishing the Advisory Committee on Indian Trust Responsibilities. The Charter reads as follows:

**OFFICE OF THE SECRETARY**

**ADVISORY COMMITTEE ON INDIAN TRUST RESPONSIBILITIES**

**CHARTER**

Purpose: The purpose of the Advisory Committee on Indian Trust Responsibilities is to utilize the National Tribal Chairmen's

Association and officials of the various Indian tribes, bands, communities, and other Indian organizations representing federally recognized Indian groups, toward which the United States has a trust responsibility, to render advice and make recommendations to the Secretary of the Interior, Commissioner of Indian Affairs, and the Office of Trust Responsibilities on those alternative courses of action available to the Department of the Interior and the Bureau of Indian Affairs in the discharge of the trust responsibilities of the United States for which the Secretary of the Interior is responsible.

**AUTHORITY:** 25 U.S.C. 2, et seq. This committee is established in accordance with and governed by provisions of Public Law 92-463, which sets forth standards for the formation and use of advisory committees.

**Objectives and Scope of Activity:** The Advisory Committee will be responsible for:

1. Rendering advice to the Secretary of the Interior and officials of the Bureau of Indian Affairs with respect to the functions of the Office of Trust Responsibilities, particularly including, but not limited to, water rights, real property rights of every kind and nature, and personal property rights wherein the United States has a trust responsibility to an Indian tribe, band, or community.
2. Providing input from Indian officials and groups, such as the National Tribal Chairmen's Association, into the operation of the Office of Trust Responsibilities in the Bureau of Indian Affairs and acting as a conduit of information and cooperation from the Federally recognized Indian people to the Secretary of the Interior.
3. Establishing liaison between the various Indian groups, such as the National Tribal Chairmen's Association, tribes, bands, and communities with respect to the efforts of the Office of Trust Responsibilities to fulfill the trust responsibilities of the United States for which the Secretary is responsible.
4. Holding periodic meetings to develop recommendations and advice with respect to programs, lawsuits, studies, and other actions within the Department of the Interior, in connection with the discharge of the aspects of the trust responsibilities of the United States for which the Department of the Interior is responsible.

**Membership:** The Secretary shall ask the National Tribal Chairmen's Association, and other Indian groups, for nominations for appointment by the Secretary to the 16-member Advisory Committee. The nominations shall include persons selected from each of the twelve areas of the United States administered by the Bureau of Indian Affairs and will include membership for experts with specific knowledge on the questions presented. The persons nominated and appointed shall provide a balanced representation of Indian interests with respect to the performance of the trust responsibility of this Department.

**Structure:** The Committee's organization, the designation of the Chairman of the Committee, its various sections, and its internal operations shall be determined by its members. Such organization and internal operation may be changed from time-to-time, as the need arises, in order to fulfill its responsibilities.

**Meetings:** Meetings will be held quarterly or as often as decided on by the Chairman with the advance approval of a Federal official, to be designated by the Secretary, who shall also approve the agenda. This Federal official or his designee will be present at all meetings.

Meetings shall be open to the public and notice of all meetings will be published in the **FEDERAL REGISTER**.

Meetings shall be conducted and records of the proceedings kept as required by Pub-

lic Law 92-463, Executive Order 11769, and applicable Office of Management and Budget, Department of the Interior, and Bureau of Indian Affairs regulations.

Annual cost estimate: The annual cost related to the operation of the Advisory Committee is estimated at \$35,000.00 (travel, per diem, and miscellaneous expenses). Estimated man years are as follows:

|  | Man years |
|--|-----------|
| a. Advisory Committee members  | 2 1/2     |
| b. Other Interior Department personnel necessary to render support to the Advisory Committee | 1/2       |
| <b>Total</b>   | <b>3</b>  |

Funds for the travel and expenses of the Advisory Committee members shall be administered through the Office of Trust Responsibilities, Bureau of Indian Affairs.

Reports: The advice of the Advisory Committee shall be reported to the Secretary of the Interior, the Commissioner of Indian Affairs, and the Director, Office of Trust Responsibilities. The Bureau of Indian Affairs will provide the necessary administrative support for the Committee and shall be responsible for record keeping, reporting, and other managerial action. The committee shall make a report of its activities annually on or before the 15th day of May of each year. Publication and filing of its reports will conform with Pub. L. 92-463 and pertinent Department directives, e.g. (308 DM 2).

**Duration:** While the use of this Advisory Committee is expected to continue indefinitely, its use shall terminate on December 31, 1975. Further use will be subject to biennial review and renewal as required by section 14 of Pub. L. 92-463.

**FORMAL DETERMINATION**

It is hereby determined that the utilization of the Advisory Committee on Indian Trust Responsibilities is in the public interest in connection with the performance of duties imposed on the Department of the Interior by law (25 U.S.C. 2, et seq.) and that such duties can best be performed through the advice and counsel of such a group.

RAYMOND V. BUTLER,  
Acting Commissioner  
of Indian Affairs.

[FR Doc.75-6269 Filed 3-10-75;8:45 am]

**Bureau of Land Management**

[M 39012]

**MONTANA**

**Proposed Withdrawal and Reservation of Lands; Charles M. Russell National Wildlife Range**

**MARCH 4, 1975.**

The Bureau of Land Management, Department of the Interior, has filed a request, M 30912, to withdraw the Federally owned lands and interests in the lands described below from location under the mining laws, 30 U.S.C. Chapter 2, but not from leasing under the mineral leasing laws. This withdrawal would be subject to valid, existing rights. The lands involved are now withdrawn and reserved from appropriation under the public land laws as the Charles M. Russell National Wildlife Range by Public Land Order No. 2951 dated February 25, 1963, formerly the Fort Peck Game Range established by Executive Order No. 7509 dated December 11, 1936.

The proposed withdrawal segregates these Federal lands and interests in lands from mining location in order to make a complete mineral evaluation of the Wildlife Range and to protect potential wilderness values. There is no known utilization of mineral resources in these lands today. The mineral evaluation will allow the Secretary of the Interior an adequate opportunity to make a reasonable determination between wilderness values and other resource values. After completion the authorized officer will prepare a report for the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested.

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

On or before April 14, 1975, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, 316 North 26th Street, Billings, Montana 59101.

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

The segregation from mining location will terminate one year after the mineral evaluation report is received by the Secretary of the Interior if the Secretary fails to act on the proposed withdrawal within that year. Notice of any such termination will be published in the FEDERAL REGISTER.

The lands involved in this application are as follows:

CHARLES M. RUSSELL NATIONAL WILDLIFE  
RANGE, MONTANA

PRINCIPAL MERIDIAN, MONTANA

- T. 21 N., R. 23 E.,  
Secs. 1 to 18, inclusive.
- T. 22 N., R. 23 E., all.
- T. 21 N., R. 24 E.,  
Secs. 1 to 18, inclusive.
- T. 22 N., R. 24 E., all.
- T. 21 N., R. 25 E.,  
Secs. 1 to 18, inclusive.
- T. 22 N., R. 25 E., all.
- Tps. 21 and 22 N., R. 26 E., all.
- T. 21 N., R. 27 E.,  
Secs. 1 to 25, inclusive.
- T. 22 N., R. 27 E., all.
- T. 21 N., R. 28 E.,  
Sec. 2, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Secs. 3 to 10, inclusive;  
Sec. 11, lots 4 to 8 inclusive, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 12, lot 4, lots 6 to 10, inclusive, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 13 to 23, inclusive; and  
Secs. 26 to 30, inclusive.
- T. 22 N., R. 28 E.,  
Secs. 5 to 8, inclusive;  
Secs. 13 to 34, inclusive;  
Sec. 35 W $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ ; and  
Sec. 36 W $\frac{1}{2}$ W $\frac{1}{2}$ .
- T. 18 N., R. 29 E.,  
Secs. 1, 2, 11, 12, and 13.
- T. 19 N., R. 29 E.,  
Secs. 1, 2, and 3;  
Secs. 10 to 15, inclusive;  
Secs. 22 to 27, inclusive; and  
Secs. 34, 35, and 36.
- T. 21 N., R. 29 E.,  
Sec. 7, lot 5;  
Sec. 14, lot 4;  
Sec. 15, lots 3 to 7, inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
SM $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 16, lots 5 to 8, inclusive, S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 17, lot 3, lots 6 to 8, inclusive, W $\frac{1}{2}$   
SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 18, lots 2 to 8, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Secs. 21 and 22;  
Sec. 23, lots 3, 4, 6, 7, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ,  
S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 24, lots 5 to 8, inclusive, S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 25, lots 1, 2, 4, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
W $\frac{1}{2}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 26, 27, 28, 33, 34, 35; and  
Sec. 36, lots 2, 3, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .
- T. 18 N., R. 30 E., Secs. 4, 5, and 6.
- T. 19 N., R. 30 E.,  
Secs. 1 to 11, inclusive;  
Secs. 15 to 22, inclusive; and  
Secs. 28 to 33, inclusive.
- T. 20 N., R. 30 E.,  
Sec. 1, lots 1, 2, 3, 6, 7, 8, E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 2, lot 9;  
Sec. 5, lots 2, 3, 4, 7, 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$   
SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Secs. 6 and 7;  
Sec. 8, lots 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ .  
Sec. 9, lots 3, 4, 7, 8, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 11, lots 1, 2, 3, 4, 7, E $\frac{1}{2}$ E $\frac{1}{2}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 12 and 13;  
Sec. 14, lots 1, 4, 5, and 9;  
Sec. 16, lots 2, 3, 6, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Secs. 17 to 20, inclusive;  
Sec. 21, lots 4 and 5;  
Sec. 23, lots 1, 2, 4, 5, 6, 7, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$   
SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Secs. 24 and 25;  
Sec. 26, lots 1, 2, 4, 5, 8, NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 28, lot 2;  
Sec. 29, lots 1, 2, 4, 5, W $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ ;  
Secs. 30, 31, and 32;  
Sec. 33, lots 7 to 10, inclusive, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 34, lots 5 to 8, inclusive, S $\frac{1}{2}$ ;  
Sec. 35, lots 1, 3, E $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
and  
Sec. 36, all.
- T. 21 N., R. 30 E.,  
Sec. 19, lot 4;  
Sec. 30, lot 2;  
Sec. 31, lots 4, 5, and 6;  
Sec. 35, lots 1, 4, 5, 6, 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$   
SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; and  
Sec. 36, lots 2 to 9, inclusive, S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ .
- T. 22 N., R. 30 E.,  
Sec. 1, lots 1 to 4, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .
- T. 23 N., R. 30 E.,  
Secs. 25 and 36.
- T. 20 N., R. 31 E.,  
Secs. 1 to 8, inclusive;  
Secs. 17 to 20, inclusive; and  
Secs. 29 to 32, inclusive.
- T. 21 N., R. 31 E., all.
- T. 22 N., R. 31 E.,  
Secs. 1 to 5, inclusive;  
Sec. 6, lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Secs. 8 to 17, inclusive;  
Secs. 20 to 29, inclusive; and  
Secs. 31 to 36, inclusive.
- T. 23 N., R. 31 E.,  
Secs. 25 to 36, inclusive.
- T. 21 N., R. 32 E.,  
Secs. 1 to 12, inclusive;  
Secs. 16 to 19, inclusive; and  
Secs. 30 and 31.
- T. 22 N., R. 32 E., all.
- T. 21 N., R. 33 E.,  
Secs. 1 to 6, inclusive; and  
Secs. 9 to 16, inclusive.
- T. 22 N., R. 33 E., all.
- T. 23 N., R. 33 E.,  
Secs. 35 and 36.
- T. 21 N., R. 34 E.,  
Secs. 6, 7, and 18.
- T. 22 N., R. 34 E., all.
- T. 23 N., R. 34 E.,  
Secs. 22 to 36, inclusive.
- T. 22 N., R. 35 E., all.
- T. 23 N., R. 35 E.,  
Secs. 19 to 36, inclusive.
- T. 21 N., R. 36 E.,  
Secs. 1, 2, 3, 10, 11, and 12.
- T. 22 N., R. 36 E., all.
- T. 23 N., R. 36 E.,  
Secs. 1, 12, 13; and  
Secs. 19 to 36, inclusive.
- T. 21 N., R. 37 E.,  
Secs. 1 to 17, inclusive.
- Tps. 22 and 23 N., R. 37 E., all.
- T. 21 N., R. 38 E.,  
Secs. 2 to 11, inclusive; and  
Secs. 14 to 18, inclusive.
- T. 22 N., R. 38 E.,  
Secs. 1 to 24, inclusive; and  
Secs. 26 to 35, inclusive.
- T. 23 N., R. 38 E., all.
- T. 24 N., R. 38 E.,  
Secs. 25 to 28, inclusive; and  
Secs. 33 to 36, inclusive.
- T. 22 N., R. 39 E.,  
Secs. 1 to 20, inclusive.
- Tps. 23 and 24 N., R. 39 E., all.
- T. 25 N., R. 39 E.,  
Secs. 1 to 4, inclusive;  
Secs. 9 to 16, inclusive;  
Secs. 21 to 28, inclusive; and  
Secs. 33 to 36, inclusive.
- T. 25 N., R. 39 E.,  
Secs. 1 to 4, inclusive;  
Secs. 9 to 16, inclusive;  
Secs. 21 to 28, inclusive; and  
Secs. 33 to 36, inclusive.
- T. 26 N., R. 39 E.,  
Secs. 21 to 28, inclusive; and  
Secs. 33 to 36, inclusive.
- T. 22 N., R. 40 E.,  
Secs. 1 to 9, inclusive; and  
Secs. 16, 17, and 18.
- Tps. 23, 24, and 25 N., R. 40 E., all.
- T. 26 N., R. 40 E.,  
Secs. 19 to 36, inclusive.
- T. 23 N., R. 41 E.,  
Sec. 6, all.
- T. 24 N., R. 41 E.,  
Secs. 1 to 16, inclusive; and  
Secs. 18, 19, 23, 24, 25, 30, 31, and 36.
- T. 25 N., R. 41 E., all.
- T. 26 N., R. 41 E.,  
Secs. 1, 2, and 3; and  
Secs. 10 to 36, inclusive.
- T. 20 N., R. 42 E.,  
Sec. 1;  
Secs. 11 to 14, inclusive; and  
Secs. 23 to 26, inclusive.
- T. 21 N., R. 42 E.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive;  
Secs. 23 to 26, inclusive; and  
Secs. 35 and 36.
- T. 22 N., R. 42 E.,  
Secs. 1 to 4, inclusive;  
Secs. 9 to 16, inclusive;  
Secs. 21 to 28, inclusive; and  
Secs. 34, 35, and 36.
- T. 23 N., R. 42 E.,  
Secs. 1 to 29, inclusive; and  
Secs. 33 to 36, inclusive.
- T. 24 N., R. 42 E.,  
Secs. 5 to 11, inclusive; and  
Secs. 14 to 36, inclusive.
- T. 25 N., R. 42 E.,  
Secs. 4 to 10, inclusive;

Secs. 15 to 19, inclusive; and  
Secs. 30 and 31.

T. 26 N., R. 42 E.,

Secs. 5 to 8, inclusive;  
Secs. 17 to 20, inclusive; and  
Secs. 29 to 33, inclusive.

T. 20 N., R. 43 E.,

Secs. 5 to 8, inclusive; and  
Secs. 17 and 18.

T. 21 N., R. 43 E.,

Secs. 2 to 11, inclusive;  
Secs. 14 to 23, inclusive; and  
Secs. 26 to 32, inclusive.

T. 22 N., R. 43 E.,

Secs. 4 to 9, inclusive;  
Secs. 16 to 21, inclusive; and  
Secs. 27 to 35, inclusive.

T. 23 N., R. 43 E.,

Secs. 5 to 8, inclusive;  
Secs. 16 to 21, inclusive; and  
Secs. 28 to 33, inclusive.

T. 24 N., R. 43 E.,

Secs. 19 and 20; and  
Secs. 29 to 32, inclusive.

The area described aggregates approximately 980,000 acres in Fergus, Garfield, McCone, Petroleum, Phillips, and Valley Counties, Montana.

**ROLAND F. LEE,**  
*Chief, Branch of Lands and  
Minerals Operations.*

[FR Doc.75-6270 Filed 3-10-75;8:45 am]

[NM 24253]

#### NEW MEXICO

#### Application

FEBRUARY 28, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Dugan Production Corporation has applied for a 3½ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 27 N., R. 13 W.,

Sec. 32, SW¼NE¼, N½S½;  
Sec. 33, S½NE¼, SE¼NW¼, N½SW¼;  
Sec. 34, S½N½;  
Sec. 35, N½NE¼, NE¼NW¼ and S½NW¼.

This pipeline will convey natural gas across 3.992 miles of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway NE., Albuquerque, NM 87107.

**RAUL E. MARTINEZ,**  
*Acting Chief, Branch of Lands  
and Minerals Operations.*

[FR Doc.75-6220 Filed 3-10-75;8:45 am]

[INT DES 75-10]

#### TIMBER MANAGEMENT

#### Availability of Draft Environmental Statement

Pursuant to section 102(2) (c) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2) (c) (1970)), the Bureau of Land Management has prepared a Draft Environmental Statement on its Timber Management Program. The statement addresses itself to all timber management practices, from reforestation to harvest, that are currently carried out or have potential for application on the forests under the Bureau's administration. The impacts of the practices are discussed both individually and on a cumulative basis.

Copies are available for inspection at the following Bureau of Land Management offices:

Alaska State Office: 555 Cordova Street, Anchorage, Alaska 99501.

Arizona State Office: Federal Building, Room 3022, Phoenix, Arizona 85025.

California State Office: 2800 Cottage Way, Room E-2841, Sacramento, California 95825.

Colorado State Office: 1600 Broadway, Room 700, Denver, Colorado 80202.

Idaho State Office: Federal Building, Room 398, 550 West Fort Street, Boise, Idaho 83702.

Montana State Office: (N. Dak., S. Dak.) Federal Building, 316 North 26th Street, Billings, Montana, 59101.

Nevada State Office: Federal Building, 300 Booth Street, Reno, Nevada 89502.

New Mexico State Office: Federal Building, P.O. Box 1449, Santa Fe, New Mexico 87501.

Oregon State Office: (Washington) 729 Northeast Oregon Street, P.O. Box 2965, Portland, Oregon 97208.

Utah State Office: Federal Building, 125 South State Street, Salt Lake City, Utah 84111.

Wyoming State Office: (Nebraska, Kansas) 2120 Capitol Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001.

Washington, D.C.: Office of Public Affairs, Room 5643, Interior Building, Washington, D.C. 20240.

For All Other States:

Eastern States Office: Robin Building, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

A single copy per requestor may be obtained by writing to the Director (130), Bureau of Land Management, Department of the Interior, Washington, D.C. 20240. Please refer to the statement number 75-10.

Comments on the statement from interested citizens, groups, companies, and institutions are invited and should be sent to the Director (340), Bureau of Land Management, Department of the Interior, Washington, D.C. 20240. These comments must be submitted on or before May 7, 1975, to be considered in the preparation of the final environmental statement.

**STANLEY D. DOREMUS,**  
*Deputy Assistant Secretary  
of the Interior.*

MARCH 5, 1975.

[FR Doc.75-6113 Filed 3-10-75;8:45 am]

[Wyoming 48775]

#### WYOMING

#### Application

MARCH 5, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Colorado Interstate Corporation has applied to add structures to the cathodic protection station on the following land:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 17 N., R. 99 W.,

Sec. 18, SE¼SE¼.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1869, Rock Springs, WY 82901.

**PHILIP C. HAMILTON,**  
*Chief, Branch of Lands and  
Minerals Operations.*

[FR Doc.75-6271 Filed 3-10-75;8:45 am]

#### National Park Service

#### NATIONAL REGISTER OF HISTORIC PLACES

#### Additions, Deletions, and Corrections

By notice in the FEDERAL REGISTER of February 4, 1975, there was published a list of the properties included in the National Register of Historic Places. Further notice is hereby given that certain amendments or revisions in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915 (16 U.S.C. 470 et seq.) (1970 ed.), and the procedures of the Advisory Council on Historic Preservation, 38 CFR Part 800.

The following properties have been added to the National Register since December 31, 1974.

#### Alabama

##### Clarke County

Grove Hill vicinity, Fort Sinquefeld, southeast of Grove Hill off AL 12 (12-31-74).

##### Houston County

Dothan, Federal Building and U.S. Courthouse, 100 W. Troy Street (12-31-74).

##### St. Clair County

Ashville vicinity, Looney House, 5 miles west of Ashville on the Greensport Road (12-31-74).

## NOTICES

## Arizona

## Maricopa County

Carefree vicinity, *Brazaleis Pueblo Site*, northeast of Carefree in Tonto National Forest (1-17-75).

## Arkansas

## Hempstead County

Ozan vicinity, *Goodlett Gin*, 3 miles west of Ozan on AR 4 (1-17-75).

## California

## Colusa County

Colusa vicinity, *Grand Island Shrine*, 8 miles south of Colusa on CA 45 (12-31-74).

## Fresno County

Fresno, *Meuz House*, 1007 R Street (1-13-75).

## Inyo County

Furnace Creek vicinity, *Eagle Borax Works*, in Death Valley south of Furnace Creek (12-31-74).

Keeler vicinity, *Saline Valley Salt Tram Historic Structure*, north of Keeler between Cerro Gordo Peak and New York Butte (12-31-74).

Stovepipe Wells vicinity, *Harmony Borax Works*, in Death Valley south of Stovepipe Wells off CA 190 (12-31-74).

## Monterey County

Lucia vicinity, *Kirk Creek Campground Site*, south of Lucia on CA 1 (12-31-74).

## San Diego County

San Diego, *U.S. Courthouse*, 325 W. F Street (1-29-75).

## San Francisco County

San Francisco, *City of Paris Building*, 181-199 Geary Street (1-23-75).

San Francisco, *Hercules* (tugboat), San Francisco Maritime State Historical Park (1-17-75).

San Francisco, *U.S. Customhouse*, 555 Battery Street (1-29-75).

## Colorado

## Dolores County

Rico, *Rico City Hall*, northeast corner of Commercial and Mantz Streets (12-31-74).

## El Paso County

Colorado Springs vicinity, *Pioneer Cabin*, 11 miles north of Colorado Springs off I-25 on grounds of U.S. Air Force Academy (1-27-75).

## Jefferson County

Evergreen, *Humphrey House*, 620 S. Soda Creek Road (12-31-74).

## Mesa County

Molina vicinity, *Convicts' Bread Oven*, west of Molina on CO 65 (12-31-74).

## Delaware

## Kent County

Kenton vicinity, *Somerville*, 1 mile east of Kenton on DE 42 (12-31-74).

## Sussex County

Bridgeville, *Sudler House*, N. Main Street (12-31-74).

## Florida

## Dade County

Coconut Grove, *First Coconut Grove School*, 3429 Devon Road (1-21-75).

## Franklin County

Eastpoint vicinity, *Porter's Bar Site*, 2 miles NE of Eastpoint off U.S. 319 (1-23-75).

## Gadsden County

Quincy, *Stockton-Curry House*, 121 N. Duval Street (12-31-74).

## Georgia

## Clay County

Fort Gaines, *George, Walter F., Dam Mound*, SE of Walter F. George Lock and Dam (1-21-75).

## Cobb County

Marietta vicinity, *Gugal Church Battle Site* (Federal entrenchments), 9 miles W. of Marietta on Sandtown Road (1-23-75).

## Hawaii

## Honolulu County

Honolulu, *U.S. Post Office, Customhouse, and Courthouse*, 335 Merchant Street (1-27-75).

## Illinois

## Gallatin County

Old Shawneetown, *Marshall, John, House Site*, off IL 13 (1-21-75).

## Indiana

## Knox County

Vincennes, *Vincennes Historic District*, bounded by Willow, 11th, and College Streets, and the Wabash River (12-31-74).

## St. Joseph County

South Bend, *West Washington Historic District*, irregular pattern roughly bounded by Main St., Western Ave., W. La Salle Ave., and McPherson St. (1-17-75).

## Iowa

## Ida County

Holstein, *Turner Hall*, SE corner of Keil and Second Streets (1-22-75).

## Kansas

## Anderson County

Harris vicinity, *Tipton, Samuel J., House*, 4 miles SW of Harris (1-23-75).

## Kentucky

## Bourbon County

Paris, *Bourbon County Courthouse*, Courthouse Square (12-31-74).

## Fleming County

Elizaville vicinity, *Sousley, Franklin R., Birthplace*, 4 miles SW of Elizaville on KY 170 (12-31-74).

## Graves County

Fulton vicinity, *Meacham Manor*, 7 miles E of Fulton off KY 116 (12-31-74).

## Harrison County

Cynthiana, *Monticello*, Monticello Heights (12-31-74).

## Jefferson County

Louisville, *Adath Israel Temple*, 834 S. 3rd Street (12-31-74).

## Marshall County

Calvert City, *Oak Hall*, 26 Aspen Street (12-31-74).

## Louisiana

## Orleans Parish

New Orleans, *Faubourg Marigny*, roughly bounded by Mississippi River, Esplanade Avenue, Marais Street, and Montegut Street (12-31-74).

## Maine

## Hancock County

Mount Desert, *Somesville Historic District*, *Somes Harbor* and its environs (1-8-75).

## Kennebec County

Togus, *Governor's House* (National Home for Disabled Volunteer Soldiers).

## Oxford County

Hiram vicinity, *Watson, John, House*, 1 mile NW of Hiram off ME 117 (12-31-74).

## Maryland

## Montgomery County

Garrett Park, *Garrett Park Historic District*, roughly bounded by Baltimore and Ohio Railroad tracks, Rock Creek Park, and Flanders Ave. (1-31-75).

## Massachusetts

## Essex County

Danvers, *Salem Village Historic District*, irregular pattern along Ingersoll, Hobart, Centre, and Collins Streets, as far N as Brentwood Cir., and S to Mello Pkwy. (1-31-75).

## Middlesex County

Framingham, *Framingham Railroad Station*, 417 Waverly Street (1-17-75).

Hudson, *Goodale Homestead*, 100 Chestnut Street (1-21-75).

## Michigan

## Calhoun County

Marshall, *Governor's Mansion*, 621 S. Marshall Avenue (1-8-75).

## Hillsdale County

Hudson, *Treadwell, William, House*, 446 N. Meridian Road (12-31-74).

## Wayne County

Detroit, *Woodward East Historic District*, bounded by Watson, Alfred, Brush, and John R Streets (1-21-75).

## Missouri

## Jefferson County

Pevely vicinity, *Greystone*, NE of Pevely off U.S. 61/67 (12-31-74).

## St. Louis (independent city)

St. Louis *Air Force Station*, Second and Arsenal Streets (1-17-75).

## Montana

## Carbon County

Hardin vicinity, *Pretty Creek Archeological Site*, about 70 miles S of Hardin in Big Horn Canyon National Recreation Area (1-17-75).

## New Jersey

## Burlington County

Burlington, *Quaker School*, York and Penn Streets (12-31-74).

## Mercer County

Pennington, *Pennington Railroad Station*, corner of Franklin and Green Avenue (12-31-74).

Pennington vicinity, *Woolsey, Jeremiah, House*, SW of Pennington on Washington Crossing Road (1-27-75).

## Somerset County

Basking Ridge, *Presbyterian Church in Basking Ridge*, 6 E. Oak Street (12-31-74).



**New York****Jefferson County**

Sackets Harbor, Sackets Harbor Battlefield, coastline and area from Sackets Harbor SW to and including Horse Island (12-31-74).

**New York County**

New York, Grand Central Terminal, 71-105 E. 42nd Street (1-17-75).

**Westchester County**

White Plains, Westchester County Court-house Complex, bounded by Maritime Avenue, and Grand, Main, and Court Streets (1-17-75).

**North Carolina****Duplin County**

Albertson vicinity, Waterloo (Grady House), 2 miles S of Albertson on NC 111 (1-8-75).

**Wake County**

Raleigh, Capehart House, 403 N. Wilmington Street (1-17-75).

**Ohio****Ashtabula County**

Ashtabula, Park Avenue High School, 4325 Park Avenue (1-17-75).

**Erie County**

Sandusky, Follett-Moss-Moss Residences, 401, 414, 428 Wayne Street (12-31-74).

**Fulton County**

Delta vicinity, Winameg Mounds, NW of Delta (12-31-74).

**Hamilton County**

Cincinnati, Cincinnati Zoo District, Cincinnati Zoological Gardens (1-27-75).

**Huron County**

Norwalk, Benedict, Dr. David De Forest, House, 80 Seminary Street (1-23-75).

**Mahoning County**

Youngstown, Idora Park Merry-Go-Round, Idora Park on Canfield Rd. (2-6-75).

**Montgomery County**

Dayton, Kemp, Lewis, House, 400 Burkhardt Avenue (1-23-75).

**Summit County**

Akron, Stan Hywet Hall and Gardens, 714 N. Portage Path (1-17-75).

**Trumbull County**

Warren, Trumbull County Courthouse, 160 High Street, NW. (12-31-74).

**Oklahoma****Seminole County**

Seminole, Grisso, W. E., Manson, 612 Highway 9E (1-27-75).

**Oregon****Douglas County**

Roseburg, Flood, Creed, House, 544 SE Douglas Street (12-31-74).

**Marion County**

Salem, Boon, John D., House, 260 12th Street NE. (1-17-75).

**Pennsylvania****Adams County**

Hanover vicinity, Conewago Chapel, 3 miles NW. of Hanover (1-29-75).

**Allegheny County**

Bethel vicinity, Miller, James, House, E of Bethel on Manse Drive (1-17-75).

**Franklin County**

Fort Loudon vicinity, Small House, 4 miles N of Fort Loudon on PA 75 (12-31-74).

**Philadelphia County**

Philadelphia, Dropsie University Complex, Broad and York Streets (1-17-75).

**Westmoreland County**

Ligonier, Fort Ligonier Site, S. Market St. (1-21-75).

**Rhode Island****Providence County**

Providence, Providence City Hall, Dorrance and Washington Streets (1-23-75).

**Washington County**

North Kingstown, Wickford Historic District, roughly bounded by Tower Hill and Post Roads and the harbor as far N as Mill Cove and S to Lindley Avenue (12-31-74).

**South Carolina****Dillon County**

Latta vicinity, Catfish Creek Baptist Church, 5 miles NW of Latta at intersection of County Roads 1741 and 1763 (1-17-75).

**Edgefield County**

Edgefield vicinity, Pottersville, 1 mile N of Edgefield on SC 430 (1-17-75).

**Newberry County**

Newberry, Newberry Historic District, bounded roughly by Friend, College, McKibben, and Harrington Streets (12-31-74).

**Texas****Fayette County**

La Grange, Fayette County Courthouse and Jail, Courthouse Square and 104 Main Street (1-23-75).

**Harrison County**

Marshall, Ginocchio Historic District, bounded by Grand Avenue, and N. Franklin, Willow, and Lake Streets (12-31-74).

**Kendall County**

Sisterdale, Sisterdale Valley District, Rte. 1376 (1-8-75).

**Potter County**

Amarillo, Bivins House, 1000 Polk Street (12-31-74).

**Vermont****Franklin County**

Montgomery vicinity, West Hill Covered Bridge, 3.2 miles S of Montgomery across West Hill Brook (12-31-74).

**Virginia****Brunswick County**

Lawrenceville, Brunswick County Courthouse Square, U.S. 58 (12-31-74).

**Prince William County**

Haymarket, St. Paul's Episcopal Church, off VA 55 (1-20-75).

**Wisconsin****Bayfield County**

Washburn, Bayfield County Courthouse, 117 E. 5th Street (1-17-75).

**Dane County**

Daleville vicinity, Hauge Log Church, 1 mile N of Daleville off County Hwy. Z (12-31-74).

**Jackson County**

Alma Center vicinity, Silver Mound Archeological District, between Hixton and Alma Center on WI 95 (1-17-75).

**Milwaukee County**

Milwaukee, Allis, Charles, House, 1630 E. Royall Place (1-17-75).

**Racine County**

Racine, Johnson, Herbert F., House (Wingspread), 33 E. 4 Mile Road (1-8-75).

**Rock County**

Beloit, First Congregational Church, 801 Bushnell Street (1-23-75).

Beloit, Rasey House, 517 Prospect Street (12-27-74).

**Walworth County**

Whitewater vicinity, Heart Prairie Lutheran Church, S of Whitewater on Town Line Road (12-27-74).

**Wyoming****Big Horn County**

Cody vicinity, Bridger Immigrant Road—Dry Creek Crossing, 26 miles E of Cody on U.S. 14/16/20 (1-17-75).

**Natrona County**

Casper vicinity, Bridger Immigrant Road—Waltman Crossing, 49 miles W of Casper on U.S. 20/26 (1-17-75).

**Corrections**

The following are corrections for properties previously listed in the FEDERAL REGISTER.

**Alabama****Tuscaloosa County**

Tuscaloosa, Battle-Friedman House (Friedman Civic and Cultural Center), 1010 Greensboro Avenue (1-14-72).

**Shelby County**

Montevallo, King House (Manson House), campus of the University of Montevallo.

**California****Santa Clara County**

Los Gatos, McCullagh-Jones House, 18000 Overlook Road (10-29-74).

**Connecticut****Hartford County**

Hartford, \*Kimberly Manson.

**Maine****Androscoggin County**

Sabbathday Lake vicinity, \*Quaker Village, on Route 26 (12-3-69).

**Cumberland County**

Gorham, McLeilan House, School Street. Portland, \*Dow, General Neal, House, 714 Congress Street.

**Mississippi****Wilkinson County**

Woodville vicinity, Rosemont, E of Woodville on MS 24 (12-30-75).

**Missouri****Adair County**

Kirksville, Parrish Place (Capt. Thomas C. Harris House), 1308 N. Franklin Street (10-15-75).

**Green County**

Springfield vicinity, Wilson's Creek National Battlefield, 10 miles SW of Springfield on CR 22.

**Jackson County**

Kansas City, Savoy Hotel and Grill, 219 W. 9th Street (12-31-74).

**Platte County**

Waldron vicinity, Babcock Site, 3 miles N of Waldron (11-15-73).

**St. Louis (independent city)**

\*Old Post Office (U.S. Courthouse, Customhouse, and Post Office), 8th and Olive Streets.

Quinn Chapel, A.M.E. Church, 225 Bowen Street (10-16-74).

**St. Louis County**

Afton, Benoit, Louis Auguste, House, 7802 Genesta Street.

**New Jersey****Monmouth County**

Sandy Hook, \*Sandy Hook Light.

**Passaic County**

Paterson, Great Falls of Paterson (U.S.M.) Historic District, bounded roughly by Grand, Oliver, Mills, Van Houten, and Curtis Streets, Broadway, Ryle Avenue, Maple Street, Passaic River, Walker, and Reservoir Streets.

**New Mexico****Sandoval County**

Bernalillo vicinity, Tamaya (Santa Ana Pueblo), N of Bernalillo (11-1-74).

**Rhode Island****Providence County**

Providence, *Blackstone Canal*, extends from Providence N to Ashton (5-6-71). (This incorporates the 2 nominations: Lincoln, *Blackstone Canal*; and Providence, *Blackstone Canal*.)

**Pennsylvania****Montgomery County**

Plymouth Meeting, *Corson, Alan W., Homestead*, 5130 Butler Pike.

**South Carolina****Greenwood County**

Cokesbury and vicinity, *Old Cokesbury Historic District*.

**Union County**

York, *Wilson House (Yorkville Jail)*, 3 S. Congress Street (11-20-74).

**Vermont****Bennington County**

Shaftsbury Center vicinity, *Munro (Munroe)-Hawkins House*, 0.5 mile S of Shaftsbury Center on U.S. 7.

The following properties have been demolished:

**Illinois****Kane County**

North Aurora, *Hartsburg and Hawksley Saw Mill*, 25 E. State Street.

**Kentucky****Fayette County**

Lexington, *West High Street Historic District Correction*

The following properties were omitted from the February 4, 1975, FEDERAL REGISTER:

**Florida****Citrus County**

Crystal River vicinity, *Crystal River Indian Mounds*, 2 miles northwest of Crystal River on U.S. 19-98.

Homosassa, *Yulee Sugar Mill Ruins*, Florida 490 off U.S. 119.

Inverness vicinity, *Fort Cooper*, 3 miles northeast of Inverness on U.S. 41 on the west bank of Fort Cooper Lake.

**Virginia****Nansemond County**

Chesapeake City vicinity, *Glebe Church*, about 4 miles west of Chesapeake City on Virginia 337.

Chuckatuck vicinity, *St. John's Church*, east of Chuckatuck on Virginia 125.

The following properties have been determined to be eligible for inclusion in the National Register. All determinations of eligibility are made at the request of the concerned Federal Agency under the authorities in sections 2(b) and 1(3) of Executive Order 11593 as implemented by the Advisory Council on Historic Preservation. This listing is not complete. Pursuant to the authorities discussed herein, an Agency Official shall refer any questionable actions to the Director, Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, for an opinion respecting a property's eligibility for inclusion in the National Register.

Historic properties which are determined to be eligible for inclusion in the National Register of Historic Places are entitled to protection pursuant to the procedures of the Advisory Council on Historic Preservation, 36 CFR Part 800. Agencies are advised that in accord with the procedures of the Advisory Council

on Historic Preservation, before an agency of the Federal Government may undertake any project which may have an effect on such a property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal.

**Alabama****Dallas County**

Selma, *Gill House*, 1109 Selma Ave.

**Madison County**

Huntsville, *Lee House*, Red Stone Arsenal.

**Alaska****Northwestern District**

Little Diomed Island, *Iyapana, John, House*.

**Arizona****Coconino County**

Grand Canyon National Park, *Old Post Office*.

Grand Canyon National Park, *O'Neill, Buckley, Cabin*.

Grand Canyon National Park, *Ranger's Dormitory*.

Sedona vicinity, *Mayhew's Lodge*, N of Sedona on U.S. 89A in Coconino National Forest.

**Maricopa County**

Cave Creek Archeological District, *New River Dams Archeological District*.

Site T:4:6.

Skunk Creek Archeological District.

**Pima County**

Tucson vicinity, *Old Santan*, NW of Tucson.

**Yuma County**

Wickenburg vicinity, *Harquahala Peak Observatory*, SW of Wickenburg.

Yuma, *Southern Pacific Depot*.

**Arkansas****Ouachita County**

Camden, *Old Post Office*, Washington Street.

**California****Calaveras County**

New Melones Historical District, *New Melones Lake Project area*, Stanislaus River (also in Tuolumne County).

**Imperial County**

Glamis vicinity, *Chocolate Mountain Archeological District*.

**Inyo County**

Scotty's Castle, *Death Valley National Monument*.

Scotty's Ranch, *Death Valley National Monument*.

**Marin County**

Point Reyes, *Point Reyes Light Station*.

**Mariposa County**

Yosemite National Park, *Degnan Residence and Bakery*, Southside Drive.

**Modoc County**

Alturas vicinity, *Rail Spring*, about 30 miles north of Alturas in Modoc National Forest.

Alturas vicinity, *Yellowjackets Landing*, NW of Alturas in Modoc National Forest.

Canby vicinity, *Sevenmile Flat*, NW of Canby in Modoc National Forest.

**Monterey County**

Big Sur, *Point Sur Light Station*.

King City vicinity, *Painted Cave*, SW of King City on Hunter Liggett Military Reservation.

Pacific Grove, *Point Pinos Light Station*.

**Riverside County**

Blythe vicinity, *Blythe Intaglios, Indian Intaglios*, N of Blythe on U.S. 95.

Twentynine Palms, *Cottonwood Oasis (Cottonwood Springs)*, Joshua Tree National Monument.

Twentynine Palms, *Desert Queen Mine (H.S.-6)*, Joshua Tree National Monument.

Twentynine Palms, *Lost Horse Mine (H.S.-7)*, Joshua Tree National Monument.

**San Bernardino County**

Twentynine Palms, *Twentynine Palms Oasis*, Joshua Tree National Monument.

**San Luis Obispo County**

San Luis Obispo, *San Luis Obispo Light Station*.

**San Mateo County**

Ano Nuevo vicinity, *Pigeon Point Light Station*.

Hillsborough, *Point Montara Light Station*.

**Shasta County**

Whiskeytown, *Irrigation System (165 and 166)*, Whiskeytown National Recreation Area.

**Sonoma County**

Dry Creek-Warm Springs Valley Archeological District.

Santa Rosa, *Santa Rosa Post Office*.

**Siskiyou County**

Thomas-Wright Battle Site, *Lava Beds National Monument*.

**Colorado****Denver County**

Denver, *Eisenhower Memorial Chapel*, Building No. 27, Reeves Street, on Lowry AFB.

Denver, *West Side Housing Historic District*, bounded by W. Colfax, W. 13th, Mariposato, and Speer Streets.

**Eagle County**

Wolcott, *Wolcott Stage Station*.

**Jefferson County**

Littleton vicinity, *Hildebrand Ranch*, SW of Littleton.

**Rio Blanco County**

Meeker vicinity, *Thornburg Monument*, NE of Meeker on Thornburg Road 9 miles from junction CO 13 and 789.

Rangely vicinity, *Canon Pintado*, S of Rangely on Highway 139.

Rangely vicinity, *Carrot Men Pictograph Site*, SW of Rangely and W of Rangely Dragon Road.

**Connecticut****Hartford County**

Hartford, *Church of the Good Shepherd and Parish House*, intersection of Wyllys Street and Van Block Avenue.

Hartford, *Colt Factory Housing*, Huyshope Avenue between Sequassen and Wechasset Streets.

Hartford, *Colt Factory Housing (Potsdam Village)*, Curcombe Street between Hendricksen Avenue and Locust Street.

Hartford, *Colt Park*, bounded by Wethersfield Avenue, Stonington, Wawarme, Curcombe, and Marseek Streets, and by Huyshope and Van Block Avenues.

Hartford, *Colt, Colonel Samuel, Armory, and related factory buildings*, Van Dyke Avenue.

Hartford, *Flat-Iron Building (Motto Building)*, intersection of Congress Street and Maple Avenue.

Hartford, *Houses on both sides of Congress Street*.

Hartford, *Houses on Charter Oak Place*.

Hartford, *Houses on Wethersfield Avenue*, between Morris and Wyllys Streets, particularly Nos. 97-81, 65.

**Middlesex County**

Middletown, *Mather-Douglass-Santangelo House*, 11 South Main Street.

**New Haven County**

New Haven, *City Hall and Annex*.  
New Haven, *Post Office-Courthouse*, Church and Court Streets.  
New Haven, *Tannery Building and appended office*, 202 George Street.

**New London County**

New London, *Thames Shipyard*, west bank of Thames River north of the U.S. Coast Guard Academy.

**Delaware****New Castle County**

Wilmington, *Wilmington Custom House*, King Street.

**Suffolk County**

Lewes, *Delaware Breakwater*.  
Lewes, *Harbor of Refuge Breakwater*.

**District of Columbia**

Auditors' *Building*, 201 14th Street SW.  
Riggs *Bank*, 800 17th Street NW.  
Washington *Aqueduct Georgetown Reservoir Castle Gatehouse*, Reservoir Road and MacArthur Boulevard NW.  
1700 *Block Q Street* NW.

**Florida****Hillsborough County**

Tampa, *Firehouse No. 10*, Ybor City.

**Georgia****Bryan County**

Fort Stewart, *Site of Old Fort Argyle*, NE of Headquarters via GA 144, E GA 67 North, E to Ogeechee River.

**Chatham County**

Archeological *Site*, north end of Skidway Island.

**Clarke County**

Athens, *Carnegie Library Building*, 1401 Prince Avenue.

**Clay County**

Archeological *Site WGC-73*, downstream from Walter F. George Dam.

**Fulton County**

Fort McPherson, *Forscom Command Sergeant Major's Quarters (Bldg. No. 532)*.

**Heard County**

Philpott *Homestead and Cemetery*, on bluff above Chattahoochee River where Grayson Trail leads into river.

**Stewart County**

Road *Mounds*.

**Sumter County**

Americus, *Aboriginal Chert Quarry*, Souther Field.

**Hawaii**

Moanalua *Valley*.

**Hawaii County**

Hawaii *Volcanoes National Park, Mauna Loa Trail*.

**MauI County**

Hana vicinity, *Kipahulu Historic District*, SW of Hana on Route 31.

**Idaho****Ada County**

Boise, *Alexanders*, 826 Main Street.  
Boise, *Falks Department Store*, 100 North Eighth Street.  
Boise, *Idaho Building*, 216 North Eighth Street.

Boise, *Simplot Building (Boise City National Bank)*, 805 Idaho Street.

Boise, *Union Building*, 712½ Idaho Street.

**Clearwater County**

Orofino vicinity, *Canoe Camp—Site 18*, W of Orofino on U.S. 12 in Nez Perce National Historical Park.

**Custer County**

Challis, *Challis Bison Jump*.

**Idaho County**

Kamiah vicinity, *East Kamiah—Site 15*, Southeast of Kamiah on U.S. 12 in Nez Perce National Historical Park.

**Lemhi County**

Tendoy, *Lewis and Clark Trail, First Flag Unfurling*.

Tendoy, *Lewis and Clark Trail, Pattee Creek Camp*.

**Lewis County**

Jacques Spur vicinity, *St. Joseph's Mission (Stiehpoo)*, S. of Jacques Spur on Mission Creek off U.S. 95.

**Nez Perce County**

Lapwai, *Fort Lapwai Officer's Quarters*, Phinney Drive and C Street in Nez Perce National Park.

Lapwai, *Spalding*.

**Illinois****Cook County**

Chicago, *McCarthy Building (Landfield Building)*, northeast corner of Dearborn and Washington.

Chicago, *Methodist Book Concern (later Stop and Shop Warehouse)*, 12 West Washington.

Chicago, *Ogden Building*, 130 West Lake Street.

Chicago, *Oliver Building*, 159 North Dearborn Street.

Chicago, *Springer Block (Bay, State, and Kranz Buildings)*, 126-146 North State.

Chicago, *Unity Building*, 127 North Dearborn Street.

**De Kalb County**

De Kalb, *Haish Barbed Wire Factory*, corner of Sixth and Lincoln streets.

**Lake County**

Fort Sheridan, *Water Tower, Building 49*, Leonard Wood Avenue.

**Indiana**

Vermillion, *Houses in SR 63/32 Project*, junction of SR 32 and SR 63.

**Monroe County**

Bloomington, *Carnegie Library*.

**St. Joseph County**

Mishawaka, *100 NW Block*, properties fronting N. Main Street and W. Lincoln Way.

**Iowa****Muscatine County**

Muscatine, *Clark, Alexander, Property*, 125-123 W. 3rd and 307, 309 Chestnut.

**Kentucky****Jefferson County**

Louisville, *Old Louisville Historic District*, bounded on north by Broadway; on the west by Seventh and the Louisville/Nashville R.R. tracks; on the east by Interstate 65 and Brook Street; on the south by Eastern Parkway and Gaulbert Avenue.

**Trigg County**

Center *Furnace*, on W. side of Bugg Spring Road 12.11 miles north of Golden Pond, KY.

**Maryland****Anne Arundel County**

Annapolis, *Thomas Point Shoals Light Station*, on Kent Island in Chesapeake Bay.  
Chestertown, *Bloody Point Bar Light*, on Chesapeake Bay.  
Skidmore, *Sandy Point Shoal Light*, on Chesapeake Bay.

**Baltimore County**

Fort Howard, *Craighill Channel Upper Range Front Light*, on Chesapeake Bay.  
Sparrows Point, *Craighill Channel Range Front Light*, on Chesapeake Bay.

**Cecil County**

Perryville, *Perry Point Mansion House*, Veterans Administration Hospital Grounds.  
Perryville, *Perry Point Mill*, Veterans Administration Hospital Grounds.  
Sassafras Elk Neck, *Turkey Point Light*, at Elk River and Chesapeake Bay.

**Dorchester County**

Hoopersville, *Hooper Island Light*, Chesapeake Bay—Middle Hooper Island.

**Harford County**

Havre De Grace, *Havre De Grace Light*.

**St. Marys County**

Piney Point, *Ptney Point Light Station*.  
St. Ingoes, *Priest House*, Naval Electronic System Test and Evaluation Detachment.  
St. Marys City, *Point No Point Light*, on Chesapeake Bay.

**Talbot County**

Tilgman Island, *Sharps Island Light*, on Chesapeake Bay.

**Minnesota****Winona County**

Winona, *Second Street Commercial Block*.

**Missouri****Buchanan County**

St. Joseph, *Hall Street Historic District*, bounded by 4th Street on West, Robidoux on South, 10th on East, and Michel, Corby, and Ridenbaugh on North.

**Dent County**

Lake Spring, *Hyer, John, House*.

**Franklin County**

Leslie, *Noser's Mill and adjacent Miller's House*, Rural Route 1.

**Montana****Carbon County**

Barry's Landing, *Bad Pass Trail (Sioux Trail)*, Big Horn Canyon National Recreation Area.

**Fergus County**

Lewis & Clark *Campsite, May 23, 1805*.  
Lewis & Clark *Campsite, May 24, 1805*.  
*Rocky Point*.

**Lewis and Clark County**

Marysville, *Marysville Historic District*.

**Ravalli County**

Conner vicinity, *Alta Ranger Station*, S of Conner in Bitterroot National Forest.

**Sheridan County**

Medicine Lake, *Tipi Hills, Medicine Lake National Wildlife Refuge*.

## NOTICES

## Nevada

## Churchill County

Stillwater Marsh, NE of U.S. 50 and NV 42.

## Clark County

Indian Springs vicinity, *Tim Springs Petroglyphs*, N of Indian Springs.  
Las Vegas vicinity, *Blacksmith Shop*, Desert National Wildlife Range.  
Las Vegas vicinity, *Corn Creek Campsite*, N of Las Vegas.  
Las Vegas vicinity, *Mesquite House*, Desert National Wildlife Range.  
Las Vegas vicinity, *Mormon Well Corral*, NE of Las Vegas.

## Nye County

Las Vegas vicinity, *Emigrant's Trail*, about 75 miles northwest of Las Vegas on U.S. 95.

## Storey County (also in Washoe County)

Sparks vicinity, *Derby Diversion Dam*, on the Truckee River 19 miles east of Sparks, along Interstate 80.

## Washoe County

*Derby Diversion Dam*. See Storey County.

## New Hampshire

## Grafton County

*Bedell Covered Bridge*.

## New Jersey

## Middlesex County

New Brunswick, *Delaware and Karitan Canal*, between Albany Street Bridge and Landing Lane Bridge.

## Sussex County (also in Warren County)

*Old Mine Road Historic District*.

## Warren County

*Old Mine Road Historic District*. See Sussex County.

## New York

## Bronx County

New York, *North Brothers Island Light Station*, in center of East River.

## Greene County

New York, *Hudson City Light Station*, in center of Hudson River.

## Richmond County

New York, *Romer Shoal Light Station*, located in lower bay area of New York Harbor.

## Suffolk County

New York, *Fire Island Light Station*, U.S. Coast Guard Station.

New York, *Little Gull Island Light Station*, off North Point of Orient Point, Long Island.

New York, *Plum Island Light Station*, off Orient Point, Long Island.

New York, *Race Rock Light Station*, south of Fishers Island, 10 miles north of Orient Point.

## Ulster County

Kingston vicinity, *Esopus Meadows Light Station*, middle of Hudson River.

New York, *Rondout North Dike Light*, center of Hudson River at junction of Rondout Creek and Hudson River.

New York, *Saugerties Light Station*, Hudson River.

## Westchester County

Port Washington vicinity, *Execution Rocks Light Station*, lower southwest portion of Long Island Sound.

## North Carolina

## Brunswick County

Southport, *Fort Johnston*, Moore Street.

## Cumberland County

Fayetteville, *Veterans Administration Hospital Confederate Breastworks*, 23 Ramsey Street.

## Dare County

Buxton, *Cape Hatteras Light*, Cape Hatteras National Seashore.

## Hyde County

Ocracoke, *Ocracoke Lighthouse*.

## New Hanover County

Wilmington, *Market Street Mansions District*, both sides of Market Street between 17th and 18th Streets.

## North Dakota

## Ward County

Minot vicinity, *Eastwood Park Bridge*.

## Ohio

## Clermont County

Neville vicinity, *Maynard House*, 2 miles east of Neville off U.S. 52.

## Pickaway County

Williamsport vicinity, *The Shack (Daugherty, Harry, House)*, 5.5 miles northwest of Williamsport.

## Seneca County

Tiffin, *Old U.S. Post Office*, 215 S. Washington Street.

## Oklahoma

## Comanche County

Fort Sill, *Blockhouse on Signal Mountain*, off Mackenzie Hill Road.

Fort Sill, *Camp Comanche Site*, east range on Cache Creek.

Fort Sill, *Chiefs Knoll, Post Cemetery*, north of Maccomb Road.

Fort Sill, *Geronimo's Grave*, north of junction of Dodge Hill and Elgin Roads.

Fort Sill, *Henry Post Air Field*, Post Road.

Fort Sill vicinity, *Medicine Bluffs*, northwest of Fort Sill.

Fort Sill, *Henry Post Air Field, U.S. Army*, Post Road.

Fort Sill, *Site of Camp Comanche*, east range on Cache Creek.

Fort Sill vicinity, *Medicine Bluffs*, NW of Fort Sill.

## Haskell County

Keota vicinity, *Otter Creek Archeological Site*, SW of Keota.

## Kay County

Newkirk vicinity, *Bryson Archeological Site*, NE of Newkirk.

## Oregon

## Coos County

Charleston, *Cape Arago Light Station*.

## Curry County

Port Orford, *Cape Blanco Light Station*.  
Wolf Creek, *Rogue River Branch*, Star Route, Box 78.

## Douglas County

Winchester Bay, *Umpqua River Lighthouse*.

## Josephine County

*Whisky Creek Cabin*.

## Klamath County

Crater Lake National Park, *Crater Lake Lodge*.

## Lake County

Silver Lake, *Picture Rock Pass Petroglyphs Site*.

## Lane County

Roosevelt Beach, *Heceta Head Lighthouse*.  
Roosevelt Beach, *Heceta Head Light Station*.

## Lincoln County

Agate Beach, *Yaquina Head Lighthouse*.

## Sherman County

Grass Valley vicinity, *Mack Canyon Archeological Site*, at end of BLM access road adjacent to Deschutes River N of Maupin.

## Tillamook County

Tillamook, *Cape Meares Lighthouse*.

## Pennsylvania

Brumbaugh Homestead, *Raystown Lake Project*.

## Adams County

Gettysburg, *Barlow's Knoll*, adjacent to Gettysburg National Military Park.  
Gettysburg, *Gettysburg Battlefield Historic District*.

## Allegheny County

Bruceton, *Experimental Mine*, U.S. Bureau of Mines, off Cochran Mill Road.

## Clinton County

Lockhaven, *Apsley House*, 302 East Church Street.

Lockhaven, *Harvey Judge, House*, 29 North Jay Street.

Lockhaven, *McCormick, Robert, House*, 234 East Church Street.

Lockhaven, *Mussina, Lyons, House*, 23 North Jay Street.

## Lehigh County

Dorneyville, *King George Inn and two other stone houses*, intersection of Hamilton and Cedar Crest Boulevards

## Mercer County

Mercer vicinity, *Big Bend Historical Area*, NW of Mercer.

## South Carolina

## Charleston County

Charleston, *139 Ashley Street*.

Charleston, *69 Barre Street*.

Charleston, *69r Barre Street*.

Charleston, *316 Calhoun Street*.

Charleston, *316r Calhoun Street*.

Charleston, *268 Calhoun Street*.

Charleston, *274 Calhoun Street*.

Charleston, *Old Rice Mill*, off Lockwood Drive.

## South Dakota

## Pennington County

Rapid City, *Rapid City Historic Commercial District*, portions of 612-632 Main Street.

## Tennessee

## Henry County

Mt. Zion Church and Cemetery (*United Baptist Church*).

## Monroe County

Vonore vicinity, *Tellico Blockhouse Site*, 2.25 miles E of Vonore.

## Stewart County

Dover vicinity, *Site of Fort Henry*, 13.15 miles NW of Dover.

Great Western Furnace, 13.26 miles SE of Golden Pond, KY.

## Texas

## Galveston County

Galveston, U.S. Customhouse, bounded by Avenue B, 17th, Water, and 18th Sta.

## Potter County

Lake Meredith Recreation Area, McBride Ranch House.

## Utah

## Salt Lake County

Salt Lake City, Karrick Building (Leyson-Pearson Building), 236 S. Main Street.  
Salt Lake City, Lollin Block, 238-240 S. Main Street.

## Tooele County

Wendover vicinity, Wendover Air Force Base, S of Wendover.

## Vermont

## Franklin County

Highgate Falls, Lenticular or Parabolic Truss Bridge, over Missisquoi River.

## Windsor County

Windsor, Post Office Building.

## Washington

## Clallam County

Olympic National Park Archeological District, Olympic National Park (also in Jefferson County).

Beglum, New Dungeness Light Station.

## Grays Harbor County

Westport, Grays Harbor Light Station.

## Jefferson County

Olympic National Park Archeological District (see Clallam County).

## King County

Burton, Point Robinson Light Station.  
Seattle, Alki Point Light Station.  
Seattle, West Point Light Station.

## Kitsap County

Hansville, Point No Point Light Station.

## Pacific County

Iiwaco, Cape Disappointment Light Station.  
Iiwaco, North Head Light Station.

## Pierce County

Fort Lewis Military Reservation, Captain Wilkes July 4, 1841, Celebration Site.  
Longmire, Longmire Cabin, Mount Rainier National Park.

## San Juan County

San Juan Islands, Potos Island Light Station.

## Snohomish County

Mukiltot, Mukiltot Light Station.

## West Virginia

## Cabell County

Huntington, Old Bank Building, 1208 Third Avenue.

## Kanawha County

Saint Albans, Chilton House, 439 B Street.

## Wood County

Parkersburg, Wood County Courthouse.  
Parkersburg, Wood County Jail.

## Wisconsin

## Ashland County

Ashland vicinity, Madeline Island Site 7302.

## Door County

Chambers Island, Chambers Island Light-house Dwelling, northern tip Chambers Island, Green Bay, Lake Michigan.

## Milwaukee County

Milwaukee, Plankinton, Elizabeth, House, 1492 W. Wisconsin Avenue.

## Wyoming

## Goshen County

Torrington, Union Pacific Depot.

## Park County

Mammoth, Chapel at Fort Yellowstone, Yellowstone National Park.

## Puerto Rico

Mona Island, Sardinero Site and Ball Courts.

ERNEST A. CONNALLY,  
Associate Director,  
Professional Services.

[FR Doc.75-6151 Filed 3-10-75;8:45 am]

## DEPARTMENT OF AGRICULTURE

## Forest Service

## BUCK CREEK &amp; NORTH FORK CATAWBA RIVER UNIT PLANS

## Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Buck Creek and North Fork Catawba River Unit Plans, Pisgah National Forest, N.C., USDA-FS-R8-DES (Adm.)-75-17.

The action proposed is for the 10-year management of the North Fork Catawba River and Buck Creek Units, Grandfather Ranger District, Pisgah National Forest, located in Avery, Burke and McDowell Counties, N.C. These units contain 59,475 acres of National Forest land. Management decisions will affect major forest resources as wildlife, water quality, soils, vegetative cover, aesthetics, roads, trails and recreation.

This draft environmental statement was transmitted to CEQ on March 5, 1975. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Rm. 3230  
12th St. & Independence Ave. SW.  
Washington, DC 20250

USDA, Forest Service  
1720 Peachtree Rd. NW., Rm. 804  
Atlanta, GA 30309

USDA, Forest Service  
Grandfather Ranger District  
Marion, NC

A limited number of single copies are available upon request to Forest Supervisor Robert Cermak, National Forests in North Carolina, P.O. Box 2570, Asheville, N.C. 28802.

Copies of the environmental statement have been sent to various Federal, State and local agencies as outlined in the

## Council on Environmental Quality Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Robert Cermak, National Forests in North Carolina, P.O. Box 2570, Asheville, N.C. 28802. Comments must be received by May 4, 1975 in order to be considered in the preparation of the final environmental statement.

Dated: March 5, 1975.

EDWARD M. ELLENBERG,  
Acting Regional Environmental  
Coordinator.

[FR Doc. 75-6180 Filed 3-10-75;8:45 am]

## NORTH EVANGELINE UNIT PLAN

## Draft Environmental Statement; Availability

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the North Evangeline Unit Plan, Kisatchie National Forest, Louisiana, USDA-FS-R8-DES (Adm.)-75-16.

The action proposed is for the ten-year management of the North Evangeline Unit, Evangeline Ranger District, Kisatchie National Forest, located in Rapides Parish, Louisiana. The unit contains 34,837 acres of National Forest land. Recreation, wildlife, range and timber management are the primary activities on this unit.

This draft Environmental Statement was transmitted to CEQ on March 3, 1975. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Rm. 3230  
12th St. & Independence Ave., SW  
Washington, D.C. 20250

USDA, Forest Service  
1720 Peachtree Rd., NW, Rm. 804  
Atlanta, GA 30309

USDA, Forest Service  
Evangeline Ranger District  
Rapides Parish, Louisiana

A limited number of single copies are available upon request to Forest Supervisor Lamar Beasley, Kisatchie National Forest, 2500 Shreveport Highway, Pineville, Louisiana 71360.

Copies of the environmental statement have been sent to various Federal, State and local agencies as outlined in the

**Council on Environmental Quality Guidelines.**

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Lamar Beasley, Kisatchie National Forest, 2500 Shreveport Highway, Pineville, Louisiana 71360. Comments must be received by May 2, 1975 in order to be considered in the preparation of the final Environmental Statement.

EDWARD G. ELLENBERG,  
*Acting Regional Environmental  
Coordinator.*

MARCH 3, 1975.

[FR Doc.75-6292 Filed 3-10-75;8:45 am]

**SHASTA-TRINITY NATIONAL FOREST****Availability of Final Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Timber Management Plan, Shasta-Trinity National Forest, Calif., USDA-FS-R5-FES (Adm)-74-4.

The environmental statement concerns a proposed timber management plan for the management of the timber resources on the forest. The proposed action provides for a Potential Yield of 3,313 million board feet and an Allowable Harvest of 2,909 million board feet based on a 140-year rotation during the 10-year period from July 1, 1974 to July 1, 1984. This timber management plan is in accordance with the objectives set forth in the Regional Multiple Use Guide for Northern California. It will be carried out in the State of California within the Counties of Siskiyou, Shasta, Trinity, Tehama, and Humboldt.

This final environmental statement was transmitted to the Council on Environmental Quality (CEQ) on March 3, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Room 3230  
12th St. & Independence Ave. SW.  
Washington, D.C. 20250

USDA, Forest Service  
630 Sansome Street, Rm. 520  
San Francisco, Calif. 94111  
Shasta-Trinity National Forest  
1615 Continental Street  
Redding, Calif. 96001

A limited number of single copies are available, upon request, from Regional Forester Douglas R. Leisz, California Region, Forest Service, 630 Sansome Street, San Francisco, Calif. 94111.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

T. W. KOSKELLA,  
*Deputy Regional Forester.*

MARCH 3, 1975.

[FR Doc.75-6181 Filed 3-10-75;8:45 am]

**Rural Electrification Administration  
DAIRYLAND POWER COOPERATIVE  
Revised Draft Environmental Impact  
Statement**

Notice is hereby given that the Rural Electrification Administration has prepared a Revised Draft Environmental Impact Statement relating to the proposed construction of a 350 MW steam generating plant near Alma, Wisconsin, and related 161 kV transmission facilities. The revised draft EIS provides additional information on the proposed ash disposal system, the proposed railroad loop coal delivery system and alternatives to each of these. The discussion of the alternatives of cooling towers and barge delivery of coal has also been expanded. In addition the revised draft EIS also details a proposed 46 mile 161 kV transmission line from Alma to Spring Valley, Wisconsin, which was not covered in the original draft EIS.

This additional information supplements the material presented in the draft EIS made available to the public on July 2, 1974.

Additional information may be secured on request, submitted to Mr. David H. Askegaard, Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically. A public information meeting will be held on April 3, 1975, at the Buffalo County Courthouse in Alma, Wisconsin.

Copies of the REA Revised Draft Environmental Impact Statement have been sent to various Federal, State and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Revised Draft Environmental Impact Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4310, or at the borrower address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to Mr. Askegaard at the address given above. Comments must be received on or before April 10, 1975, to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds)

will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 4th day of March, 1975.

DAVID H. ASKEGAARD,  
*Acting Administrator,  
Rural Electrification Administration.*

[FR Doc.75-6231 Filed 3-10-75;8:45 am]

**WESTERN FARMERS ELECTRIC COOPERATIVE****Draft Environmental Impact Statement**

Notice is hereby given that the Rural Electrification Administration intends to prepare a draft environmental impact statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 in connection with an anticipated loan guarantee for Western Farmers Electric Cooperative, P.O. Box 429, Anadarko, Oklahoma 73005.

The anticipated loan will provide for the construction of a 300 MW combined-cycle generating unit to be located in Anadarko, Oklahoma.

Interested persons are invited to submit comments which may be helpful in preparing the draft environmental impact statement.

Comments should be forwarded to the Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, with a copy to the borrower, whose address is given above. Additional information may be obtained at the borrower's office during regular business hours.

Dated at Washington, D.C., this 5th day of March 1975.

DAVID H. ASKEGAARD,  
*Acting Administrator.*

[FR Doc.75-6230 Filed 3-10-75;8:45 am]

**DEPARTMENT OF COMMERCE****Domestic and International Business Administration****MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, ET AL.****Applications for Duty-Free Entry of Scientific Articles**

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before March 31, 1975.

Amend regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribed the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00025-33-46040. Applicant: Maryland State Department of Health & Mental Hygiene, Laboratory Administration, 16 E. 23rd Street, Baltimore, Maryland 21218. Article: Electron Microscope, Model HS-9. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used to study viral morphology and structural details. Immuno-electron microscopy will be used to identify viruses directly in clinical materials and environmental samples. Application received by Commissioner of Customs: February 6, 1975.

Docket number: 75-00346-01-16095. Applicant: The Johns Hopkins University, Charles & 34th Streets, Baltimore, Maryland 21218. Article: High Count Rate Gas Proportional Counter. Manufacturer: AERE, United Kingdom. Intended use of article: The article is intended to be used for Mossbauer spectroscopy study of ultrathin films of iron. Iron ferromagnetism in two dimensions will be studied. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00347-99-90000. Applicant: St. Vincent's Medical Center, Barrs and St. Johns Avenue, Jacksonville, Florida 32204. Article: EMI Scanner System with Magnetic Tape Storage System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for the training of residents, student nurses and student radiologic technologists as well as for informing the medical community on the availability of the unit and its applications. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00348-00-46040. Applicant: University of California, Los Angeles, Department of Medicine-Rehab. 35-64, 905 Hilgard Avenue, Los Angeles, Calif. 90024. Article: Universal Cassette without Magazine. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is an accessory to an existing electron microscope which is being used for analyzing the ultrastructural components of skeletal muscle fibers. The experiments consist of examination and quantitation (through the use of an efficient method known as stereology) of tissue from normal and drug treated animals and patients with various types of muscle disease. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00349-33-77030. Applicant: Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, New York 11203. Article: CPS-2 Coherent NMR Spectrometer. Manufacturer: Spin Lock Electronics Co., Canada. Intended use of article: The article is intended to

be used in the continuing development and research of a new method for detecting cancer developed at the Medical Center aimed at detecting cancer in the living patient when it is at a very early stage so it can be easily eradicated. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00350-90-46070. Applicant: The Ohio State University, 190 North Oval Drive, Columbus, OH 43210. Article: Scanning Electron Microscope, Model S4-10. Manufacturer: Cambridge Scientific Instruments Ltd., United Kingdom. Intended use of article: The article is intended to be used for the following research projects: (1) Conodont studies, (2) Chemical composition of dust particles from ice cores at Byrd Station, Antarctica, (3) Reaction rims of plagioclase phenocrysts in Jurassic basalts from Antarctica, (4) Studies of Pleistocene pollen grains, (5) Studies of thin films of various magnetic materials, surface spin waves, and of the properties of metals at very low temperatures, (6) Histologic studies centered on the structural and secretory changes in the neurosecretory cells and other brain cells and evaluation of the hormone effects on the fine structure of aging cells, (7) examination of fungus pathogens of mosquitoes, (8) studies of ion transport across membranes, and (9) studies of relationship between dietary intake of DDT, parathyroid function, and production of thin eggshells in birds. The article will also be available for use by students enrolled in various courses in Mathematics and Physical Sciences, and Biological Sciences. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00351-89-46070. Applicant: University of Hawaii, Hawaii Institute of Geophysics, 2525 Correa Rd., Honolulu, Hawaii 96822. Article: Scanning Electron Microscope, Model S4-10. Manufacturer: Cambridge Scientific Instruments, United Kingdom. Intended use of article: The article is intended to be used in carrying out various research projects which include the following:

- (1) Quartz sand grain studies,
- (2) Shell structure of Mollusks, coral, and other invertebrates,
- (3) Observation of organic coatings on micro and nanno fossils as chemical solution inhibitors in the deep-sea,
- (4) Study of wet fecal pellets as microfossil preservations,
- (5) Growth lamellae in manganese nodules, and study of included organisms, such as bacteria and algae,
- (6) Replacement and fixation of iron and manganese by organisms in the deep-sea,
- (7) Clay and soil mineralogy,
- (8) Study of nutrient effects of silica body structure and development in epidermal cells of pineapple leaves, and studies of other plant tissues,
- (9) Investigation of the biology of cephalopod molluscs. The article will also be used to help students in the following courses understand the structure and micromorphology of organisms and

minerals: Oceanography, Agronomy, Soil Sciences, Microbiology, and Botany. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00352-35-45000. Applicant: University of Florida College of Medicine, North Florida Eye Bank Department of Ophthalmology, J. Hillis Miller Health Ctr., Bx 733, Gainesville, Fla. 32610. Article: Slitlamp Microphotometer. Manufacturer: Hamamatsu Co. Ltd., Japan. Intended use of article: The article is intended to be used to quantitatively measure the amount of inflammation within the eye and also measure certain types of compounds in the eye. In addition, the article will be used in the Ophthalmology Training Program to instruct resident ophthalmologists about the effects of drugs on the inflammation in the eye. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00353-00-46040. Applicant: University of Illinois, Urbana-Champaign Campus, Purchasing Division, 223 Administration Bldg., Urbana, Illinois 61801. Article: Wide Angle Tilt Rotation Goniometer Stage. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used for research on metals and alloys to learn more of the nature of martensitic phase transformations by using the electron microscope for both crystal structure and substructure analysis. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00354-01-46040. Applicant: University of Wisconsin-Madison, Department of Biochemistry, 420 Henry Mall, Madison, Wisconsin 53706. Article: Electron Microscope, Model HS-9. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used in carrying out the following research:

- (1) Study of the cellular location and chemical composition of the ion conductance mechanism in the protozoan *Paramecium aurelia*.
- (2) Study of the membrane changes which take place in the bacterium *Bacillus megaterium* during a process of intracellular differentiation (sporulation).
- (3) Studies of motility in the bacterium *Escherichia coli* in which the fine structure of the bacterial flagellum and its associated basal bodies will be compared in motile bacteria and in non-motile mutants.
- (4) Study of the properties of mutants of *E. coli* which have altered resistance to drugs.
- (5) Heteroduplex mapping of the drug resistance factor in bacteria and the mapping of the chromosomes of several bacterial viruses, including T4 and Lambda.
- (6) Studies of the mode of action of colicin E3 from *E. coli*.
- (7) Studies of the mode of action of colicin.
- (8) Studies of chemical and physical changes in adrenocortical mitochondria

which are induced by the hormone ACTH.

In addition the article will be used in teaching graduate students and will serve certain undergraduates doing advanced course work or research.

Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00363-33-19095. Applicant: Peter Bent Brigham Hospital, 721 Huntington Avenue, Boston, Mass. 02114. Article: Videovolumeter. Manufacturer: Saab-Scania AB, Sweden. Intended use of article: The article is intended to be used to perform videodensitometric analysis of video signals from tape recordings and integrate the signal to a real time measure of contrast changes in the image. The article will also be used to measure the total amount of contrast agent in an organ whether the contrast agent is homogeneously distributed or not. The article will be used regularly in the teaching of fellows and residents in Cardiovascular Radiology and Cardiology and also to some degree to teaching of medical students. The article's use in teaching will be integrated with the teaching in Cardiovascular Radiology. It will be used to determine changes in function and blood flow in various organs and to demonstrate changes in these volumes and flows following various therapeutic interventions. Application received by Commissioner of Customs: January 29, 1975.

Docket number: 75-00356-33-46040. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Massachusetts 02139. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article is intended to be used to study the etiology and pathogenesis of cancer through a program of investigation primarily at the cellular level. The article will be employed in a wide variety of studies ranging from the visualization of nucleic acid chains to the classification of various types of cells in a primary culture of mouse tissue. The article will also be used in the training of graduate students, post-doctoral fellows and research associates by the use of the article in the various research programs. Application received by Commissioner of Customs: January 31, 1975.

Docket number: 75-00357-33-46040. Applicant: University of Alabama in Birmingham, University Station, Birmingham, Alabama 35294. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The foreign article is intended to be used for studies in virology including investigations into viral membrane structure, assembly of influenza virus, the structure of Rauscher Leukemia Virus (RLV) and replication and assembly of RNA tumor viruses; as well as for studies in molecular biology including investigation of drug-nucleic acid interactions and the study of protein structure. The article will also be used for routine monitoring of specimens in-

involved in all procedures undertaken in biochemical virology. Graduate students and postdoctoral trainees will receive training in the use of the article and will be expected to utilize electron microscopy in their research projects. Application received by Commissioner of Customs: January 31, 1975.

Docket number: 75-00358-01-77040. Applicant: University of Pittsburgh, Department of Chemistry, 234 Chemistry Building, Pittsburgh, Pennsylvania 15260. Article: Mass Spectrometer, Model CH 5DF with accessories. Manufacturer: Varian MAT, West Germany. Intended use of article: The article is intended to be used to provide a rapid and concise analysis of a wide variety of research samples, and application of mass spectroscopy to forensic pathology and the computerized analysis of complex mixtures of a wide variety of compounds. Specific investigations include the following:

(1) The synthesis of materials of biological importance and the development of new strategies for future synthetic undertakings,

(2) Studies involving chemical reaction intermediates and of their role in synthesis and elucidation of their role in organic reactions,

(3) Studies into possible reactive intermediate states and reactions, such as the exploring of organometallic chemistry of the bicyclo 2.2.0 hexadiene and bicyclo 2.2.0. hexatriene system,

(4) Determination of the precise mechanistic details of a reaction which is important in obtaining the best reaction conditions for obtaining a certain product,

(5) Investigations into the determination of the conformation of peptides and proteins in solution performed by observing the deuterium exchange in aqueous solution,

(6) Synthesis of the tumor inhibitor vernolepin and related compounds and the synthesis of prostaglandins and prostaglandin-like molecules,

(7) Investigation into the analysis of structures of many types of compounds.

In addition, the article is intended to be used for educational purposes in the following courses:

- (1) Chem 170 and 171 Undergraduate Research and Seminar.
- (2) Chem 138 and 139 Techniques of Organic Research and Laboratory.
- (3) Chem 330 Advanced Topics in Organic Chemistry.
- (4) Chem 297 Teaching of Chemistry.

Application received by Commissioner of Customs: February 3, 1975.

Docket number: 75-00359-33-46040. Applicant: University of Minnesota, Department of Laboratory Medicine & Pathology, Box 198 Mayo Memorial Hospital, Minneapolis, Minn. 55455. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for the examination of selected surgical specimens, in which the diagnosis of the specific disease is difficult or

impossible by light microscopic techniques, such as in some neoplasms, renal disease, viral diseases and neuromuscular abnormalities. The article will also serve as the major teaching electron microscope for pathology residents and interns, as well as for medical students taking one of the several elective courses in the subject. Application received by Commissioner of Customs: February 3, 1975.

Docket number: 75-00360-33-42900. Applicant: Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, New York 11203. Article: Superconductive Solenoid, Room Temperature Shim System and Programmed Energization/SC Shim Power Supply. Manufacturer: Canada Superconductor & Cryogenics Co. Ltd., Canada. Intended use of article: The article is intended to be used in research leading to the development of an in vivo human cancer detection device. The article will be used in conjunction with a nuclear magnetic resonance spectrometer to obtain a magnetic resonance spectrum of the various elements of interest within the tissues of the animal. Application received by Commissioner of Customs: February 3, 1975.

Docket number: 75-00361-33-43780. Applicant: Shriners Hospital for Crippled Children, 8200 NE Sandy Blvd., Portland, Oregon 97220. Article: Coventry Infant Leg Screw. Manufacturer: Howse & Co., United Kingdom. Intended use of article: The article is intended to be used in the care and treatment of handicapped children. Application received by Commissioner of Customs: February 3, 1975.

Docket number: 75-00362-33-46040. Applicant: National Cancer Institute, Frederick Cancer Research Center, P.O. Box B, Frederick, MD 21701. Article: Electron Microscope, Model HU-12A. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used in a research project which deals with (a) immunoelectron microscopy of various tumor cells, (b) ultrastructural studies of animal and human tumors, (c) chronological study of tissue ultrastructure during invasion of tumor, during treatment of the tumor with various agents, and the eventual regression of the tumor after treatment, (d) autoradiographic study at the ultrastructural level of different kinds of tumors, using various probes (e) study of cell surface at the ultrastructural level using various electron microscopic and immunologic probes, (f) study of viral ultrastructure in thick sections as well as isolated preparations, (g) microelemental analysis and quantitation of cell surface probes, (h) high voltage microscopy of tissue cultures of various tumor cells, (i) cryoultramicroscopy of solid tumors and tissues that have been subjected to enzyme histochemistry techniques. Application received by Commissioner of Customs: February 7, 1975.

Docket number: 75-00363-33-19095. Applicant: Johns Hopkins University, School of Medicine, 720 N. Rutland Avenue, Baltimore, Maryland 21205. Article:



**M85 Scanning Microdensitometer.** Manufacturer: Vickers Instruments Inc., United Kingdom. Intended use of article: The article is intended to be used for studies of the adrenal gland in which adrenocorticotrophic hormone (ACTH) analysis (redox potentials) will be used to determine the effects of trauma. Application received by Commissioner of Customs: February 7, 1975.

Docket number: 75-00364-98-81095. Applicant: Cornell University, Department of Chemistry, Baker Laboratory, Ithaca, New York 14853. Article: Tally-step with measuring unit, Electronics Unit and Recorder. Manufacturer: Rank Taylor Hobson, United Kingdom. Intended use of article: The article is intended to be used to study the application of secondary ion mass spectrometry to the surface analysis of samples from solid state systems for the characterizations of new materials. Problems to be investigated involve the study of surface transport properties, interphase and grain boundaries; surface structure, thin films, and chemical reactions at surfaces. Application received by Commissioner of Customs: February 7, 1975.

Docket number: 75-00365-33-46040. Applicant: Princeton University, Department of Biology, Guyot Hall, Washington Road, Princeton, New Jersey 08540. Article: Electron Microscope, Model JEM 100C. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for developmental studies with animals, plants, and with lower organisms. These studies will include the following:

- (1) Cell adhesion and cell movement studies,
- (2) An investigation of the effect of ethylene on the normal growth patterns of plants,
- (3) Differentiation in the cellular slime molds,
- (4) Ultrastructural studies of differentiating plant cells,
- (5) Developmental studies in *Caulobacter crescentus*,
- (6) *Drosophila Y* Chromosomes Structure and Function,
- (7) Junctions in neurons and receptors.

The major considerations of the research being carried on are as follows:

Studies on DNA replication, and localization of sites of rRNA, identification of cell fractions including membranes, ribosomes etc. Enzyme-labeled antibody techniques for ultrastructure localization of macromolecules. The article will also be used to train personnel in electron microscopy techniques, particularly graduate students engaged in some aspect of research in the proposals set forth above. Application received by commissioner of customs: February 7, 1975.

Docket number: 75-00366-33-90000. Applicant: The Johns Hopkins University, Department of Biophysics, Rm. 308, Charles & 34th Streets, Baltimore, Md. 21218. Article: Rotating Anode X-ray Diffraction Generator, Model GX-6 w/ microfocus Cathode, Model RA2. Manufacturer: Elliott, United Kingdom. In-

tended use of article: The article is intended to be used in the study of human myeloma proteins from cancer patients. Experiments will be conducted to obtain X-ray diffraction patterns from these materials to determine their three-dimensional structure to atomic resolution. Application received by commissioner of customs: February 7, 1975.

Docket number: 75-00367-33-90000. Applicant: St. Joseph Hospital, 1401 S. Main Street, Fort Worth, Texas 76104. Article: EMI Scanner System with Magnetic Tape Storage Unit. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for scientific investigation of cerebral disease only in humans. The objective will be to demonstrate either the presence or absence of cerebral diseases such as tumors, cysts, hemorrhages, etc. Application received by commissioner of customs: February 7, 1975.

Docket number: 75-00368-33-25600. Applicant: Medical College of Wisconsin, Milwaukee County General Hospital, 8700 West Wisconsin Avenue, Milwaukee, Wisconsin 53226. Article: Short Circuit Current System. Manufacturer: Dipl. Ing. N. Gebhardt, West Germany. Intended use of article: The article is intended to be used to study ion and water transport by isolated mucosa of rat colon. Application received by Commissioner of Customs: February 7, 1975.

Docket number: 75-00369-33-07795. Applicant: Washington University, School of Medicine, 660 South Euclid Avenue, St. Louis, Missouri 63110. Article: Oscilloscope Continuous Recording Camera, Model #RC-2A and accessories. Manufacturer: Nihon Kohden Kogyo Co. Ltd., Japan. Intended use of article: The article is intended to be used in experiments involving analysis of the physiological characteristics of synaptic connections between spinal cord explants and dissociated superior cervical ganglion neurons. These synapses form *de novo* in culture and the purpose of the experiments is to study these newly formed synapses and also to determine the factors that control their formation. Application received by Commissioner of Customs: February 7, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,  
Director,  
Special Import Programs Division.

[FR Doc. 75-6266 Filed 3-10-75; 8:45 am]

#### UNIVERSITY HOSPITAL OF JACKSONVILLE

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regu-

lations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00156-33-46040. Applicant: University Hospital of Jacksonville, 655 West Eight Street, Jacksonville, Florida 32209. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for clinical studies in the diagnosis of tumors and renal diseases. The article will also be used in any experiment where basic morphological alterations must be studied at the ultrastructural level. Additionally, the article will be used in the course Basic Electron Microscopy to introduce the graduate students and the resident physician into the basic principles of electron microscopy.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time Customs received the application (October 7, 1974). Reasons: The foreign article is a relatively simple, medium resolution electron microscope providing 30x and 140x magnifications for distortion free, low magnifications in the light microscopy range and a maximum magnification of 60,000x. The article is also designed so as to be easy to operate by beginning students with a minimum of detailed programming. The only domestic instrument available at the time the application was received by Customs is the Model EMU-4C available from the Adam David Company.

The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated January 28, 1975, that the article's ease of operation and its capability for magnifications and micrographs that overlap the optical microscope range are pertinent to the applicant's intended uses. HEW also advises that the Model EMU-4C is too complex and does not provide equivalent low distortion at low magnification in the optical range. In regard to the latter point, the EMU-4C provides distortion free magnifications from 500x up. For these reasons, we find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the application was received by Customs.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,  
Director, Special  
Import Programs Division.

[FR Doc.75-6263 Filed 3-10-75; 8:45 am]

#### UNIVERSITY OF ROCHESTER

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00184-33-22400. Applicant: The University of Rochester, School of Medicine and Dentistry, 601 Elmwood Avenue, Rochester, N.Y. 14642. Article: MSE 150 Watt Ultrasonic Disintegrator, PG-100 and Titanium Exponential Micro Probe 34041. Manufacturer: Measuring & Scientific Equipment, United Kingdom. Intended use of article: The foreign article is to be used to reproducibly disrupt extremely small quantities of human white blood cells in order to determine inherited differences in PGMs, a sensitive labile enzyme contained in such cells.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The article is to be used in controlled low energy disruption of white blood cells in reproducing a successful method for typing phosphoglucomutase-3 enzyme. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated February 12, 1975 that the specific design incorporating the capability for exact modification is pertinent to the purposes described above. HEW also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,  
Director, Special  
Import Programs Division.

[FR Doc.75-6264 Filed 3-10-75; 8:45 am]

#### UNIVERSITY OF VIRGINIA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00196-33-46040. Applicant: University of Virginia, School of Medicine, Department of Pathology, Charlottesville, Va. 22903. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in research involving ultra-structural examination of kidney tissue. Much of this will be clinical research in which renal biopsies from patients with nephrotic syndrome under various types of therapy are compared. The article will also be used for teaching residents in pathology and medical students the basic skills of diagnostic electron microscopy particularly as it relates to kidney biopsies. Comments: Comments with respect to this application were received on December 20, 1975 from the Adam David Company which alleges inter alia that "The Zeiss 9 we feel is now duplicated by the PA 1". Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, was being manufactured in the United States at the time Customs received this application (October 30, 1974). Reasons: The foreign article, a relatively simple, medium resolution electron microscope (providing 7 Angstroms point to point resolution, an accelerating voltage of 60 kilovolts, and low distortion magnification at 140-60,000x) designed for confident use [through ease of operation] by beginning students with a minimum of detailed programming, is intended to be used in teaching medical students, pathology residents and technicians the basic skills of diagnostic electron microscopy. The most closely comparable domestic instrument available at the time Customs received this application was the Model EMU-4C supplied by the Adam David Company. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated February 21, 1975 that simplicity and ease of operation are pertinent to the applicant's intended use in teaching. HEW also advises that the EMU-4C is too complex for the applicant's educational purposes and that the Adam David Company's Model PA-1 was in development when the application was received by the U.S. Customs Service. In this regard, it is noted that a prototype of the PA-1 was first shown by the Adam David Co. in November, 1974. Neither the Department nor its

consultants have been able to determine or verify the capabilities of the PA-1 as of the date of this decision. Thus the Department does not have a sufficient basis for ruling that the Adam David Company was able to supply the PA-1 at the time the application was received by the U.S. Customs Service. The applicant's claim of availability of prompt service from the supplier of the foreign article did not enter into the Department's decision concerning this application. Service is considered a cost related item and not a justification for duty-free entry under Pub. L. 89-651.

We, therefore, find that the Model EMU-4C was not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used at the time this application was received by Customs.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time Customs received this application.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,  
Director, Special  
Import Programs Division.

[FR Doc.75-6265 Filed 3-10-75; 8:45 am]

#### ACTION

##### NATIONAL VOLUNTARY SERVICE ADVISORY COUNCIL

###### Meeting

In accordance with section 10 (a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Council meeting:

Name: National Voluntary Service Advisory Council.

Date: April 3, 1975.

Place: ACTION, 806 Connecticut Avenue NW., Washington, D.C., Room 522.

Time: 9 am, Thursday, April 3, 1975.

Purpose of the meeting: To discuss the work of each of the Council's committees and to begin preparations for the Annual Report of the Advisory Council.

Meeting of the Advisory Council is open to the public. Public attendance depending on available space, may be limited to those persons who have notified the Advisory Council Executive Officer in writing at least five days prior to the meeting, of their intention to attend the meeting.

Any member of the public may file a written statement with the Council before, during, or after the meeting. To the extent that time permits, the Council Executive Officer may allow public presentation of oral statements at the meeting.

All communications regarding this Advisory Council should be addressed to Ms. Elizabeth Allemang, Advisory Coun-

Chief Executive Officer, 806 Connecticut Avenue NW., Washington, D.C. 20525.

ELIZABETH L. ALLEMANG,  
Staff Assistant,  
Office of the Director.

[FR Doc.75-6229 Filed 3-10-75;8:45 am]

## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### PRIVATE ENFORCEMENT OF PUBLIC REGULATORY PROVISIONS

#### Notice of Request for Comments

The Administrative Conference of the United States, through its Committee on Compliance and Enforcement Proceedings, is considering a recommendation relating to private enforcement of public regulatory provisions (the "Citizen Suit").

A report entitled, "Private Enforcement of Public Regulatory Provisions: The 'Citizen Suit'", was presented to the Committee on Compliance and Enforcement Proceedings at its meetings on February 7, 1975. Single copies of the full report and minutes of that meeting are available upon request from the Conference at 2120 L Street NW., Suite 500, Washington, D.C., 20037. A summary of the report and the two recommendations presently being considered by the Committee follow.

Interested persons may submit written data or views to the Chairman of the Committee on Compliance and Enforcement Proceedings, Administrative Conference of the United States, 2120 L Street NW., Suite 500, Washington, D.C., 20037. All comments received by March 28, 1975 will be made available to the Committee prior to its meeting, April 7, 1975.

This notice is issued under the authority of the Administrative Conference Act (5 U.S.C. 571-576).

RICHARD K. BERG,  
Executive Secretary.

MARCH 7, 1975.

#### SUMMARY AND RECOMMENDATIONS

Several major federal statutes (the Air Quality, Water Quality, Noise Pollution, Ocean Dumping and Consumer Product Safety Acts), and numerous bills introduced in the Congress in recent years, contain a "citizens suit" provision permitting virtually any person to bring suit to enforce particular state or federal statutes, regulations, orders or other requirements. Enforcement under these provisions is exclusively by suit for injunction or for money penalties covered into the Treasury of the United States. This report does not deal with implied private damage remedies (e.g., those now common under the Securities Acts) nor with statutorily created actions for compensation (e.g., actions under the anti-trust laws or the Fair Labor Standards Act).

There is no significant historical precedent for the creation of "private attorneys general" of the sort contemplated by the statutes herein discussed, nor is it clear that the statutory provisions have a consistent theoretical or policy basis. Nevertheless, it is the finding of this Report that such pro-

visions are not necessarily objectionable, provided certain measures are taken which would clarify the relationship between private and public enforcement of the same rules of conduct and provide additional coordination between public and private enforcers. To this end two Recommendations are proposed: One is a statute applicable to all citizen enforcement actions (sometimes "CEA") and dealing with problems of primary jurisdiction, res judicata, intervention and approval of consent judgments. The other merely recommends that the relevant agencies develop policies concerning their participation in citizen enforcement actions and their cooperation with citizen plaintiffs in cases in which the agency is not a participant.

#### RECOMMENDATION I

Current statutes authorizing a citizens suit to enforce federal and federally-approved, state regulatory standards do not treat adequately certain issues of primary jurisdiction, res judicata, intervention and approval of consent orders. It is therefore recommended that the Congress adopt a general citizens suit statute which would, unless otherwise provided, apply to any citizen suit authorized by federal statute. Such a statute should contain the following provisions: (1) A prohibition on citizens suits when federal or state officials have completed or are diligently prosecuting a civil or criminal enforcement action or an administrative enforcement proceeding with respect to the same violation; (2) a provision making a single citizens suit, conducted after appropriate notice, res judicata with respect to any subsequent citizens suit against the same defendant for the same violation; (3) a section providing that citizen suits shall not foreclose subsequent public enforcement unless an appropriate public officer were a party to the citizens suit; (4) a general right of intervention by any person in a citizens suit, but the scope of such intervention should be limited in order to preserve government control of its enforcement actions, to promote settlements and to make multi-party lawsuits more manageable; (5) provisions requiring notice and opportunity to comment on proposed consent orders in citizens suits or public enforcement proceedings which would bar subsequent citizens suits; and (6) provision for notice of any proposed citizens suit in the FEDERAL REGISTER.<sup>1</sup>

#### COMMENT

The purpose of the proposed statute is to eliminate a number of potential problems surrounding citizen enforcement of public regulatory statutes while remaining consistent with the basic policies which seem to underlie citizens suit statutes. The core purpose of those statutes is apparently to permit citizen enforcement if, and only if, there has been a government default in enforcement. However, some existing statutes neglect to exclude citizen suits for civil enforcement where the government has chosen to proceed by administrative enforcement or criminal prosecution. The proposed statute would explicitly preserve the government's primary enforcement jurisdiction.

Existing citizens suit statutes also seem to presume that participation by private intervenors in public enforcement, public intervenors in private citizens suits, and private suitors in citizens suits brought by others, is valuable as a means of assuring that the public interest is protected. However, current statutes do not provide for such participation in a systematic fashion;

<sup>1</sup> A suggested statute is included as an Appendix to this report.

nor do they provide for notification procedures with respect to suits or settlements which would tend to make the opportunity for intervention effective. Similarly, the statutes fail to place limitations on intervention of right which seem necessary to preserve the government's primary enforcement responsibility, to make multi-party litigation manageable and to permit settlement. The proposed statute seeks to remedy these defects.

Finally, existing statutes say nothing about the res judicata effects of citizens enforcement actions. Basic fairness seems to require that defendants not face the prospect of multiple suits asserting ostensibly the same interests. However, the drain that might be put on governmental resources if the government were required to intervene in or monitor every CEA in order to assure protection of the public interest argues against foreclosing future government enforcement. Hence, it is suggested that subsequent suits by private parties, but not by federal or state governments, be foreclosed. Protection of the interests of non-intervening private parties who will be foreclosed by a public suit or an administrative enforcement proceeding is sought to be provided by the requirement that all consent orders be placed in the public record and interested persons provided an opportunity to comment on them. A similar procedure is currently employed by the Justice Department in anti-trust cases. (28 CFR 50.1.)

#### RECOMMENDATION II

In order to assure adequate protection of the public interest in citizens enforcement actions, each agency having enforcement responsibility which parallels an authorized citizens suit should consider the adoption of (1) uniform policies and procedures governing (a) the agency's entrance into citizens enforcement actions either as an intervenor or amicus and (b) the extent to which the agency will undertake to comment on proposed consent orders in such actions; and (2) policies and procedures for cooperation with parties instituting citizens enforcement actions which will assure that the agencies' expertise and factual information is made available to such parties to the fullest extent possible.

#### COMMENT

Although it is not possible, given the present limited experience with citizens enforcement actions and the potentially wide variation in agency missions and resources which may result from additional citizens suit legislation, to attempt to prescribe general rules concerning the extent to which agencies should participate in CEAs, it seems reasonable to suggest that agencies individually adopt a policy which attempts to unify the actions of its various offices and officers. (The Justice Department's June 13, 1970, "Guidelines" (now withdrawn) concerning enforcement of the 1899 Refuse Act provide an instructive example of an attempt at development and implementation of a uniform enforcement policy.) It also seems sensible to recommend that agencies cooperate with citizen enforcers to the fullest extent consistent with the agency's mission and resources. The citizen plaintiff is by statute made an ally of the enforcement agency. In this posture the citizen enforcer could substantially extend the agency's effective enforcement power. Moreover, the agency has the duty to protect the public interest in the enforcement of the statute it administers and, therefore, should be concerned to insure that private enforcement is competently prosecuted. Examples of actions which the agency might take to cooperate with private plaintiffs include: (1) The preparation of enforcement guides or manuals which instruct the private plaintiffs in the rudiments of successful prosecution of an action under the relevant

statute (These guides might then be provided, or at least made known, to each potential plaintiff who notifies the agency of a proposed action.); (2) staff consultation with private parties concerning proposed and ongoing enforcement actions; (3) provision of any non-privileged information which is relevant to a private enforcement action.

[FR Doc.75-6483 Filed 3-10-75; 8:45 am]

**AMERICAN REVOLUTION  
BICENTENNIAL ADMINISTRATION  
AMERICAN REVOLUTION BICENTENNIAL  
COUNCIL  
Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, (Pub. L. 92-463), notice is hereby given that a meeting of the American Revolution Bicentennial Council will be held on April 7, 1975. Details on city location, actual meeting place, time of meeting and specific agenda items will be announced as soon as available.

The meetings will be open to the public on a space available basis. Further information can be obtained from Jane Shay, Executive Assistant to the Administrator, American Revolution Bicentennial Administration, 2401 E Street NW, Washington, D.C. 20276, telephone (202) 634-1841.

**JOHN W. WARNER,  
Administrator.**

[FR Doc.75-6299 Filed 3-10-75; 8:45 am]

[Docket 26603; Order 75-2-93]

**AIRLIFT INTERNATIONAL, INC.  
Increased Container Rates; Order of  
Suspension  
Correction**

In FR Doc. 75-5277 appearing on page 8375 in the issue of Thursday, February 27, 1975, the order number should read as set forth above.

[Docket No. 27527; Order 75-3-13]

**ALLEGHENY AIRLINES, INC.  
Nonacceptance of Poison B Labeled  
Articles; Order of Rejection**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 6th day of March, 1975.

By tariff revisions<sup>1</sup> issued February 5 and marked to become effective March 7, 1975, Allegheny Airlines, Inc. (Allegheny) proposes to establish a provision refusing the acceptance of Poison B<sup>2</sup> labeled materials.

<sup>1</sup>Revisions to Airline Tariff Publishing Company, Agent, Tariff C.A.B. No. 82, Sections II and V.

<sup>2</sup>Poisonous articles, Class B, are substances, liquid or solid, which are known to be so toxic to man as to afford a hazard to health during transportation, or which, in the absence of adequate data on human toxicity, are presumed to be toxic to man.

It should be noted that Section 103.35 of the Federal Aviation Regulations provides

In support of its proposal and in answer to a complaint, Allegheny asserts, inter alia, that evaluation has determined that Poison B materials represent a serious health hazard to humans, and that this provision is identical to provisions already in effect for a number of other carriers.

A complaint has been filed by the Council for Safe Transportation of Hazardous Articles<sup>3</sup> (COSTHA). The complainant requests that the proposal be rejected, or in the alternative, suspended and investigated. COSTHA alleges, inter alia, that (1) this proposal concerns questions of safety, and the Board has recognized that the Federal Aviation Administration (FAA) has the necessary expertise and sole responsibility to prescribe regulations providing for safe transportation of hazardous articles by air; (2) such concerns of the carriers should be reported to the FAA for its responsive action, and only after such action should the tariff be amended to reflect that action; and (3) since the proposal constitutes a complete refusal to carry, the adequacy of alternative service, the justification offered, the economic burden upon shippers, and the relationship between the restriction and the carrier's role as a common carrier should all be examined.

As the Board has previously concluded (see Order 74-12-121, dated December 30, 1974), it has accepted in principle the primary responsibility of the Department of Transportation (DOT)/Federal Aviation Administration (FAA) for regulations on the transportation of hazardous materials by air.<sup>4</sup> Allegheny's proposal to ban Poison B materials completely would be more restrictive than current FAA Regulations, as well as rules currently proposed by FAA.<sup>5</sup> In its proposed regulations, FAA will eliminate the Poison B classification, replacing it with the designation "highly toxic" for most Poison B materials, although some will be designated "extremely toxic." The "highly toxic" materials will typically be permitted to be transported in passenger aircraft, and the "extremely toxic" materials only in cargo aircraft or not at all.

In the foregoing circumstances, we shall reject Allegheny's proposal without prejudice to the carrier's refile tariff

that no operator of any aircraft may carry material marked as or known to be Poison B in the same cargo compartment with material known to be foodstuffs, feeds, or other edible material intended for consumption by humans or animals.

<sup>3</sup>COSTHA is an inter-industry federation of trade associations and traffic conferences having mutual interest in small-packaged shipments of articles classed as hazardous under the governing regulations of the Department of Transportation.

<sup>4</sup>The Board's Regulations, section 221.38 (a) (5), provide that tariff rules relating to the transportation of hazardous materials should be in conformity with Part 103 of the Federal Aviation Regulations.

<sup>5</sup>Department of Transportation, Hazardous Materials Regulations Board, Notice of Proposed Rulemaking, Notice 73-9, et seq. in Docket No. HM-112, FR Vol. 39, No. 17.

provisions reflecting FAA's proposed rules. The Board will also expect that other carriers that currently have in effect tariffs refusing to accept Poison B materials will promptly conform their tariffs to the proposed FAA Regulations.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 401, 403, 404, and 1002 thereof,

It is ordered, That:

1. The pages listed in Appendix A hereto<sup>6</sup> of Airline Tariff Publishing Company, Agent, C.A.B. No. 82 be, and hereby are, rejected;

2. Except to the extent granted herein, the complaint filed by the Council for Safe Transportation of Hazardous Articles in Docket 27527 is dismissed; and

3. Copies of this order shall be served upon Allegheny Airlines, Inc., The Council for Safe Transportation of Hazardous Articles, and the Federal Aviation Administration.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] **PHYLLIS T. KAYLOR,  
Acting Secretary.**

[FR Doc.75-6300 Filed 3-10-75; 8:45 am]

[Docket No. 25280; Agreements CAB 24965, 24966; Order 75-2-107]

**INTERNATIONAL AIR TRANSPORT  
ASSOCIATION  
Specific Commodity Rates; Order  
Correction**

In FR Doc. 75-5820 appearing at page 10225 in the issue for Wednesday, March 5, 1975, the following should be inserted in the beginning as the first paragraph: "Issued under delegated authority, February 27, 1975."

[Docket 25280; Agreement C.A.B. 24843; Order 75-2-68]

**INTERNATIONAL AIR TRANSPORT  
ASSOCIATION  
Order Relating to Specific Commodity  
Rates  
Correction**

In FR Doc. 75-4994 appearing on page 8375 in the issue of Thursday, February 27, 1975 the 7th entry from the top in the 3rd column on page 8376 should read:

|          |          |           |      |           |
|----------|----------|-----------|------|-----------|
| •        | •        | •         | •    | •         |
| 111----- | 100----- | Frankfurt | to/  |           |
|          |          |           | from | New York. |
| •        | •        | •         | •    | •         |

**CIVIL SERVICE COMMISSION  
FEDERAL EMPLOYEES PAY COUNCIL  
Notice of Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the

<sup>6</sup>Filed as part of original document.

Federal Employees Pay Council will meet at 2:00 p.m. on Wednesday, April 16, 1975. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E. Street, NW., and will consist of continued discussions on the fiscal year 1976 comparability adjustment for the statutory pay systems of the Federal Government.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

RICHARD H. HALL,  
Advisory Committee Management  
Officer for the President's Agent.

[FR Doc. 75-6302 Filed 3-10-75; 8:45 am]

### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN HAITI

Entry or Withdrawal From Warehouse for Consumption

MARCH 10, 1975.

On October 4, 1974, there was published in the FEDERAL REGISTER (39 FR 35839) a letter of September 26, 1974 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing, pursuant to the Bilateral Cotton Textile Agreement of November 3, 1971, as amended, between the Governments of the United States and Haiti, an aggregate limit for the 64 categories and within the aggregate limit, specific limits on Categories 39, 51, 53, and 63 for the agreement year which began on October 1, 1974.

Among the provisions of the bilateral agreement, as amended, are those establishing a consultation level of 405,169 square yards equivalent for each apparel category not subject to a specific limit for the agreement year which began on October 1, 1974. In accordance with the provisions of paragraph 16 of the bilateral agreement, the United States Government has decided to control imports in Categories 45 (men's and boys' dress shirts, not knit), 46 (men's and boys sports shirts, not knit), and 47 (men's and boys' work shirts, not knit) for the remainder of the agreement year. The levels of restraint contained in the letter published below have been adjusted to reflect all entries charged in these categories through March 5, 1975. The level for Category 45 has been filled as of that date.

Accordingly, there is published below a letter of March 10, 1975, from the

Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs directing that the amounts of cotton textile products in Categories 45, 46 and 47, produced or manufactured in Haiti, which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning on October 1, 1974 and extending through September 30, 1975, be limited to the designated levels.

ALAN POLANSKY,  
Acting Chairman, Committee  
for the Implementation of  
Textile Agreements, and Acting  
Deputy Assistant Secretary  
for Resources and Trade  
Assistance, Department of  
Commerce.

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: This directive amends but does not cancel the directive issued to you on September 26, 1974 by the Chairman of the Committee for the Implementation of Textile Agreements, which directed you to prohibit entry during the twelve-month period beginning October 1, 1974 of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in Haiti, in excess of designated levels of restraint.

Pursuant to paragraph 16 of the Bilateral Cotton Textile Agreement of November 3, 1971, as amended, between the Governments of the United States and Haiti, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed, effective March 12, 1975, and for the period extending through September 30, 1975, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 45, 46 and 47, produced or manufactured in Haiti, in excess of the following adjusted levels of restraint:

| Category: | Adjusted 12-month<br>level of restraint <sup>1</sup><br>Dozen |
|-----------|---|
| 45 -----  | 0   |
| 46 -----  | 7,617   |
| 47 -----  | 10,283  |

<sup>1</sup> These levels have been adjusted to reflect all entries charged through March 5, 1975.

The actions taken with respect to the Government of Haiti and with respect to imports of cotton textile products from Haiti have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,  
Acting Chairman, Committee for  
the Implementation of Textile  
Agreements, and Acting Deputy  
Assistant Secretary for Resources  
and Trade Assistance, Department  
of Commerce.

[FR Doc. 75-6486 Filed 3-10-75; 10:22 am]

### ENVIRONMENTAL PROTECTION AGENCY

[FRL 342-6]

#### NATIONAL AIR POLLUTION CONTROL TECHNIQUES ADVISORY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the National Air Pollution Control Techniques Advisory Committee will be held at 9 a.m. on March 25 and 26, 1975, at Crystal Mall, Building 2, Room 1112, 1921 Jefferson Davis Highway, Arlington, Virginia (22202), telephone 703-557-8273.

The purpose of the meeting will be to discuss New Source Performance Standards to be proposed under section 111 of the Clean Air Act for by-product coke ovens (charging operations, topside leaks, combustion stacks, and pushing emissions) and standards to be proposed under section 112 to control emissions of vinyl chloride from vinyl chloride and polyvinyl chloride plants.

The meeting will be open to the public. Anyone wishing to attend or submit a paper should contact Mr. Don R. Goodwin, Director, Emission Standards and Engineering Division, Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

The telephone number and area code are 919-688-8146, extension 271.

Dated: March 4, 1975.

ROGER STRELOW,  
Assistant Administrator  
for Air and Waste Management.

[FR Doc. 75-6182 Filed 3-10-75; 8:45 am]

[FRL 342-7; OPP-32000/203]

#### RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of  
Applications

On November 19, 1973, the environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c) (1) (D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street SW., Washington, DC 20460.

On or before May 12, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c) (1) (D) for such use of his data, and (d) wishes to preserve his right to have the Administrator de-

termine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the **FEDERAL REGISTER** of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington, DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after May 12, 1975.

Dated: March 4, 1975.

MARTIN H. ROGOFF,  
Acting Director,  
Registration Division.

#### APPLICATIONS RECEIVED

- EPA File Symbol 36118-E. Amchlor Corp., Pool Chem. Div. of Amato Solvents, Inc., 9120 Talbot Ave., Silver Spring MD 20190. AM-CHLOR (SODIUM HYPOCHLORITE). Active Ingredients: Sodium Hypochlorite 13.12%. Method of Support: Application proceeds under 2(c) of interim policy. PM34.
- EPA File Symbol 35908-R. Boyko Supply Co., 5805 S. Sante Fe Dr., Littleton CO 80120. TRIPLED-D. Active Ingredients: n-Alkyl (80% C14, 30% C16, 5% C12, 5% C18) Dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.
- EPA File Symbol 4313-LL. Carroll Co., 2900 W. Kingsley Rd., Garland TX 75041. QUAT MINT DISINFECTANT. Active Ingredients: Alkyl (C14 50%, C12 40%, C16 10%) dimethyl benzyl ammonium chloride 4.0%; Isopropanol 4.0%; Ethanol 1.0%; Essential oils 0.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.
- EPA File Symbol 192-REN. Dexol Industries, 1450 W. 228th St., Torrance CA 90501. DEXOL SUPER SCALE INSECT SPRAY. Active Ingredients: Mineral Oil 67.5%; Nicotine 1.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 1757-AR. Drew Chem. Corp., 701 Jefferson Rd., PO Box 248, Parsippany NJ 07054. AMERSTAT 274 FOR CONTROL OF THE GROWTH OF BACTERIA. Active Ingredients: Sodium Dimethyl dithiocarbamate 12%; Nabam (Disodium Ethylene Bisdithiocarbamate) 12%; Ethylenediamine 8%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 270-GN. FMC Corp., Agricultural Chem. Div., 100 Niagara St., Middleport NY 14105. DICHLONE TECHNICAL 90% FUNGICIDE. Active Ingredients: Dichlone (2,3-Dichloro-1,4-naphthoquinone) 90.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 270-RRR. Farnam Co., Inc., PO Box 21447, Omaha NE 68112. INSECT KILL STRIP. Active Ingredients: 2,2-Dichlorovinyl dimethyl phosphate 14.40%. Method of Support: Application proceeds under 2(c) of interim policy. PM13.
- EPA File Symbol 9232-RG. Federal International Chem., 1191 S. Wheeling Rd., Wheeling IL 60090. CONQUEST II NEUTRAL FRAGRANCE. Active Ingredients: N-Alkyl (Myristyl 60%, Palmitoyl 30%, Lauryl 5%, Stearyl 5%) Dimethyl Benzyl Ammonium Chlorides 2.25%; N-Alkyl (Lauryl 68%, Myristyl 32%) Dimethyl Ethylbenzyl Ammonium Chlorides 2.25%; Sodium Carbonate 3.00%; Ethanol 1.13%; Tetrasodium Ethylenediamine Tetraacetate 1%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.
- EPA File Symbol 9232-RU. Federal International Chem. CONQUEST II CITRUS FRAGRANCE. Active Ingredients: N-Alkyl (Myristyl 60%, Palmitoyl 30%, Lauryl 5%, Stearyl 5%) Dimethyl Benzyl Ammonium Chlorides 2.25%; N-Alkyl (Lauryl 68%, Myristyl 32%) Dimethyl Ethylbenzyl Ammonium Chlorides 2.25%; Sodium Carbonate 3.00%; Ethanol 1.13%; Tetrasodium Ethylenediamine Tetraacetate 1%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.
- EPA File Symbol 9232-RL. Federal International Chem. CONQUEST 256 LEMON FRAGRANCE. Active Ingredients: N-Alkyl (Myristyl 60%, Palmitoyl 30%, Lauryl 5%, Stearyl 5%) Dimethyl Benzyl Ammonium Chlorides 6.25%; N-Alkyl (Lauryl 68%, Myristyl 32%) Dimethyl Ethylbenzyl Ammonium Chlorides 6.25%; Tetrasodium Ethylenediamine Tetraacetate 3.60%; Ethanol 3.12%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.
- EPA File Symbol 257-EOI. Fuld-Stalfort, Inc., 1854 Old Post Rd., Havre de Grace MD 21078. FULD-STALFORT G-1707 AIRCRAFT INSECTICIDE SPRAY. Active Ingredients: Pyrethrins 0.60%; Piperonyl butoxide, technical [1.12% (butylcarbityl) (6-propylpiperonyl) ether and 0.28% related compounds] 1.40%; Petroleum distillate 13.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 257-EOA. Fuld-Stalfort, Inc., 1854 Old Post Rd., Havre de Grace MD 21078. TRIAD DISINFECTANT-CLEANER. Active Ingredients: Alkyl (80% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 1.6%; Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 1.6%; Sodium carbonate 3.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.
- EPA File Symbol 5602-RUG. Hub States Corp., 2000 N. Illinois St., Indianapolis IN 46202. HUB STATES SELECTIVE WEED AND BRUSH KILLER. Active Ingredients: 2,4-Dichlorophenoxyacetic acid 49.3%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.
- EPA File Symbol 34094-E. J & B Enterprises, Inc., PO Box 342, Helena AL 35080. AQUACELL WATER PURIFIERS. Active Ingredients: Silver 1.05%. Method of Support: Application proceeds under 2(a) of interim policy. PM33.
- EPA File Symbol 8776-L. Johnson Nurseries Inc., PO Box 411, Dexter NY 13634. SCENT-OFF RUB-STIK. Active Ingredients: Oil of Lemongrass 2%; Oil of Citronella 1.2%; Allyl iso thio cyanate 0.2%; Blend of oil of Orange Methyl Salicylate, Geraniol, Ionone Alpha and oil of Bergamot 0.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM11.
- EPA File Symbol 1021-RGUG. McLaughlin Gormley King Co., 8810 10th Ave. N., Minneapolis MN 55427. PYROCIDIDE PRESSURIZED SPRAY 7244. Active Ingredients: Pyrethrins 0.08%; Piperonyl butoxide, technical (0.31% (butylcarbityl) (6-propylpiperonyl) ether and 0.08% other related compounds) 0.39%; Di-n-propyl isocinchomerone Ronnel [0-0-dimethyl 0-(2,4,5-trichlorophenyl) phosphorothioate] 3.85%; Xylene 0.77%; Petroleum distillate 61.52%; Mineral Oil 30.77%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 524-GRL. Monsanto Co., Agricultural Products, 800 N. Lindbergh Blvd., St. Louis MO 63166. TECHNICAL LASSO 60%. Active Ingredients: Alachlor (2-chloro-2',6'-diethyl-N-(methoxymethyl)acetanilide 60.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.
- EPA File Symbol 524-GRA. Monsanto Co., Agricultural Products, 800 N. Lindbergh Blvd., St. Louis MO 63166. TECHNICAL LASSO 90%. Active Ingredients: Alachlor (2-chloro-2',6'-diethyl-N-(methoxymethyl)acetanilide 60.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.
- EPA File Symbol 33576-GR. Olin Water Services, Olin Corp., 120 Long Ridge Rd., Stamford CT 06904. OLIN WATER SERVICES OLIN 7060. Active Ingredients: Sodium Dimethyldithiocarbamate 15%; Nabam (Disodium Ethylene Bisdithiocarbamate) 15%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 335-ERA. Pennwalt Corp., Pennchem Dept., 3 Parkway, Philadelphia PA 19102. BK LF12 GERMICIDE-SANITIZER. Active Ingredients: Polyalkylene oxide glycol monoesters of 5- and 6-carboxy-4-hexyl-2-cyclohexene-1-octanoic acid iodine complex 4.3%. Method of Support: Application proceeds under 2(a) of interim policy. PM34.
- EPA File Symbol 1124-IU. Purex Corp., 24600 S. Main St., Carson CA 90745. PUREX GUARDEX ALGAE CONTROL PLUS. Active Ingredients: Alkyl (C14, 50%, C12 25%, C16 15%) dimethyl benzyl ammonium chloride 40%; Ethanol 8%. Method of Support: Application proceeds under 2(b) of interim policy. PM24.
- EPA File Symbol 36403-R. Rachele Lab., Inc., 700 Henry Ford Ave., Long Beach CA 90801. TREBOX INJECTION TREE INJECTION FORMULA. Active Ingredients: oxytetracycline hydrochloride 22%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 9852-GE. Rite-Off Corp., 163 Dupont St., Plainview NY 11803. RITE OFF AIRCRAFT INSECTICIDE 0-1-507. Active Ingredients: Pyrethrins 0.6%; Piperonyl Butoxide, Technical [1.12% (Butylcarbityl) (propylpiperonyl) ether and 0.28% of related compounds] 1.4%; Petroleum Distillate 13.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA Reg. No. 572-142. Rockland Chem. Co., Inc., PO Box 204, Caldwell NJ 07006. ROCKLAND HOG LICE INSECTICIDE GRANULES. Active Ingredients: Ronnel (0,0-dimethyl 0-(2,4,5-trichlorophenyl) phosphorothioate] 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM14.

EPA File Symbol 3743-GUT. Southern Agricultural Chem., Inc., PO Drawer 527, Kingstree SC 29556. ROYAL BRAND DIMETOX. Active Ingredients: Methoxychlor, technical [17.6% 2,2-bis (p-methoxyphenyl)-1,1,1-trichloroethane and 2.4% other isomers and reaction products] 20%; 0,0-diethyl 0-2(2-isopropyl-6-methyl-4-pyridinyl) phosphorothioate 10%; Aromatic petroleum derivative solvent 63%. Method of Support: Application proceeds under 2(c) of interim policy. PM14

EPA File Symbol 998-REG. Superior Chem. Prod. Inc., 3942 Frankford Ave., Philadelphia PA 19124. SCP FUNGICIDE WETT-ABLE POWDER. Active Ingredients: Sodium pentachlorophenate 71.1%; Sodium Salts of other chlorophenols 9.9%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.

EPA File Symbol 11668-G. T & R Chem., Inc., PO Box 216, Clint TX 79836. T & R CHEMICALS INC. ELPINOL 85 FINE OIL. Active Ingredients: Pine oil 99.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM32.

EPA File Symbol 8333-G. Taco Corp., PO Box 2909, Spartanburg SC 29302. TACO CCA C CONCENTRATE 50%. Active Ingredients: Arsenic Pentoxide 17.0%; Copper Oxide 9.2%; Chromic Acid 23.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM22.

[FR Doc.75-6183 Filed 3-10-75;8:45 am]

[FRL 342-8; OPP-32000/204]

### RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

#### Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c) (1) (D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before May 12, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c) (1) (D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington D.C. 20460.

Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after May 12, 1975.

Dated: March 4, 1975.

MARTIN H. ROGOFF,  
Acting Director,  
Registration Division.

#### APPLICATIONS RECEIVED

EPA File Symbol 5481-RIT. Amvac Chem. Corp., 4100 E. Washington Blvd., Los Angeles CA 90023. AMROL-95. 3-Amino-1,2,4-triazole 95%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 9461-IO. Celanese Coatings & Specialties Co., Devoe and Reynolds Co., Marine Div., PO Box 99038, Jeffersontown KY 40299. DEVOE MARINE SUPER TROPICAL ANTI-FOULING SHIP BOTTOM PAINT MD-3835. Active Ingredients: Cuprous Oxide 20.90%; Copper Powder 2.58%; Bis (tributyltin) Oxide 1.76%; Pentachlorophenol 2.00%; Related chlorophenols 0.23%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.

EPA File Symbol 4450-GE. Chemex Chem. & Coatings Co., Inc., PO Box 5072, Tampa FL 33675. FLYING & CRAWLING INSECTICIDE. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.350%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 100-LIE. Ciba-Geigy Corp., Agricultural Div., PO Box 11422, Greensboro NC 27409. CONQUER LIQUID VEGETATION KILLER. Active Ingredients: Prometon; 2,4-bis (isopropylamino) - 6-methoxy - s - triazine 2.50%; Pentachlorophenol 1.00%; Other Chlorophenols and related compounds 0.12%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.

EPA File Symbol 1630-TT. Chem. Specialties Co., Inc., 51-55 Nassau Ave., Brooklyn NY 11222. PRIZE WINNER FLEA AND TICK POWDER. Active Ingredients: Pyrethrins 0.10%; Piperonyl Butoxide, Technical [Equivalent to 0.8% (butylcarbityl) (6-propylpiperonyl) ether and to 0.2% of related compounds] 1.00%; Carbaryl (1-Naphthyl N - methylcarbamate) 5.00%; Silica Gel 40.00%; Base Oil 4.90%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 1630-TL. Chem. Specialties Co., Inc., 51-55 Nassau Ave., Brooklyn NY 11222. DRO GENERAL PURPOSE AQUEOUS INSECTICIDE. Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, technical [Equivalent to 0.8% (butylcarbityl) (6-propylpiperonyl) ether and to 0.2% related compounds] 1.0%; Petroleum distil-

late 0.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 33914-G. Dixie Agriculture Chem. Co., PO Box 1227, Eustis FL 32726. THIODAN 2 EC INSECTICIDE. Active Ingredients: Endosulfan (hexachlorohexahydrodromethano - 2,4,3 - benzodioxathiepin oxide) 24.0%; Xylene base aromatic petroleum solvent 69.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM15.

EPA File Symbol 11345-G. Dold Feed Co., Inc., 717 Elk St., Buffalo NY 14210. SUPER GREEN WEED AND FEED PLUS. Active Ingredients: 2,4-D (2,4-Dichlorophenoxyacetic Acid) 1.3%; 2,4-Dichlorophenoxyacetic Acid equivalent 1.28%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.

EPA File Symbol 464-LRA. The Dow Chem. Co., PO Box 1706, Midland MI 48640. DOWPON C IMPROVED GRASS KILLER. Active Ingredients: Sodium salt of dalapon 46.7%; Magnesium salt of dalapon 7.8%; Trichloroacetic acid sodium salt 30.6%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 11694-AE. Dymon, Inc., PO Box 6235, 3401 Kansas Ave., Kansas City KS 66106. DYKIL 9 CONCENTRATE WEED KILLER. Active Ingredients: Petroleum oil 82.17%; Bromacil (5 - bromo-3-sec-butyl-6-methyluracil) 5.78%; Pentachlorophenol 4.71%; Other chlorophenols 0.55%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.

EPA File Symbol 11694-AR. Dymon, Inc. DYKIL 7 CONCENTRATE WEED KILLER. Active Ingredients: Petroleum oil 75.88%; 2,4 - Dichlorophenoxyacetic acid, isooctyl ester 6.46%; Bromacil (5 - bromo-3-sec-butyl-6-methyluracil) 5.66%; Pentachlorophenol 4.61%; Other chlorophenols 0.54%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.

EPA File Symbol 11694-LO. Dymon, Inc. SECTRON. Active Ingredients: Petroleum distillates 94.330%; Hexylene Glycol 3.000%; Ronnel 0,0-Dimethyl 0-(2,4,5-trichlorophenyl) phosphorothioate 2.000%; 2,2 - Dichlorovinyl dimethyl phosphate 0.500%; N-octyl bicycloheptene dicarboximide 0.067%; Technical piperonyl butoxide [Equivalent to 0.536% (butylcarbityl) (6-propylpiperonyl) ether and 0.134% related compounds] 0.027%. Method of Support: Application proceeds under 2(c) of interim policy. PM14.

EPA Reg. No. 352-360. E. I. DuPont De Nemours & Co. Inc., 6054 Du Pont Bldg., Wilmington DE 19898. DEMOSAN T SEED FUNGICIDE FOR TREATMENT OF BEAN SEED. Active Ingredients: Chloroneb (1,4-dichloro - 2,5 - dimethoxybenzene) 40.0%; Thiram (tetramethylthiuram disulfide) 22.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM21.

EPA Reg. No. 352-354. E. I. DuPont De Nemours & Co., Inc., 6054 Du Pont Bldg., Wilmington DE 19898. BENLATE BENOMYL FUNGICIDE FOR CONTROL OF CERTAIN DISEASES OF STONE FRUITS WEST OF THE ROCKY MOUNTAINS. Active Ingredients: Benomyl [Methyl 1-(butylcarbamoyl) 2-benzimidazolecarbamate 50%. Method of Support: Application proceeds under 2(b) of interim policy. PM22.

EPA File Symbol 11497-RA. Enviro Chem. Corp., PO Box 29113, Dallas TX 75229. ECM-1000. Active Ingredients: Disodium cyanodithiolimidocarbonate 3.68%; Potassium N-methylidithiocarbamate 5.07%. Method

- of Support: Application proceeds under 2(b) of interim policy. PM22.
- EPA File Symbol 279-GNNE. FMC Corp., Agricultural Chem., Div., 100 Niagara St., Middletown NY 14105. PYRENONE 7.5-0.75 STABLENE 5.9. E.C. INSECTICIDE. Active Ingredients: Pyrethrins 0.75%; Piperonyl Butoxide, Technical [Equivalent to 6.0% (butylcarbityl) (6-propylpiperonyl) ether and to 1.5% related compounds] 7.50%; Butoxypolypropylene Glycol 53.00%; Petroleum Distillate 23.75%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 779-O. Faesy & Besthoff, Inc., 143 River Rd., Edgewater NJ 07020. F & B DIAZINON 14 G. GRANULAR INSECTICIDE. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 14.3%. Method of Support: Application proceeds under 2(c) of interim policy. PM14.
- EPA File Symbol 2596-LO. The Hartz Mountain Corp., 700 S. 4th St., Harrison NJ 07029. HARTZ INSECT REPELLENT FOR DOGS #2. Active Ingredients: N,N-diethyl-m-toluamide 7.60%; other isomers 0.40%; N-octyl bicycloheptene dicarboximide 1.50%; 2,3:4,5-Bis (2-butylene) tetrahydro-2-furaldehyde 1.00%; Petroleum Distillate 5.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 4990-LT. Hedy Corp., 100 6th Ave., Paterson NJ 07524. HEDDY HORNET & WASP PRESSURIZED SPRAY. Active Ingredients: Pyrethrins 0.10%; Piperonyl butoxide, technical [Equivalent to 0.16% (butylcarbityl) (6-propylpiperonyl) ether and 0.4% other related compounds] 0.20%; N-octyl bicycloheptene dicarboximide 0.33%; o-Isopropoxyphenyl methylcarbamate 0.50%; Petroleum distillate 83.87%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 5905-UUR. Helena Chem. Co., Clark Tower, 5100 Poplar Ave., Memphis TN 38137. OMNI-DIAZINON (INSECTICIDE-MITICIDE). Active Ingredients: Petroleum Oil 92.50%; O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 5.27%. Method of Support: Application proceeds under 2(c) of interim policy. PM14.
- EPA Reg. No. 9594-1. Intercontinental Chem. Corp., PO Box 15318, Sacramento CA 95813. ICC CHEMICALS SAN-O-CLEAR 235. Active Ingredients: n-Alkyl (C14 50%, C12 40%, C16 10%) Dimethyl Benzyl Ammonium Chloride 10.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.
- EPA Reg. No. 635-629. E-Z Flo Chem. Co., Div. of Kirsto Co., PO Box 808, Lansing MI 48903. E-Z-FLO COPPER-SEVIN 7-5 DUST. Active Ingredients: Copper 7.00%; Carbaryl (1-naphthyl n-methylcarbamate) 5.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.
- EPA Reg. No. 635-163. E-Z Flo Chem. Co., Div. of Kirsto Co., PO Box 808, Lansing MI 48903. E-Z-FLO PARATHION 2 DUST. Active Ingredients: Parathion (O,O-diethyl O-p-Nitrophenyl Thiophosphate) 2.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.
- EPA File Symbol 18433-L. Lee Chem. Corp., 2800 Taft Ave., Orlando FL 32804. LEE CHEMICALS THERMACIDE. Active Ingredients: Malathion (O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate) 4.75%; Beta-butoxy beta-thiocyanodiethyl ether 1.50%; Petroleum Distillates 93.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.
- EPA Reg. No. 1471-35. Elanco Products Co., A Div. of Eli Lilly and Co., PO Box 1750, Indianapolis IN 46206. ELANGO TREFLAN E. C. HERBICIDE. Active Ingredients: trifluralin (a,a,a-trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine) 44.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.
- EPA File Symbol 372-UI. Mallinckrodt, Inc., 2600 2nd & Mallinckrodt Sts., St. Louis MO 63147. MALLINCKRODT DUOSAN BRAND BROAD SPECTRUM SYSTEMIC-CONTACT TURF FUNGICIDE. Active Ingredients: Dimethyl 4,4'-o-phenylenebis (3-thioallophandate) 15%; Manganese (Zn++) ethylene bisdithiocarbamate 60%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 2831-LR. Napasco International PO Box 1219, Thibodaux LA 70301. MICRO X ORANGE FRAGRANT PHENOLIC DISINFECTANT, FUNGICIDE, DEODORANT. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.25%; Essential Oils 0.50%; Isopropanol 43.22%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.
- EPA File Symbol 2831-LN. Napasco International, PO Box 1219, Thibodaux LA 70301. MICRO X LEMON FRAGRANT PHENOLIC DISINFECTANT, FUNGICIDE, DEODORANT. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.25%; Essential Oils 0.50%; Isopropanol 43.22%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.
- EPA File Symbol 4026-R. Ottawa Chem. Div., Ferro Corp., Toledo OH 43605. HIOTROL SANITIZER. Active Ingredients: Potassium Ricinoleate 6%; Isopropyl Alcohol 10%; Terpineol 10%; Parachlorometaxylenol 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM32.
- EPA File Symbol 1456-EN. Rellly Tar & Chem. Corp., 1615 S. Meridian St., Merchants Bank Bldg., Indianapolis IN 46204. 60/40 CREOSOTE COAL TAR SOLUTION. Active Ingredients: Creosote Oil 60%; Coal Tar 37%. Method of Support: Application proceeds under 2(c) of interim policy. PM22.
- EPA File Symbol 1456-RO. Rellly Tar & Chem. Corp., 1615 S. Meridian St., Merchants Bank Bldg., Indianapolis IN 46204. 50/50 CREOSOTE COAL TAR SOLUTION. Active Ingredients: Creosote Oil 50%; Coal Tar 47%. Method of Support: Application proceeds under 2(c) of interim policy. PM22.
- EPA Reg. No. 359-177. Rhodia Inc., Agricultural Div., 23 Belmont Dr., Somerset NJ 08873. RHODIA 2,4-D LOW VOLATILE ESTER 4L A SELECTIVE WEED KILLER. Active Ingredients: Isoctyl ester of 2,4-dichlorophenoxyacetic acid 70.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.
- EPA File Symbol 1715-UT. Speer Products, Inc., PO Box 9383, 105 S. Parkway W., Memphis TN 38109. SPEER AIRCRAFT INSECTICIDE AEROSOL. Active Ingredients: Pyrethrins 0.60%; Piperonyl butoxide, technical [Equivalent to 1.12% (butylcarbityl) (6-propylpiperonyl) ether and 0.28% related compounds] 1.40%; Petroleum distillate 13.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 9861-U. Technical Specialties Corp., 114 S. Columbia Dr., Decatur GA 30030. TSC 908. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N-methylthiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy. PM33.
- EPA File Symbol 418-RENA. Thompson-Hayward Chem. Co., 5200 Speaker Rd., Kansas City KS 66106. DED-WEED LV 2-1 BRUSH KIL. Active Ingredients: 2,4-dichlorophenoxyacetic acid 23.3%; 2,4,5-trichlorophenoxyacetic acid 11.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.
- EPA File Symbol 148-RENO. Thompson-Hayward Chem. Co., 5200 Speaker Rd., Kansas City KS 66106. MALATHION-PARATHION WETTABLE. Active Ingredients: Malathion (O,O-Dimethyl dithiophosphate of diethyl mercaptosuccinate) 18.75%; Parathion (O,O-diethyl O-p-nitrophenyl Thiophosphate) 12.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.
- EPA File Symbol 7401-EAE. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. FERTI-LOME LAWN FOOD CONTAINING DIAZINON. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 1.13%. Method of Support: Application proceeds under 2(c) of interim policy. PM14.
- EPA File Symbol 11656-UI. Western Farm Service, Inc., c/o Shell Chem. Co., Suite 200, 1025 Conn. Ave., N.W., Washington DC 20036. THIODAN 2 C.O. INSECTICIDE. Active Ingredients: Endosulfan (Hexachlorocyclohexane 2,4,3-benzodioxathiepin oxide) 23.2%; Petroleum Distillates 20.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM15.
- EPA File Symbol 11656-UG. Western Farm Service Inc. CAPTAN SULFUR 10-50 DUST (FUNGICIDE-MITICIDE). Active Ingredients: Captan (N-[trichloromethyl]thio]-4-cyclohexene - 1,2-dicarboximide) 10%; Sulfur 50%. Method of Support: Application proceeds under 2(c) of interim policy. PM22.
- EPA File Symbol 11656-UT. Western Farm Service Inc. GRANULAR SIMAZINE 2.0-U HERBICIDE. Active Ingredients: Simazine (2-chloro-4,6-bis [ethylamino]-s-triazine) 2.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.
- EPA File Symbol 11656-UL. Western Farm Service Inc. WESTERN FARM SERVICE COTTON DEFOLIANT 2. Active Ingredients: Sodium Chlorate (NaClO3) 20.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM26.
- EPA File Symbol 11656-UU. Western Farm Service Inc. WESTERN FARM SERVICE COTTON DEFOLIANT 1. Active Ingredients: Sodium Chlorate (NaClO3) 19.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.
- EPA File Symbol 1748-REO. York Chem. Co., Inc., 195 Atlantic Ave., Garden City Park NY 11040. CERTOX INSECTICIDE BAIT. Active Ingredients: 2-(1-Methylethoxy)-phenol methyl-carbamate 2%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.

[FRL Doc. 75-6184 Filed 3-10-75; 8:45 am]

[FRL 343-1; OPP-32000/205 & 206]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

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of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street SW., Washington, D.C. 20460.

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Dated: March 4, 1975.

MARTIN H. ROGOFF,  
Acting Director,  
Registration Division.

#### APPLICATIONS RECEIVED

EPA File Symbol 15887-RU. Agricultural Chem. of Dallas, 3707 E. Kiest Blvd., Dallas TX 75203. HI BRAND DURSBAN 1/4 G GRANULAR INSECTICIDE. Active Ingredients: Chlorpyrifos [0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 0.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.

EPA File Symbol 15887-RG. Agricultural Chem. of Dallas, 3707 E. Kiest Blvd., Dallas TX 75203. HI BRAND DURSBAN 2E INSECTICIDE. Active Ingredients: Chlorpyrifos [0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 22.4%; Aromatic petroleum derivative solvent 42.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.

EPA File Symbol 11371-E. Blue Line GAC Janitorial Supplies Inc., 2501 Commercial St., San Diego CA 92113. FORMULA "C" DISINFECTANT TOILET BOWL CLEANER. Active Ingredients: Octyl decyl dime-

thyl ammonium chloride 1.250%; Diocetyl dimethyl ammonium chloride 0.625%; Didecyl dimethyl ammonium chloride 0.625%; Alkyl amino betaine (C8 7%, C10 8%, C12 46%, C14 24%, C16 10%, C18 5%) 1.000%; Hydrogen chloride 8.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM32.

EPA File Symbol 887-GO. Bonewitz Chem., Inc., PO Box 927, Burlington IA 52801. BONCHEM BON-SAN 100 ANIONIC ACID SANITIZER. Active Ingredients: Phosphoric Acid 16.50%; Dodecylbenzenesulfonic acid 2.90%. Method of Support: Application proceeds under 2(a) of interim policy. PM 32.

EPA File Symbol 34052-R. Dan-Mar Enterprises, Inc., PO Box 117, Commerce GA 30594. DAN-MAR ENTERPRISES BEAR-CAT. Active Ingredients: Pyrethrins 0.60%; Piperonyl butoxide (Equivalent to 2.5% (butylcarbityl) (6-propylpiperonyl) ether and 0.62% other related compounds) 3.00%; Petroleum distillate 96.40%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 35316-R. Encon Industries, Inc., PO Box 15, E. Brunswick NJ 08816. NEW! SANECAP CHEMICAL TOILET TREATMENT. Active Ingredients: Dodecylate 40%; Dodecylamine lactate 40%. Method of Support: Application proceeds under 2(c) of interim policy. PM33.

EPA File Symbol 17869-G. General Drug and Chem. Corp., PO Box 5692, Kansas City MO 64102. JOHNNY QUICK. Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Diocetyl dimethyl ammonium chloride 0.625%; Didecyl dimethyl ammonium chloride 0.625%; Alkyl amino betaine (C8 7%, C10 8%, C12 46%, C14 24%, C16 10%, C18 5%) 1.000%; Hydrogen chloride 17.500%. Method of Support: Application proceeds under 2(b) of interim policy. PM32.

EPA File Symbol 1021-RGUU. McLaughlin Gormley King Co., 8810 10th Ave. N., Minneapolis MN 55427. D-TRANS INTERMEDIATE 2029. Active Ingredients: d-trans Allethrin (allyl homolog of Cinerin I) 12.60%; Piperonyl butoxide, technical (Equivalent to 20.00%); (butylcarbityl) (6-propylpiperonyl) ether and 5.00% other related compounds) 25.00%; N-octyl bicycloheptene dicarboximide 25.00%; Petroleum distillate 6.15%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 7001-ERR. Occidental Chem. Co., PO Box 198, Lathrop CA 95330. BEST LINDANE BORER SPRAY. Active Ingredients: Lindane (Gamma isomer of benzene hexachloride) 20.0%; Xylene 67.6%. Method of Support: Application proceeds under 2(c) of interim policy. PM15.

EPA File Symbol 7401-EAU. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. FERTI-LOME TENDER LEAF HOUSE PLANT SPRAY. Active Ingredients: Petroleum Oil 0.650%; Nicotine 0.070%; Triethanolamine 0.043%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 11656-UA. Western Farm Serv., c/o Shell Chem. Co., Suite 200, 1025 Conn. Ave., NW, Washington DC 20036. WESTERN FARM SERVICE COTTON DEFOLIANT 3. Active Ingredients: Sodium Chlorate (NaClO3) 20.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 11656-LN. Western Farm Serv., c/o Shell Chem. Co., Suite 299, 1025 Conn. Ave., NW, Washington, DC 20036. WESTERN FARM SERVICE ETHION 25 SPRAY. Active Ingredients: Ethion (O,O-

O',O'-Tetraethyl S,S'-methylene bisphosphorodithioate) 25.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.

#### APPLICATIONS RECEIVED (OPP-32000/206)

EPA File Symbol 2749-URE. Aceto Chem. Co., Inc., Agricultural Chem. Div., 126-02 Northern Blvd., Flushing NY 11368. SUCKER CONTROL 15 L.C. LIQUID GROWTH RETARDANT. Active Ingredients: Potassium Salt of 6-hydroxy-8-(2H)-pyridazinone 21.6%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 6899-RG. B & B Chem. Co., Inc., PO Box 660-796 Miami FL 33166. B&B LEMON X. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetracetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 6899-RU. B & B Chem. Co., Inc., PO Box 660-796, Miami FL 33166. B&B FRAGRANT DISINFECTANT. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetracetate 2.0% Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 7718-RT. The Mesco Corp., PO Box 665, Metairie LA 70004. BESCO ODORLESS DISINFECTANT, DEODORANT SANITIZER. Active Ingredients: Alkyl (C14 50%, C12 40%, C16 10%) dimethyl benzyl ammonium chloride 10.00%; Ethanol 2.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.

EPA File Symbol 11371-R. Blue Line GAC Janitorial Supplies Co., 2501 Commercial St., San Diego CA 92113. SAN-I-TIZE DISINFECTANT-SANITIZER DEODORIZER. Active Ingredients: Alkyl (C14 50%, C12 40%, C16 10%) Dimethyl Benzyl Ammonium Chloride 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 11371-G. Blue Line GAC Janitorial Supplies Co., 2501 Commercial St., San Diego CA 92113. JERMI-KLEEN. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 4.50%; Diocetyl Dimethyl Ammonium Chloride 2.25%; Tetrasodium Ethylenediamine Tetracetate 2.40%; Isopropyl Alcohol 3.60%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA Reg. No. 239-2186. Chevron Chem. Co., 940 Hensley St., Richmond CA 94804. ORTHO PARAQUAT CL (For use on sunflowers, oilseed varieties only). Active Ingredients: Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride) 29.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA Reg. No. 239-2418. Chevron Chem. Co., 940 Hensley St., Richmond CA 94804. ORTHENE 75 S SOLUBLE POWDER (For control of Bollworm and Tobacco Budworm). Active Ingredients: Acephate (O,S-Dimethyl acetylphosphoramidate) 75%. Method of Support: Application proceeds under 2(a) of interim policy. PM16.

EPA File Symbol 12189-G. Columbia Chem. Co., Inc., 1216 Bozeman Ave., Helena MT 59601. FINAL DISINFECTANT-SANITIZER DEODORIZER. Active Ingredients: Alkyl (C14 50%, C12 40%, C16 10%) Dimethyl Benzyl Ammonium Chloride 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA Reg. No. 5905-348. Helena Chem. Co., Clark Tower, 5100 Poplar Ave., Suite 2900, Memphis TN 38137. HELENE HEL-CHEM 62. Active Ingredients: Toxaphene 54.44%; O,O-dimethyl O-p-nitrophenyl phosphorothioate 18.14%; Xylene 15.62%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.

EPA File Symbol 3618-ET. Industrial Colloids and Chem., Inc., 127 W. Jackson Ave., Knoxville TN 37901. VEE-CHLOR. Active Ingredients: Sodium Hypochlorite 7.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM34.

EPA File Symbol 12310-RL. Misco International Chem., Inc., 1021 S. Noel Ave., Wheeling IL 60090. SELECT-K #1 LAWN WEED KILLER. Active Ingredients: Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 3.66%; Dimethylamine salt of 2,4-dichloro-phenoxyacetic acid 8.07%; Dimethylamine salt of Dicamba (3,6-dichloro-o-anisic acid) 0.84%; Dimethylamine salts of related compounds 0.11%. Method of Support: Application proceeds under 2(b) of interim policy. PM25.

EPA File Symbol 12310-RA. Misco International Chem., Inc., 1021 S. Noel Ave., Wheeling IL 60090. SELECT-K #2 ST. AUGUSTINE GRASS BROADLEAF HERBICIDE. Active Ingredients: Dimethylamine salt of 2,4-dichloro phenoxyacetic acid 3.23%; Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 10.59%; Dimethylamine salt of Dicamba (3,6-dichloro-o-anisic acid) 1.28%. Method of Support: Application proceeds under 2(b) of interim policy. PM25.

EPA File Symbol 36371-R. National Chem., Inc., 940 W. Oakwood Rd., Oak Creek WI 53154. ZAP DISINFECTANT CLEANER. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 10710-G. Purdy Products Inc., 1526 N. 31st., Milwaukee WI 53208. TROPHY NO-BAX. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA Reg. No. 1159-181. Seacoast Lab., Inc., 257 Hwy. 18, E. Brunswick NJ 08816. TWIN LIGHT PROFESSIONAL CHINCH BUG KILLER WITH DURSBAN. Active Ingredients: Chlorpyrifos (O,O-diethyl O-3,5,6-trichloro-2-pyridyl phosphorothioate) 2.32%; Aromatic petroleum derivative solvent 1.30%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.

EPA File Symbol 9619-A. Synthetic Lab., Inc., Victory Lane, Dracut MA 01826. CG SUPER 30. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 9619-L. Synthetic Lab., Inc., Victory Lane, Dracut MA 01826. CG SUPER 40. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 3.750%; Dioctyl Dimethyl Ammonium Chloride 1.875%; Didecyl Dimethyl Ammonium Chloride 1.875%; Alkyl (C14 50%, C12 40%, C16 10%) Benzy Dimethyl Ammonium Chloride 5.000%; Tetrasodium Ethylenediamine tetraacetate 3.420%; Isopropyl Alcohol 3.000%; Ethyl Alcohol 1.000%.

Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 21270-I. E. Targosz & Co., 736 Estes, Schaumburg IL 60172. "NATURAL SCENT" CONSERVE CLEANER/DISINFECTANT/DEODORIZER/FUNGICIDE/VIRUCIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 21270-T. E. Targosz & Co., 736 Estes, Schaumburg IL 60172. TARGOSZ 121 HEAVY-DUTY GERMICIDE. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 4.50%; Dioctyl Dimethyl Ammonium Chloride 2.25%; Didecyl Dimethyl Ammonium Chloride 2.25%; Tetrasodium Ethylenediamine tetraacetate 2.40%; Isopropyl Alcohol 3.60%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA Reg. No. 1023-51. The Upjohn Co., 7171 Portage Rd., Kalamazoo MI 49001. PROXOL 80 SP (For Tees, Greens, Fairways, Lawns and Other Fine Turf). Active Ingredients: Dimethyl (2,2,2-trichloro-1-hydroxyethyl) phosphonate 80%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.

EPA Reg. No. 1023-51. The Upjohn Co., 7171 Portage Rd., Kalamazoo MI 49001. PROXOL 80 SP. Active Ingredients: Dimethyl (2,2,2-trichloro-1-hydroxyethyl) phosphonate 80%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.

EPA File Symbol 1043-O. Vestal Lab., Div. of Chemed Corp., 4963 Manchester Ave., St. Louis MO 63110. VESTAL ECOLOCIDE GERMICIDAL DETERGENT. Active Ingredients: Citric Acid 10.0%; Pelargonic Acid 8.0%; Glycolic Acid 7.0%. Method of Support: Application proceeds under 2(a) of interim policy. PM32.

[FR Doc.75-6185 Filed 3-10-75;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20370; File No. TS23-74; FCC 75-232]

### HAWAIIAN TELEPHONE CO. AND AMERICAN TELEPHONE AND TELEGRAPH CO.

#### Line Service Rates; Investigation and Hearing

1. The Commission has before it for consideration (a) a complaint filed on August 5, 1974 by the Department of Defense against the Hawaiian Telephone Co. (HTC) and the American Telephone and Telegraph Co. (AT&T) claiming that the joint through-rate for 50 kilobit private line service (kbs) between the Mainland and Hawaii is unjust and unreasonable under section 201(b) of the Communications Act; (b) HTC's answer and motion to dismiss filed on September 13, 1974; (c) AT&T's answer filed on September 13, 1974; and (d) DOD's reply and opposition to the motions to dismiss filed on September 23, 1974.

2. 50kbs is a high speed wide spectrum data service offering. The combined charges for the circuits and associated service terminals is \$12,225 per month. DOD contends that the circuit rate is unreasonable because it contains an unjustified component cost, i.e., a claim for management expenses equal to approximately 25 percent of the Comsat charge for the satellite circuits in addition to the usual claim for general and administrative expenses. HTC and AT&T have moved for dismissal of the complaint. AT&T argues that the complaint should be dismissed because it is based solely on conclusory and argumentative statements. HTC argues that the complaint lacks legal sufficiency since it is directed at only one element of the rate and reasonableness of the rate can only be determined by the rate in toto.

3. We believe that the motions to dismiss should be denied. The complaint does not rest on conclusory or argumentative propositions, nor does it lack legal sufficiency. While it is true that reasonableness of a rate is determined by the rate in toto, the unreasonableness of any of its elements can result in the unreasonableness of the total rate. DOD has raised some questions which need to be answered; is this "loading factor" properly included in the rate development, is the cost actually incurred or does it act as an unearned return for the carriers, and is the level claimed reasonable. Therefore, we will order an investigation to seek the answers to these questions to aid us in determining the reasonableness of this rate.

4. We anticipate that this hearing will commence promptly and will be conducted on an expedited basis. We believe the "paper" procedures recently employed in other rate investigations will be appropriate here, too. See *AT&T (Hilo)*, 44 F.C.C. 2d 88, 90-91 (1974); *AT&T (WATS)*, 46 F.C.C. 2d 81, 87-88 (1974). An appropriate schedule and list of procedures is included herein. We are providing for the submission of interrogatories and requests for information, which process merges cross-examination and the informal gathering of information traditionally undertaken during the prehearing and hearing stages of rule-making proceedings. We shall further allow the Administrative Law Judge to provide for oral evidentiary hearings, as specified below. Should it develop that the procedures which we are establishing prove inadequate or result in substantial unfairness to any party, appropriate modifications will be considered.

5. Accordingly, the above-referenced complaint of the Department of Defense is hereby granted and it is ordered pursuant to sections 4(i), 4(j), 201(b), and 205, and 403 of the Communications Act of 1934, as amended, an investigation and hearing is instituted into the reasonableness of the rate for 50 kilobit private line service between the Mainland and Hawaii jointly offered by the Hawaiian Telephone Co. and the American Telephone and Telegraph Co.<sup>1</sup>

6. It is further ordered, That without in any way limiting the scope of the in-

<sup>1</sup> Found in HTC Tariff F.C.C. No. 12, Original page 5, Original Page 6, Original Page 7, Original Page 8, Original Page 9 and Original Page 10 and AT&T Tariff F.C.C. No. 260, 23rd Revised Page 84.

vestigation, it shall include consideration of the following:

(1) Whether the charge for the 50 kilobit private line service is or will be unjust and unreasonable within the meaning of section 201(b) of the Act;

(2) Whether the satellite "loading factor" used in developing the rate is an actual cost that is incurred;

(3) Whether this satellite "loading factor" is properly included as an element in the development of the 50 kilobit rate and, if so, whether the level claimed is justified and reasonable; and

(4) If the charge for the 50kb service is found to be unlawful, whether the Commission should prescribe a rate pursuant to its authority under section 205 of the Act and if so, what the rate should be;

7. *It is further ordered*, That the following procedures will apply in this proceeding:

(a) The record for decision will consist of all matters, submitted for the record by respondents, interested persons and the Common Carrier Bureau trial staff. Interrogatories and information requests and responses thereto shall be part of the record. Such submissions together with supporting documentation and workpapers will be available for public inspection as they are received.

(b) All matters submitted for the record, including answers to interrogatories and responses to information requests must be identified as to sponsoring party, numbered consecutively and identified with the name of a person by whom or under whose supervision the submission was prepared.

(c) The source of all data must be clearly and specifically noted. Supporting documents which are not readily available and working papers must be presented with the submissions to which they apply. Statistical studies will be submitted and supported in the form prescribed in § 1.363 of the Commission's rules.

(d) Original and five copies of all matters submitted for the record as well as supporting documentation and workpapers must be filed with the Commission. Part I of our rules governs as to the number of copies for other submissions, such as briefs, pleadings and proposed findings. Matters submitted for the record shall be served on all interested persons filing a notice of intent to participate (participants) and upon the presiding Administrative Law Judge.

(e) Interrogatories and requests for information must be filed with the Commission and served on the participants to this proceeding. Objections to interrogatories and information requests should be resolved, if possible, by immediate informal conferences between the persons involved and the Trial Staff. If such conferences are unable to resolve the differences, the Administrative Law Judge should be notified, and on notification should convene an immediate oral conference of the persons involved. After oral presentations by such persons and the Trial Staff, the Judge shall forth-

with issue a ruling. Appeals from such rulings shall be governed by 47 CFR 1.301 except that the Judge shall set an expedited procedure.

(f) At any time after having received answers to interrogatories, upon a showing that such answers did not provide the information requested, the presiding Administrative Law Judge may order, upon motion, of any party or upon his own motion, such evidentiary type oral proceedings as may be necessary to elicit on the record such relevant, material and competent information as required for resolution of this issues herein.

8. *It is further ordered*, That the following schedule will be adhered to:

(a) Within 20 days of the release of this order AT&T and HTC may supplement the materials, submitted pursuant to § 61.38 of our rules. Any such supplementation, together with the material originally filed will form the evidence upon which they intend to rely. At the same time, AT&T and HTC should place materials already filed into proper form described in paragraph 7(b) above.

(b) Participants may file responsive material within 50 days following the filing of the material filed pursuant to subparagraph (a) above. This period will not be tolled pending resolution of conflicts with regard to answers which are not forthcoming but contested, or pending any oral proceedings ordered pursuant to paragraph 7 above.

(c) AT&T and HTC may file material in reply to that submitted by other participants within 30 days following the filing of material submitted pursuant to subparagraph (b) above. This period will not be tolled pending resolution of conflicts with regard to answers which are not forthcoming but contested, or pending any oral proceedings ordered pursuant to paragraph 7 above.

(d) Any participant may serve interrogatories and requests for information on other participants filing material, in this proceeding at any time prior to 40 days before the date set for filing of proposed findings and conclusions specified in subparagraph (e) below. Answers to such interrogatories and requests for information shall be filed within 20 days of the filing thereof.

(e) Proposed findings of fact and conclusions of law may be filed by any participant within 50 days of the filing of material submitted pursuant to subparagraph (c) above.

(f) Replies to the proposed findings of fact and conclusions of law may be filed by any participant within 15 days of the filing of such findings and conclusions.

(g) The presiding Administrative Law Judge shall issue an initial decision within 45 days of the filing of replies to the proposed findings of fact and conclusions of law.

(h) Exceptions to the initial decision may be filed by any participant within 30 days of the issuance of the initial decision as provided in § 1.276(a) of the Rules.

(i) Replies to the exceptions may be

filed within 15 days of the filing of such exceptions.

9. *It is further ordered*, That all procedural requests should be addressed to the Administrative Law Judge who shall rule thereon unless a significant modification of the procedures herein established is required, in which case the request should be certified to the Commission.

10. *It is further ordered*, That all computations of time herein shall be made in accordance with § 1.4 of our Rules.

11. *It is further ordered*, That all participants who file direct or reply cases in accordance with subparagraphs 8 (b) and (c) above shall submit concurrently therewith all underlying and supportive studies and workpapers.

12. *It is further ordered*, That AT&T and HTC are made parties respondent to this proceeding and that all other interested persons wishing to participate may do so by filing a notice of intent to participate within 10 days of the release of this Order.

13. *It is further ordered*, That the motions to dismiss of the Hawaiian Telephone Co. and the American Telephone and Telegraph Co. are hereby denied.

14. *It is further ordered*, That pursuant to § 1.1209(d) of the Commission's Rules, a separated trial staff will participate in this proceeding. As provided therein, the Chief, Hearing and Legal Division and his staff will be separated from the Commission, the presiding Administrative Law Judge, the Office of General Counsel, and the Chief, Deputy Chief, and all Division Chiefs of the Common Carrier Bureau, but are unrestricted in their access to all other Commission personnel.\*

Adopted: February 26, 1975.

Released: March 6, 1975.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc. 75-6257 Filed 3-10-75; 8:45 am]

[FCC 75-160]

LORAIN ELECTRONICS, INC.

Prototype Automated/Manual VHF Public Correspondence System; Extending Moratorium on Waiver

1. On January 15, 1974, we released a Memorandum Opinion and Order (MO&O) (FF 74-29) granting a request by Lorain Electronics, Inc. (Lorain), and the Lake Carriers Association (LCA), that certain of our rules in Parts 81 and 83 be waived so that Lorain could establish a prototype very high frequency (VHF) public correspondence system on a portion of the Great Lakes. If the prototype system proved successful, Lorain envisaged extending the system on a per-

\*Although precipitated by a complaint, this proceeding is rulemaking. See 48 F.C.C. 2d 201, 202 (1974).

manent basis, by rule changes, to include all the Lakes.

2. In a letter received December 23, 1974, Lorain requested us to extend some of the rule waivers until January 1, 1976. In its petition and letter, Lorain stated, essentially, that the establishment and operation of the prototype system was progressing reasonably well, but that some difficulties had been encountered, which had caused an 11-month delay. Lorain stated there had been a delay in delivery of equipment that required modification necessary for adaptation to the unique requirements of the system. LCA has joined Lorain in requesting an extension of the waivers.

3. Lorain requests authority to continue double sideband operations in some circumstances and it requests waiver of rules so that (1) facsimile, and not just voice emissions may be used, (2) identification may be made in digital form and not just by voice or telegraphy, and (3) that discontinuation of emissions in 12 seconds may be permitted instead of the 5 seconds as now contained in the rules. Specifically, Lorain requests an extension of the waiver of the following rule sections:

a. Section 81.132(a) (2) (iii) concerning authorized emissions;

b. Sections 81.310(a) and 83.364(a) concerning station identification; and

c. Section 81.106(e) (2) concerning the time in which emissions can be discontinued when required.

4. These rule waivers, as explained in our earlier MO&O are non-controversial and minor deviations which are not considered potentially disruptive to the maritime service. Therefore, in light of the above circumstances, we believe the request of Lorain for an extension of the waivers is reasonable, and necessary, and should be granted.

5. As an ancillary matter, there is a question of the moratorium on applications for VHF public coast facilities on the Great Lakes during the period of any extension of the subject rule waivers for Lorain. Such applications, ordinarily, could consist of requests for new stations, or the addition of working frequencies to existing stations. In our earlier MO&O, we concluded it important that we not authorize new facilities during the prototype stage which would impair the expeditious establishment of a total VHF Great Lakes System, and we placed a moratorium on the granting of new authorizations until January 1, 1975. That action was opposed by the Michigan Bell Telephone Company in a Petition for Partial Reconsideration, filed February 14, 1974. Michigan Bell sought to have the moratorium set aside insofar as it applied to its application to construct a new station at Marysville, Michigan and to add a second channel to an existing station at Detroit.

6. We denied the Michigan Bell petition in a Memorandum Opinion and Order released August 27, 1974 (FCC 74-885). We stated that while a moratorium may result in temporary congestion and inconvenience, this would be outweighed

by the establishment of a permanent system of superior technical and operational characteristics. We further pointed out that temporary authorization of frequencies, as requested by Michigan Bell, would most likely lead to permanent authorization of the frequencies. While we are reluctant to take action that could result in even temporary congestion and inconvenience, we believe the rationale adopted in denying the Michigan Bell petition applies equally now, and that the long range public interest requires that we not authorize new service until we complete action on the pending Lorain proposals for a system to serve all the Great Lakes. We will, therefore, on our own motion, also extend for a like period the moratorium on authorizing new facilities on the Great Lakes.

7. In view of the foregoing, it is ordered, That pursuant to the provisions of sections 4(i) and 303(g) of the Communications Act of 1934, as amended, the request for extension of the rule waivers of Lorain Electronics, Inc., and Lake Carriers Association is granted to the extent set forth below and denied in all other respects, until January 1, 1976:

(a) All MF-HF Public Coast and HF Ship stations on the Great Lakes may continue use of DSB operation on a non-interference basis to stations operating in conformity with the rules.

(b) The six Public Coast stations (Duluth, Minn., WAS; Copper Harbor, Mich., KVV 602; Grand Marais, Mich., KVV 603; Sturgeon Bay, Wisc., KVV 604; Port Washington, Wisc., WAD; and Lorain, Ohio, WMI), participating in the program are permitted the latitudes set forth in paragraph 7 of our January 15, 1974, Memorandum Opinion and Order.

8. It is further ordered, That an extension until January 1, 1976, of the moratorium on applications for VHF Public Coast facilities on the Great Lakes is established retroactive to January 1, 1975.

9. It is further ordered, That these rule waiver and moratorium extensions are subject to the conditions and provisions contained in our Memorandum Opinion and Order of January 15, 1974, in this matter.

Adopted: February 11, 1975.

Released: February 14, 1975.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.75-6256 Filed 3-10-75; 8:45 am]

### FEDERAL ENERGY ADMINISTRATION

#### INCLUSION OF CANADIAN PLANT CONDENSATE IN CRUDE OIL RUNS FOR OLD OIL ALLOCATION PROGRAM

##### Change in Location of Public Hearing

The location for the public hearing regarding the proposed rulemaking to

<sup>1</sup> Commissioner Reid absent.

include Canadian plant condensate in crude oil runs for purposes of the old oil allocation program, scheduled for March 12, 1975, at 9:30 a.m., Room 3000, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., has been changed to Room 2105, 2000 M Street, Washington, D.C. A notice of the proposed rulemaking and public hearing was published in the FEDERAL REGISTER on February 26, 1975 (40 FR 8228).

Dated: March 6, 1975.

ROBERT E. MONTGOMERY, Jr.,  
General Counsel.

[FR Doc.75-6388 Filed 3-7-75; 11:38 am]

### SUBSURFACE GEO-SCIENCE MATERIALS AND RECORDS

#### Symposium

The Federal Energy Administration hereby announces that a symposium is to be held in Dallas, Texas, on April 10, 1975, for the purpose of examining issues and problems with respect to the retention of subsurface resource information. Representatives of universities, industry, and government will be selected to present their views on various aspects of the subject. Members of the public are invited to attend. The symposium will be held in the Rose Room of the Hotel Adolphus, 1321 Commerce Street, Dallas, Texas, beginning at 9 a.m.

The critical importance of the earth's subsurface resources is becoming increasingly apparent as forecasts of the total depletion of some minerals move from the realm of little-noted scientific prediction into the realm of public awareness.

Much of the information used to locate and exploit subsurface resources results from "one time" activities such as seismic surveys, bore hole inspections, electrically recorded down-the-hole surveys, drilling and coring. The purpose of this symposium is to examine the long-range, logistic and other problems associated with assuring that drill bit cuttings, cores, well logs, seismic records, and the like are preserved for study.

Discussion during the symposium will focus on the following issues:

(a) What is the state of the art of information acquisition and storage?

(b) Who possesses the requisite libraries and are they available to all?

(c) What problems exist in the exchange between libraries?

(d) Is there an industry consensus on what should be done with various classes of materials?

(e) Are changes needed in State regulations concerning acquisition and retention of material?

(f) How can interstate information exchange be improved?

(g) Are financial incentives from the Federal Government necessary or desirable to expand the development of facilities?

(h) What form would such financial incentives take?

The FEA encourages representatives of recognized regional groups and consumer

organizations, officials of State and local governments, representatives of oil, gas, and chemical industries, and members of the general public to attend the symposium and to submit written questions or comments on the above issues and other directly related subjects. Written material should be submitted to the Federal Energy Administration, Executive Communications, Room 3309 Box CK, 12th and Pennsylvania Avenue NW., Washington, D.C. 20461.

Specialists selected to address the symposium will be asked to limit their oral presentations to fifteen minutes, reserving a few minutes for discussion. Questions from the audience will be considered as time permits. A complete record of the proceedings will be compiled and made available for public inspection.

Questions concerning the symposium should be directed to the Office of Oil and Gas, (202) 961-6277.

Dated: March 6, 1975.

ROBERT E. MONTGOMERY, JR.,  
General Counsel.

[FR Doc.75-6245 Filed 3-10-75; 8:45 am]

## FEDERAL MARITIME COMMISSION

[License No. 1462-R]

### COMMODITY FORWARDERS, INC.

#### Revocation of Independent Ocean Freight Forwarder License No. 1462-R

By letter dated January 28, 1975, Commodity Forwarders, Inc., 620 National Avenue, Gretna, Louisiana 70053 was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1462-R would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before February 25, 1975.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Commodity Forwarders, Inc., has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised section 7.04(g) (dated 9/15/73));

It is ordered, That Independent Ocean Freight Forwarder License No. 1462-R be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1462-R of Commodity Forwarders, Inc. be and is hereby revoked effective February 25, 1975.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Commodity Forwarders, Inc.

ROBERT S. HOPE,  
Managing Director.

[FR Doc.75-6296 Filed 3-10-75; 8:45 am]

## DISTRICT CONTAINERIZED EXPRESS ET AL.

### Independent Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916, (75 Stat. 522 and (46 U.S.C. 841(b))).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

District Containerized Express, District Moving & Storage, Inc. d/b/a 3800 Kenilworth Avenue, Bladensburg, Maryland 20710. Officers: Donald E. Hilliard, President, John H. Bartko, Jr., Vice President/Treasurer, Barbara A. Bartko, Secretary.  
Jessica Jo Forman, 1477C Whittram Avenue, Fontana, California 92335.  
James W. Parry, Lexington Drive, Knoxville, Tennessee 37922.

World Trade Paradise, Inc., c/o William J. Hill, Esq., R.D. #5, Laurel Lane & County Line Road, Jackson, New Jersey 08527. Officer: George M. Lynch, President/Secretary/Treasurer.

Dated: March 6, 1975.

By the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.75-6294 Filed 3-10-75; 8:45 am]

## ORGANIZATION AND FUNCTIONS

[Commission Order No. 1 (Rev.; Amdt. 2)]

Commission Order 1, section 503.3(b), which enumerates the specific functions of the Office of Freight Forwarders, Bureau of Certification and Licensing, is hereby amended by changing function number (1) to read:

(1) reviews applications for the licensing of freight forwarders, develops the information necessary to determine whether an applicant should be licensed, and makes appropriate recommendations as to the granting or denying of such applications, in accordance with the requirements of law and the rules, orders, and regulations of the Commission;

Effective: February 1, 1975.

HELEN DELICH BENTLEY,  
Chairman.

[FR Doc.75-6293 Filed 3-10-75; 8:45 am]

## TAMPA PORT AUTHORITY AND LUCKENBACH STEAMSHIP COMPANY, INC.

### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Mari-

time Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before March 21, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

## TAMPA PORT AUTHORITY

and

## LUCKENBACH STEAMSHIP COMPANY, INC.

Notice of Agreement Filed by:

Mr. James W. Casey

Treasurer

Luckenbach Steamship Company, Inc.

120 Wall Street

New York, New York 10005

Agreement No. T-3061, between Tampa Port Authority (Port) and Luckenbach Steamship Company, Inc. (Luckenbach), provides for a 15-year lease (with renewal options) to Luckenbach of bare land at the Holland Terminal Area, East Bay, Hookers Point, Tampa, Florida, to be used as a warehouse facility for products to be imported and exported thereon. Luckenbach shall have the preferential use of Berth No. 5 and shall construct, at its own cost, a warehouse facility on the premises. As compensation, Luckenbach will pay Port a flat rental of \$31,190 per annum. In addition, Luckenbach shall collect and pay Port, in accordance with the Port of Tampa Tariff, all wharfage, dockage, sheddage and other authorized charges with a guaranteed minimum payment of such charges in the amount of \$170,000 per annum.

Dated: March 6, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.75-6295 Filed 3-10-75; 8:45 am]

## FEDERAL MEDIATION AND CONCILIATION SERVICE

### ARBITRATION SERVICES ADVISORY COMMITTEE

#### Meeting

Notice is hereby given that the Federal Mediation and Conciliation Service Arbitration Services Advisory Committee, in accordance with section 10(a) (2)

of the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770) will meet on Thursday, March 20, and Friday, March 21, 1975, starting at 10 a.m., in Conference Room 1106, Main Labor Building, 14th and Constitution Avenue, NW., Washington, D.C.

The Committee will discuss activities of the office of Arbitration Services relative to internal procedural changes, review of the roster of arbitrators, recent developments in arbitration, cooperation with specific industries on relevant problems, and seminar plans for labor and management representatives.

Signed at Washington, D.C., this third day of March 1975.

W. J. USERY, Jr.,  
National Director.

[FR Doc. 75-6248 Filed 3-10-75; 8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. RM75-22]

### ADVISORY COMMITTEES

#### Renewal and Establishment

FEBRUARY 28, 1975.

Renewal of Certain Existing National Gas Survey Advisory Committees and Establishment of Certain New Advisory Committees for the National Gas Survey.

Pursuant to the Administrative Procedure Act (5 U.S.C. 551, et seq. (1970)), the Federal Advisory Committee Act, (5 U.S.C. App. I.1, et seq.) (Supp. II, 1972) and the Commission's General Policy and Interpretations, 18 CFR 2.1, notice is hereby given that the Federal Power Commission proposes the establishment of four new National Gas Survey technical advisory committees and sixteen new National Gas Survey technical advisory task forces. These new committees and task forces will serve as advisory committees and in conjunction with the five existing National Gas Survey advisory committees and the one existing task force will assist the Commission in carrying out the ongoing program of the National Gas Survey.

The National Gas Survey as described more fully hereinafter provides the Commission with studies and analyses relevant to the gas industry. It is designed to provide a balanced approach to the industry, its problems and its outlook, representing all points of view relevant to the areas of study. It is designed to include a cross-section of consumer, environmental and industrial interests and to receive input from academicians and representatives from Federal, state and local governmental organizations. In designing the extension of the advisory committee and task force programs, the Commission seeks broad public comment. As a means of soliciting such comment from all interested parties, we are using the notice of rulemaking procedure of 5 U.S.C. 553. These procedures can allow and encourage the widest possible range of comments and suggestions concerning the ongoing program of the Survey, its advisory committee functions, the scope of its program, the specific work

programs of committees and task forces, the structure, composition and staffing of committees and task forces, the selection of chairmen and vice chairmen and any other matters considered appropriate. The Commission invites suggestions and comments from all groups or individuals interested in the gas industry. Specifically, we hope that other Federal agencies with interest and responsibilities in the energy area (such as the Federal Energy Administration, the Environmental Protection Agency, the Department of the Interior and the Office of Consumer Affairs) will provide their ideas.

**Functions of the National Gas Survey.** The exercise of the Commission's regulatory duties under the Natural Gas Act, (15 U.S.C. 717(a), et seq.) [52 Stat. 821 (1938)] requires a complete understanding of the natural gas industry to supplement the limited specific record that is developed in individual cases. The National Gas Survey was established by Commission order on February 28, 1971, 45 FPC 338 to fill this broad need for information. In this order, the Commission stated:

"The Federal Power Commission has determined that a National Gas Survey is necessary and appropriate to the purposes of the Natural Gas Act, (15 U.S.C. 717(a) et seq.) As carried out, the Survey will serve the interests of all who are, and may be, dependent upon or affected by the use and further development of the Nation's natural gas resources. Within the areas to be studied, the Commission contemplates detailed analyses inter alia of factors of demand, supply and alternate fuel sources, facility expansion, economic and environmental considerations, inflation, interfuel competition, import-export relationships and policies, and regulatory considerations—Federal, state and local. Other matters will be studied as appropriate."

The Survey assists the Commission in securing in depth analysis of the specific factors that are of prime importance at this time in determining the future of the industry and its service to customers. The information and analyses which are essential to provide a background within which the individual cases can be considered include gas supply with special consideration of our potential domestic natural gas resource base and possible alternate sources for gas, the effect of rate design features on transmission and distribution operations and service, the best use of available gas with consideration of the balance between gas and other fuels, gas industry financing and ownership, industry technology, and the problems caused by gas curtailment. In the Survey environmental factors are considered whenever appropriate and the impact of the future technological changes are carefully considered.

The Survey goal is a periodically updated comprehensive analysis of our future energy situation with emphasis on the natural gas industry, its probable future course, and its impact on consumers and on the economy. Such current information is indispensable to effective regulation of the natural gas industry which is essential in meeting the nation's energy requirements.

**Previous Activities of the National Gas Survey.** National Gas Survey advisory committees and task forces were first established in early 1971 and, based on their work through June 20, 1973, the following reports have been published:

"National Gas Survey Volume II SUPPLY—Task Force Reports" (1973)

"National Gas Survey Volume III TRANSMISSION—Task Force Reports" (1973)

"National Gas Survey Volume IV DISTRIBUTION—Task Force Reports" (1973)

The Survey has also released a report of work prepared by consultants for the National Gas Survey:

"National Gas Survey Volume V SPECIAL Reports" (1973)

The Survey staff has undertaken additional projects. In 1972 and 1973 the National Gas Survey aided by other Commission staff, and with assistance from other Federal agencies, undertook an independent estimate of the proved natural gas reserves of the United States. The results of this, the first federally sponsored estimate of the nation's proved natural gas reserves, were published by the National Gas Survey in:

"National Gas Reserves Study" (May 1973, revised September 1973)

"National Gas Survey Volume 1 FPC Report" has not yet been released to the public, but preliminary drafts of portions have been issued in advance of Commission approval:

| Ch. | Title                                       | Date of preliminary release |
|-----|---|-----------------------------|
| 2   | The Resource and the Industry....           | June 13, 1974               |
| 3   | The Structure of the Industry.....          | June 13, 1974               |
| 4   | Regulation and Legislation.....             | July 31, 1974               |
| 5   | The Current Gas Shortage.....               | June 27, 1974               |
| 6   | Total Energy Supply and Demand.             | June 19, 1974               |
| 7   | Future Gas Demand.....                      | June 13, 1974               |
| 8   | Conservation of Gas.....                    | June 20, 1974               |
| 9   | Future Domestic Natural Gas Supplies.       | June 4, 1974                |
| 10  | Future Gas Supplies from Alternate Sources. | June 6, 1974                |
| 11  | Environmental Considerations....            | Aug. 26, 1974               |
| 12  | Future Patterns of Development..            | Sept. 23, 1974              |

In 1974 as the gas shortage became more acute, the Survey staff undertook the direction of an interagency task force to study the economic impact of curtailment of gas service. This task force received input from sixteen Federal agencies which provided some indication of the impact of gas curtailments in certain parts of the economy, but also pointed up the lack of firm reliable data on the effect of these curtailments. The scope of this problem may require input from a wider range of participants and advisory committee activity can provide further useful information on this subject.

**Proposed Program.** Recent developments in the energy field, particularly those in the gas industry, make it appropriate at this time for the Survey to focus on certain specific aspects of the gas industry in greater detail. The Commission, after review of these developments and the present condition of the industry, believes that the required

analyses can best be achieved through the efforts of Advisory Committees.

The staff has developed a preliminary proposed program for future Survey activities. This draft program with suggested assignments for each committee and task force is presented here as Appendix A. The draft program was made public and was discussed last month at a public meeting of the National Gas Survey Coordinating Committee. The Coordinating Committee met December 16, 1974, pursuant to notice of the objectives and purposes of the new National Gas Survey work which was published in the FEDERAL REGISTER on November 8, 1974, 39 FR 39602. In the public notice of the meeting, the agenda was announced and it was pointed out that the meeting was open to the public. This meeting heard comments from Coordinating Committee members and nonmembers.

The staff of the Commission has recommended that the continuing work of the Survey concentrate on specific topics of vital concern to the gas industry and its customers including:

Impact of gas shortages on consumers, the nation's economy and the gas industry.

Prospective exploration and development and additions to reserves.

Domestic natural gas potential resource base.

Nonconventional natural gas resources.

Foreign gas supply.

Synthesized gaseous hydrocarbon fuel.

Conservation and efficiency in use of gas.

Rate design and its effects on consumers and on the industry.

Net energy costs of competitive energy systems.

Meeting the financial needs of the gas industry.

Research and development requirements of the gas industry.

*Structure for National Gas Survey Advisory Committee and Task Force Work.* The proposed organization for the Survey is shown in Appendix B.<sup>1</sup> There are an Executive Advisory Committee (EAC), a Coordinating Committee (CC), seven Technical Advisory Committees (TAC) [Supply, Transmission, Distribution, Conservation, Finance, Research and Development, and Impact of Natural Gas Shortage], a Coordinating Task Force (CTF), and 16 Technical Advisory Task Forces (TATF), focusing on the listed specific areas of concern.

The Advisory Committees and Task Forces contemplated herein will serve as Advisory Committees to the Commission pursuant to the Federal Advisory Committee Act and implementing Commission orders, and each will operate under provisions of a Commission order which will serve as its charter. Work assignments to the Committees will originate from the Commission and committee reports and recommendations will be submitted to the Commission.

<sup>1</sup> Appendix B is filed as part of the original.

The selection of the members of the Committees, along with the Chairman and Vice Chairman thereof, will be made by the Chairman with the approval of the Commission. The membership of the Advisory Committees will be selected to provide a balanced approach representing all points of view relevant to the area of study, including a cross-section of consumer, environmental, academic, industrial, and governmental interests.

The Commission will provide a coordinating representative and secretary for each Committee. Each advisory committee meeting will be called to order and adjourned by an FPC staff member and all meetings will be conducted in accordance with FPC rules and regulations. All Committee meetings will be open to the public and due notice of such meetings and the agenda thereof will be published in the FEDERAL REGISTER. All minutes, reports, workpapers, and correspondence of the Committees will be available for public inspection at the Offices of the Federal Power Commission.

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than April 14, 1975, views, comments, or suggestions, in writing, concerning the proposed National Gas Survey advisory functions, structure, composition and scope of work. An original and 14 conformed copies should be filed with the Secretary of the Commission. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Washington, D.C., during regular business hours. Submission to the Commission should indicate the name and address of the person to whom correspondence, in regard to the proposal, should be addressed and whether the person filing requests a conference with the Staff of the Federal Power Commission to discuss the proposal. The Staff, in its discretion, may grant or deny requests for conference. The Commission will consider all comments before acting on the proposal.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,  
Secretary.

#### APPENDIX A

##### EXECUTIVE ADVISORY COMMITTEE

The Executive Advisory Committee (EAC) is the principal policy advisory committee to the Commission and its staff in the Commission's planning, conduct and execution of the National Gas Survey. The EAC will be called upon to assist the Commission and its Director of the National Gas Survey (Director) in such activities as: (a) formulating any necessary planning assumptions and directing the work of other advisory committees; (b) establishing priorities for work to be performed and coordinating of all aspects of the Survey; (c) providing data as needed for the Survey; and (d) providing other assistance as may from time to time be requested by the Commission or the Director.

##### COORDINATING COMMITTEE

The Coordinating Committee (CC) shall perform a liaison function between the National Gas Survey, as constituted by the Commission Staff members, and representatives of advisory committees which are now established or may hereafter be established. In this capacity, the CC shall: (a) assist in the implementation of requests for information or studies recommended by the Survey, or its advisory committees; (b) suggest such work schedule priorities as it considers appropriate for the implementation of such requests; (c) suggest assignments for the various advisory committees or task forces to collect information; and (d) assist in such other ways as it may from time to time be called upon by the Commission or the Director.

##### COORDINATING TASK FORCE

The Coordinating Task Force (CTF) is designed to provide the CC with a subordinate work force which will be able to provide analysis of specific problems that arise. The CTF will handle routine operational liaison, and will assist the Director and the Survey staff as required.

##### SUPPLY-TECHNICAL ADVISORY COMMITTEE

The study assignments of the Supply-Technical Advisory Committee (S-TAC) are encompassed in the detailed purposes as described hereinafter for each subordinate task force. The S-TAC has overall responsibility for any necessary coordination and consolidation of the assigned tasks on gas supply. In general, the purpose of the S-TAC will be to review the work of Supply-Technical Advisory Task Forces (S-TATFs) and to determine from these reports the size of the gas supply base including foreign gas and synthetics, and the method by which this resource can be made available as pipeline quality gas to the consumer. The S-TAC will also be asked to indicate what uncertainties exist in the determinations of physical quantities and what further studies and research may be necessary to minimize these uncertainties. The institutional and policy factors which limit the ability to quantify the resource base accurately should also be spelled out.

The Supply TAC is to evaluate classification schemes of reserves and resources in common use for conventional and nonconventional natural gas and synthesized gaseous hydrocarbon fuels and additionally the committee is to suggest a classification, including definitions, relating on a comparable base, gas reserves and gas resources. The product of this effort of classification should be so designed as to further the understanding of gas reserves-resources concepts, and also to fulfill the needs of the public and their policy-makers.

##### SUPPLY-TECHNICAL ADVISORY TASK FORCE-PROSPECTIVE EXPLORATION AND DEVELOPMENT AND ADDITIONS TO RESERVES

The Supply-Technical Advisory Task Force-Prospective Exploration and Development and Additions to Reserves (S-TATF-E&D) will be asked to provide current estimates of the prospective additions to proved reserves of natural gas. This analysis should be nationwide and by area, covering all exploratory activity that may be expected to discover natural gas, all programs for the development of gas deposits that have been discovered and a quantification of the proved reserves that may be added as a result of this activity. The effect of various assumptions concerning success of drilling, prices and financing should also be covered.

Specific requests to the S-TATF-E&D include:

1) Project levels of exploratory activity for oil and gas, indicating the operations that

may be expected under various economic and operating conditions.

2) Project levels of activity for the development of gas based on presently known reserves and the projected exploration programs.

3) Project the additions to gas reserves based on the projected exploration and development activity.

4) Analyze the effect of economic and operating conditions on the development of reserves.

5) Determine methods to reduce delays due to clearance of environmental impact evaluations.

6) The task force is to evaluate the definitional basis of proved and probable reserves.

#### SUPPLY-TECHNICAL ADVISORY TASK FORCE-DOMESTIC NATURAL GAS POTENTIAL RESOURCE BASE

The Supply-Technical Advisory Task Force-Domestic Natural Gas Potential Resource Base (S-TATF-Domestic Resources) will be asked to examine in detail and to provide methods of evaluation of the size, location, and character of the potential resource base of natural gas. All known methods of appraising the gas resource base, including concepts covered in foreign as well as domestic studies should be analyzed. Work oriented toward other resources should be included if the methodology can be made applicable to gas. Gas quality should be covered specifically.

Specific requests to the S-TATF-Domestic Resources include:

1) Describe and evaluate known analytical methodologies for preparing estimates of natural gas resources and indicate the strengths and weaknesses of each.

2) Identify which method or methods of potential resource appraisal may be considered most accurate, and include a measure of the level of confidence which can be placed in the results derived therefrom.

3) Recommend a program to provide an independent estimate of the potential domestic natural gas resource base.

#### SUPPLY-TECHNICAL ADVISORY TASK FORCE-NONCONVENTIONAL NATURAL GAS RESOURCES

The Supply-Technical Advisory Task Force-Nonconventional Natural Gas Resources (S-TATF-Nonconventional) will be asked to evaluate the potential of these resources identifying the location, estimated volume, and physical characteristics of nonconventional natural gas resources. The analysis should include pertinent economics, research needs, and future prospects for development and utilization of the nonconventional resources of natural gas that are identified. Nonconventional gas resources should include, but not necessarily be limited to, methane in coal seams, gas dissolved in geopressured water, and gas generated biologically in accumulation of organic materials.

Specific requests to the S-TATF-Nonconventional include:

1) Describe nonconventional resources of natural gas with details on location, volume, and physical characteristics of the gas.

2) Evaluate potential methods of exploration, development and production.

3) Evaluate technology and economics of exploitation.

4) Summarize any research and development needs.

5) Assess the environmental impacts of development of these resources.

#### SUPPLY-TECHNICAL ADVISORY TASK FORCE-FOREIGN GAS SUPPLY

The Supply-Technical Advisory Task Force-Foreign Gas Supply (S-TATF-Foreign) will be asked to determine the current

and probable future technical and economic factors relative to international gas trade and the future supply prospects for the United States from such trade. The analysis should include an evaluation of the potential supplies in each major source country and the potential foreign markets for that gas. Movement of LNG by tanker and pipeline movements of gas should both be covered.

Specific requests to the S-TATF-Foreign include:

1) Revise and update National Gas Survey Volume II, estimates of the volume and location of natural gas reserves and production outside the United States.

2) Prepare estimates of potentially exportable gas by country.

3) Estimate availability of foreign gas to U.S. markets on a technical basis, including a summary of basic assumptions.

4) Summarize the physical and economic constraints, both current and future, on international gas flow with a summary of the international ramifications of such development.

5) Update National Gas Survey Volume II, particularly data on investments and costs for imported gas and indicate economic costs of imported gas (excluding economic rents).

6) Indicate the impact on the domestic gas market of various levels of imports, and the potential effect of foreign supply problems.

#### SUPPLY-TECHNICAL ADVISORY TASK FORCE-SYNTHESIZED GASEOUS HYDROCARBON FUELS

The Supply-Technical Advisory Task Force-Synthesized Gaseous Hydrocarbon Fuels (S-TATF-SNG) will be asked to determine the outlook for the supply and use of synthesized gaseous hydrocarbon fuels with details on each type of SNG. The analysis should include the technologic, economic, siting, supporting resource availability, and environmental aspects of SNG from coal, oil shale, tar sands, liquid hydrocarbons, and other natural sources of carbon and hydrogen on a regional and national basis.

Specific requests to the S-TATF-SNG include:

1) Update Volume II of the National Gas Survey, particularly the sections on Reformer Gas and on Synthetic Gas-Coal.

2) Summarize the state of technology associated with the various fundamental gas synthesis processes.

3) Summarize the economic analyses of the various processes, including the requirements for capital, materials and labor.

4) Compare the economics of synthetic gas from each fuel source with other environmentally acceptable means of developing energy or products from the same source.

5) Summarize the pertinent environmental factors and the impact of gas synthesis on the environment.

6) Summarize existing legislation and known legislative proposals that can affect the economics of synthetic gas production and indicate the significance of this legislation.

#### TRANSMISSION TECHNICAL ADVISORY COMMITTEE

The study assignments of the Transmission-Technical Advisory Committee (T-TAC) are encompassed in the detailed purposes as described hereinafter for each subordinate task force. The T-TAC has overall responsibility for the coordination and consolidation of the assigned tasks on gas transmission and their interrelation with other TAC and TATF reports. In general, the purpose of the T-TAC will be to analyze and project the outlook for the transmission sector with particular consideration of the

effect of changes in rate design. Additionally, the T-TAC will analyze the impact of substitute natural gas and natural gas imports on the operation of gas transmission systems. The work of the Conservation-Technical Advisory Committee and the Impact of Gas Shortage-Technical Advisory Committee and their subordinate Technical Advisory Task Forces should also be considered in determining the outlook for gas transmission.

#### TRANSMISSION-TECHNICAL ADVISORY TASK FORCE-RATE DESIGN

The Transmission-Technical Advisory Task Force-Rate Design (T-TATF-Rate Design) will be asked to determine the effect of alternate rate designs on natural gas transmission line operations. It will include all potential rate design structures and consider the effect of each on pipeline load factor, on costs to various types of customers, and on the ability of pipeline systems to maintain financial stability.

Specific requests to the T-TATF-Rate Design include:

1) Analyze the impact of various rate designs on charges to customers with different load factors and/or with different seasonal requirements.

2) Examine and summarize the impact of various rate designs on the revenue of pipelines.

#### TRANSMISSION-TECHNICAL ADVISORY TASK FORCE-REGULATORY ASPECTS OF SUBSTITUTE GAS

The Transmission-Technical Advisory Task Force-Regulatory Aspects of Substitute Gas (T-TATF-SNG Regulations) will be asked to determine how regulations affect the development of synthetic and substitute gas as compared to domestic natural gas.

Supplements to our historic sources of domestic natural gas include, but are not necessarily limited to, imports by tanker or pipeline, shipments from Alaska, synthetic gas made from coal or oil shale at the mine site, and synthetic gas manufactured near the point of consumption. Substitute gas is subject to regulations which frequently differ from regulations covering gas from historic sources. The differences in regulations may result in institutional constraints or inefficient development of resources.

Specific requests to the T-TATF-SNG Regulations include:

1) Summarize the regulations that affect each type of substitute gas highlighting the differences among the various potential sources of gas.

2) Indicate any efficiencies that could be developed or inconsistencies that could be eliminated by changes in laws and regulations.

#### DISTRIBUTION TECHNICAL ADVISORY COMMITTEE

The study assignments of the Distribution-Technical Advisory Committee (D-TAC) are encompassed in the detailed purposes as described hereinafter for the subordinate task force. The D-TAC has overall responsibility for the coordination of the assigned tasks on gas distribution with the other TAC and TATF reports. In general, the purpose of the D-TAC will be to analyze and project the outlook for the distribution sector with particular consideration of the effect of changes in rate design. The work of the Conservation-TAC and the Impact of Gas Shortage-TAC and their subordinate TATFs should also be considered in determining the outlook for gas distribution.

#### DISTRIBUTION-TECHNICAL ADVISORY TASK FORCE-RATE DESIGN

The Distribution-Technical Advisory Task Force-Rate Design (D-TATF-Rate Design),



will be asked to determine the effect of alternate rate designs on gas distribution system operations. It will include all potential rate designs and consider the effect of each on load factors, on costs to various types of customers, and on the ability of utilities to pay for gas supplies.

Specific requests to the D-TATF-Rate Design include:

- 1) Analyze the impact of various rate designs on charges to customers with different load factors and/or different seasonal requirements.
- 2) Analyze the effect of rate design on competition with other energy sources.
- 3) Examine and summarize the impact of rate design on the revenue of distributors.

#### CONSERVATION TECHNICAL ADVISORY COMMITTEE

The study assignments of the Conservation-Technical Advisory Committee (C-TAC) are encompassed in the detailed purposes as described hereinafter for each subordinate task force. The C-TAC has overall responsibility for the coordination and consolidation of the assigned tasks on conservation and energy management. In general, the purpose of the C-TAC will be to project the possible levels of gas saving that may be achieved by the gas industry through various means, to indicate the impact of such savings on the industry and its customers, and to suggest strategies for implementing these various conservation options.

#### CONSERVATION-TECHNICAL ADVISORY TASK FORCE-EFFICIENCY IN USE OF GAS

The Conservation-Technical Advisory Task Force-Efficiency in Use of Gas (C-TATF-Efficiency) will be asked to evaluate methods and to improve the efficiency in use of gas by consumers, and to indicate the possible effects of such measures. The evaluation should spell out effective policies and the time schedule involved. It should include all uses of gas as a fuel or raw material and should consider the use of alternate fuels.

The specific requests to the C-TATF-Efficiency include:

- 1) Analyze the options for improved efficiency in use or for conservation that are available to gas industry customers.
- 2) Show the qualitative and quantitative effects of implementation of the identified options.
- 3) Describe the best methods of implementation of the identified options with consideration toward the environmental and other societal trade-offs associated with the identified options.
- 4) Evaluate new technologies in gas use that may be forthcoming, and indicate how the development and implementation of those which will improve gas use efficiency can be expedited. Indicate any additional R&D that may be needed.

#### CONSERVATION-TECHNICAL ADVISORY TASK FORCE-ROLE OF RATE DESIGN IN IMPROVING EFFICIENCY IN USE OF GAS

The Conservation-Technical Advisory Task Force-Role of Rate Design in Improving Efficiency in Use of Gas (C-TATF-Rate Design) will be asked to determine the effect of alternate rate designs as economic incentives for more efficient use of gas and to indicate the effects of rate design structures on each class of customer based on varying use patterns. The C-TATF-Rate Design should also indicate the effect of alternate rate designs on natural gas transmission line and gas distribution operations. The analysis should cover the effect of various gas rate designs and volume discounts, including theoretical rate designs as well as all types of rate schedules currently in use; differences

in impact of rate design changes on customers with different load factors, effect of alternate designs in firm, interruptible and off-peak rate schedules; effect of customers response on load factor of suppliers; effect of pricing policies for other energy sources, including rate design structures, seasonal price changes and volume discounts; and the effect on the operations of distributors and transmission companies.

Specific requests to the C-TATF-Rate Design include:

- 1) Analyze the impact of the cost of gas to all classes of consumers under a variety of rate design structures to determine which are policies will make gas conservation most attractive to consumers, and specify the conditions under which conversion to other energy sources will become attractive.
- 2) Analyze the impact of various rate design structures for different load factors and seasonal requirements.
- 3) Analyze the effect of rate design structures on competition with other energy sources.
- 4) Examine the impact of rate design structures on the revenues of distributors and pipelines.
- 5) Provide an evaluation of the costs and benefits of various rate designs.

#### CONSERVATION-TECHNICAL ADVISORY TASK FORCE-CONSERVATION WITHIN THE GAS INDUSTRY

The Conservation-Technical Advisory Task Force-Conservation Within the Gas Industry (C-TATF-Gas Industry Conservation) will be asked to examine production, processing, transportation, storage, and distribution methods of the natural gas industry for methods to reduce losses of natural gas from production at the wellhead through delivery to ultimate consumer. Such losses may be due to leakage of pipelines, flaring or venting on leases or at field facilities or gas processing plants. Gas lost during testing for well productivity should be included and the effect of inaccurate metering should be considered. Uses of gas by the gas industry from wellhead to delivery to the ultimate consumer should also be analyzed, including gas for lease fuel, fuel for field facilities, and fuel for gas processing plants. Gas used by landowners for ranch or farm operations including heating, operating farm equipment, and irrigation should also be considered.

The specific requests to the C-TATF-Gas Industry Conservation include:

- 1) Analyze the efficiency of present, commonly employed methods of natural gas production, processing, transportation, storage, and distribution.
- 2) Specify and quantify the major losses of gas by the gas industry and indicate options for improving conservation.
- 3) Specify and quantify uses of gas by the gas industry and indicate options for improving efficiency of use.

#### CONSERVATION-TECHNICAL ADVISORY TASK FORCE-NET ENERGY COST OF COMPETITIVE ENERGY SYSTEMS

The Conservation-Technical Advisory Task Force-Net Energy Cost of Competitive Energy Systems (C-TATF-Competitive Systems) will be asked to measure the efficiency of various energy systems from the point of extraction of the resource from the earth to the point of final use including the disposition of any wastes. The study should cover all major uses of fuel and energy including inter alia the efficiency in production of raw materials, imports (where applicable), required processing, transportation or transmission, storage, distribution, combustion operation, use of energy from combustion, use as raw material, and disposition of any waste generated throughout the system. There should be

specification of any geographical for seasonal differences.

The specific requests to the C-TATF-Competitive Systems include:

- 1) Identify and describe major energy systems in the U.S.
- 2) Summarize key factors in determining the efficiency of each major energy system with indication of significant geographical differences.
- 3) Summarize (using the common basis) the efficiencies of fuel and energy use in major energy systems.
- 4) Indicate any significant differences attributable to climate, geography, size of operation or load factor.
- 5) Indicate institutional constraints that discourage or penalize the improvement of system efficiency.
- 6) Summarize any significant environmental impacts.
- 7) List additional research that may be required.

#### FINANCE-TECHNICAL ADVISORY COMMITTEE

The study assignments of the Finance-Technical Advisory Committee (F-TAC) will include a comprehensive analysis of the ability of the gas industry to obtain adequate financing for future activity, a review of financing problems and a study and evaluation of options that may be necessary to meet the financial needs of each part of the industry. Any regional differences should be specified.

Specific requests to the F-TAC include:

- 1) Indicate how the various parts of the gas industry have been financed in the past and the level of financing from each source.
- 2) Ascertain past, present, and possible future sources of funds and their capacities for accommodating gas industry needs.
- 3) Identify the type and magnitude of the financial problems of the gas industry.
- 4) List and evaluate policy options intended to make it possible for the industry to meet its financial needs.
- 5) Indicate the significance of inflation on future gas industry costs.
- 6) Present a detailed analysis of the various risks associated with current and future investment in all component gas industry operations. Analyze the position of these risks relative to alternative investments of both a similar and dissimilar nature, domestically and internationally.
- 7) Suggest means of reducing identified risks and for improving the relative position of gas industry investments.

#### RESEARCH AND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The study assignments of the Research and Development-Technical Advisory Committee (R-TAC) will include the analysis of the adequacy of current research and development programs on gaseous fuels and recommendations for courses of action including expanded or new research and development programs. All viable research and development programs now underway, which affect the gas industry and the users of natural gas, the prospects for each, the effect of various degrees of success of each, and the needs for new research and development should be covered. The Committee should also consider the potential of transfer of technology.

Specific requests to the R-TAC will include:

- 1) Evaluate current gas industry research and development, and new research projects.
- 2) Assign priorities to new research and development needs.
- 3) The R-TAC may determine that a Technical Advisory Task Force is needed to investigate certain specific R&D areas. The need for any such Technical Advisory Task Force should be called to the attention of the Di-

rector or Technical Director of the National Gas Survey as soon as the need is identified.

**IMPACT OF GAS SHORTAGE TECHNICAL ADVISORY COMMITTEE**

The study assignments of the Impact of Gas Shortage-Technical Advisory Committee (I-TAC) are encompassed in the detailed purposes as described hereinafter for each subordinate task force. The I-TAC has the overall responsibility for definition and analysis of the economic and social effects of the gas shortage on the nation and for recommendation of steps to ameliorate the adverse effects. In general, the purpose of the I-TAC will be to quantify the probable range of curtailments and to summarize the effects of these curtailments on the customers of the gas industry and on the industry itself, and to indicate, analyze and evaluate actions that can be taken to alleviate the impact of the shortage at the lowest cost to consumers. A time schedule showing the schedule for actions and benefits from these actions should be developed.

**IMPACT OF GAS SHORTAGE-TECHNICAL ADVISORY TASK FORCE-IMPACT OF GAS SHORTAGE ON CONSUMERS**

The Impact of Gas Shortage-Technical Advisory Task Force-Impact of Gas Shortage on Consumers (I-TATF-Consumers) will be asked to define and analyze the economic and social effects of the gas shortage on consumers and on the economy, and to recommend steps to ameliorate any adverse effects. The analyses should cover the effect of the gas shortage in all gas markets, the advantages and disadvantages of various options for reducing any adverse impact, and suggestions for implementing these options. Differences by region, and the impact on alternate sources of energy will be included.

Specific requests to the I-TATF-Consumers include:

- 1) Investigate and quantify the use of gas in its various markets, in the major applications within these markets, and the possibilities for using alternative sources of energy.
- 2) Indicate the effect of actual and potential gas shortages on gas consumers, showing details by type of consumer and type of use under different assumptions as to the severity of the shortage.
- 3) Indicate the impact on the economy that may result from the shortage and resulting loss of production, higher fuel costs, unemployment, etc. Quantify dislocations where possible.
- 4) Investigate the advantages and disadvantages of conversion to alternate fuels.
- 5) Indicate, analyze, and evaluate actions that can be taken (present and prospective) to alleviate the impact of the shortage. Indicate the time schedule for the actions and the benefits expected from the actions.
- 6) Analyze the implication of these actions for future trends in gas requirements.
- 7) Indicate areas where additional research and development can be of benefit.

**IMPACT OF GAS SHORTAGE-TECHNICAL ADVISORY TASK FORCE-IMPACT OF GAS SHORTAGE ON TRANSMISSION OF GAS**

The Impact of Gas Shortage-Technical Advisory Task Force-Impact of Gas Shortage on Transmission of Gas (I-TATF-Transmission) will be asked to define and analyze the impact of the gas shortage on natural gas pipelines and to recommend steps to reduce any adverse effects of the shortage on the pipelines and their customers. The analysis will be nationwide in scope with regional differences highlighted.

Specific requests to the I-TATF-Transmission include:

- 1) Indicate the effect of actual and potential gas shortages on natural gas pipelines, showing details on load factors under different assumptions as to the severity of the shortage.
- 2) Indicate the impact of gas shortages on efforts to procure gas from new sources.
- 3) Analyze and evaluate actions to alleviate the impact of shortages.
- 4) Indicate the effect of imports or synthetic gas on the impact of the shortage.

**IMPACT OF GAS SHORTAGE-TECHNICAL ADVISORY TASK FORCE-IMPACT OF GAS SHORTAGE ON DISTRIBUTION OF GAS**

The Impact of Gas Shortage-Technical Advisory Task Force-Impact of Gas Shortage on Distribution of Gas (I-TATF-Distribution) will be asked to define, and analyze the impact of the gas shortage on gas distribution systems and to recommend steps to reduce any adverse effects of the shortage on the distribution and their customers. The analysis will be nationwide in scope with regional differences highlighted.

Specific requests to the I-TATF-Distribution include:

- 1) Indicate the effect of actual and potential gas shortages on gas distribution systems showing details on load factors under different assumptions as to the severity of the shortage.
- 2) Indicate the impact of gas shortages on efforts to procure gas from new sources.
- 3) Analyze and evaluate actions to alleviate the impact of shortages.
- 4) Indicate the effect of imports or synthetic gas on the impact of the shortage.

**IMPACT OF GAS SHORTAGE-TECHNICAL ADVISORY TASK FORCE-IMPACT OF GAS SHORTAGE ON PRODUCERS**

The Impact of Gas Shortage-Technical Advisory Task Force-Impact of Gas Shortage on Producers (I-TATF-Producers) will be asked to describe and analyze the impact of the natural gas shortage on producers of natural gas and to recommend steps that will minimize the effect of this shortage on producers' ability to serve their customers. This analysis should cover all impacts that are national in scope as well as covering major local problems.

Specific requests to the I-TATF-Producers include:

- 1) Indicate the effect of the gas shortage on producer operations including stability and flexibility of supply, particularly from marginal wells.
- 2) Describe and analyze courses of action by producers of natural gas in response to problems caused by the shortage, including an evaluation of any effects of industry structure.
- 3) Indicate the effect of the shortage on small or marginal producing companies.
- 4) Indicate the effect of the shortage on producer's ability to attract capital.

[FR Doc. 75-6218 Filed 3-10-75; 8:45 am]

[Docket Nos. RI75-17; RI75-19]

**AMERICAN PETROFINA COMPANY OF TEXAS (OPERATOR), ET AL.  
Order Consolidating Proceedings, Granting Intervention and Granting Special Relief**

MARCH 3, 1975.

On August 5 and August 15, 1974, American Petrofina Company of Texas (Operator), et al. (American Petrofina) filed petitions for special relief in Docket Nos. RI75-17 and 19 pursuant to either

section 2.76<sup>1</sup> of the Commission's General Policy and Interpretations or section 154.105(j)<sup>2</sup> of the Commission's regulations.

In its petition for relief in Docket No. RI75-17, American Petrofina seeks an increase of 7.5 cents per Mcf in the rate it currently charges Southern Natural Gas Company (Southern) for sales of natural gas from the East Golden Meadow-Coffee Bay, and King's Ridge Fields in Lafourche Parish, Louisiana. (Southern Louisiana Area) These sales are to be made pursuant to a May 16, 1974, letter amendment to an August 20, 1956 base contract on file as American Petrofina's FPC Gas Rate Schedule No. 83.<sup>3</sup> American Petrofina avers that the 7.5 cents increase in rate will reimburse it for an estimated expenditure of \$2,521,856 for the installation and operation of 6 compressors essential to prevent a loss of an estimated 33 Bcf of recoverable gas from the aforementioned fields. If American Petrofina is granted the relief it requests in Docket No. RI75-17, its rate to Southern will be increased from 26.9875 to 34.4875 cents per Mcf at 15.025 psia.<sup>4</sup>

In its petition for relief in Docket No. RI75-19, American Petrofina seeks an increase of 5 cents per Mcf for sales of natural gas to Southern from the Coquille Bay Field, Plaquemines Parish, Louisiana. Said increase is to be pursuant to a May 16, 1974 letter amendment to the February 1, 1958 base contract on file as American Petrofina's FPC Gas Rate Schedule No. 87. American Petrofina avers that the 5 cent increase in rate will reimburse it for an estimated expenditure of \$155,153 to overhaul its compression facilities in the Coquille Bay Field and prevent the loss of an estimated 2 Bcf of recoverable gas reserves. If American Petrofina is granted the relief it requests in Docket No. RI75-19, its rate to Southern will increase from 26.9875 to 31.9875 cents per Mcf at 15.025 psia.

Notice of American Petrofina's petition for relief in Docket No. RI75-17 was issued on August 14, 1974 and appeared in the FEDERAL REGISTER on August 21, 1974 at 39 FR 30201. Notice of American Petrofina's petition for relief in Docket No. RI75-19 was issued on August 28, 1974 and appeared in the FEDERAL REGISTER on September 5, 1974 at 39 Fed. Reg. 32183. On September 19, 1974, Southern filed untimely petitions

<sup>1</sup> 18 C.F.R. § 2.76.

<sup>2</sup> 18 C.F.R. § 154.105(j).

<sup>3</sup> American Petrofina received Certificates of Public Convenience and Necessity for the sales subject to Rate Schedule Nos. 83 and 87 in Docket Nos. CI66-1059 and CI66-1060. The petitions in both Docket Nos. RI75-17 and 19 include the working interest co-owners.

<sup>4</sup> On November 14, 1974, American Petrofina filed an amendment to its petition in Docket No. RI75-17, changing the statement of its current rate from 23.9875 to 26.9875 cents per Mcf with an accompanying change in the total rate requested to 34.4875 cents per Mcf.

to intervene in Docket Nos. RI75-17 and 19.

In six previous section 2.76 special relief proceedings involving only expenditures for compression facilities,<sup>6</sup> we granted relief based on consideration of the incremental cost of compression and the additional reserves recoverable as a result thereof. In the instant proceeding, American Petrofina seeks similar relief, i.e., an increase in its current rate to correspond to the added expense of compression. Because American Petrofina is currently charging the applicable area ceiling rate, its rate is just and reasonable without inquiry into its actual total costs of production. An increase in a just and reasonable rate to reflect the exact incremental cost per Mcf of compression expenses should not, of itself, deprive that rate of its just and reasonable character.

Section 2.76 was meant to provide relief from area rates where certain factors make the production of natural gas uneconomical. Here, American Petrofina's anticipated compression expenditures have no bearing on the recovery of the substantial quantities of liquids that Staff expects American Petrofina to extract from the same wells in question. Were these liquid revenues relevant, then, the full cost approach of our special relief orders issued July 23, 1974<sup>7</sup> would be applicable and American Petrofina's request for relief in Docket No. RI75-19 would not be justified.

The Commission Staff has made a comprehensive study of data submitted by American Petrofina and has concluded that, based on the incremental cost of compression, the petitions for relief in Docket Nos. RI75-17 and 19 are justified.

Section 2.76 of the Commission's General Policy and Interpretations was promulgated by the Commission in order to promote the optimum recovery of gas reserves. We find that the instant petitions are consistent with the purposes of section 2.76 and that the petitions set forth adequate economic justification for the relief sought.

*The Commission finds.* (1) The public convenience warrants the consolidation of Docket Nos. RI75-17 and 19.

(2) The relief American Petrofina seeks in its petitions is justified and in the public interest.

(3) Good cause exists to permit the intervention of Southern.

*The Commission orders.* (A) Docket Nos. RI75-17 and 19 are hereby consolidated.

(B) American Petrofina's petitions in Docket Nos. RI75-17 (as amended) and

RI75-19 are hereby granted. American Petrofina is allowed to charge a rate of 34.4875 cents per Mcf for gas sold to Southern from the East Golden Meadow, Coffee Bay, and King's Ridge Fields, Lafourche Parish, Louisiana. American Petrofina is allowed to charge a rate of 31.9875 cents per Mcf for gas sold to Southern from the Coquille Bay Field, Plaquemines Parish, Louisiana.

(C) The rates granted in Order Paragraph (B) above are to be effective as of the date of the issuance of this order, subject to the particular contractual obligations set forth in American Petrofina's May 16, 1974 contract amendments with Southern which are, effective the date of this order, hereby designated as Supplement No. 17 to American Petrofina's FPC Gas Rate Schedule No. 83 and Supplement No. 17 to American Petrofina's FPC Gas Rate Schedule No. 87.

(D) The above-named petitioner is permitted to intervene in these consolidated proceedings subject to the rules and regulations of the Commission; *Provided, however*, That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and *Provided, further*, That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in these proceedings, and *Provided, further*, That such intervenors shall accept the record as it has been established in the proceedings to date.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6186 Filed 3-10-75;8:45 am]

[Docket No. E-9101]

#### APPALACHIAN POWER CO.

##### Extension of Procedural Dates

FEBRUARY 28, 1975.

On February 25, 1975, Appalachian Power Co. filed a motion to extend the procedural dates fixed by order issued December 6, 1974, as most recently modified by notice issued January 24, 1975, in the above-designated matter. The parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Appalachian Power Company Testimony, April 4, 1975.

Service of Virginia Polytechnic Institute and State University's Testimony, April 18, 1975.

Service of Staff's Testimony, May 1, 1975.  
Service of (APCO) Rebuttal, May 15, 1975.  
Hearing, May 29, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6187 Filed 3-10-75;8:45 am]

[Docket No. E-9040]

#### CENTRAL VERMONT PUBLIC SERVICE CORP.

##### Extension of Procedural Dates

FEBRUARY 28, 1975.

On February 24, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued December 5, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, May 6, 1975.  
Service of Intervenor's Testimony, May 20, 1975.

Service of Company Rebuttal, June 3, 1975.  
Hearing, June 17, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6188 Filed 3-10-75;8:45 am]

[Docket No. RP75-27]

#### CITIES SERVICE GAS CORP.

##### Extension of Procedural Dates

FEBRUARY 28, 1975.

On February 25, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued November 22, 1974 in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, May 5, 1975.  
Service of Intervenor's Testimony, May 19, 1975.

Service of Company Rebuttal, June 9, 1975.  
Hearing, June 24, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6189 Filed 3-10-75;8:45 am]

[Docket No. E-9255]

#### CLEVELAND ELECTRIC ILLUMINATING CO.

##### Order Accepting for Filing and Suspending Proposed Rate Increase, Establishing Procedures and Denying Motion to Reject

FEBRUARY 28, 1975.

On January 31, 1975, the Cleveland Electric Illuminating Co. (CEI) tendered for filing proposed changes in its rates and charges to the City of Cleveland's Municipal Electric Light Plant (MELP) for 11 KV Load Transfer Service being provided pursuant to Ordering Paragraph (E) of the Federal Power Commission's Opinion No. 644 in Docket Nos. E-7631, E-7633 and E-7713. The proposed changes which CEI proposes to place into effect March 3, 1975, would increase revenues from jurisdictional sales and service by \$303,752 for the month of March, 1975.

The City of Cleveland, Ohio (City), owner of the Municipal Electric Light

<sup>6</sup> Barnwell, Inc., Docket No. CI72-654 (issued August 2, 1973); Petro-Lewis Corp., Docket No. RI74-43 (issued January 10, 1974); Texas Pacific Oil Co., Inc., Docket No. RI74-49 (issued January 10, 1974); Mapco, Inc., Docket No. RI74-129 (issued February 7, 1974); T. L. Nutt, Docket No. RI74-78 (issued March 18, 1974); Suburban Propane Corp., Docket No. RI74-111 (issued April 4, 1974).

<sup>7</sup> See, e.g., C. K. Oil Company, Docket No. RI74-234 (issued July 23, 1974).

Plant (MELP), has been purchasing 11 KV electric service (generally referred to as 11KV "load transfer service") substantially continuously since February 4, 1970. From that date to May, 1972, City purchased the load transfer service at a rate established by CEI which has been the subject of a challenge by City before the Commission in Docket Nos. E-7631, et al. and is now *sub judice* in the United States Court of Appeals for the District of Columbia Circuit in a proceeding styled *City of Cleveland, Ohio, Petitioner v. Federal Power Commission, Respondent, and The Cleveland Electric Illuminating Company, Intervenor, No. 73-1282*. Effective May 30, 1972, and continuing to January 11, 1973, City purchased the load transfer service at a rate of 17.5 mills per kwh established by the Commission's order of May 30, 1972, in Docket No. E-7631, et al. Commencing January 11, 1973, City has been purchasing load transfer service at a rate of 15.2 mills per kwh prescribed by the Federal Power Commission by Opinion No. 644 and accompanying order issued January 11, 1973, in Docket Nos. E-7631, et al. This latest rate was established pending completion of a permanent 138 kV synchronous interconnection scheduled to be operational, according to CEI, by March 15, 1975. At that time load transfer service will no longer be necessary.

CEI states that the proposed increase is justified because the 15.2 mills/kwh rate " . . . for Load Transfer Service is in fact less than half of CEI's clearly demonstrable incremental, or out of pocket, costs associated with supplying the service." CEI claims that this is due primarily because of increased fuel costs subsequent to the issuance of Opinion No. 644, June 11, 1973, and CEI's conversion of two plants from coal to oil-fired. Inasmuch as CEI claims to only be recovering out of pocket costs from the present filing, it has not filed Statements A through O as required by § 35.13 of the Commission's Regulations and requests a waiver of same.

Notice of this filing was issued February 7, 1975, with protests and petitions to intervene due on or before February 21, 1975.

The City, on February 21, 1975, filed a Petition to Intervene, Protest, and Motion to Reject or Suspension for the Maximum Period. In its petition City avers that the proposed rate design is radically different from that used in establishing the heretofore effective rate of 15.2 mills per kwh. City states that CEI has not provided sufficient supporting data to justify either this change in rate design or the resultant increase in rates, alleged to be about 175 percent. Moreover, City further states that the permanent 138 kV interconnection will not be operational before the end of the year, and that the proposed increase in this case therefore contemplates an increase in excess of \$1,000,000. City therefore specifically requests that CEI's filing be rejected, or in the alternative that the proposed be suspended for the maximum five month pe-

riod and CEI be directed to file Statements A through O as well as Period II data.

As to CEI's requested waiver of the filing requirements of the Commission's regulations, it is first necessary to describe the type of service being rendered by CEI to which the proposed rate would apply. The City is a utility with generating capability designed to meet its full requirements. As a result of maintenance problems relating to these generating facilities, the City has found itself unable to meet its day-to-day requirements from the capacity available to it on its own system. The City and CEI had entered an agreement for the purpose of providing power and energy to City during a temporary emergency situation. When the agreement expired by its own terms, it was apparent that the emergency situation had not been cured and the Commission ordered that such service continue until a permanent interconnection directed by the Commission had been completed and was operational. Such service is clearly of a temporary emergency nature and was never intended to provide a firm energy supply to the City. Thus, CEI is pooling its overall energy supply in such a manner so as to assist City in meeting its day-to-day requirements until such time that the permanent interconnection is completed and operational. Therefore, the proposed rate increase is applicable to service in the nature of a power pooling transaction rendered pursuant to a Commission order directing the continuation of an emergency transfer of power. Pursuant to § 35.13(b)(4)(ii) of the Commission's regulations, therefore, the data necessary to support the present filing is as identified in § 35.12(b)(2). CEI's data complies with the requirements of § 35.12(b)(2) of the regulations and waiver of the § 35.13 requirements is unnecessary. Since § 35.12(b)(2) of the regulations is applicable to the present filing, CEI's failure to file Statements A through O and Period II data does not constitute grounds for rejection as alleged by City.

Our review further indicates that the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall suspend the proposed changes for one day and establish hearing procedures to determine the justness and reasonableness of CEI's filing.

*The Commission finds.* (1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the load transfer service rates and charges contained in CEI's proposal in this docket and that the tendered rate changes be suspended as hereinafter provided.

(2) Good cause does not exist to grant City's motion to reject.

*The Commission orders.* (A) Pending

a hearing and a decision thereon, CEI's proposed changes in its load transfer service rates and charges, tendered on January 31, 1975, are accepted for filing as of March 3, 1975, and suspended for one day, the use thereof deferred until March 4, 1975, subject to refund.

(B) Pursuant to authority of the Federal Power Act, particularly section 205 thereof, and the Commission's rules and regulations (18 CFR, Chapter I), a hearing for purposes of cross-examination concerning the lawfulness and reasonableness of the rates and charges for CEI's Load Transfer Service, as proposed to be amended herein shall be held commencing on July 15, 1975, at 10 a.m. in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

(C) On or before June 3, 1975, the Commission Staff shall serve its prepared testimony and exhibits. Any intervenor evidence will be filed on or before June 17, 1975. Any rebuttal evidence by company shall be served on or before July 1, 1975.

(D) City's motion to reject is hereby denied.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-6190 Filed 3-10-75; 8:45 am]

[Docket No. RP73-65; PGA75-5]<sup>1</sup>

**COLUMBIA GAS TRANSMISSION CORP.**  
Order Accepting for Filing, Subject to Conditions, and Suspending Proposed PGA Rate Increase and Setting Limited Issue for Hearing

FEBRUARY 28, 1975.

On January 14, 1975, Columbia Gas Transmission Corp. (Columbia) tendered for filing a proposed purchased gas adjustment rate increase<sup>2</sup> to become effective March 1, 1975, which reflects (1) an increase of \$48.4 million in the current cost of gas purchased from pipeline and producer suppliers and (2) a surcharge to clear the balance of \$16.0 million in the deferred purchased gas cost account. As part of its deferred purchased gas cost account increase, Columbia Gas included an estimated amount computed to recover Opinion No. 699 producer increases incurred up to the proposed March 1, 1975, effective date, as permitted by Opinion No. 699-G issued in Docket No. R-389-B. Anticipating a one day suspension of the higher alternate, Columbia submitted a lower alternate

<sup>1</sup> In the notice of the filing issued January 22, 1975, the filing was incorrectly docketed as Docket No. RP73-65 and PGA 75-65. It should have been docketed as Docket No. RP73-65 and PGA75-5.

<sup>2</sup> Nineteenth Revised Sheet No. 16, Sixth Revised Sheet No. 64-A and Tenth Revised Sheet No. 64-B to FPC Gas Tariff, Original Volume No. 1.

rate increase\* which eliminates the effect of "Ohio intrastate purchases" at rates in excess of the national rate levels established by Opinion No. 699-H and has a proposed effective date of March 1, 1975, from which date it is to remain in effect until the termination of the suspension period for the higher alternate.

The filing was noticed on January 22, 1975, with all comments, protests, or petition to intervene due on or before February 7, 1975. No responses to the notice were received.

Our review of the "Ohio intrastate producer" purchases included in Columbia's filing raises several issues which may require development in an evidentiary proceeding. In response to a request for further information concerning the "Ohio intrastate purchases", Columbia, on January 30, 1975, filed a letter with the Commission supplying certain information with respect to the "Ohio intrastate purchases". The January 30, 1975, letter discussed Columbia's reasons for including the allegedly "intrastate" purchases in the PGA filing and the percentage such purchase volumes are of Columbia's sales volumes included in the subject filing.

Columbia stated that these purchases were a matter of public record in the proceeding in Docket No. R-371 which culminated in the issuance of Opinion No. 639. Columbia then stated that it was able to identify "certain areas of Ohio where it is impossible for any of the gas purchased from local producers to be transported outside of the State of Ohio". Thus, Columbia alleges that purchases from such producers are intrastate even though, as Columbia later states, (1) all of Columbia's operations and sales are jurisdictional; (2) all of the gas flows through jurisdictional interstate facilities; and (3) all gas is sold by Columbia at wholesale in interstate commerce. Thus, Columbia states that the only significance of the intrastate label is "from the standpoint of the producers involved." Columbia further states that there is no real significance to the intrastate label Columbia attaches to the "Ohio intrastate purchases" since they are all "small producers" within the meaning of the Commission's rulemaking in Docket No. R-393.

We believe that it is necessary and appropriate to establish hearing procedures to determine the propriety of including the allegedly "intrastate" purchases in a rate adjustments under Columbia's PGA clause. In making this determination, we believe that, inter alia, the following issues should be addressed in the evidentiary proceeding: (1) Has Columbia included all Ohio producer purchases in its base rate and in its proposed PGA rate adjustment?; (2) Of the total producer purchases made in Ohio by Columbia, which purchases are, or should be, subject to this Commission's producer jurisdiction? In the determination of this question, which of the Ohio

purchases are included in the volumes considered in Columbia's curtailment plan?; and (3) Of the Ohio purchases found to be jurisdictional, which of the purchases should be treated as "small producers" under Docket No. R-393 and which should be subject to the applicable area or national rate?

We also note also that both of the alternate increases filed by Columbia are based upon a proposed rate increase rejected by Commission order dated February 11, 1975, in Docket No. RP74-82; pipeline supplier rate increases which have been modified subsequent to Columbia's filing; and producer rates which will not become effective as of March 1, 1975. Accordingly, we shall accept for filing and suspend Columbia's proposed PGA increase until March 2, 1975. This acceptance, however, is expressly subject to Columbia's filing within 15 days from the date of issuance of this order, substitute tariff sheets to become effective as of March 2, 1975, subject to refund, which reflect: the elimination of Columbia's proposed rate increase which was rejected by Commission order dated February 11, 1975, in Docket No. RP74-82; the appropriate pipeline supplier rate increases; and the elimination of the impact of any producer rates which are not effective as of March 1, 1975.

Further review of Columbia's filing indicates that the claimed increased purchased gas costs, other than those amounts required to be eliminated from the suspended rates discussed above and other than those costs associated with Ohio intrastate purchases, are fully justified and comply with the standards set forth in Docket No. R-406. Accordingly, we shall permit Columbia, within 15 days of the date of issuance of this order, to file substitute tariff sheets to become effective as of March 1, 1975, which reflect only that portion of Columbia's filing other than those costs associated with the amounts to be removed from the suspended rates discussed above and other than those costs associated with the Ohio intrastate purchases.

*The Commission finds.* It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that:

(1) Columbia's filing be suspended for one day until March 2, 1975, as herein-after ordered and conditioned.

(2) The Commission enter upon a hearing to determine the propriety of including Ohio intrastate purchases in its PGA rate filing.

(3) The claimed increased purchased gas costs other than those costs associated with amounts which are herein-after ordered to be removed from the rates to become effective as of March 2, 1975, subject to refund, and other than those costs associated with Ohio intrastate purchases be approved as being in compliance with the standards set forth in Docket No. R-406.

*The Commission orders.* (A) Columbia's proposed PGA rate increase is accepted for filing and suspended for one day until March 2, 1975, subject to Columbia's filing, within 15 days of the date of issuance of this order, substitute

tariff sheets, to become effective as of March 2, 1975, subject to refund, which reflect: the elimination of Columbia's proposed rate increase which was rejected by Commission order dated February 11, 1975, in Docket No. RP74-82; the appropriate pipeline supplier rate increases; and the elimination of the impact of any producer rates which are not effective as of March 1, 1975.

(B) Within 15 days of the date of issuance of this order, Columbia may file substitute tariff sheets to become effective as of March 1, 1975, which reflect increased purchased gas costs other than those costs associated with the amounts required to be eliminated from the suspended rates in Ordering Paragraph (A) above and other than those costs associated with Ohio intrastate purchases.

(C) Pursuant to the authority of the Natural Gas Act, particularly section 4 and 5 thereof, and the Commission's rules and regulations, a hearing shall be held to determine the reasonableness and appropriateness of including Ohio intrastate purchases in Columbia's proposed PGA rate adjustment, all as set forth more fully in the body of this order.

(D) On or before April 15, 1975, Columbia shall serve its direct case in this proceeding. On or before May 27, 1975, the Commission Staff shall serve its direct case in this proceeding. Prepared testimony and exhibits of intervenors shall be served on or before June 17, 1975. Columbia's rebuttal case shall be served on or before July 1, 1975. Cross-examination of the evidence shall commence on July 15, 1975, at 10:00 A.M., ed, in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

(E) A Presiding Administrative Law Judge to be designated for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure.

(F) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to section 1.18 of the Commission's rules of practice and procedure.

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6191 Filed 3-10-75; 8:45 am]

CRAB RUN GAS CO.

[Docket No. CS75-329]

Application

FEBRUARY 27, 1975.

Take notice that on February 10, 1975, Crab Run Gas Company (Applicant),

\* Alternate Nineteenth Revised Sheet No. 16 and Alternate Sixth Revised Sheet No. 64-A to FPC Gas Tariff, Original Volume No. 1.

1100 H Street, NW., Washington, D.C. 20005, filed in Docket No. CS75-329 an application pursuant to section 7(c) of the Natural Gas Act and section 157.40 of the regulations thereunder (18 CFR 157.40) for a small producer certificate of public convenience and necessity, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant proposes to sell its present production of natural gas, in Vatican Parish, Louisiana, to Washington Gas Light Co. (Washington Gas) pursuant to small producer authorization requested in the instant docket. Applicant states that it sells its current production, which is entirely in Vatican Parish, to Louisiana Intrastate Gas Corporation. Said production is approximately 3,000 Mcf per day.

Applicant states that it proposes to sell gas to Washington Gas to alleviate the effect of curtailment of deliveries to Washington Gas by its pipeline suppliers, Transcontinental Gas Pipeline Corp. (Transco) and Columbia Gas Transmission Co. (Columbia). Applicant's gas would be delivered to Florida Gas Transmission Corp. and then to Transco for further delivery to Washington Gas. The application states that Washington Gas is currently negotiating for transportation of the subject gas with Transco, and that negotiations envision a price of 20 to 25 cents per Mcf. Approximately 9½ percent of the gas would be retained by Transco for "make-up" gas. Transco would transport for Washington Gas a volume of gas on an interruptible basis not exceeding the amount of curtailment being imposed on Washington Gas by Transco.

Applicant states that it agrees to dedicate that amount of excess gas of its production to Transco's interstate market when such production of 3,000 Mcf per day would exceed the degree of curtailment imposed upon Washington Gas by Transco, as well as to dedicate the excess of that portion of gas production from the subject acreage over its daily take when such daily take shall be less than 3,000 Mcf per day. Applicant further states that should production exceed 3,000 Mcf per day from the Vatican well it would agree to dedicate to Transco's interstate market a portion of the excess production.

The application further states that Crab Gas is a wholly-owned subsidiary of Washington Gas, a natural gas company subject to the provisions of the Natural Gas Act, and that Washington Gas owns a 100 percent interest in Hampshire Gas Company and Shenandoah Gas Company, both natural gas pipeline companies subject to the jurisdiction of the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of practice and procedure (18 CFR 1.8 or 1.10). All

protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6192 Filed 3-10-75;8:45 am]

[Docket No. E-9278]

**DUKE POWER CO.**

**Change in FPC Rate Schedule**

FEBRUARY 27, 1975.

Take notice that on February 20, 1975, Duke Power Co. (Duke) tendered for filing changes in its FPC Rate Schedule No. 138. Duke states that the change provides for an increase in demand at Delivery Point No. 2 from 3,200 kw to 5,000 kw, and is made at the request of Piedmont Electric Membership Corporation (PEMC).

A copy of the filing has been sent to the manager of PEMC. The proposed effective date is March 21, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6193 Filed 3-10-75;8:45 am]

[Docket No. E-9277]

**DUKE POWER CO.**

**Supplement to FPC Rate Schedule**

FEBRUARY 27, 1975.

Take notice that on February 20, 1975, Duke Power Co. (Duke) tendered for filing a supplement to its contract with the Town of Davidson which is designated Rate Schedule FPC No. 233. The change provides for a temporary connection to be designated Delivery Point No. Temp. 1.

A copy of the filing has been sent to the Town of Davidson. The proposed effective date is March 21, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-6194 Filed 3-10-75;8:45 am]

[Docket No. E-8911]

**GULF POWER CO.**

**Further Extension of Time**

FEBRUARY 28, 1975.

On February 21, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 13, 1974, as most recently modified by notice issued January 27, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, April 15, 1975.  
Service of Intervenor's Testimony, May 15, 1975.  
Service of Company Rebuttal, June 13, 1975.  
Hearing, July 15, 1975 (10 a.m. E.D.T.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6195 Filed 3-10-75;8:45 am]

[Docket E-8405]

**KANSAS GAS AND ELECTRIC CO.**

**Supplemental Application**

FEBRUARY 28, 1975.

Take notice that by order issued April 22, 1969, and supplemented by orders dated December 24, 1969, February 23, 1971, July 21, 1972, January 2,

1974, and October 8, 1974, the Commission authorized Kansas Gas and Electric Co. (Applicant) to issue on or before June 30, 1976, promissory notes to banks and commercial paper to commercial paper dealers with final maturity dates not later than June 30, 1976, in an aggregate principal amount not to exceed \$50,000,000. On February 24, 1975, Applicant filed a supplemental application seeking an extension so that notes may be issued on or before September 30, 1976, with final maturity date in no case being later than September 30, 1976, and to increase principal amounts outstanding at any one time from \$50,000,000 to \$65,000,000. The notes will bear interest either at the prime rate of the interest at the lending bank at issuance, or at the applicable interest rate prevailing during the term of the note. All other terms and conditions of the Commission's previous orders are to remain the same.

Proceeds from the additional notes will be used by Applicant to provide greater flexibility in its financing program by making available additional working capital.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 17, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6196 Filed 3-10-75;8:45 am]

[Docket No. CS72-832]

**SANFORD E. McCORMICK, ET AL.**  
**Petition for Declaratory Order**

FEBRUARY 27, 1975.

Take notice that on February 11, 1975, Texas Gas Transmission Corp. (Petitioner), P.O. Box 1160, Owensboro, Kentucky 42301, filed in Docket No. CS72-832 a petition pursuant to section 1.7(c) of the Commission's rules of practice and procedure (18 CFR 1.7(c)) for a declaratory order finding that Sanford E. McCormick, et al. (McCormick), is not authorized to received the nationwide rate prescribed in section 2.56a of the Commission's General Policy and Interpretations (18 CFR 2.56a) for the sale of natural gas being made pursuant to McCormick's small producer authorization from the E. Bayou Pigeon Field, Iberia Parish, Louisiana, and that the currently effective base rate for the subject sale is 30 cents per Mcf, all as more

fully set forth in the petition, which is on file with the Commission and open to public inspection.

Petitioner describes its controversy with McCormick in the subject petition as hereinafter summarized. By contract dated April 15, 1971, Petitioner buys gas from McCormick produced in the subject acreage. Deliveries commenced on December 30, 1971. Petitioner asserts that all gas presently being sold under the contract was developed prior to January 1, 1973, and that the currently effective base rate for this sale is 30 cents per Mcf.

Petitioner states that McCormick contends that section 8.2 of the April 15, 1971, contract permits it to collect the nationwide rate pursuant to section 2.56a. Section 8.2 reads in pertinent part that, if the Commission at any time shall prescribe a higher rate for gas sold from the area within which the properties dedicated to the contract lie, McCormick is entitled to increase the price of the gas sold pursuant to the contract to equal such higher rate. Petitioner states that McCormick apparently premises his conclusion on the fact that section 8.2 does not expressly limit the higher rate to gas of a specified vintage.

Petitioner counters McCormick's contention by citing paragraph (e) of section 157.40 of the Commission's regulations under the Natural Gas Act (18 CFR 157.40(e)). Said paragraph provides that no small producer granted exemption by section 157.40 shall charge or collect any rate in excess of the applicable area just and reasonable rate where the contractual right to such rate is based upon a contractual provision that would not be permitted by paragraphs (a), (b), (b-1), and (c) of section 154.93 of the regulations under the Natural Gas Act (18 CFR 154.93). Petitioner states that section 154.93 makes it clear that any provision for a change in price, other than those which are specifically listed therein, are "inoperative and of no effect at law." Petitioner further states that nowhere within the specified exceptions can any language be found which would permit the operation of an area rate clause, as contended by McCormick, and that the provisions of section 154.93(b-1) do not support the position of McCormick, since the Commission has made it clear the word "quality" as used therein is synonymous with "vintage." For this last proposition, Petitioner cites Commission Order No. 329 issued in Docket No. R-298 (36 FPC 925). Petitioner, therefore, concludes that section 8.2 of the April 15, 1971, contract is inoperative and that it is not obligated to pay in excess of the current base rate of 30 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 19, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining

the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6197 Filed 3-10-75;8:45 am]

[Docket No. E-9046]

**MONTAUP ELECTRIC CO.**  
**Extension of Procedural Dates**

FEBRUARY 28, 1975.

On February 24, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued December 18, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, June 19, 1975.  
Service of Intervenor's Testimony, July 3, 1975.

Service of Company Rebuttal, July 17, 1975.

Hearing, July 29, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6198 Filed 3-10-75;8:45 am]

[Docket No. CP75-225]

**MOUNTAIN FUEL SUPPLY CO.**  
**Application**

FEBRUARY 28, 1975.

Take notice that on February 7, 1975, Mountain Fuel Supply Co. (Applicant), 180 East First South Street, Salt Lake City, Utah 84139, filed in Docket No. CP75-225 an application pursuant to section 7(c) of the regulations thereunder (18 CFR 157.7(b)), for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing the date of Commission authorization, and operation of facilities to enable Applicant to take into its certificated main pipeline system natural gas which it may purchase or receive from independent producers or similar sellers from time to time, or which it may produce during the 12-month period commencing on the date of Commission authorization, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system supplies of natural gas in various producing areas generally co-extensive with said system. Applicant further states that the authorization requested will facilitate transportation and exchange agreements between

Applicant and other pipelines, and cites Order No. 522, issued in Docket No. RM 75-2, issued on January 16, 1975.

The application states that the total cost of the proposed facilities will not exceed \$2,000,000, with no single project to exceed \$500,000, which cost will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 14, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6200 Filed 3-10-75;8:45 am]

[Docket No. RP 75-65]

#### MOUNTAIN FUEL SUPPLY CO.

##### Tariff Change and Request for Waiver

FEBRUARY 27, 1975.

Take notice that Mountain Fuel Supply Co. (Mountain Fuel), on February 18, 1975, tendered for filing First Revised Sheet No. 82 to Mountain Fuel's FPC Gas Tariff, Original Volume No. 1. The proposed change, states Mountain Fuel, would reduce the gathering charge, from 2¢ to 1¢ per Mcf, on the gas eventually sold to Colorado Interstate Gas Company under the exchange agreement between the parties filed as Mountain Fuel's Rate Schedule X-5.

Mountain Fuel has requested that the proposed change be permitted to become effective as of January 1, 1975. Therefore, Mountain Fuel requests a

waiver of the Commission's regulations to the extent necessary to permit the proposed reduction to become effective on such date.

Mountain Fuel states that a copy of the filing has been served upon Colorado Interstate Gas Company.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR §§ 1.8, 1.10). All such petitions or protests should be filed on or before March 14, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6199 Filed 3-10-75;8:45 am]

[Docket No. RP71-125; PGA 75-6A]

#### NATURAL GAS PIPELINE COMPANY OF AMERICA

##### Contingent PGA Filing in Lieu of Previously Filed Purchase Gas Cost Adjustments

FEBRUARY 28, 1975.

Take notice that on February 15, 1975, Natural Gas Pipeline Company of America (Natural) submitted for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Substitute Nineteenth Revised Sheet No. 5, to be effective April 1, 1975. Natural states that this filing reflects a rate increase pursuant to section 154.38 (d) (4) of the Commission's regulations under the Natural Gas Act and Ordering Paragraph (D) of Opinion No. 699-H and to Opinion No. 699-G, to track increased payments to producers occasioned by the uniform national rate promulgated by Opinion Nos. 699, et seq.

Natural asks that this filing be made effective April 1, 1975 in lieu of (1) Nineteenth Revised Sheet No. 5, which was tendered for filing, and requested to be made effective, on February 5, 1975; and (2) Twentieth Revised Sheet No. 5, which was tendered for filing on February 21, 1975, and requested to be made effective if, but only if, Natural is granted authority to:

- (1) effectuate the increase as of April 1, 1975;
- (2) accumulate interest expense at the rate of nine percent (9 percent) annually on the outstanding deferred increase from February 5 and from March 1 until the gas costs Natural has incurred as a result of the uniform national rate, but which have not been reflected in Natural's rates because of the deferred increase, have been fully recovered in Natural's rates through operation of its PGA clause; and
- (3) include in Natural's next PGA filing the deferred interest expense accumulated in (2) above.

In the event these enumerated conditions are not acceptable to the Commission, Natural asks that this substitute filing be disregarded and that Nineteenth and Twentieth Revised Tariff Sheets No. 5 be made effective as requested upon their tender on February 5 and February 21, respectively.

Natural further states that this substitute filing by Natural results from a desire on Natural's part to preclude a negative impact on the earnings of its customers occasioned by this rate increase. Natural has been advised by certain of these customers that they will not be able to coordinate increases in their rates with the requested effective dates of February 5 and March 1, 1975. Therefore, Natural tenders this contingent substitute filing which provides for recognition of the legitimate customer interest in complying with local rate regulation in order to flow through these increased rates, while at the same time enabling Natural to recover interest costs related to the deferral of purchase gas costs occasioned by this delay in effective date.

Finally, Natural states that the base rates set forth in this substitute filing are the same as those reflected in the February 21, 1975, filing of Twentieth Revised Sheet No. 5 and that the February 21 filing had updated the February 5 filing to reflect the increased gas cost resulting from tracking, effective March 1, of the uniform national rate by United Gas Pipe Line Co., a supplier of Natural, as more fully set forth in the previous filing.

Natural requests waiver of any Commission regulations to the extent necessary to effectuate this substitute filing in the manner explained above.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 10, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6201 Filed 3-10-75;8:45 am]

[Docket No. CP 75-229]

#### NORTHERN NATURAL GAS CO.

##### Application

FEBRUARY 28, 1975.

Take notice that on February 11, 1975, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102 filed in Docket No. CP75-229 an application pursuant to section 7 of the Natural Gas Act for authorization to



construct and operate certain compressor facilities, to transfer existing compressor facilities and to abandon and remove certain other compressor facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to install the following compressor facilities:

**New Station:** Sutton County No. 2, One 1,600 H.P. unit, One 750 H.P. unit; **Location:** Section 14, Block CC, EC&RR Survey, Sutton County, Texas.

**Horsepower Additions:** Big Lake Station, Two 1,080 H.P. units; Section 36, Block 1, T&T RR Co. Survey, Reagan County, Texas. Crockett County No. 2, Two 1,600 H.P. units; Section 12, Block F, GC&SF RR Survey, Crockett County, Texas.

Applicant requests permission and approval to abandon and remove a 1,080 H.P. compressor unit from its Crockett County No. 2 compressor station and re-tire it to stock. To effect the installation of the 750 H.P. compressor unit at the proposed Sutton County No. 2 compressor station, Applicant proposes to abandon and transfer such compressor unit from its Eldorado Station. Applicant states that, although it would prefer to transfer the 1,080 H.P. compressor station from its Crockett County No. 2 compressor station to Big Lake Station rather than to stock, such alternative would delay the in-service date for the Big Lake Station by approximately three months.

Applicant estimates the total cost of the facilities at \$4,363,000, which will be financed from cash on hand.

Applicant desires to construct and operate the proposed compressor facilities in order to increase the delivery capacity of its Permian East Leg pipeline facilities from approximately 142,000 Mcf per day to approximately 180,000 Mcf per day. Applicant states that it expects average daily deliveries on the East Leg to be 169,400 Mcf in 1975, 181,800 Mcf in 1976, 176,300 Mcf in 1977 and 163,500 Mcf in 1978, resulting from additional drilling and development by producers on acreage currently under contract to Applicant, not including any volumes of gas that may result from future acreage dedications.

Applicant further states that although the proposed facilities will not result in any additional system salable capacity, the proposed facilities will help offset declining deliveries from Applicant's other traditional supply sources.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 17, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a

proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6202 Filed 3-10-75;8:45 am]

[Docket No. RP73-108]

#### PANHANDLE EASTERN PIPE LINE CO.

##### Extension of Procedural Dates

FEBRUARY 28, 1975.

On February 25, 1975, Panhandle Eastern Pipe Line Co. filed a motion to extend the procedural dates fixed by order issued January 31, 1975, in the above-designated matter. The motion states that Staff Counsel has been notified and has no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Company Testimony, March 18, 1975.  
Service of Staff's Testimony, April 22, 1975.  
Service of Intervenor's Testimony, May 13, 1975.  
Service of Company Rebuttal, May 27, 1975.  
Hearing, June 11, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6203 Filed 3-10-75;8:45 am]

[Docket No. E-9269]

#### PUBLIC SERVICE COMPANY OF COLORADO

##### Filing of Supplement to FPC Rate Schedule

FEBRUARY 28, 1975.

Take notice that on February 18, 1975 Public Service Company of Colorado (Company) tendered for filing an amendment to its contract with the Colorado-Ute Electric Association. The amendment provides for an additional point of delivery. The amendment is dated September 8, 1972. The Company states that it inadvertently failed to file the amendment until the instant filing.

Any person desiring to be heard or to protest said filing should file a petition

to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6204 Filed 3-10-75;8:45 am]

[Docket No. RP73-92; PGA75-2A]

#### RATON NATURAL GAS CO.

##### Change in Rates

FEBRUARY 28, 1975.

Take notice that Raton Natural Gas Company (Raton) on February 26, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Volume No. 1, consisting of Substitute Fifth Revised Sheet No. 3a. The change in rates is for jurisdictional gas service.

Raton states that the instant notice of change in rates is occasioned solely by, and will compensate Raton only for, increases in the cost of gas purchased from Colorado Interstate Gas Co. (CIG).

The tracking of CIG gas cost increased of 4.65 cents, together with surcharge to recover deferred gas purchase cost of 3.22 cents, results in increased commodity rate from 44.34 cents to 53.79 cents.

The annual revenue increase by reason of the tracking increased rate amounts to \$51,596.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 19, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6205 Filed 3-10-75;8:45 am]

[Docket No. E-9230]

#### SOUTHERN CALIFORNIA EDISON CO.

##### Filing of Certificate of Concurrence

FEBRUARY 28, 1975.

Take notice that on January 30, 1975, the Arizona Public Service Company filed

a certificate of concurrence to Southern California Edison Company's (Edison) filing of January 27, 1975 of a September 30, 1969 Interim Arrangement for Interconnected Operations (Navajo Interconnection Principles), and a September 13, 1974 Amendment No. 1 to the Navajo Interconnection Principles between the United States of America, Arizona Public Service Co., Department of Water and Power of the City of Los Angeles, Nevada Power Co., Salt River Project Agricultural Improvement and Power District, Tucson Gas & Electric Co. and Edison. Edison's filing was noticed on January 31, 1975.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 14, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-6206 Filed 3-10-75; 8:45 am]

[Project No. 344]

**SOUTHERN CALIFORNIA EDISON CO.**  
**Order Providing for Hearing and Filing of**  
**Prehearing Briefs**

MARCH 3, 1975.

Southern California Edison Co. (Edison), Licensee for constructed San Gorgonio Project No. 344, filed on April 20, 1970, and supplemented on July 5, 1973, an application for a new license for the project. The San Gorgonio Project is located about six miles north of the City of Banning, California and about one hundred miles east of Los Angeles. The project facilities are situated in San Bernardino and Riverside Counties, California, on the Whitewater and San Gorgonio Rivers. Virtually the entire project is located on lands of the United States in San Bernardino National Forest.<sup>1</sup>

The San Gorgonio Project diverts water from the headwaters of the Whitewater River, specifically from the East and South Forks of that river and from Black Wheel Creek. The diverted water flows through concrete-lined canals and steel penstocks to the project's two hydroelectric plants, which are located in the drainage area of the San Gorgonio

<sup>1</sup> There are several parcels of privately-owned land within the project boundary.

River, a tributary of the Whitewater River.

Since there are no storage reservoirs, the project operates intermittently according to available streamflow. A maximum of approximately 13 cfs can be diverted through the project canals. All of the water diverted through project facilities is delivered from the tailrace of the lowermost powerhouse to the Banning Heights Mutual Water Company for use as part of the domestic water supply for a small housing project and for irrigation purposes. Any water not used by the Banning Heights Mutual Water Company is released into the San Gorgonio River and immediately picked up by the Banning Water Company and either used or stored for later pumping into the City of Banning water system. Thus, all of the water diverted from the headwaters of the Whitewater River through the facilities of Project No. 344 is eventually consumed in the San Gorgonio River basin.

The Whitewater River originates on the south slopes of the San Bernardino Mountains and flows generally south through a well-defined canyon to the floor of the Coachella Valley, and thence generally southeasterly to the Salton Sea. Most of the streams in the Whitewater Basin, including the tributary San Gorgonio, are ephemeral. About three quarters of the basin is in a climatic zone characterized by extreme heat and dryness.

Several water agencies presently function in the Whitewater Basin to provide water to the inhabitants of the basin for irrigation, industrial and domestic use. The Coachella Valley County Water District (CVCWD), serving most of the Coachella Valley, draws its water from groundwater wells and from the Coachella Branch of the All-American Canal, which imports water into the basin from the Colorado River. The Desert Water Agency (DWA), which serves the central part of the basin, including the City of Palm Springs and its satellite communities, obtains its water from groundwater wells and from a diversion from Snow Creek via a 12-mile steel pipeline.

CVCWD and DWA also receive water from the Colorado River Aqueduct under an interim exchange agreement with Metropolitan Water District (MWD). Under this agreement, CVCWD and DWA are to deliver their annual entitlements of water from the State Water Project to MWD, which in turn is to deliver to CVCWD and DWA an equal quantity of Colorado River water from MWD's Colorado River Aqueduct, which passes along the northern edge of the Coachella Valley.

The San Gorgonio Pass area, which covers the northern portion of the basin, relies almost exclusively on wells and local drainage for its water supply. In this area, water is provided by the Cities of Banning, Beaumont, and Cabazon to their respective areas; by the San Gorgonio Pass Water Agency (SGPWA) to various unincorporated areas; and by various other small water companies,

and agencies operating within the pass area, some serving fewer than 100 people. Among the latter is the Banning Heights Mutual Water Company which, as noted above, receives all of the water diverted through the facilities of Project No. 344.

On July 19, 1971, the Agua Caliente Band of Mission Indians (Band) filed a petition to intervene in the proceeding on Edison's application for new license.<sup>2</sup> By order of August 16, 1971, we permitted the Band to intervene; it is the sole intervenor in this proceeding. The present Agua Caliente (Palm Springs) Indian Reservation was created pursuant to Section 2 of the Mission Indian Relief Act of January 16, 1891 (26 Stat. 712).<sup>3</sup> The reservation is located in part on alternate sections within the corporate limits of the City of Palm Springs, the remainder consisting primarily of checkerboarded alternate sections bordering the city and extending down the Coachella Valley and up into the mountains.<sup>4</sup>

In its petition to intervene, the Band alleges that continued diversion of water from the natural channel of the Whitewater River into the drainage area of the San Gorgonio River would result in further decline of groundwater levels and deterioration of water quality in the Coachella Valley. The Band opposes granting a new license to Edison on the ground that it would be adverse in its impact on the Band's claimed water rights.

The Band recognizes in its petition that Edison, the Banning Heights Mutual Water Company, and the Banning Water Company possess a jointly-held right, adjudicated under California law, to the water diverted through the San Gorgonio Project facilities.

The Department of the Interior reported by letter of August 3, 1971, that an investigation was being undertaken as to whether the operation of the San Gorgonio Project is to the detriment of the rights of the Band to the waters in the groundwater basin underlying its lands. Interior requested an extension of time until December 1, 1971, in which to comment on this aspect of the relicensing proceeding.

In another letter, dated February 10, 1972, the Department pointed out that

<sup>2</sup> On April 26, 1973, the license for Project No. 344 expired, and the project has operated under successive annual licenses pursuant to section 15(a) of the Federal Power Act (16 U.S.C. § 808(a)) since that time.

<sup>3</sup> See *Arenas v. United States*, 322 U.S. 419 (1944). See also "Report with respect to the House resolution authorizing the Committee on Interior and Insular Affairs to conduct an investigation of the Bureau of Indian Affairs," House Rep. No. 2503, 82d Cong., 2d Sess. 855 (1952).

<sup>4</sup> The Agua Caliente Tribal Lands Act of September 21, 1959, as amended (16 U.S.C. § 951 et seq.), in addition to equalizing the allotments of tribal lands to members of the Band, placed certain tribal lands in reserve, not subject to allotment, to be held for the benefit and use of the Band. Id. § 953(b).

the Secretary of the Interior was responsible for protecting the interest of the Band in the use of the waters of the Whitewater River. See 16 U.S.C. 797(e). It also observed that while plans were being made to develop Indian lands which would require the use of this underground source of water, the Department was not yet prepared to put water to use on the Indian lands. The letter stated that the Department was then engaged in studying the advisability of recommending Federal takeover of the project, a process which would take about two years. The Department was not only studying the amount of water needed by the Indians but was also considering the impact of takeover on the San Geronio Basin, where the water is presently used not only for power production but for consumptive uses, notably domestic, industrial and agricultural water supply.

Thereafter a conference was held, at the request of Interior, on February 11, 1974, at which it was indicated that the Band intended to seek an adjudication and quantification of their claimed rights in a Federal court and that the Department was considering active participation in the suit.

In a later letter, dated March 21, 1974, the Department expressed its opinion that the Band possessed water rights which, although not yet adjudicated or quantified, had priority over the present non-Indian uses of the water in the San Geronio Basin.<sup>5</sup> In view of the above, the Department recommended "that no license be issued and if necessary that there be a Federal takeover of Project No. 344." It also requested a hearing on the issue as to whether or not a new license should be issued in the light of the Indian water rights.

Jurisdiction to adjudicate and quantify Indian water rights resides in the Federal courts. See the discussion in the final report to the President and the Congress of the National Water Commission (hereafter cited as Water Policy Report).<sup>6</sup> The water rights asserted here have not yet been adjudicated and their quantities are not yet fixed in a court decree. Our lack of power to determine these rights was initially raised by the Licensee as an objection to the intervention of the Band. We granted intervention, nonetheless, because it appeared the claim may be relevant to the issue whether or not the Commission should recommend to the Congress that the United States take over the project.

Section 7(c) of the Federal Power Act (16 U.S.C. 800(c)), not only requires us to recommend takeover in an appro-

appropriate case but also imposes upon us a duty to provide the Congress appropriate information to aid its deliberations. It is apparent from the chronology recited above that such pertinent information as has been furnished has only been outlined by the Department and the Band in general terms. Contemplated development of the Indian lands has not been detailed, nor the amount of underground water needed, nor the current status of the proposed District Court litigation to adjudicate and quantify the Indian water rights.

It is also apparent that much of the pertinent information, such as the developmental plans, is solely within the knowledge of the Band and the Department and may not be subject to factual dispute. For that reason, it would be an aid not only to us but to the Administrative Law Judge, who will preside at the hearing we are granting, to be provided with prehearing briefs, outlining in detail the factual and legal bases for the Indian water rights claim. The briefs should include such items as those provided the Court in a recent litigation by the Band.<sup>7</sup> Thus, for example, the Band should inform us not only in detail as to the intended use of the water but also whether it is sought for tribal property alone, or the use of allottees, or for the development of property under lease from either.

As noted above, takeover of the project would involve the consumptive rights presently enjoyed under state law by the Banning Heights Mutual Water Company and the Banning Water Company, who have not intervened.<sup>8</sup> We are, however, requiring that this order, and further orders issued in this proceeding, be sent to these organizations.

It emerges from the foregoing that the Indian rights aspect of this proceeding may ultimately involve not only the District Court but the Congress, a situation not without precedent in the arid areas of the west.<sup>9</sup> The function of the

<sup>7</sup> See *Agua Caliente Band v. County of Riverside*, 442 F. 2d 1184 (9th Cir. 1971), cert. denied, 405 U.S. 933 (1972). The Court stated: "The Secretary of the Interior, acting under Congressional authority, allotted to the individual members of The Band and to The Band itself a total of 26,846.28 acres in the area of Palm Springs, California. These lands are interspersed among non-Indian lands in a checkerboard pattern. The legal title to them is in the United States in trust. Of these lands 1250 acres, including eight acres owned by The Band, are under long term leases, made as authorized by 25 U.S.C. 415 by the Allottees and The Band with the approval of the Secretary of the Interior." Id. at 1185.

<sup>8</sup> The Public Land Law Review Commission recommended legislation which would require compensation to be paid in such cases. See Public Land Law Review Commission, *One Third of the Nation's Lands: A Report to the President and to the Congress* 149 (1970). A similar recommendation was made by the National Water Commission. See Water Policy Report, supra, at 481.

<sup>9</sup> For example, Congress in section 11 of the Colorado River Storage Project Act (43 U.S.C. 620 et seq.) incorporated a District Court decree in the *Blue River* case.

Commission, as to the water rights controversy, is to acquire information on which to make its own recommendation as to Federal takeover, as well as to inform the Congress whether or not takeover is recommended by the Commission.<sup>10</sup>

Following submission of briefs by the Band and by Interior, all persons or entities interested in the issues raised or matters presented will have an opportunity to make their views known by filing reply briefs.

*The Commission finds.* (1) It is appropriate and in the public interest as provided herein to hold a public hearing respecting matters involved and issues presented in this proceeding on the application by Southern California Edison Company for a new license for Project No. 344.

(2) Before commencement of the hearing it would be appropriate, under the circumstances, to afford the Agua Caliente Band of Mission Indians and the Department of the Interior an opportunity to submit complete statements of fact and law in support of their positions; it would also be appropriate to permit all interested persons and entities to submit statements of fact and law in reply.

*The Commission orders.* (A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4(e), 7(c), 14, 15 and 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held in a hearing room of the Federal Power Commission, 825 N. Capitol Street, Washington, D.C. respecting the matters involved and the issues presented in this proceeding.

(B) The Agua Caliente Band of Mission Indians and the Department of the Interior shall, within 45 days of the date of issuance of this order, file statements of fact and of law in support of their positions, and within 30 days of the filing of said statements, all interested persons or entities may file statements of fact and law in reply.

(C) Within 45 days of the last date for filing by interested persons or entities of statements of fact and law in reply, as provided in paragraph (B) above, the presiding Administrative Law Judge shall hold a prehearing conference for the purpose of determining, insofar as possible, the course of subsequent events in this proceeding; such events may include, but need not be limited to, the admission into evidence of relevant but uncontroverted facts without the necessity of presenting a sponsoring witness therefor, and the scheduling of filing of direct testimony and exhibits, motions to strike prepared testimony and exhibits, and the commencement of the public hearing.

<sup>10</sup> In the event the Commission does not recommend recapture it must, under section 14(b) (16 U.S.C. 807(b)), inform Congress that a two-year stay has been granted where a Federal agency, recommending takeover, requests such a stay.

<sup>5</sup> In this connection the Department cited the leading Indian water rights case, *Winters v. United States*, 207 U.S. 564 (1908), in which the reservation doctrine had its origin. The Department also refers to *Arizona v. California*, 373 U.S. 546 (1963), which not only dealt with Indian water rights but also made actual allotments of water for other types of reservations.

<sup>6</sup> E.g., Nat'l Water Commission, *Final Report on Water Policies for the Future* 479 (1973).

(D) The following requirements are prescribed for this proceeding subsequent to the prehearing conference provided for in paragraph (C) above:

(1) All of the testimony, except exhibits, shall be in question and answer form.

(2) No exhibits, except those of which official notice may properly be taken, shall contain narrative material other than brief explanatory notes.

(3) Any party submitting more than one exhibit shall enclose a cover sheet listing the title of each exhibit in the sequence in which it is to be marked for identification.

(4) The Administrative Law Judge shall specify the order of cross-examination and time to be permitted for preparation of rebuttal evidence.

(5) The Administrative Law Judge may direct that a public hearing session be held in the vicinity of the project for the purpose of receiving statements of position from interested members of the public if he finds that it will be in the public interest to do so. Public notice of such public hearing session should be given in the vicinity of the project prior to such hearing session.

(E) The Commission's rules of practice and procedure shall apply in this proceeding except to the extent they are modified or supplemented herein.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6207 Filed 3-10-75;8:45 am]

[Docket No. RP73-64; PGA75-3]

**SOUTHERN NATURAL GAS CO.**

**Proposed Changes in FPC Gas Tariff**

FEBRUARY 28, 1975.

Take notice that Southern Natural Gas Co. (Southern) on February 21, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Sixth Revised Volume No. 1, to become effective March 1, 1975. Southern states that such filing is pursuant to and in compliance with the Commission's Opinion No. 699-H issued December 4, 1974 in Docket No. R-389-B and that the proposed changes reflect a special one-time rate adjustment for the national rates prescribed in said opinion.

The filing is to recover increases in cost of gas supply of 8.052¢ per Mcf resulting from Opinion No. 699-H and consisting of the following items:

(1) A Current Adjustment in cost of gas supply of 6.790¢ per Mcf. This Current Adjustment is made up of the following:

(a) .458¢ per Mcf for increased cost of gas purchased from independent producers.

(b) .569¢ per Mcf for company-owned production qualifying under Ordering Paragraph (C) of Opinion No. 699-H.

(c) 5.763¢ per Mcf for increased cost of gas purchased from pipeline suppliers.

(2) A Surcharge Adjustment for the period March 1 through June 30, 1975 of 1.262¢ per Mcf. This Surcharge Adjustment relates to company-owned production qualifying under Ordering Paragraph (C) of Opinion No. 699-H during the period June 21, 1974 through February 28, 1975.

Copies of the filing are being served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 14, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6208 Filed 3-10-75;8:45 am]

[Docket No. RP74-41]

**TEXAS EASTERN TRANSMISSION CORP.**

**Further Extension of Time**

FEBRUARY 28, 1975.

On February 21, 1975, Texas Eastern Transmission Corp. filed a motion to extend the time for filing rebuttal testimony fixed by order issued January 14, 1974, as most recently modified by notice issued January 16, 1975, in the above-designated matter.

Upon consideration, notice is hereby given that the time for filing rebuttal testimony in the above matter is extended to and including March 7, 1975. The hearing will remain as scheduled by the Presiding Administrative Law Judge, March 18, 1975, at 10 a.m. (e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6210 Filed 3-10-75;8:45 am]

[Docket No. RP75-19]

**TEXAS GAS TRANSMISSION CORP.**

**Order Granting Interventions**

FEBRUARY 27, 1975.

On September 30, 1974, the Texas Gas Transmission Corp. (Texas Gas) tendered for filing a general natural gas rate increase which would increase jurisdictional revenues by approximately \$28 million. On October 30, 1974, the Commission accepted Texas Gas' proposed rate increase for filing and permitted it to become effective April 1, 1975, subject to refund.

On October 18, 1974, Memphis Light Gas and Water Division of the City of Memphis, Tennessee, filed a timely petition to intervene. Untimely petitions to intervene were filed by Mississippi Valley Gas Company on December 9, 1974, and Arkansas-Missouri Power Company on February 4, 1975. Having reviewed the above petitions to intervene, we believe that the petitioners have sufficient interest in the proceedings to warrant intervention.

*The Commission finds.* It is desirable and in the public interest to allow the above-named petitioners to intervene.

*The Commission orders.* (A) The above-named petitioners are hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission: *Provided, however,* That participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The interventions granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6211 Filed 3-10-75;8:45 am]

[Docket No. RP74-41; PGA 75-6]

**TEXAS EASTERN TRANSMISSION CORP.**

**Proposed Changes in FPC Gas Tariff**

FEBRUARY 27, 1975.

Take notice that Texas Eastern Transmission Corp. (TETCO) on February 24, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Seventh Revised Sheet No. 14  
Seventh Revised Sheet No. 14A  
Seventh Revised Sheet No. 14B  
Seventh Revised Sheet No. 14C  
Seventh Revised Sheet No. 14D

TETCO states that these sheets are issued pursuant to the purchased gas cost adjustment provision contained in section 23 of the General Terms and Conditions of TETCO's FPC Gas Tariff, Fourth Revised Volume No. 1 and the Federal Power Commission's Opinion No. 699-H issued December 4, 1974, and that the change in rates permitted by the Commission and proposed by TETCO is to track all increases in purchased gas costs attributable to the new national rate. TETCO requests that the effective date of the filing be postponed until March 1, 1975 in order to reduce the number of filings required to properly track Opinion No. 699-H related increases.

TETCO also requests that the Commission waive any necessary regulations and allow the above tariff sheets to become effective March 1, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such

petitions or protests should be filed on or before March 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of the filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6209 Filed 3-10-75;8:45 am]

[Docket Nos. RP74-25; RP72-156, PGA  
75-2b]

**TEXAS GAS TRANSMISSION CORP.**  
**Purchased Gas Cost Adjustment to Rates**  
FEBRUARY 27, 1975.

Take notice that Texas Gas Transmission Corp. (Texas Gas) on February 13, 1975, tendered for filing First Amended Fifth Substitute Tenth Revised Sheet No. 7 and Second Amended Fifth Substitute Tenth Revised Sheet No. 7 to be made effective as of February 1, 1975 and February 2, 1975 respectively. Texas Gas further states that the aforesaid tariff sheets are being filed in compliance with the Commission's Order Accepting For Filing And Suspending Proposed Rate Increases issued January 31, 1975 in Docket Nos. RP74-25, RP72-156 PGA75-2 and PGA75-2A. Texas Gas also requests that it be permitted to continue in effect the rate levels set forth in the aforesaid revised tariff sheets until its next rate increase filing which will be on or before March 1, 1975.

Copies of the filing have been mailed to each of the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a Petition to Intervene or Protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such Petitioners or Protests should be filed on or before March 10, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a Petition to Intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6212 Filed 3-10-75;8:45 am]

[Docket No. RP72-133]

**UNITED GAS PIPE LINE CO.**  
**Filing of Tariff Sheets**

FEBRUARY 28, 1975.

Take notice that on February 21, 1975, United Gas Pipe Line Co. (United)

tendered for filing twenty-third Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1. United states that this filing is being made in accordance with Opinion No. 699-H in which the Commission authorized pipeline companies to track increases in purchased gas costs attributable to producer rate increases under Opinion No. 699-H.

According to United, subsequent review of its last purchased gas adjustment (PGA) filing made on January 13, 1975, has revealed that the filing included some \$2,370,601 of producer rate changes which did not become effective by January 1, 1975, and which, therefore, should have been eliminated. United states that because of the accounting complexities which a retroactive adjustment in its January 13, 1975 filing would produce, United has attempted to reduce the current adjustment in the instant filing to achieve the same result.

United requests a March 1, 1975 effective date for this filing and states that copies of the filing will be mailed to all of United's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6213 Filed 3-10-75;8:45 am]

[Docket Nos. CI75-469; CI75-477]

**UNION OIL COMPANY OF CALIFORNIA**  
**Applications**

FEBRUARY 28, 1975.

Take notice that on February 6, 1975, Union Oil Company of California (Applicant), P.O. Box 7600, Los Angeles, California 90051, filed in Docket Nos. CI75-469 and CI75-477 applications pursuant to section 7(c) of the Natural Gas Act for certificates of public convenience and necessity authorizing sales for resale and deliveries of natural gas in interstate commerce to Texas Eastern Transmission Corporation (Texas Eastern) from Applicant's interests in the Block 201 and Block 147 Fields, respectively, Vermilion area, offshore Louisiana, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Under contracts dated January 6, 1975, Applicant proposes in Docket No. CI75-469 to sell approximately 450,000 Mcf of

gas per month from the Block 201 Field and in Docket No. CI75-477 to sell approximately 300,000 Mcf of gas per month from the Block 147 Field to Texas Eastern at 80.51 cents per Mcf at 15.025 psia (which price includes 100 percent tax reimbursement) subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot. Applicant states that it has reserved 20 percent of the gas production from the Block 201 and Block 147 Fields for its own use, which gas will be delivered upon Applicant's request by Texas Eastern to a mutually agreeable point on Texas Eastern's pipeline. Applicant further states that it is willing to accept certificates of public convenience and necessity for both sales at the national rate prescribed in section 2.56a of the Commission's General Policy and Interpretations (18 CFR 2.56a).

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 12, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, hearings will be held without further notice before the Commission on these applications if no petitions to intervene are filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificates is required by the public convenience and necessity. If petitions for leave to intervene are timely filed, or if the Commission on its own motion believes that formal hearings are required, further notice of such hearings will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearings.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-6214 Filed 3-10-75;8:45 am]

[Docket No. RM74-12]

**UNION OIL CO. OF CALIFORNIA, ET AL.**  
**Order Granting Rehearing for Purposes of Further Consideration**

FEBRUARY 28, 1975.

Investigation of Rates Charged for Nonjurisdictional Sales of Natural Gas

by Natural Gas Companies Subject to the Jurisdiction of the Federal Power Commission.

On February 10, 1975, we granted rehearing for purposes of further consideration in this docket of petitions for rehearing filed by Union Oil Company of California, Texaco, Inc., and Atlantic Richfield Co. Since the filing of those petitions additional parties have also submitted petitions for rehearing.<sup>1</sup> For the reasons expressed in our February 10, 1975 order, we hereby grant rehearing for the purpose of further consideration of all those petitions for rehearing not previously granted.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-6215 Filed 3-10-75; 8:45 am]

### GENERAL SERVICES ADMINISTRATION

[F.P.M.R. Temp. Reg. F-331]

### SECRETARY OF DEFENSE

#### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a telecommunications rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a proceeding before the Virginia State Corporation Commission involving the application of the Chesapeake and Potomac Telephone Company of Virginia for an increase in telecommunications rates.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the re-

<sup>1</sup>Mitchell Energy Corp., Continental Oil Co., Mapeo, Inc., Cities Service Oil Co., The California Co., Mobil Oil Corp., Exxon Corp., Superior Oil Co., Tenneco Oil Co., Trans-Ocean Oil, Inc., National Association of Regulatory Utility Commissioners (NARUC), and Certain Small Producers (Clark Fuel Producing Co., Robert Mosbacher, et al., Reserve Oil and Gas Co., P. R. Rutherford, P. R. Rutherford, Jr., Michael Rutherford, and Wrightsman Investment Co.).

sponsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,  
Administrator of General Services.

FEBRUARY 28, 1975.

[FR Doc. 75-6267 Filed 3-10-75; 8:45 am]

[F.P.M.R. Temp. Reg. F-332]

### SECRETARY OF DEFENSE

#### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a gas and electric rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a proceeding before the City Council of San Antonio, Texas, involving the application of the San Antonio City Public Service Board for an increase in gas and electric rates.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,  
Administrator of General Services.

MARCH 4, 1975.

[FR Doc. 75-6268 Filed 3-10-75; 8:45 am]

### NUCLEAR REGULATORY COMMISSION

#### METROPOLITAN EDISON CO. (THREE MILE ISLAND NUCLEAR STATION, UNIT 1)

#### Establishment of Atomic Safety and Licensing Board To Rule on Petitions

Pursuant to Commission action on February 27, 1975, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene and to conduct any hearings which may ensue in the following proceeding:

METROPOLITAN EDISON CO.

(Three Mile Island Nuclear Station, Unit 1).  
Facility License DPR-50 Docket No. 50-289.

This action is in reference to a FEDERAL REGISTER notice entitled "Order for

Modification of License" in the instant matter which was published on January 9, 1975 (40 FR 1766).

The members of the Board are:

Edward Luton, Esq., Chairman  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
Mr. Gustave A. Linenberger, Member  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
Dr. Ernest O. Salo, Member  
Professor, Fisheries Research Institute,  
WH-10, College of Fisheries, University  
of Washington, Seattle, Washington  
98195

It is so ordered.

Dated at: Bethesda, Md. this 5th day  
of March 1975.

ATOMIC SAFETY AND LICENS-  
ING BOARD PANEL,

NATHANIEL H. GOODRICH,  
Chairman.

[FR Doc. 75-6238 Filed 3-10-75; 8:45 am]

#### PHILADELPHIA ELECTRIC CO. (PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3)

#### Establishment of Atomic Safety and Licensing Board To Rule on Petitions

Pursuant to Commission action on February 27, 1975, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene and to conduct any hearings which may ensue in the following proceeding:

PHILADELPHIA ELECTRIC CO.

(Peach Bottom Atomic Power Station, Units  
2 and 3).  
Facility Licenses DPR-44 and DPR-56.  
Dockets Nos. 50-277 and 50-278.

This action is in reference to a FEDERAL REGISTER notice entitled "Order for Modification of License" in the instant matter which was published on January 9, 1975 (40 FR 1772).

The members of the Board are:

Daniel M. Head, Esq., Chairman  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Kenneth A. McCollom, Member  
Associate Dean  
College of Engineering  
Oklahoma State University  
Stillwater, Oklahoma 74074

Dr. Ernest O. Salo, Member  
Professor, Fisheries Research Institute, WH-  
10  
College of Fisheries  
University of Washington  
Seattle, Washington 98195

It is so ordered.

Dated at Bethesda, Md., this 5th day  
of March 1975.

ATOMIC SAFETY AND LICENS-  
ING BOARD PANEL,

NATHANIEL H. GOODRICH,  
Chairman.

[FR Doc. 75-6239 Filed 3-10-75; 8:45 am]

## OFFICE OF MANAGEMENT AND BUDGET

### CLEARANCE OF REPORTS

#### List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on March 5, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

#### NEW FORMS

##### OFFICE OF MANAGEMENT AND BUDGET

Technical Assistance Needs Survey, single-time, local officials, intergovernmental relations and regional operations, 395-3477.

##### DEPARTMENT OF COMMERCE

Economic Development Administration, request for excess property, ED-733, on occasion, Government agencies, Caywood, D. P., 395-3443.

#### REVISIONS

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, veteran student enrollment verification report, OE 269-3, Semi-annually, postsecondary institutions, Lowry, R. L., 395-3772.

#### EXTENSIONS

##### DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service, plant pest survey and detection specimens for Determination of abundance of insects, PPC 3-9A, on occasion, Evinger, S. K., 395-3648.

##### DEPARTMENT OF TRANSPORTATION

Coast Guard; application for a yacht commission, CG 1250, on occasion, Lowry, R. L., 395-3772.  
Application for Academy Introduction Mission at the U.S. Coast Guard Academy, CG-4316, annually, Lowry, R. L., 395-3772.

PHILLIP D. LARSEN,  
*Budget and Management  
Officer.*

[FR Doc.75-6372 Filed 3-10-75; 8:45 am]

### CLEARANCE OF REPORTS

#### List of Requests

The following is a list of requests for clearance of reports intended for use in

collecting information from the public received by the Office of Management and Budget on March 6, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

#### NEW FORMS

##### NATIONAL SCIENCE FOUNDATION

User Questionnaire—Rann Utilization Experience Survey, single-time, business firms, Weiner, N., 395-4890.

#### DEPARTMENT OF DEFENSE

Department of the Army (excluding Office of Civil Defense), Opinion Survey for the New Orleans-Baton Rouge Metropolitan Area Study, single-time, citizens of southeastern Louisiana, Hall, George, 395-4697.

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, Application or Final Report for School Assistance in a Major Disaster Area Under Sec. 7, P.L. 81-874, OE-4019-1, on occasion, EAS in major disaster areas, Lowry, R. L., 395-3772.

Health Resources Administration, Formula Grants to Schools of Public Health, annually, public nonprofit schools of public health, Lowry, R. L., 395-3772.

#### REVISIONS

##### VETERANS ADMINISTRATION

Income Statement for Parent Claiming Dependency and Indemnity Compensation, 21-4179C, on occasion, individuals, Caywood, D. P., 395-3443.

##### DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority, Commodity Futures Transactions, Deliveries and Open Contracts, 203-1603, other (see SF-83), large traders on futures markets, Lowry, R. L., 395-3772.

Statistical Reporting Service, Monthly Purchases of Grain From Farmers, annually, mills, elevators, and grain dealers and brokers, Lowry, R. L., 395-3772.

#### EXTENSIONS

##### FEDERAL RESERVE SYSTEM

Special Survey of Loans to Non-Bank Financial Institutions, weekly, large commercial banks, Hulett, D. T., 395-4730.

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control, Consent, Release, and History Form for Autopsies of Coal

Miners, on occasion, next of kin of underground coal miners, Caywood, D. P., 395-3443.

PHILLIP D. LARSEN,  
*Budget and Management Officer.*

[FR Doc.75-6468 Filed 3-10-75; 8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-5632]

### ALABAMA POWER CO.

Proposed Issuance and Sale of Notes to Banks and to a Dealer in Commercial Paper; Exception From Competitive Bidding

MARCH 4, 1975.

Notice is hereby given that Alabama Power Company ("Alabama"), 600 North 18th Street, Birmingham, Alabama 35291, an electric utility subsidiary company of The Southern Company ("Southern"), a registered holding company, has filed an application-declaration, and an amendment thereto, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Alabama proposes to issue and sell unsecured notes to banks and/or commercial paper to dealers from time to time through March 31, 1976, up to an aggregate principal amount of \$350 million outstanding at any one time. Alabama requests that the exemption afforded by section 6(b) of the Act relating to the issuance of short-term notes be increased to permit issue and sale of the notes herein proposed.

The financing herein proposed by Alabama is part of a system-wide interim financing program. The analogous financing program for Southern and its other subsidiaries, Gulf Power Company ("Gulf"), Mississippi Power Company ("Mississippi"), and Georgia Power Company ("Georgia") are proposed in separate application-declarations (File Nos. 70-5630, 70-5631 and 70-5629, respectively).

Alabama has arranged to sell an aggregate of \$46,495,000 of its bank notes to 123 local commercial banks. The bank notes, to be dated as of the date of issue, are to mature not more than nine months after the date of issue, and will be prepayable, in whole or in part, without penalty or premium. With respect to its borrowing from certain local banks, Alabama states that its average daily operating balances with each such bank will be adequate to meet their requirements for compensating balances. The effective interest rate to be charged by the local banks shall not exceed 130 percent of the prime rate in effect at such banks.

In addition, it is stated that Southern, Georgia, and Alabama have arranged a

line of credit ("Agreement") with 9 non-local commercial banks approximating \$500 million, of which a portion will be made available to Alabama on a varying quarterly basis through December 31, 1975, up to a maximum amount as follows:

| Quarter ending:     | Million |
|---------------------|---------|
| June 30, 1975.....  | \$250   |
| Sept. 30, 1975..... | 300     |
| Dec. 31, 1975.....  | 300     |

The amount to be made available to Alabama, if any, during the quarter ending March 31, 1976, will be the subject of a further amendment to this application-declaration.

The non-local commercial banks and their respective commitments under the Agreement are:

|   | Millions |
|---|----------|
| First National City Bank, New York.....                           | \$150    |
| The Chase Manhattan Bank (N.A.),<br>New York.....                 | 100      |
| Morgan Guaranty Trust Co. of New<br>York.....                     | 55       |
| Chemical Bank, New York.....                                      | 71       |
| Continental Illinois National Bank &<br>Trust Co. of Chicago..... | 30       |
| Bankers Trust Co., New York.....                                  | 56       |
| Irving Trust Co., New York.....                                   | 20       |
| Manufacturers Hanover Trust Co., New<br>York.....                 | 10       |
| Bank of Nova Scotia, New York.....                                | 10       |
|   | 502      |

The portion of the amount borrowed by Alabama will be evidenced by notes maturing not later than 9 months from the date of issuance thereof, and bearing interest at a fluctuating rate per annum equal to 115 percent of the greater of (1) the prime rate in effect from time to time, or (2)  $\frac{1}{2}$  of 1 percent above the latest three-week moving average interest rate payable on 90 to 119-day dealer-placed commercial paper. Alabama may be permitted or required to prepay borrowings from time to time in whole or in part without penalty or premium. It is stated that the banks will charge commitment fees, facility fees and other related fees; and that, giving effect to all fees, and assuming full utilization of the banks' commitment, a prime interest rate of  $8\frac{1}{2}$  percent and a three-week moving commercial paper rate of 6.9 percent, the effective interest rate on borrowings would be 10.875 percent per annum.

Alabama also proposes, from time to time through March 31, 1976, to issue and sell commercial paper in the form of short-term promissory notes to Lehman Brothers Commercial Paper, Inc. ("Lehman Brothers"), a dealer in commercial paper. The commercial paper notes will have varying maturities of not more than 270 days after the date of issue and will be sold in varying denominations of not less than \$50,000 and not more than \$5,000,000 directly to or through Lehman Brothers at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for prime commercial paper of comparable quality and of like maturities. No commercial paper notes

will be issued having a maturity of more than 90 days at an effective interest cost which exceeds the effective interest cost at which the issuer could borrow from banks.

Lehman Brothers, as principal, will reoffer the commercial paper at a discount rate of  $\frac{1}{8}$  percent of 1 percent per annum less than the prevailing interest rate to the issuer. The commercial paper of Alabama will be reoffered, respectively, to not more than 200 customers of the dealer identified and designated in a nonpublic list prepared in advance by the dealer. No additions will be made to such list of customers without the approval of the Commission.

Alabama requests exception from the competitive bidding requirements of Rule 50 in connection with the sale of commercial paper notes pursuant to clause (a) (5) (B) thereof. It is stated, in this connection, that (a) all commercial paper which Georgia proposes to issue and sell will have a maturity not in excess of 270 days, (b) current rates for commercial paper for prime borrowers, such as Georgia, are published daily in financial publications, and (c) it is not practical to invite invitations for bids for commercial paper.

Alabama also proposes, in addition to bank borrowings or sales of commercial paper, to borrow from the trust department of one or more commercial banks. At present, it is proposed that trust department borrowings in the maximum aggregate principal amount of \$10,000,000 will be made from The First National Bank of Birmingham, Alabama. Trust department borrowings will be made under a master note agreement and will bear interest at the rate currently charged by the lending trust department to other borrowers for similar loans, provided that such interest rate shall not exceed the currently quoted discount rate on directly placed commercial paper of 90 to 180-day maturities issued by one or more financial credit companies as specified in the applicable master note agreement. No master note shall remain due later than 9 months from the date of issuance thereof. Each trust department will have the right to demand payment of all or any part of the outstanding principal amount at any time without penalty. Each master note agreement will be terminable by either party upon 30 days' notice.

Alabama will employ the proceeds of the short-term bank and trust notes and commercial paper to finance its future construction program, to reimburse its treasury for prior expenditures for its construction program, and to pay at maturity bank notes and commercial paper notes incurred for such purposes. The total estimated construction expenditures of Alabama for 1975 are \$479,295,000. The bank and trust notes and/or commercial paper to be issued pursuant to Alabama's proposals herein are expected to be retired from internal cash sources or from the proceeds of debt and/or equity financings unless otherwise authorized by the Commission.

Fees and expenses incident to the proposed transactions are estimated to total \$4,500, including legal fees of \$2,000. Alabama states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Alabama requests authority to file certificates of notification under Rule 24 in respect of its herein proposed borrowings within 30 days after the end of each calendar quarter.

Notice is further given that any interested person may, not later than March 28, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6276 Filed 3-10-75;8:45 am]

[File No. 70-5628]

#### ALLEGHENY POWER SYSTEM, INC.

Proposed Amendment of Articles of Incorporation To Increase Authorized Shares of Common Stock and Proposed Solicitation of Proxies

MARCH 4, 1975.

Notice is hereby given that Allegheny Power System, Inc. ("Allegheny"), 320 Park Avenue, New York, New York 10002, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, and 12(e) of the Act and rules 61 and 62 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred



to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Allegheny proposes to amend its charter to increase the number of shares of its common stock, par value \$2.50, which Allegheny is authorized to issue from 30,000,000 to 40,000,000 shares. Allegheny presently has outstanding 27,292,231 shares of common stock. It is stated that construction expenditures by the major electric utility subsidiary companies of Allegheny in the years 1975, 1976 and 1977, are estimated to aggregate over \$790,000,000 and that in connection therewith it may be necessary for Allegheny to invest up to \$200,000,000 in the common equities of those subsidiary companies. Such funds, or a substantial portion thereof, are to be obtained through the issuance and sale of Allegheny's common stock.

The proposed amendment to the charter is to be submitted to Allegheny stockholders at their annual meeting to be held on May 8, 1975. Approval of the charter amendment requires the affirmative vote of the holders of a majority of the shares of common stock outstanding. An election for directors of Allegheny will also be conducted at the annual meeting. Allegheny proposes to solicit proxies from its common stockholders to obtain the requisite approval of the proposed charter amendment, to elect directors and to act upon any other matters which may properly come before the annual meeting.

Fees and expenses to be incurred in connection with the proposed transaction are estimated at \$13,500. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 28, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issue of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as it may be amended, may be permitted to become effective as provided in rules 23 and 62 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered

will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6277 Filed 3-10-75; 8:45 am]

[File No. 70-5633]

**AMERICAN NATURAL GAS CO.  
MICHIGAN WISCONSIN PIPE LINE CO.**

**Proposed Issuance and Sale of Promissory Notes, Bonds, and of Common Stock**

MARCH 3, 1975.

Notice is hereby given that American Natural Gas Co. ("American Natural"), 30 Rockefeller Plaza, Suite 4545, New York, New York 10020, a registered holding company, and Michigan Wisconsin Pipe Line Co. ("Michigan Wisconsin"), One Woodward Avenue, Detroit, Michigan 48226, a nonutility subsidiary company of American Natural, have filed an application-declaration and amendments thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9(a), 10, and 12(f) of the Act and rules 43 and 50 thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Michigan Wisconsin proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$50,000,000 principal amount of its First Mortgage Pipe Line Bonds, -- percent Series due 1995. The interest rate on the new bonds (which shall be a multiple of  $\frac{1}{8}$  of 1 percent) and the price to be received by Michigan Wisconsin for the new bonds (which price, exclusive of accrued interest, shall be not less than 98 $\frac{1}{2}$  percent and not more than 101 $\frac{1}{2}$  percent of the principal amount) are to be determined by competitive bidding. The new bonds will be issued under a Mortgage and Deed of Trust, dated as of September 1, 1948, between Michigan Wisconsin and First National City Bank, Trustee as heretofore supplemented and as to be further supplemented by a Twenty-eighth Supplemental Indenture to be dated as of April 15, 1975, which includes a prohibition until April 15, 1980, against refunding the new bonds with the proceeds of funds borrowed at a lower effective interest cost. A sinking fund will be commenced on April 15, 1980, to retire the issue by maturity. The Indenture provides that sinking fund payments shall be accelerated under certain circumstances relating to annual reports which are required to be submitted to the Indenture Trustees regarding estimated dates of exhaustion of firm gas supply. It is stated that if Michigan Wisconsin determines, after discussions with the

representatives of each of the bidding groups, that bonds of a shorter maturity should be offered for bidding, it will promptly notify the Commission and file an amendment to this application-declaration.

Michigan Wisconsin also proposes to sell, and American Natural proposes to acquire, up to an additional 300,000 shares of Michigan Wisconsin's common stock, par value \$100 per share, for a cash consideration of up to \$30,000,000. Michigan Wisconsin proposes to amend its Certificate of Incorporation to increase its authorized capital stock from 3,025,000 to 3,325,000 shares.

American Natural proposes to obtain the \$30,000,000 required to purchase the additional common stock of Michigan Wisconsin from borrowings under existing lines of credit which mature April 29, 1975 (File No. 70-5460). In addition, American Natural proposes to enter into new lines of credit aggregating \$60 million with three non-local commercial banks. The banks which will advance funds, and the respective commitment, are as follows:

| Name of bank:   | <i>Commitment<br/>in millions of<br/>dollars</i> |
|---|--|
| First National City Bank, New York,<br>N.Y. -----       | \$25   |
| Manufacturers Hanover Trust Co.,<br>New York, N.Y.----- | 20   |
| The Chase Manhattan Bank, New<br>York, N.Y.-----        | 15   |
|   | 60   |

Notes will be issued pursuant to the lines of credit in varying amounts commencing April 29, 1975, and from time to time thereafter as funds are required, and the proceeds therefrom will be applied to the extent necessary to purchase the common stock of Michigan Wisconsin. Additional borrowings will be made to purchase the common stock of American Natural subsidiaries for which authority will be requested by appropriate application. The American Natural notes may be prepaid at any time without penalty, will be dated as of the date of issuance, and will mature April 30, 1976. The applicable interest rate to be included in the new lines of credit, including a commitment fee, if any, is still being discussed with the banks, but the terms will result in an interest cost to American Natural not to exceed the prevailing prime rate plus compensating balances equal to 10 percent of the lines of credit and 10 percent of any borrowing thereunder. The terms of the loan also provide for interest to be payable at the end of each 90-day period subsequent to the date of the first borrowing and at maturity. Based upon the current prime rate of 8 $\frac{1}{2}$  percent, the effective cost of borrowing will be 10.63 percent per annum.

The net proceeds from the proposed sale of the new bonds and common stock will be used to retire Michigan Wisconsin's notes payable to banks outstanding under its \$100,000,000 line of credit at the date of sale (File No. 70-5526). At Janu-

ary 31, 1975, \$33,000,000 of such notes were outstanding. The balance of the proceeds will be applied toward Michigan Wisconsin's 1975 construction program, estimated at \$125,000,000, and advance payments for gas.

A statement of the fees, commissions, and expenses incurred or to be incurred in connection with the proposed transactions will be supplied by amendment. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 25, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc. 75-6278 Filed 3-10-75; 8:45 am]

[File No. 811-2376]

**BOND SHARES OF AMERICA, INC.**

Application for an Order Declaring That Company Has Ceased To Be an Investment Company

MARCH 4, 1975.

Notice is hereby given that Bond Shares of America, Inc. ("Applicant"), 711 Polk Street, Houston, Texas 77002, registered as a closed-end diversified management investment company under the Investment Company Act of 1940 ("Act") filed an application pursuant to section 8(f) of the Act on February 18, 1975 for an order of the Commission

declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations set forth therein which are summarized below.

Applicant was organized as a Maryland Corporation on November 16, 1972. It filed its Notification of Registration on Form N-8A under the Act on December 2, 1972. A Registration Statement on Form S-4 under the Securities Act of 1933 was filed on December 2, 1972 and became effective on May 22, 1973.

Applicant represents that due to unfavorable market conditions, it never commenced operations as an investment company. Applicant further represents that it is seeking withdrawal of its registration statement under the Securities Act of 1933 and that Articles of Dissolution of the corporation were filed in the State of Maryland on December 31, 1974.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than March 31, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (or mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following March 31, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc. 75-6279 Filed 3-10-75; 8:45 am]

[File No. 812-3754]

**FEDERAL STREET FUND, INC.**

Application for an Order Exempting Proposed Transaction

MARCH 4, 1975.

Notice is hereby given that Federal Street Fund, Inc. ("Applicant"), 225 Franklin Street, Boston, Massachusetts 02110, a diversified, open-end management investment company registered under the Investment Company Act of 1940 ("Act"), filed an application on January 27, 1975, pursuant to section 17(b) of the Act for an order of exemption from Section 17(a) of the Act to permit a Trust under the will of Joseph F. Cullman, Jr., Joseph F. Cullman 3rd, Hugh Cullman and Nan O. Cullman as Custodian for Alexandra M. Cullman ("Cullman Redeeming Stockholders") to tender shares of Applicant for redemption in kind. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant was incorporated under the laws of Massachusetts and was created as a so-called "exchanged-type" fund. Except for shares offered to the stockholders of The Second Federal Street Fund, Inc. ("Second Federal") in connection with the merger of Second Federal into Applicant which took place in 1972, Applicant has not offered its shares of common stock to the general public since the completion of the initial public offering of its shares in exchange for outstanding stock or other securities of various business corporations. Further, Applicant has not issued any additional shares since completion of said initial public offering except with respect to shares issued in connection with the aforesaid merger, a 3 for 1 stock split effected as part of the aforesaid merger transaction, a 20 for 1 stock split in 1962, acquisitions of the assets of private investment companies in 1968 and 1972, and shares issued in payment of various optional stock dividends to Applicant's shareholders.

Applicant, in the ordinary course of its business, redeems shares tendered for redemption by its shareholders and has continuously followed the policy of paying the price of substantially all such redemptions in kind with securities from its portfolio. Applicant states that it intends to continue this policy for the foreseeable future.

Certain members of the Cullman family, who are closely related, beneficially own shares of the common stock of Applicant, which as of January 15, 1975, in the aggregate amounted to 644,379 shares, or 8.61 percent of Applicant's outstanding common stock. As of that date, Applicant had 7,624,852 shares of its common stock outstanding.

While no member of the Cullman family individually owns as much as 5 percent of Applicant's stock, Applicant states that the Cullman Redeeming

Stockholders, each of which may be deemed to be an affiliated person of Applicant if his holdings are combined with the holdings of other members of the Cullman family, desire to redeem shares of Applicant in the following amounts: Trust U/W of Joseph F. Cullman, Jr. 150,000 shares; Joseph F. Cullman 3rd, 50,000 shares; Hugh Cullman, \$100,000 in value; Nan O. Cullman as Custodian for Alexandra M. Cullman, \$20,000 in value.

Section 17(a) of the Act, as here pertinent, prohibits an affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, from selling to or purchasing from such registered company, or any company controlled by such registered company, and security, or other property. Section 17(b) of the Act provides, however, that the Commission, upon application, may exempt a transaction from the provisions of section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of the registered investment company concerned and with the general purposes of the Act.

Applicant, in accordance with its continuous redemption policy described above, wishes to pay the redemption price of the shares to be tendered for redemption by the Cullman Redeeming Stockholders with one or more marketable securities from Applicant's portfolio.

The portfolio securities of Applicant to be used to meet the redemptions will be selected solely by Applicant in its investment discretion at the time of the particular redemption, and there is no arrangement or understanding with any Cullman Redeeming Stockholder as to which securities will be used. Such portfolio securities will be valued in accordance with the valuation practices of Applicant for determining its net asset value per share as of the same time the net asset value of the Applicant's shares tendered for redemption is determined. By paying the redemption price of its shares tendered by the Cullman Redeeming Stockholders for redemption with portfolio securities, Applicant will be adhering to its policy, in effect since its inception, of paying all redemptions of its shares, except for those involving an insubstantial amount, by delivery of portfolio securities. Applicant submits that if it were required to sell portfolio securities in order to raise cash to meet redemptions, it would, in consequence, be forced to realize substantial capital gains and thereby incur substantial capital gains tax liability and the expense of brokerage commissions, all of which would be to the detriment of its shareholders. No realization of capital gains or incurring of brokerage commission expense by Applicant will occur upon a redemption in which portfolio securities are delivered in satisfaction of the redemption price.

Notice is further given that any interested person may, not later than

March 28, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponement thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6285 Filed 3-10-75;8:45 am]

[File No. 70-5629]

**GEORGIA POWER CO.**

**Proposed Issuance and Sale of Notes to Banks and to a Dealer in Commercial Paper; Exception From Competitive Bidding**

MARCH 4, 1975.

Notice is hereby given that Georgia Power Co. ("Georgia"), 270 Peachtree Street, N.W., Atlanta, Georgia 30303, an electric utility subsidiary company of The Southern Co. ("Southern"), a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b) and 7 of the Act and rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Georgia proposes to issue and sell unsecured notes to banks and/or commercial paper to dealers from time to time through March 31, 1976, up to an aggregate principal amount of \$375 million outstanding at any one time. Georgia requests that the exemption afforded by section 6(b) of the Act relating to the issuance of short-term notes be increased to permit issue and sale of the notes herein proposed.

The financing herein proposed by Georgia is part of a system-wide interim financing program. The analogous financing program for Southern and its other subsidiaries, Gulf Power Company ("Gulf"), and Mississippi Power Company ("Mississippi"), and Alabama Power Company ("Alabama") are proposed in separate application-declarations (File Nos. 70-5630, 70-5631 and 70-5632, respectively).

Georgia has arranged to sell an aggregate of \$43,102,000 of its bank notes to 285 local commercial banks. The bank notes, to be dated as of the date of issue, are to mature not more than nine months after the date of issue, and will be prepayable, in whole or in part, without penalty or premium. With respect to its borrowings from certain local banks, Georgia states that its average daily operating balances with each such bank will be adequate to meet their requirements for compensating balances. The effective interest rate to be charged by the local banks shall not exceed 130 percent of the prime rate in effect at such banks.

In addition, it is stated that Southern, Georgia, and Alabama have arranged a line of credit ("Agreement") with 9 non-local commercial banks approximating \$500 million, of which a portion will be made available to Georgia on a varying quarterly basis through December 31, 1975, up to a maximum amount as follows:

| Quarter ending:     | Millions |
|---------------------|----------|
| June 30, 1975.....  | \$300    |
| Sept. 30, 1975..... | 275      |
| Dec. 31, 1975.....  | 220      |

The amount to be available to Georgia, if any, during the quarter ending March 31, 1976, will be the subject of an amendment to this application-declaration.

The non-local commercial banks and their respective commitments under the Agreement are:

|  | Millions |
|--|----------|
| First National City Bank, New York..                           | \$150    |
| The Chase Manhattan Bank (N.A.), New York.....                 | 100      |
| Morgan Guaranty Trust Co. of New York.....                     | 55       |
| Chemical Bank, New York.....                                   | 71       |
| Continental Illinois National Bank & Trust Co. of Chicago..... | 30       |
| Bankers Trust Co., New York.....                               | 56       |
| Irving Trust Co., New York.....                                | 20       |
| Manufacturers Hanover Trust Co., New York.....                 | 10       |
| Bank of Nova Scotia, New York.....                             | 10       |
|  | 502      |

The portion of the amount borrowed by Georgia will be evidenced by notes maturing not later than 9 months from the date of issuance thereof, and bearing interest at a fluctuating rate per annum equal to 115 percent of the greater of (1) the prime rate in effect from time to time, or (2) 1/2 of 1 percent above the latest three-week moving average interest rate payable on 90 to 119-day dealer-placed commercial paper. Georgia may be permitted or required to prepay borrowings from time to time in whole or in part without penalty or pre-

mium. It is stated that the banks will charge commitment fees, facility fees and other related fees; and that, giving effect to all fees, and assuming full utilization of the banks' commitment, a prime interest rate of  $8\frac{1}{2}$  percent and a three-week moving commercial paper rate of 6.9 percent, the effective interest rate on borrowings would be 10.875 percent per annum.

Georgia also proposes, from time to time through March 31, 1976, to issue and sell commercial paper in the form of short-term promissory notes to Salomon Brothers, a dealer in commercial paper. The commercial paper notes will have varying maturities of not more than 270 days after the date of issue and will be sold in varying denominations of not less than \$50,000 and not more than \$5,000,000 directly to or through Salomon Brothers at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for prime commercial paper of comparable quality and of like maturities. No commercial paper notes will be issued having a maturity of more than 90 days at an effective interest cost which exceeds the effective interest cost at which the issuer could borrow from banks.

Salomon Brothers, as principal, will reoffer the commercial paper at a discount rate of  $\frac{1}{2}$  percent of 1 percent per annum less than the prevailing interest rate to the issuer. The commercial paper of Georgia will be reoffered, respectively, to not more than 200 customers of the dealer identified and designated in a nonpublic list prepared in advance by the dealer. No additions will be made to such list of customers without the approval of the Commission.

Georgia requests exception from the competitive bidding requirements of Rule 50 in connection with the sale of commercial paper notes pursuant to clause (a) (5) (B) thereof. It is stated, in this connection, that (a) all commercial paper which Georgia proposes to issue and sell will have a maturity not in excess of 270 days, (b) current rates for commercial paper for prime borrowers, such as Georgia, are published daily in financial publications, and (c) it is not practical to invite invitations for bids for commercial paper.

Georgia also proposes, in addition to bank borrowings or sales of commercial paper, to borrow from the trust department of one or more commercial banks. At present, it is proposed that trust department borrowings in the maximum aggregate principal amount of \$10,000,000 will be made from The Citizens and Southern National Bank. Trust department borrowings will be made under a master note agreement and will bear interest at the rate currently charged by the lending trust department to other borrowers for similar loans, provided that such interest rate shall not exceed the currently quoted discount rate on directly placed commercial paper of 90 to 180-day maturities issued by one or more financial credit companies as specified in the applicable master note

agreement. No master note shall remain due later than 9 months from the date of issuance thereof. Each trust department will have the right to demand payment will have the right to demand payment of all or any part of the outstanding principal amount at any time without penalty. Each master note agreement will be terminable by either party upon 30 days' notice.

Georgia will employ the proceeds of the short-term bank and trust notes and commercial paper to finance its future construction program, to reimburse its treasury for prior expenditures for its construction program, and to pay at maturity bank notes and commercial paper notes incurred for such purposes. The total estimated construction expenditures of Georgia for 1975 are \$463,986,000. The bank and trust notes and/or commercial paper to be issued pursuant to Georgia's proposals herein are expected to be retired from internal cash sources or from the proceeds of debt and/or equity financings unless otherwise authorized by the Commission.

Fees and expenses incident to the proposed transactions are estimated to total \$4,500, including legal fees of \$2,000. Georgia states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Georgia requests authority to file certificates of notification under Rule 24 in respect of its herein proposed borrowings within 30 days after the end of each calendar quarter.

Notice is further given that any interested person may, not later than March 28, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6280 Filed 3-10-75;8:45 am]

[File No. 70-5624]

#### GRANITE STATE ELECTRIC CO., ET AL.

#### Proposed Short-Term Borrowings by Subsidiary Companies and Proposed Loans of Funds by Parent to Various Subsidiaries

MARCH 3, 1975.

Notice is hereby given that New England Electric System ("NEES"), 20 Turnpike Road, Westborough, Massachusetts 01581, a registered holding company, and Granite State Electric Co. ("Granite"), Massachusetts Electric Co. ("Mass Electric"), The Narragansett Electric Co. ("Narragansett"), and New England Power Company ("NEPCO"), its subsidiary electric utility companies, ("the borrowing companies"), have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9(a), 10 and 12 of the Act and rules 42, 43, 45 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

The borrowing companies propose to issue through March 31, 1976, short-term promissory notes to certain designated banks and/or to NEES, and Mass Electric and NEPCO also propose to issue notes to dealers in commercial paper. The aggregate amount of notes of each borrowing company to be held by the lenders at any one time will not exceed \$9,000,000 for Granite, \$25,800,000 for Mass Electric, \$130,000,000 for NEPCO, and \$23,700,000 for Narragansett. The maximum amounts of short-term borrowings by Mass Electric and NEPCO from banks and NEES to be outstanding at any one time will be reduced by the amount of its commercial paper outstanding at that time. Of the \$23,700,000 proposed for Narragansett, \$7,500,000 would only be used in the event that Narragansett is unable to refund its First Mortgage Bonds, Series H,  $8\frac{1}{2}$  percent, due April 1, 1975, through the sale of additional bonds. If such additional bonds are sold, the aggregate short-term borrowings by Narragansett will not exceed \$16,200,000.

The proceeds of the proposed borrowings are to be used by each borrowing company to pay its then outstanding notes payable to banks, dealers in commercial paper and/or to NEES at or prior to maturity thereof, and to provide new money for capital expenditures or reimburse its treasury thereof.

The proposed notes to banks and/or NEES will mature in less than one year from the date of issue and will be prepay-

able at any time, in whole or in part, without premium. The borrowing companies will maintain sufficient operating balances to meet the lending banks' compensating balance requirements or in lieu thereof will pay fees to the banks equivalent to such compensating balance requirements. The notes to banks will bear interest at not in excess of the prime rate in effect at the time borrowings are made or the prime rate plus the above-mentioned fees. The notes to NEES will bear interest at not in excess of the prime rate in effect at the time borrowings are made. If the operating balances were maintained solely to fulfill prevailing compensating balance requirements of about 10 percent to 20 percent, or fees equivalent thereto, the effective interest cost to the borrowing companies would be approximately 10 percent to 11 1/4 percent per annum, based on a prime rate of 9 percent.

It is proposed that the borrowing companies may prepay their notes to NEES, in whole or in part, with borrowings from banks or from sale of commercial paper, or that their borrowings from banks may be prepaid, in whole or in part, with borrowings from NEES, or from the sale of commercial paper. In the event of borrowings from banks at a higher interest rate or the sale of commercial paper at a higher effective interest cost, to prepay notes to NEES, NEES will credit the borrowers for any excess interest from the date of issuance of the new notes or commercial paper to the normal maturity date of the notes to NEES being prepaid. Conversely, in the event of borrowing from NEES to prepay notes to banks, the interest rate of notes issued to NEES will be the lower of (1) the interest rate on the notes being prepaid or (2) the prime interest rate then in effect, but with respect to (1) only to the maturity date of the notes so prepaid, and thereafter at the prime interest rate in effect at the time the new notes are issued.

Mass Electric and NEPCO propose to issue and sell commercial paper to Lehman Commercial Paper Incorporated ("Lehman") and/or A. G. Becker & Co., Incorporated ("Becker"), dealers in commercial paper. The commercial paper will be issued during the period through March 31, 1976, will have varying maturities of not more than 270 days after the date of issue, will be sold in varying denominations of not less than \$50,000 and not more than \$1,000,000, and will not by their terms be prepayable prior to maturity. Such notes will be issued and sold by Mass Electric and NEPCO directly to Lehman and/or Becker at a discount which will not exceed the discount rate prevailing at the date of issuance for commercial paper of comparable quality and like maturity. The effective interest cost will not exceed the effective interest cost prevailing at the date of issue for borrowings from The First National Bank of Boston ("First National"), except that, in order to obtain maximum flexibility, commercial paper may be issued with a maturity of

not more than 90 days from the date of original issue of the commercial paper if the effective costs are in excess of such effective interest cost from First National.

Lehman and Becker, as principals, will reoffer the commercial paper at a discount rate not more than 1/2 of 1 percent per annum less than the prevailing discount rate to the issuer. The notes will be reoffered by Lehman and Becker to not more than 100 of their respective customers whose names appear on non-public lists prepared in advance by Lehman and Becker. It is expected that such commercial paper will be held to maturity by the purchasers from the dealers, but, if any such purchaser wishes to resell prior to maturity, Lehman, or Becker, as the case may be, pursuant to an oral repurchase agreement will repurchase the paper for resale to others on said lists of customers.

Mass Electric and NEPCO request exemption from the competitive bidding requirements of rule 50 for the proposed issuance and sale of their commercial paper notes pursuant to section (a) (5) thereof on the grounds that (a) the commercial paper to be issued will have maturities of not more than nine months, (b) the effective interest cost thereon will not exceed the effective interest costs at the time of issue for borrowings from The First National Bank of Boston, except that, in order to maintain maximum flexibility, commercial paper may be issued with maturities which in the aggregate do not exceed more than 90 days from the date of original issue of the commercial paper if the effective costs are in excess of such effective interest cost, from The First National Bank of Boston, (c) the current rates for commercial paper for prime borrowers such as Mass Electric and NEPCO are readily ascertainable by reference to daily financial publications and (d) it is not practical to publish invitations for bids for commercial paper. It is also requested that the certificates of notification under rule 24 regarding all of the proposed transactions be filed quarterly.

It is stated that there are no fees or commissions, other than a \$2,000 filing fee, to be paid in connection with the proposed transactions and that incidental services in connection with the proposed transactions will be performed, at cost, by New England Power Service Company, an affiliated service company; such cost is estimated not to exceed \$200 for each applicant-declarant, an aggregate of \$1,000. Including their pro rata share of the filing fee, total expenses for each applicant-declarant will not exceed \$600.

The New Hampshire Public Utilities Commission has jurisdiction over the proposed issuance of short-term promissory notes by Granite and NEPCO. No other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 27, 1975, request in writing that a hear-

ing be held on such matter stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc. 75-6281 Filed 3-10-75; 8:45 am]

[File No. 812-3741]

**THE GUARDIAN INSURANCE & ANNUITY CO., INC. ET AL**

**Filing of Application for an Order of Exemption**

MARCH 3, 1975.

In the Matter of the Guardian Insurance & Annuity Company, Inc., the Guardian Variable Account 1, the Guardian Variable Account 2, GLICOA Associates, Inc., 201 Park Avenue South, New York, New York 10003.

Notice is hereby given that The Guardian Insurance & Annuity Company, Inc. ("Guardian"), a stock life insurance company organized under the laws of Delaware and a wholly-owned subsidiary of The Guardian Life Insurance Company of America ("Guardian Life"), The Guardian Variable Account 1 ("VA-1") and The Guardian Variable Account 2 ("VA-2"), separate accounts of Guardian registered as unit investment trusts under the Investment Company Act of 1940 (the "Act"), and GLICOA Associates, Inc. ("GLICOA"), a wholly-owned subsidiary of Guardian Life and the principal underwriter of VA-1 and VA-2 (collectively referred to as "Applicants"), filed an application on December 16, 1974, and amendments thereto on January 27, 1975 and February 27, 1975, pur-

suant to section 6(c) of the Act, for an order of the Commission exempting Applicants from section 22(d) of the Act to the extent specified therein. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

VA-1 and VA-2 were established by Guardian as facilities for the public offering of individual and group variable annuity contracts. VA-1 is used for purchasers who are qualified for special tax treatment under sections 401 or 403(b) of the Internal Revenue Code, and VA-2 for purchasers who are not so qualified for special tax treatment. The contracts are sold only by persons who are registered representatives of GLICOA, a registered broker-dealer under the Securities Exchange Act of 1934, and also insurance agents or brokers for Guardian. The assets of VA-1, \$750,337, as of June 30, 1974, and VA-2, \$249,393, as of June 30, 1974, are invested exclusively in shares of The Guardian Park Ave. Fund, Inc., a registered, open-end, investment company managed by GLICOA.

At the present time, the individual and the group deferred variable annuity contracts available through VA-1 and VA-2 provide only for the accumulation of the net consideration paid by contractholders in the respective separate accounts.

Applicants propose to issue deferred variable annuity contracts with an option whereby a part of the net consideration being paid by the contractholder may be accumulated in the general account of Guardian at a guaranteed minimum rate of interest. At the discretion of Guardian, the rate of interest credited may be increased from time to time.

Applicants also propose to issue contracts which will also permit, on contract anniversaries, the transfer of amounts accumulated in the fixed interest account maintained in Guardian's general account to the separate account and vice versa, without the imposition of additional sales charges.

Deductions for sales and administrative expenses upon the purchase of a group or individual deferred variable annuity contract vary with the amount of the payment and of previous payments. However, in determining the applicable deduction when an additional payment is made under an individual contract, the amount of the payment is considered the sum of such payment plus the present value of previous payments and if the individual contract owner is entitled to a reduced percentage deduction in connection with such a payment, the applicable percentage deduction applies to the total amount of money then being paid and not just to that portion of the payment which exceeds the breakpoint.

Applicants further propose to change the scale of deductions for sales and administrative expenses on future individual contracts by considering the amount of payment to be the sum of present payment plus the total of all previous payments (not their present value) less any amounts withdrawn and by subjecting to

the lower deductions only that portion of a payment that exceeds the respective breakpoint.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company, or principal underwriter thereof, shall sell any redeemable security issued by such company to any person except at a current public offering price described in the prospectus.

Applicants request an exemption from section 22(d) of the Act to the extent necessary to permit with respect to future contracts issued by the separate accounts (1) deductions for sales and administrative expenses to be based upon the aggregate amount of payments made under the contracts regardless of whether they are credited to the separate accounts or to the general account of the company, (2) transfers to be made on contract anniversary dates between the respective separate accounts and the general account and vice versa, without any additional sales or administrative charges, (3) the amount of the payment, in determining the applicable deduction for sales and administrative costs when an additional payment is made under an individual contract, to be considered the sum of the payment plus the total of all previous payments less any amounts withdrawn, (4) lower deductions for sales and administration costs on larger payments to be applicable only to the amounts by which the payments are in excess of the respective break points, and (5) experience rating under the group variable annuity contracts.

The application states that the addition of the option, whereby a part of the net considerations paid by contractholders may be accumulated in the fixed account, is intended to permit contractholders to use their own judgment concerning whether and in what proportion they wish their net consideration to be accumulated in a fixed account at a guaranteed minimum rate of interest or in a separate account. It is Applicants' intention to make the same charge for sales and administrative expenses, and pay the same compensation to the agent, regardless of the proportion of the consideration accumulated in the separate account. Therefore, Applicants assert, that with respect to the issuance of units in a separate account upon the transfer by a contractholder of funds from Guardian's general account, such units should be issued without any additional charges for sales or administrative expenses since such a charge would have been imposed on the original purchase payment.

In support of the proposed changes in the scale of deductions for sales and administrative expenses on individual contracts, Applicants represent that the present scale of deductions on individual contracts may, in a time of declining markets, result in a subsequent payment being subject to a higher deduction for sales and administrative expenses than a previous payment and may cause an investor who invests an amount less than the breakpoint to pay a larger commission in absolute dollars than an investor

who invests an amount above the breakpoint. Applicants assert the proposed changes will establish a uniformity between the schedules of deductions for group and individual contracts and will eliminate the undesired consequences of the present individual contracts' schedule of deductions.

Since Guardian is a stock company and not a mutual company, all of its contracts, individual and group, are issued on a non-participating basis. Applicants assert that the industry practice is to provide for experience ratings when group contracts are issued on a non-participating basis by stock companies. Applicants state that where the groups are sufficiently large, the level of administrative expenses and mortality claims may permit Guardian to grant an experience rating applicable to future payments. Such ratings would be determined in a non-discriminatory manner on the basis of past experience. Since Guardian has not as yet issued any group contracts which provide for an experience rating and since a considerable period of time and volume of experience must accumulate in order to determine experience ratings, no decision has been made as to the form in which these ratings will be calculated or applied. Among the possible methods of crediting experience ratings are (a) a reduction of the charges for sales and administrative costs in the ensuing year to reflect lower expenses and mortality costs than originally provided for, or (b) the crediting of additional accumulation units or annuity units to reflect such savings. Whatever method is chosen by Guardian in the future for the crediting of such experience ratings on group contracts, Applicants represent that the crediting of such ratings will be done in a non-discriminatory manner, on an equitable basis, and in a way which does not dilute existing accumulation or annuity unit values. Guardian asserts that if, for example, method (b) is chosen the additional units would be credited through the transfer of funds from Guardian's general account to the separate account in order to avoid any dilution of existing unit values.

Section 6(c) of the Act provides, in part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from any provision of the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 28, 1975 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secre-

tary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following March 28, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6282 Filed 3-10-75; 8:45 am]

[File No. 70-5631]

**GULF POWER CO. AND MISSISSIPPI  
POWER CO.**

**Proposed Issuance and Sale of Notes to  
Banks and to a Dealer in Commercial  
Paper; Exception From Competitive  
Bidding**

MARCH 4, 1974.

Notice is hereby given that Gulf Power Company ("Gulf") P.O. Box 1151, Pensacola, Florida, 32520, and Mississippi Power Company ("Mississippi"), P.O. Box 4079, Gulfport, Mississippi, 39501, electric utility subsidiary companies of The Southern Company ("Southern"), a registered holding company, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b) and 7 of the Act and rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Gulf and Mississippi propose to issue and sell unsecured notes to banks and/or commercial paper to a dealer from time to time through March 31, 1976, up to the aggregate principal amounts of \$30,000,000 and \$31,750,000, respectively, outstanding at any one time. The applicants-declarants request that the exemption afforded by section 6(b) of the Act relating to the issuance of short-term notes be increased to permit issue and sale of the notes herein proposed.

The financing herein proposed by Gulf and Mississippi is part of a system-wide interim financing program. The analogous financing program for Southern and its other subsidiaries, Georgia Power Co. ("Georgia") and Alabama Power Co. ("Alabama") are proposed in

separate application-declarations (File Nos. 70-5630, 70-5629 and 70-5632, respectively).

Gulf has arranged to sell an aggregate of \$15,923,000 of its bank notes to 19 local commercial banks, and Mississippi \$19,068,000 to 56 banks. The bank notes, to be dated as of the date of issue, are to mature not more than nine months after the date of issue, and will be prepayable, in whole or in part, without penalty or premium. With respect to its borrowings from certain local banks, Gulf and Mississippi state that their average daily operating balances with each such bank will be adequate to meet their requirements for compensating balances. The effective interest rate to be charged by the local banks shall not exceed 125 percent of the prime rate in effect at such banks.

Gulf and Mississippi also propose, from time to time through March 31, 1976, to issue and sell commercial paper in the form of short-term promissory notes to A. G. Becker & Co. Incorporated, a dealer in commercial paper. The commercial paper notes will have varying maturities of not more than 270 days after the date of issue and will be sold in varying denominations of not less than \$50,000 and not more than \$5,000,000 directly to or through A. G. Becker at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for prime commercial paper of comparable quality and of like maturities. No commercial paper notes will be issued having a maturity of more than 90 days at an effective interest cost which exceeds the effective interest cost at which the issuer could borrow from banks.

A. G. Becker, as principal, will reoffer the commercial paper at a discount rate of 1/2 percent of 1 percent per annum less than the prevailing interest rate to the issuer. The commercial paper of Gulf and Mississippi will be reoffered, respectively, to not more than 200 customers of the dealer identified and designated in a non-public list prepared in advance by the dealer. No additions will be made to such list of customers without the approval of the Commission.

The applicants-declarants request exception from the competitive bidding requirements of rule 50 in connection with the sale of commercial paper notes pursuant to clause (a) (5) (B) thereof. It is stated, in this connection, that (a) all commercial paper which they propose to issue and sell will have a maturity not in excess of 270 days, (b) current rates for commercial paper for prime borrowers, such as Gulf and Mississippi, are published daily in financial publications, and (c) it is not practical to invite invitations for bids for commercial paper.

Gulf and Mississippi will employ the proceeds of the short-term bank notes and commercial paper to finance their future construction programs, to reimburse their respective treasuries for prior expenditures for their construction programs, and to pay at maturity bank notes and commercial paper notes incurred for such purposes. The total estimated construction expenditures of Gulf and Mis-

issippi for 1975 are \$41,622,000 and \$67,979,000, respectively. The bank notes and/or commercial paper to be issued pursuant to the proposals herein are expected to be retired from internal cash sources or from the proceeds of debt and/or equity financings unless otherwise authorized by the Commission.

Fees and expenses incident to the proposed transactions are estimated to total \$4,500, including legal fees of \$1,000. The issuance by Gulf of its notes to banks and the issuance and sale of its commercial paper are subject to the jurisdiction of the Florida Public Service Commission. No other State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The applicants-declarants request authority to file certificates of notification under Rule 24 in respect of the herein proposed borrowings within 30 days after the end of each calendar quarter.

Notice is further given that any interested person may, not later than March 28, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6283 Filed 3-10-75; 8:45 am]

[File No. 812-3751]

**KNOWLEDGE COMMUNICATION FUND,  
INC. AND OHIO CAPITAL FUND, INC.**

**Application for Exemption**

MARCH 3, 1975.

Notice is hereby given that Knowledge Communication Fund, Inc. ("KCF") and Ohio Capital Fund, Inc. ("OCF"), 51

North High Street, Columbus, Ohio 43215 (hereinafter collectively referred to as "Applicants"), each an Ohio corporation and each registered under the Investment Company Act of 1940 ("Act") as a deversified, open-end management investment company, filed an application on January 16, 1975, for an order pursuant to section 17(b) of the Act exempting from the provisions of section 17(a) of the Act, the transactions incident to the proposed merger of OCF with and into KCF. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

The application states that KCF continuously offers its shares to the public and OCF does not, having been organized as an exchange type fund. OCF acquired its initial portfolio in exchange for shares of common stock issued by it; after the initial public offering it made no further offerings to the public. Both ICF and OCF are managed by The Ohio Company pursuant to substantially identical investment advisory agreements.

Section 17(a) of the Act, as here pertinent, prohibits an affiliated person of a registered investment company from selling to or purchasing from such registered company any securities or other property. However, the Commission, upon application pursuant to section 17(b), may grant an exemption from the provisions of section 17(a) after finding that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of such investment company and with the general purposes of the Act.

The Boards of Directors of KCF and OCF have approved an Agreement of Merger ("Merger Agreement") whereby OCF is to be merged with and into KCF. The Merger Agreement is subject to various conditions precedent, which include, among others, approval of such Merger Agreement by shareholders of each of the constituent corporations entitled to exercise a majority of the voting power on such proposal and receipt from the Commission of an order exempting the transactions incident to such merger from the provisions of section 17(a) of the Act.

The Merger Agreement provides for an exchange of shares of OCF for shares of KCF based on the respective net asset values of such shares computed as of the effective date of the merger, subject, however, to an adjustment to the respective net asset values of the funds as of such date, based on a formula creating a 6½ percent adjustment with respect to the change in interest in the net unrealized appreciation or depreciation in assets and a 10 percent adjustment in the change in interest of net realized losses or undistributed gains. Such formula is intended to recognize, and allocate a reasonable measure of value to, the disproportion in net unrealized appreciation or depreciation in assets of, and in net

realized losses or net realized but undistributed gains of Applicants.

On November 30, 1974, the unadjusted net asset values of KCF and OCF were \$2,020,221 and \$7,564,996, respectively, with net asset values per share for shares of common stock, respectively, of \$4.17 and \$20.28. At that date, the unaudited net unrealized depreciation in the assets of KCF was \$2,112,379 and the net unrealized appreciation in assets of OCF was \$3,620,154. The unaudited net realized loss carry forwards for KCF and OCF were \$482,705 and \$968, respectively. Had the effective date of the merger been on such date, application of the above formula would have adjusted net asset values of Applicants to \$2,216,260 and \$7,369,957, respectively, with net asset values per share of \$4.58 and \$19.75. Each share of OCF would have been exchanged for 4.312 shares of KCF.

In support of the application it is stated that the Merger Agreement is fair and reasonable to all parties concerned; that the merger will result in a larger fund, without the payment of brokerage commissions; and that the proposed merger is expected to result in modest economies of operations in the areas of printing, legal and auditing services.

The application states further that the proposed merger will be consistent with the policies of KCF and OCF since the Merger Agreement provides that certain policies of KCF with respect to concentration of investments in particular industries and with respect to type of securities in which KCF may invest will be amended and that in all other respects the policies of KCF and OCF presently are consistent. The application further states that the proposed merger is consistent with the purposes of the Act.

Notice is further given, that any interested person may, not later than March 27, 1975, submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advise as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if

ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6284 Filed 3-10-75;8:45 am]

[File No. 70-5635]

**INDIANA & MICHIGAN ELECTRIC CO.**  
**Proposed Issue and Sale of First Mortgage Bonds in a Negotiated Private Placement**  
**MARCH 3, 1975.**

Notice is hereby given that Indiana & Michigan Electric Co. ("I&M"), 2101 Spy Run Avenue, Fort Wayne, Indiana, 46801, an electric utility subsidiary company of American Electric Power Company, Inc. ("AEP"), a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and rule 50(a)(2) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

I&M proposes to issue and sell \$15,000,000 principal amount of its First Mortgage Bonds ("Bonds"), 10 percent Series due March 1, 1985 to the Metropolitan Life Insurance Company, New York, New York. The terms of the Bonds preclude I&M from redeeming any such Bonds prior to March 1, 1980, if such redemption is for the purpose of refunding such Bonds with proceeds of funds borrowed at a lower effective interest cost. The optional redemption price of the entire issue will be 110 percent of the principal amount during the first five years (on or before March 1, 1980), with the redemption price decreasing 1 percent annually for the following four years to 106 percent of the principal amount (by March 1, 1984) and thereafter at 100 percent of the principal amount during the twelve months before March 1, 1985. The Bonds will also include a sinking fund pursuant to which I&M will be required to retire 5 percent of the Bonds annually beginning March 1, 1977. The Bonds will be issued under and secured by the Mortgage and Deed of Trust, dated as of June 1, 1939, to Irving Trust Company ("Trustee"), and a new Indenture Supplemental thereto (the "Supplemental Indenture") which will be dated as of March 1, 1975. No finder's fee is to be paid to any third party in connection with the proposed transaction for negotiating the transaction.

The proceeds of the offering will be used to retire \$15,000,000 principal amount of 8¼ percent Series Bonds, due April 1, 1975.

I&M states that the issuance of the Bonds will be exempt from the competitive bidding requirements of rule 50 pursuant to paragraph (a)(2) thereof as the Bonds will have a maturity of less than



ten years, will be issued to an institutional investor, are not for resale to the public, and no finder's fee or other fee, commission or remuneration is to be paid on connection therewith to any third party for negotiating the transaction.

The fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment. It is stated that the Public Service Commission of Indiana and the Michigan Public Service Commission have jurisdiction over the proposed issuance and sale of the new Bonds and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 26, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-state address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6286 Filed 3-10-75; 8:45 am]

[File No. 70-5630]

#### THE SOUTHERN CO.

#### Proposed Issuance and Sale of Notes to Banks; Exception From Competitive Bidding

MARCH 4, 1975.

Notice is hereby given that The Southern Co. ("Southern"), P.O. Box 720071, Atlanta, Georgia, 30346, a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b) and 7 of the Act and rule 50 promulgated thereunder as applicable to the proposed transac-

tions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Southern proposes to issue and sell unsecured notes to banks from time to time through March 31, 1976, up to an aggregate principal amount of \$155 million outstanding at any one time. Southern requests that the exemption afforded by section 6(b) of the Act relating to the issuance of short-term notes be increased to permit issue and sale of the notes herein proposed.

The financing herein proposed by Southern is part of a system-wide interim financing program. The analogous financing program for Southern's subsidiaries, Gulf Power Co. ("Gulf"), Mississippi Power Co. ("Mississippi"), Alabama Power Co. ("Alabama") and Georgia Power Co. ("Georgia") are proposed in separate application-declarations (File Nos. 70-5631, 70-5632 and 70-5629, respectively).

Southern has arranged to sell an aggregate of \$39,550,000 of its bank notes to 4 commercial banks located in Alabama and Georgia. The bank notes, to be dated as of the date of issue, are to mature not more than nine months after the date of issue, and will be repayable, in whole or in part, without penalty or premium. The effective interest rate to be charged by the local banks shall not exceed 130 per cent of the prime rate in effect at such banks.

In addition, it is stated that Southern, Georgia, and Alabama have arranged a line of credit ("Agreement") with 9 non-local commercial banks approximating \$500 million, of which a portion will be made available to Southern on a varying quarterly basis through December 31, 1975, up to a maximum amount as follows:

|                                  |              |
|----------------------------------|--------------|
| Quarter ending June 30, 1975...  | \$64,500,000 |
| Quarter ending Sept. 30, 1975... | 64,500,000   |
| Quarter ending Dec. 31, 1975...  | 0            |

The amount to be made available to Southern, if any, during the quarter ending March 31, 1976, will be the subject of an amendment to this application-declaration.

The non-local commercial banks and their respective commitments under the Agreement are:

|   | Amount<br>[In millions<br>of dollars] |
|---|---------------------------------------|
| First National City Bank, New York                        | 150                                   |
| The Chase Manhattan Bank (N.A.), New York                 | 100                                   |
| Morgan Guaranty Trust Company of New York                 | 55                                    |
| Chemical Bank, New York                                   | 71                                    |
| Continental Illinois National Bank & Trust Co. of Chicago | 30                                    |
| Bankers Trust Co., New York                               | 56                                    |
| Irving Trust Co., New York                                | 20                                    |
| Manufacturers Hanover Trust Co., New York                 | 10                                    |
| Bank of Nova Scotia, New York                             | 10                                    |
| Total   | 502                                   |

The portion of the amount borrowed by Southern will be evidenced by notes

maturing September 30, 1975, and bearing interest at a fluctuating rate per annum equal to 115 percent of the greater of (1) the prime rate in effect from time to time, or (2) ½ of 1 percent above the latest three-week moving average interest rate payable on 90 to 119-day dealer-placed commercial paper. Southern may be permitted or required to prepay borrowings from time to time in whole or in part without penalty or premium. It is stated that the banks will charge commitment fees, facility fees and other related fees; and that, giving effect to all fees, and assuming full utilization of the banks' commitment, a prime interest rate of 8½ percent and a three-week moving commercial paper rate of 6.9 percent, the effective interest rate on borrowings would be 10.875 percent per annum.

Southern also proposes, in lieu of bank borrowings, to borrow from the trust department of one or more commercial banks. At present, it is proposed that trust department borrowings in the maximum aggregate principal amount of \$10,000,000 will be made from The First National Bank of Atlanta. Trust department borrowings will be made under a master note agreement and will bear interest at the rate currently charged by the lending trust department to other borrowers for similar loans, provided that such interest rate shall not exceed the currently quoted discount rate on directly placed commercial paper of 90- to 180-day maturities issued by one or more financial credit companies as specified in the applicable master note agreement. No master note shall remain due later than 12 months from the date of issuance thereof. Each trust department will have the right to demand payment of all or any part of the outstanding principal amount at any time without penalty. Each master note agreement will be terminable by either party upon 30 days' notice.

Southern will employ the proceeds of the short-term bank and trust notes together with treasury funds, to make capital contributions to Alabama, Georgia, Gulf and Mississippi, to pay such notes when due, and for other corporate purposes. The bank and trust notes to be issued pursuant to Southern's proposals herein are expected to be retired from the proceeds of any sale of shares of Southern's common stock or from internal cash resources.

Fees and expenses incident to the proposed transactions are estimated to total \$4,500, including legal fees of \$2,000. Southern states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Southern requests authority to file certificates of notification under Rule 24 in respect of its herein proposed borrowings within 30 days after the end of each calendar quarter.

Notice is further given that any interested person may, not later than March 28, 1975, request in writing that a hearing be held on such matter, stating

the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc. 75-6287 Filed 3-10-75; 8:45 am]

[Administrative Proceeding File No.  
3-4628, etc.]

#### SOUTHWESTERN BELL TELEPHONE CO.

##### Application and Opportunity for Hearing

MARCH 4, 1975.

In the Matter of Southwestern Bell Telephone Company, File Nos.: 2-7494 (22-755); 2-37775 (22-6156); 2-49000 (22-7644); 2-50220 (22-7811); 2-13586 (22-2198); 2-29017 (22-5010); 2-39151 (22-6445); 2-41517 (22-6827); 2-41516 (22-6826); 2-43752 (22-7143); 2-43751 (22-7142); 2-52520 (22-8186).

Notice is hereby given that Southwestern Bell Telephone Co. ("SW Bell") has filed an application under clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 ("the Act") for a finding that the Successor-Trusteeship of Mercantile Trust Company National Association ("Mercantile") under four indentures heretofore qualified under the Act by St. Louis Union Trust Company ("St. Louis") as trustee and eight indentures heretofore qualified under the Act by Mercantile as trustee, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Mercantile from acting as Trustee under any such indenture.

Section 310(b) of the Act provides in part that if a trustee under an indenture

qualified under the Act has or shall acquire any conflicting interest it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of such section provides, in effect, with certain exceptions that a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities of the same issuer are outstanding. However, under clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture under which other securities of the issuer are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under such qualified indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under either of such indentures.

The Company alleges that:

1. Southwestern Bell Telephone Co. (the "Company"), a corporation organized and existing under the laws of the State of Missouri, has outstanding the following four issues of its unsecured debentures, each issued under an Indenture to St. Louis Union Trust Company ("St. Louis Union"), a corporation organized and existing under the laws of the State of Missouri, as Trustee: (a) \$100,000,000 principal amount of Thirty-Five Year 3½ percent Debentures, due May 1, 1983 issued under an Indenture dated as of May 1, 1948 (the "1948 Indenture"). These debentures were registered with the Securities and Exchange Commission (the "Commission") pursuant to the Securities Act of 1933 (the "1933 Act") under Registration No. 2-7494, effective April 21, 1948; (b) \$150,000,000 principal amount of Thirty-Seven Year 8¾ percent Debentures, due August 1, 2007 issued under an Indenture dated as of August 1, 1970 (the "1970 Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration No. 2-37775 effective August 12, 1970; (c) \$300,000,000 principal amount of Forty Year 7½ percent Debentures, due October 1, 1213 issued under an Indenture dated as of October 1, 1973 (the "1973 Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration No. 2-49000 effective October 2, 1973; (d) \$200,000,000 principal amount of Forty Year 8¾ percent Debentures, due March 1, 2014 issued under an Indenture dated as of March 1, 1974 (the "1974 Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration No. 2-50220 effective March 8, 1974.

2. Each of the Indentures described in paragraphs 1(a) through 1(d) above (the "St. Louis Union Indentures") was qualified under the Trust Indenture Act

of 1939 (the "Trust Indenture Act"). A copy of each St. Louis Union Indenture or form of Indenture was filed as an exhibit to the Company's Registration Statement pursuant to which the related Debentures were registered under the 1933 Act.

3. The Company has outstanding the following nine issues of its unsecured notes, each issued under an Indenture to Mercantile Trust Company National Association ("Mercantile"), a national banking association duly organized and existing under the laws of the United States of America, as Trustee: (a) \$100,000,000 principal amount of Thirty-Five Year 4¾ percent Debentures due October 1, 1992 issued under an Indenture dated October 1, 1957 (the "1957 Indenture"). (On October 1, 1957, the Trustee was Mercantile Trust Company, the same entity now known as Mercantile Trust Company National Association.) These debentures were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-13586 effective September 25, 1957; (b) \$150,000,000 principal amount of Forty Year 6¾ percent Debentures due June 1, 2008 issued under an Indenture dated June 1, 1968 (the "1968 Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-29017 effective May 29, 1968; (c) \$200,000,000 principal amount of Forty Year 6¾ percent Debentures, due February 1, 1971 (the "First 1971 Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-39151 effective January 20, 1971; (d) \$125,000,000 principal amount of Thirty-Eight Year 7¾ percent Debentures, due September 1, 2009 issued under an Indenture dated September 1, 1971 (the "Second 1971 Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-41517 effective September 3, 1971; (e) \$75,000,000 principal amount of Seven Year 7 percent Notes, due September 1, 1978 issued under an Indenture dated September 1, 1971 (the "1971 Note Indenture"). These notes were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-41516 effective September 3, 1971; (f) \$175,000,000 principal amount of Forty Year 7¾ percent Debentures, due May 1, 2012 issued under an Indenture dated May 1, 1972 (the "1972 Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-43752 effective April 20, 1972; (g) \$75,000,000 principal amount of Seven Year 6½ percent Notes, due May 1, 1979 issued under an Indenture dated May 1, 1972 (the "1972 Note Indenture"). These notes were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-43751 effective April 20, 1972; (h) \$150,000,000 principal amount of Forty Year 9.25 percent Debentures, due January 15, 2015 issued

under an Indenture dated January 15, 1975 (the "1975 Debenture Indenture"). These debentures were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-52520 effective January 7, 1975; (1) \$100,000,000 principal amount of Seven Year 8.20 percent Notes, due January 15, 1982 issued under an Indenture dated January 15, 1975 (the "1975 Note Indenture"). These notes were registered with the Commission pursuant to the 1933 Act under Registration Statement No. 2-52520 effective January 7, 1975.

4. Each of the Indentures described in paragraphs 3(a) through 3(i) above (the "Mercantile Indentures") was qualified under the Trust Indenture Act. A copy of each Mercantile Indenture or form of Indenture was filed as an exhibit to the Company's Registration Statement pursuant to which the related Debentures and Notes were registered under the 1933 Act.

5. St. Louis Union has given Notice of Resignation as Trustee under each of the St. Louis Union Indentures effective upon the acceptance of appointment by a Successor Trustee pursuant to section 7.11 of each respective Indenture. St. Louis Union's resignation was necessitated by its having acquired a conflicting interest as defined in section 7.08 of each of the St. Louis Union Indentures upon the election to St. Louis Union's Board of Directors of a Director, who was then also a Director of the Company, thereby exceeding the number of common directors permitted.

6. The Company, by order of its Board of Directors, has appointed Mercantile As Successor Trustee under each of the St. Louis Union Indentures, such appointment being subject to Mercantile's being or becoming qualified and eligible to serve as Successor Trustee in accordance with the provisions of each of the respective St. Louis Union Indentures.

7. Section 7.08 of the 1975 Note Indenture provides in part as follows:

SECTION 7.08. (a) If the 1975 Trustee has or shall acquire any conflicting interest, as defined in this section 7.08, it shall, within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign in the manner and with the effect specified in section 7.10.

(b) In the event that the Trustee shall fail to comply with the provisions of subsection (a) of this section 7.08, the Trustee shall, within ten days after the expiration of such ninety-day period, transmit notice of such failure to all debenture holders as the names and addresses of such holders appear on the Debenture register.

(c) For the purposes of this section 7.08 the Trustee shall be deemed to have a conflicting interest if

(1) the Trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of the Company are outstanding unless such other indenture is a collateral trust indenture under which the only collateral consists of Debentures issued under this Indenture, provided that there shall be excluded from the operation of this paragraph: (A) the indenture, if any, specified in Part 55 of the Incorporating Indenture; and (B) any other indenture or inden-

tures under which other securities, or certificates of interest or participation in other securities, of the Company are outstanding if (i) this Indenture and such other Indenture or indentures are wholly unsecured and such other indenture or indentures are hereafter qualified under the Trust Indenture Act of 1939, unless the Securities and Exchange Commission shall have found and declared by order pursuant to subsection (b) of section 305 of subsection (c) of section 307 of the Trust Indenture Act of 1939 that differences exist between the provisions of this Indenture and the provisions of such other indenture or indentures which are so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Trustee from acting as such under this Indenture or such other indenture or indentures, or (ii) the Company shall have sustained the burden of proving, on application to the Securities and Exchange Commission and after opportunity for hearing thereon, that trusteeship under this Indenture and such other indenture or indentures is not likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Trustee from acting as such under one of such indentures; . . .

Section 7.08 of the other Mercantile Indentures and of each of the St. Louis Union Indentures contains the same, or substantially the same, provision except for differences in the Indentures specified therein as being excluded and except for minor language differences.

8. Each of the St. Louis Union and Mercantile Indentures is wholly unsecured. The Securities issued under each of such Indentures rank equally. The Company is not in default under any of said Indentures.

9. Because the St. Louis Union Indentures, which were qualified under the Trust Indenture Act with St. Louis Union as Trustee, are not specified in Section 7.08 of the Mercantile Indentures as being excluded from the definition of a conflicting interest, this Application is made for a finding and declaration by order of the Commission that the Successor Trusteeship of Mercantile under the Mercantile Indentures are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Mercantile from acting as Successor Trustee under any of said Indentures, so as to permit the appointment of Mercantile as Successor Trustee under the St. Louis Union Indentures to become effective.

10. Except for variations in amounts, dates, interest rates and redemption prices and except for minor variations in language, and the provision in the 1948 Indenture permitting coupon debentures, each of the St. Louis Union and Mercantile Indentures contain substantially the same provisions. Any difference in their provisions is unlikely to cause a conflict of interest in the Successor Trusteeships of Mercantile under the St. Louis Union Indentures and the Trusteeships of Mercantile under the Mercantile Indentures.

The Company hereby waives notice of hearing and waives hearing in connection with the matters referred to in this

Application, and waives any and all rights to specify procedures under the rules of practice of the Securities and Exchange Commission with respect to this Application.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application, which is a public document on file in the office of the Commission at 500 North Capitol Street NW., Washington, D.C. 20549.

Notice is further given that any interested person may, not later than March 31, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6238 Filed 3-10-75;8:45 am]

[File No. 500-1]

#### WINNER INDUSTRIES, INC.

##### Suspension of Trading

MARCH 3, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Winner Industries, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 4, 1975 through March 13, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6275 Filed 3-10-75;8:45 am]

[File No. 500-1]

#### AMERICAN AGRONOMICS CORP.

##### Notice of Suspension of Trading

MARCH 3, 1975.

The common stock of American Agronomics Corp. being traded on the American Stock Exchange pursuant to pro-

visions of the Securities Exchange Act of 1934 and all other securities of American Agronomics Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from March 4, 1975 through March 13, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6273 Filed 3-10-75; 8:45 am]

[File No. 500-1]

#### ROYAL PROPERTIES INC.

##### Suspension of Trading

MARCH 3, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Royal Properties Incorporated being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 4, 1975 through March 13, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-6274 Filed 3-10-75; 8:45 am]

#### SMALL BUSINESS ADMINISTRATION

##### PITTSBURGH DISTRICT ADVISORY COUNCIL

##### Meeting

The Small Business Administration Pittsburgh District Advisory Council will meet at 9 a.m. (e.d.t.), Wednesday, April 2, 1975, at the Small Business Administration Pittsburgh District Office, Room 2214 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222, to discuss such business as may be presented by members, the staff of the Small Business Administration and others attending. For further information, call or write Jack C. Forbes at the above-mentioned address (412) 644-2784.

Dated: March 3, 1975.

JOHN JAMESON,  
Director, Office of Advisory  
Councils, Small Business Administration.

[FR Doc.75-6289 Filed 3-10-75; 8:45 am]

#### DEPARTMENT OF LABOR Occupational Safety and Health Administration NORTH CAROLINA STANDARDS Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called the Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On February 1, 1973, notice was published in the FEDERAL REGISTER (38 FR 3041) of the approval of the North Carolina plan and the adoption of Subpart I to Part 1952 containing the decision.

The North Carolina plan provides for the adoption of Federal standards as State standards by reference. Section 1952.153 of Subpart I sets forth the States schedule for the adoption of Federal standards. By letter dated January 16, 1975 from W. C. Creel, Commissioner, North Carolina Department of Labor to Donald E. MacKenzie, Assistant Regional Director, and incorporated as a part of the plan, the State submitted revised State standards comparable to OSHA standards 29 CFR Part 1910, excluding §§ 1910.13 through 1910.16 (Maritime), as published in the FEDERAL REGISTER (39 FR 23502) dated June 27, 1974, and 29 CFR Part 1926 as published in the FEDERAL REGISTER (39 FR 22801) dated June 24, 1974; amendments to § 1910.267 (a), dated August 12, 1974; § 1910.93q, dated October 4 and December 3, 1974; § 1910.211(d), dated December 3, 1974; § 1910.217, dated December 3, 1974; and § 1926.750(b), dated July 12, 1974.

These standards were promulgated by filing with the North Carolina Secretary of State on July 3, 1974; July 8, 1974; October 9, 1974; and December 11, 1974 respectively, pursuant to the North Carolina Occupational Safety and Health Act of 1973 (Chapter 295, General Statutes).

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards and are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Commissioner of Labor, North Carolina Department of Labor, 11 West Edenton, Raleigh, North Carolina 27611; Office of the Assistant Regional Director, Suit 587, 1375 Peachtree Street, NE., Atlanta, Georgia 30309; and Office of the Associate Assistant Secretary for Regional Programs, Room 850,

1726 M Street NW., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds good cause exists for not publishing the supplement to the North Carolina State Plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards and are therefore deemed to be at least as effective.

2. The standards were adopted in accordance with procedural requirements of State law and further participation would be unnecessary.

This decision is effective March 11, 1975.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Atlanta, Georgia, this 24th day of February, 1975.

DONALD E. MACKENZIE,  
Assistant Regional Director.

[FR Doc.75-6314 Filed 3-10-75; 8:45 am]

#### INTERSTATE COMMERCE COMMISSION

[Notice 717]

##### ASSIGNMENT OF HEARINGS

MARCH 6, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC-C-8378, Laurel Hill Trucking Company, Employers Assistance, Inc. and FV Trucking, Inc.—Investigation and Revocation of Certificate and Permit, now assigned March 10, 1975 at New York, N.Y. is cancelled.

MC 115300 Sub 2, Charles Simmons, Sr., dba Hilton Head Truck Lines, now assigned April 21, 1975 at Columbia, South Carolina, will be held in Room 2, Municipal Court Building, 811 Washington Street.

MC 25399 Sub 10, A.P.A. Transport Corp., now assigned April 15, 1975 at Philadelphia, Pa., will be held in Room 3240, William J. Green, Jr. Federal Building, 600 Arch Street.

MC 140002, Edward J. Ring Detective Agency, Inc., now assigned April 17, 1975, at Philadelphia, Pa., will be held in Room 3240, William J. Green, Jr. Federal Building, 600 Arch Street.

No. 36056, Oklahoma Intrastate Freight Rates and Charges—1974, now assigned April 3, 1975, at Oklahoma City, Okla., will be held Room 3011B, U.S. Courthouse & Office Building, 200 N.W. 4th Street.

MC 108207 Sub 408, Frozen Food Express, Inc., now assigned April 7, 1975, at Dallas, Tex., will be held in Room 5A15-17 Federal Office Building, 1100 Commerce Street.

MC 115840 Sub 98, Colonial Fast Freight Lines, now assigned April 8, 1975, at Dallas, Tex., will be held in Room 5A15-17 Federal Office Building, 1100 Commerce Street.

MC 52460 Sub 147, Ellex Transportation, Inc., now assigned April 9, 1975, at Dallas, Tex., will be held in Room 5A15-17 Federal Office Building, 1100 Commerce Street.

MC 138828 Sub 5, Maplewood Equipment Company, now being assigned June 3, 1975 (3 days) at Newark, N.J.; in a hearing room to be designated later.

MC 111594 Sub 81, C. W. Transport, Inc., and MC 116273 Sub 185, D & L Transport, Inc., now being assigned June 4, 1975 (1 day), at Chicago, Ill., in a hearing room to be designated later.

MC 119493 Sub 110, Monkem Co., Inc., and MC 61592 Sub 321, Jenkins Truck Line, Inc., now being assigned June 5, 1975 (2 days) at Chicago, Ill., in a hearing room to be designated later.

MC 114273 Sub 221, Cedar Rapids Steel Transportation, Inc., now being assigned June 3, 1975 (1 day), at Chicago, Ill., in a hearing room to be designated later.

MC 106603 Sub 136, Direct Transit Lines, Inc., MC 128270 Sub 10, Rediehs Interstate, Inc., MC 128247 Sub 27, Bursal Transport, Inc., MC 14702 Sub 65, Ohio Fast Freight, Inc., now being assigned June 9, 1975 (2 days), at Chicago, Ill., in a hearing room to be designated later.

MC 114457 Sub 206, Dart Transit Company, MC 118989 Sub 117, Container Transit, Inc., MC 51146 Sub 397, Schnieder Transport, Inc., MC 126276 Sub 103, Fast Motor Service, Inc., now being assigned June 11, 1975 (3 days), at Chicago, Ill., in a hearing room to be designated later.

No. 35897, Continuous Movements of Chemicals & Petroleum Products in Bulk and MC 130235, Transerve, Inc., now being assigned hearing May 13, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-6312 Filed 3-10-75; 8:45 am]

### IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

#### Elimination of Gateway Letter Notices

MARCH 6, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's gateway elimination rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before March 21, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be

numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 107403 (Sub-No. E523), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Natural gas odorants*, in bulk, in tank vehicles, from Oak Point, La., to points in Delaware and Virginia (except the Counties of Buchanan, Dickenson, Russell, Scott, Smyth, Washington and Wise). The purpose of this filing is to eliminate the gateways of Greensboro, N.C., and the facilities of American Cyanamid at Avondale, La.

No. MC 107403 (Sub-No. E534), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphates fertilizer solution*, in bulk, in tank vehicles, from the facilities of National Phosphate Corp. at or near Hahnville, La., to points in Michigan and Ohio (except Hamilton County, Ohio). The purpose of this filing is to eliminate the gateways of the facilities of B. F. Goodrich at Milan Township, Ind., and the facilities of American Cyanamid at Avondale, La.

No. MC 107403 (Sub-No. E535), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer compounds* (manufactured), in bulk, in tank vehicles, from the facilities of National Phosphate Corp. at or near Hahnville, La., to points in Michigan (except those points west of a line beginning at the Indiana-Michigan State line and extending along U.S. Highway 131 to junction Michigan Highway 89, thence along Michigan Highway 89 to Lake Michigan). The purpose of this filing is to eliminate the gateways of Kentucky and Licking County, Ohio.

No. MC 107403 (Sub-No. E543), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Creosote oil*, in bulk, in tank vehicles, from the facilities of Witco Chemical Co., Inc., at or near Jasper, Tex., to points in Delaware, Maryland, Massachusetts, New York, New Jersey, Pennsylvania, and Virginia (except the counties of Buchanan, Dickenson, Russell, Scott, Smyth, Washington, and Wise). The purpose of this filing is to eliminate the gateways of Baton Rouge, La., and Greensboro, N.C.

No. MC 107403 (Sub-No. E548), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in bags, from the facilities of Universal-Atlas Cement Division, U.S. Steel Corp., at Leeds, Ala., the facilities of National Cement at Ragland, Ala., the facilities of Southern Cement at Atlanta, Ga., Roberta, Ala., and North Birmingham, Ala., to points in Kentucky west of Interstate Highway 65. The purpose of this filing is to eliminate the gateway of Decatur, Ala.

No. MC 108449 (Sub-No. E185) (Correction), filed June 2, 1974, published in the FEDERAL REGISTER November 4, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in the Chicago, Ill., commercial zone, as defined by the Commission (except those points in Illinois on and north of U.S. Highway 6), to points in Iowa on and north of a line beginning at the Iowa-South Dakota State line, and extending along U.S. Highway 20 to its junction with U.S. Highway 71, thence along U.S. Highway 71 to its junction with Iowa Highway 3, thence along Iowa Highway 3 to its junction with U.S. Highway 169, thence along U.S. Highway 169 to its junction with U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa Highway 24, thence along Iowa Highway 24 to its junction with Iowa Highway 9, thence along Iowa Highway 9 to the Wisconsin-Iowa State line. The purpose of this filing is to eliminate the gateway of points in Minnesota on and south of a line beginning at the South Dakota-Minnesota State line extending along Minnesota Highway 19 to junction U.S. Highway 61, thence along U.S. Highway 61 to Red Wing, Minn., and thence north along U.S. Highway 63 to the Minnesota-Wisconsin State line. The purpose of this correction is to reflect the correct origin point.

No. MC 108449 (Sub-No. E194) (correction), filed June 2, 1974, published in the FEDERAL REGISTER November 7, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs*, from points in Illinois on and north of U.S. Highway 6 to Fargo and Grand Forks, N. Dak. The purpose of this filing is to eliminate the gateway of St. Paul, Minn. The purpose of this correction is to clarify the origin and destination points.

No. MC 108449 (Sub-No. E209) (correction), filed May 18, 1974, published in the FEDERAL REGISTER October 3, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the site of the pipeline terminal of American Oil Company at or near Spring Valley, Minn., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Wausau, Wis. The purpose of this correction is to indicate the correct gateway.

No. MC 109270 (Sub-No. E1), filed June 4, 1974. Applicant: BROWN MOVING & STORAGE, INC., New Britain, Conn. 06051. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission; (1) between points in New Jersey, on the one hand, and, on the other, Hartford, Conn., and points within 10 miles of Hartford (New Britain, Conn., and points in Connecticut within 10 miles of New Britain (except Hartford, Conn.)); (2) between points in New Jersey, on the one hand, and, on the other, points in Maine (Hartford, Conn.); (3) between points in Maine, on the one hand, and, on the other, points in Hampden County, Mass. (Hartford, Conn.); (4) between points in Maine, on the one hand, and on the other, points in Hartford County, Conn. (Hartford, Conn.); (5) between points in Maine, on the one hand, and, on the other, points in Tolland County, Conn. (Hartford, Conn.); (6) between points in Maine, on the one hand, and, on the other, points in Pennsylvania (Hartford, Conn.); (7) between points in New Hampshire, on the one hand, and, on the other, points in New Jersey (Hartford, Conn., and New Britain, Conn.); and (8) between points in Rhode Island, on the one hand, and, on the other, points in New Jersey (Hartford, Conn.). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 112617 (Sub-No. E8), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and petroleum products*, in bulk, in tank vehicles from Louisville, Ky., to points in Tennessee, restricted against any transportation to or from points in Indiana located within the Louisville, Ky., commercial zone. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E11), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Louisville, Ky., to points in North Dakota (except Fargo), restricted against any transportation to or from points in Indiana located within the Louisville, Ky., commercial zone. The purpose of this filing is to eliminate the gateway of Doe Run, Ky., points in Robertson County, Tenn., and Calvert City, Ky.

No. MC 112617 (Sub-No. E17), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pellets and dry resins*, in bulk, in tank vehicles, from Tiptonville, Tenn., to points in Ohio, West Virginia, and Virginia. The purpose of this filing is to eliminate the gateway of Louisville, Ky.

No. MC 112617 (Sub-No. E18), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Calcium carbide residue, fly ash, plastic granules, and resin powder*, in bulk, in tank vehicles, from Louisville, Ky., to points in Alabama (except Lauderdale and Colbert Counties, Ala.), Arkansas, Mississippi, South Carolina, and Georgia. The purpose of this filing is to eliminate the gateway of points in Robertson County, Tenn.

No. MC 112617 (Sub-No. E25), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in Alabama, Georgia, Mississippi, North Carolina, and South Carolina. The purpose of this filing is to eliminate the gateway of points in Robertson County, Tenn.

No. MC 112617 (Sub-No. E26), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petrochemicals), in bulk, from the facilities of the Polymers and Chemicals Division of the W. R. Grace and Co., at Owensboro, Ky., to points in Maryland and Virginia. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E27), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in Florida, Iowa, Kansas, and Louisiana. The purpose of this filing is to eliminate the gateways of Calvert City, Ky., and points in Marshall County, Ky., within 5 miles thereof.

No. MC 112617 (Sub-No. E28), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in Minnesota, Nebraska, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateways of Calvert City, Ky., and points in Marshall County, Ky., within 5 miles thereof.

No. MC 112617 (Sub-No. E29), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petrochemicals), in bulk, in tank vehicles, from West Henderson, Ky., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of the facilities of the Polymers and Chemicals Division of the W. R. Grace Co., at Owensboro, Ky.

No. MC 112617 (Sub-No. E30), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E31), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in New Mexico, Wyoming and Utah. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E32), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as

above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in Colorado and Montana. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E33), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in Maryland and Pennsylvania. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E35), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Calvert City, Ky., and points in Marshall County, Ky., within 5 miles thereof, to points in Maryland. The purpose of this filing is to eliminate the gateways of Robertson County, Tenn., and Doe Run, Ky.

No. MC 112617 (Sub-No. E36), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petrochemicals), in bulk, in tank vehicles, from the facilities of the Polymers and Chemicals Division of W. R. Grace and Co., at Owensboro, Ky., to Detroit, Mich., Kingsport and Elizabethton, Tenn., and points in Pennsylvania, West Virginia and Florida. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E37), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Calvert City, Ky., and points within 5 miles thereof, to points in Brooke, Hampshire, Hancock, Kanawha, Monongalia and Ohio Counties, W.Va. The purpose of this filing is to eliminate the gateways of Robertson County, Tenn., and Doe Run, Ky.

No. MC 112617 (Sub-No. E38), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a

*common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petrochemicals), in bulk, in tank or hopper-type vehicles, from the facilities of the Polymers and Chemicals Division of W. R. Grace and Co., at Owensboro, Ky., to points in the St. Louis, Mo.-East St. Louis, Ill. Commercial Zone. The purpose of this filing is to eliminate the gateway of West Henderson, Ky.

No. MC 113678 (Sub-No. E69) (Correction), filed May 17, 1974, published in the FEDERAL REGISTER, January 27, 1975. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same of above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, as defined by the Commission (except commodities in bulk, in tank vehicles), from Los Angeles, San Diego, and San Francisco, Calif., to points in Maine, New Hampshire, Vermont, Ohio, and Michigan. The purpose of this filing is to eliminate the gateways of Denver, Colo., and Rapid City, S. Dak. The purpose of this correction is to clarify the gateway destinations.

No. MC 114019 (Sub-No. E126), filed May 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, (a) from points in New York and Pennsylvania, those in New Jersey within 40 miles of City Hall New York, N.Y., those in New Jersey, Delaware and Maryland within 30 miles of Philadelphia, Pa., Sparrows Point and Baltimore, Md., to points in Minnesota, North Dakota, South Dakota and Nebraska, (b) from points in Ohio and West Virginia to points in Minnesota, North Dakota and South Dakota, (c) from those points in New York north of U.S. Highway 20 and east of Interstate Highway 81 and those in Pennsylvania east of a line beginning at the New York-Pennsylvania State line and extending along Interstate Highway 81 to its junction with the Pennsylvania Turnpike (North-East Extension), the Pennsylvania Turnpike (North-East Extension) to the Delaware River, and those points in New Jersey and Connecticut which are within 40 miles of City Hall, New York, N.Y., to points in Kansas on, west and north of a line beginning at the Oklahoma-Kansas State line and extending along Interstate Highway 35 to junction Interstate-Highway 70, then Interstate Highway 70 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Lafayette, Ind., Darien, Wis., and points in Ohio.

No. MC 114019 (Sub-No. E179), filed May 25, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois

60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products*, and *articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles) from the facilities of Iowa Beef Packers, Inc., at or near Emporia, Kans. to Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Hinds, Holmes, Humphreys, Issaquena, Itawamba, Kemper, Lafayette, Landerdale, Leake, Lee, Leflore, Lowndes, Madison, Marshall, Monroe, Montgomery, Neshoba, Newton, Moxabee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Rankin, Scott, Sharkey, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Warren, Washington, Webster, Winson, Yalobusha and Yazoo Counties, Miss. Restriction: Restricted to shipments moving from, to or between warehouses or other facilities of retail food and household supply and furnishings business houses, in peddle service. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC 114019 (Sub-No. E212) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER June 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, lanterns, lamp burners, metal tubes, and bottle caps*; (1) from Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles of New York, N.Y., points in those parts of New Jersey, Delaware, and Maryland, which are within 30 miles of Philadelphia, Pa., points in that part of New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line, points in Pennsylvania to Indianapolis, Ft. Wayne, Auburn, and Huntington, Ind., and Ashland and Louisville, Ky.; and (2) from points in that part of West Virginia on, north and east of a line beginning at the Ohio River, and extending along West Virginia Highway 18 to its junction with U.S. Highway 33, thence along U.S. Highway 33 to the West Virginia-Virginia State line, to Indianapolis, Ft. Wayne, Auburn, and Huntington, Ind., and Ashland and Louisville, Ky. The purpose of this filing is to eliminate the gateway of East Liverpool, Ohio. The purpose of this correction is to redescribe the territorial descriptions.

No. MC 114019 (Sub-No. E280), filed May 25, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except frozen, and bulk commodities and except hides) from South Bend, Ind. to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, and those points in Virginia on and east of a line beginning at the West Virginia-Virginia State line and extending along Virginia Highway 311 to junction U.S. Highway 220, then U.S. Highway 220 to the North Carolina-Virginia State line. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 114019 (Sub-No. E281), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common-carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos scrap, asphalt, automobile body panels, asphalt flooring blocks, fibreboard and pulpboard (impregnated with asphalt), asbestos wall boards, bituminized burlap, tin roofing caps, carpet lining, cement (in packages), metal clamps, metal clips, cotton cloth (saturated with asbestos), roof coating (with asbestos, pitch tar, or rosin base), conduits, creosote in packages, eave filler strips, roofing felt, asphalt composition flashing blocks, asbestos or felt paper insulating material, asbestos millboard, mineral wool, high temperature bonding mortar or cement in packages, nails, asbestos packing, asphaltum, coal tar, asbestos, and coal tar paint, roofing paper, paving joints, cement pipe containing asbestos fiber, roofing pitch, asphalt paving planks, asbestos ridge rolls, roofing, asbestos sheathing, shingles, sheathings, shorts, asbestos and asphalt siding, concrete slabs, tin straps, roofing tar, asphalt floor tile, wood preservatives*, (RESTRICTED against the transportation of the above-named commodities in bulk), from Waukegan, Ill. to Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles thereof points in those parts of New Jersey, Delaware, and Maryland, which are within 30 miles of Philadelphia, Pa., points in that part of New York on and west of a line beginning at Lake Ontario, and extending along U.S. Highway 15 to junction New York Highway 245, New York Highway 245 to junction New York Highway 36, New York Highway 36 to junction New York Highway 21, then New York Highway 21 to junction New York Highway 17, and then New York Highway 17 to the New York

Pennsylvania State line, and points in West Virginia and Pennsylvania. The purpose of this filing is to eliminate the gateways of points in Ohio.

No. MC 114019 (Sub-No. E282), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible meat, edible meat products, and edible meat by-products* which are included in the appendix to the report in *Modification of Permits Packinghouse Products*, 46 M.C.C. 23, (a) from Austin, Albert Lea, Owatonna, Fairbault, St. Paul, South St. Paul, and Newport, Minn., to Buffalo, Syracuse, Schenectady, Albany, N.Y., and points in Long Island, N.Y., and points in Pennsylvania and New Jersey which are in the New York, N.Y., and Philadelphia, Pa., Commercial Zones, (b) from Austin, Albert Lea, Owatonna, Fairbault, St. Paul, South St. Paul and Newport, Minnesota, to points in Connecticut, Delaware, Maine, Maryland (except points on and west of U.S. Highway 15), New Hampshire and Vermont; Boston, Massachusetts; Providence, Rhode Island, and points in Virginia on, east and south of U.S. Highway 33 beginning at the West Virginia-Virginia State line, thence over U.S. Highway 33 to the junction with U.S. Highway 11, thence over U.S. Highway 11 to the junction of U.S. Highway 250, thence over U.S. Highway 250 to junction of U.S. Highway 15, thence over U.S. Highway 15 to the Virginia-North Carolina State line. The purpose of this filing is to eliminate the gateways of Jamestown, N.Y., and Pittsburgh, Pa.

No. MC 114019 (Sub-No. E288), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, covers, caps and accessories for glass containers and paper cartons* from Charleston, W. Va., to points in Blue Earth, Brown, Dakota, Dodge, Fairbault, Fillmore, Freeborn, Goodhue, Houston, LeSueur, Martin, Mower, Nicollet, Olmsted, Redwood, Rice, Steele, Wabasha, Waseca, Watonwan, and Winona Counties, Minn. Restrictions: Restricted to shipments moving from, to, or between warehouses or other facilities of retail food and household supply and furnishings business houses, in peddle service. The purpose of this filing is to eliminate the gateway of Onalaska, Wis.

No. MC 114019 (Sub-No. E289), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: The commodities classified (1) as *meats, meat products and meat by-products* and (2) *articles distributed by meat packinghouses* in the appendix to the report in *Modification of Permits of Motor Contract Carriers of Packinghouse Products*, 46 M.C.C. 23 from points in New York, New Jersey, Connecticut, Rhode Island, Massachusetts to points in Columblana, Mahoning, Portage, Stark, Summit and Trumbull Counties, Ohio, which are within 40 miles of Youngstown, Ohio. Restriction: Restricted to shipments moving from, to, or between warehouses or other facilities of retail food and household supply and furnishings business houses, in peddle service. The purpose of this filing is to eliminate the gateway of Youngstown, Ohio.

No. MC 114019 (Sub-No. E290), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery, and confectionery products*, from Durysa, Pa., to points in Audrain, Bollinger, Bonne, Callaway, Cape Girardeau, Cole, Crawford, Franklin, Casconade, Jefferson, Lincoln, Madison, Maries, Montgomery, Osage, Perry, Phelps, Randolph, St. Charles, St. Francois, Ste. Genevieve, St. Louis, Scott, Mo. Restriction: Restricted to shipments moving from, to or between warehouses or other facilities of retail food and household supply and furnishings business houses, in peddle service. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC 114019 (Sub-No. E291), filed May 8, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and foods not frozen* when transported in the same vehicle with frozen foods, in vehicles equipped with mechanical refrigeration; (a) from Madison, Wis., Carbondale and Peoria, Ill., Detroit and Grand Rapids, Mich., Indianapolis and Ft. Wayne, Ind., to points in Delaware, New Jersey (except points in the New York, N.Y., and Philadelphia, Pa., commercial zones as defined by the Commission), Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, and the District of Columbia; (2) from Akron, Cincinnati, Columbus, Dayton, and Toledo, Ohio, Evansville, Ind., St. Louis, Mo., Louisville, Bellevue, and Covington, Ky., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island; (c) from Pittsburgh, Pa., and Akron, Ohio, to points in Michigan; (d) from Akron, Cleveland, Columbus, and Toledo, Ohio, Detroit and Grand Rapids, Mich., Ft. Wayne, Ind., and Pittsburgh, Pa., to points in Iowa, Nebraska, South Dakota, and North Dakota;



and (e) from Madison, Wis., to points in Kentucky, West Virginia, and Maryland; and (f) from Detroit and Grand Rapids, Mich., to points in Virginia and Maryland. The purpose of this filing is to eliminate the gateways of Chicago, Ill., and Cleveland, Ohio.

No. MC 114019 (Sub-No. E292), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glycerine, soap stock, liquid soap, and fatty acids*, from the facilities of the Armour Grocery Products Co., near Aurora, Ill., to points in Douglas, Franklin, Johnson, Leavenworth, Miami, and Wyandotte Counties, Kans. Restriction: Restricted to shipments moving from, to, or between warehouses or other facilities of retail food and household supply and furnishings business houses, in peddle service. The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC 114019 (Sub-No. E293), filed May 31, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: The commodities classified as (1) *frozen edible meats, edible meat products, and edible meat by-products, and non frozen edible meats, edible meat products, and edible meat by-products*, when transported in the same vehicle with frozen foods and (2) *frozen edible articles distributed by meat packinghouses* in the Appendix to the report in *Modification of Permits of Motor Contract Carriers of Packing House Products*, 48 M.C.C. 23, from points in New York, New Jersey, Rhode Island, Connecticut, and Massachusetts to points in Michigan. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 114019 (Sub-No. E294), filed May 31, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd. Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel strapping, and materials and supplies* used in the manufacture and shipping of paper and paper products, between those points in Michigan on and south of a line beginning at Lake Michigan and extending along Michigan Highway 21 to junction Michigan Highway 66, thence along Michigan Highway 66 to the Illinois-Michigan State line, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateway of Hamilton, Ohio.

No. MC 114019 (Sub-No. E295), filed May 31, 1974. Applicant: MIDWEST

EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel strapping and materials, and supplies* used in the manufacture and shipping of paper and paper products, from points in that part of Illinois south of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 24 to junction U.S. Highway 150, and thence along U.S. Highway 150 to the Illinois-Iowa State line, and on and north of U.S. Highway 40, and that part of Indiana on and north of U.S. Highway 40, and St. Louis, Mo., and Beloit, Milwaukee, and Racine, Wis., to Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles thereof, points in those parts of New Jersey, Delaware, and Maryland which are located within 30 miles of Philadelphia, Pa., points in that part of New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 36, thence along New York Highway 36 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line, and points in West Virginia and Pennsylvania. The purpose of this filing is to eliminate the gateway of Hamilton, Ohio.

No. MC 114019 (Sub-No. E296), filed May 31, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and foods not frozen* when transported in the same vehicle with frozen foods, in vehicles equipped with mechanical refrigeration, from points in the Lower Peninsula of Michigan to points in Iowa, Nebraska, South Dakota, and North Dakota. The purpose of this filing is to eliminate the gateway of Gary, Ind.

No. MC 114019 (Sub-No. E297), filed May 31, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat packinghouses* as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles); (1) from the facilities of Swift & Co., at Rochelle, Ill., to points in Maine, Vermont, New Hampshire, West Virginia, Virginia, Delaware,

Maryland, (except Baltimore), points in that part of Pennsylvania on and north of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line (except Philadelphia and points within 20 miles thereof), points in that part of Ohio, on and south of U.S. Highway 40; and (2) from the facilities of Swift & Co., at Rochelle, Ill., to Detroit, Grand Rapids, Sturgis, St. Joseph, Benton Harbor, Niles, Buchanan, and Three Rivers, Mich. Restriction: The authority granted under the commodity description next above is restricted to the transportation of shipments originating at, or destined to, the facilities of Swift & Co., at Rochelle, Ill. The purpose of this filing is to eliminate the gateways of Union City, Ohio, and Gary, Ind.

No. MC 114019 (Sub-No. E298), filed May 28, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and advertising matter related thereto*, from points in Monroe, Orleans, and Wayne Counties, N.Y., to points in Claiborne, East Carroll, Madison, Morehouse, Ouachita, Richland, Union, and West Carroll Parishes, La., Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Hinds, Holmes, Humphreys, Issaquena, Itawamba, Kemper, Lafayette, Lauderdale, Leake, Lee, Leflore, Lowndes, Madison, Marshall, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Rankin, Scott, Sharkey, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Warren, Washington, Webster, Winston, Yalobusha, and Yazoo Counties, Miss. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC 114019 (Sub-No. E299), filed May 27, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible oils and edible oil products*, in containers, in vehicles equipped with mechanical refrigeration and related advertising matter in mixed loads with the above specified commodities, from Columbus, Ohio to points in Bath, Breathitt, Boyd, Carter, Elliott, Fleming, Floyd, Greenup, Johnson, Knott, Lawrence, Letcher, Lewis, Magoffin, Martin, Mason, Menifee, Morgan, Perry, Pike, Rowan, and Wolfe Counties, Ky. Restriction: Restricted to shipments moving from, to or between warehouses or other facilities of retail food and household supply and furnishings business houses, in peddle service. The purpose of this filing is to

eliminate the gateway of Huntington, W. Va.

No. MC 114019 (Sub-No. E300), filed May 20, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Burns Harbor, Ind., on the one hand, and, on the other, points in New York and those in Connecticut, and Bergen, Monmouth, Morris, and Somerset Counties, N.J., which are within 20 miles of New York, N.Y., and Philadelphia, Pa. Restricted to the transportation of shipments originating at, or destined to, the facilities of Bethlehem Steel Corp., in Burns Harbor, Ind. The purpose of this filing is to eliminate the gateway of Gary, Ind.

No. MC 114019 Sub-No. E349), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural, architectural, and ornamental iron and steel work*, from Waukegan and North Chicago, Ill., to points in that part of Iowa on and west of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 63 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of Milwaukee, Wis.

No. MC 114019 (Sub-No. E350), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, rolling mill rolls and rolling mill machinery*, from those points in Ohio within 2 miles of the Ohio River, between Fly, Ohio, and the Ohio-Pennsylvania State line, those points in West Virginia within 2 miles of the Ohio River between Sisterville, W. Va., and the West Virginia-Pennsylvania State line, to those points in Illinois on and south of U.S. Highway 40. The purpose of this filing is to eliminate the gateway of Jeffersonville, Ind.

No. MC 114019 (Sub-No. E408) (Correction), filed May 19, 1974, published in the FEDERAL REGISTER February 12, 1975. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as

above). The purpose of this correction is to republish this letter-notice which is in error and should be completely disregarded.

No. MC 114019 (Sub-No. E417), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, edible meat by-products and edible articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209 and 766 in mechanically refrigerated vehicles, (A) from St. Louis, Mo., to points in Connecticut, Maine, Massachusetts, New Jersey, New Hampshire, Rhode Island and Vermont, and points in New York on and east of Interstate Highway 81, and points in Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line and extending along Interstate Highway 81 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Pennsylvania Turnpike Extension, thence along Pennsylvania Turnpike Extension to junction U.S. Highway 422, thence along U.S. Highway 422 to the New Jersey-Pennsylvania State line, (B) from Kansas City and Wichita, Kans.; Kansas City, St. Joseph and So. St. Joseph, Mo.; Des Moines and Sioux City, Iowa and Omaha and South Omaha, Nebr., to points in Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Pennsylvania, Rhode Island, and Vermont, (C) from Des Moines and Sioux City, Iowa and Omaha and South Omaha, Nebr., to points in Delaware, Maryland, Virginia, West Virginia, those points in Ohio south and east of a line beginning at the Indiana-Ohio State line and extending along Ohio Highway 29 to junction Ohio Highway 66, thence along Ohio Highway 66 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 53, thence along Ohio Highway 53 to Lake Erie and points in Kentucky on and east of U.S. Highway 127, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Chicago, Ill., and Union City, Ohio.

No. MC 114211 (Sub-No. E709), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grading, paving, and finishing machinery, equipment, parts, accessories, and attachments*, from Lubbock, Tex., to points in Minnesota, Wisconsin, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and to points in that part of North Dakota on and east of a line beginning at the United States-Canada International Boundary line ex-

tending along North Dakota Highway 40 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction North Dakota Highway 8, thence along North Dakota Highway 8 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction North Dakota Highway 22, thence along North Dakota Highway 22 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction North Dakota Highway 3, thence along North Dakota Highway 3 to the North Dakota-South Dakota State line; to points in that part of South Dakota on, east, and north of a line beginning at the North Dakota-South Dakota State line extending along South Dakota Highway 10, to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to junction South Dakota Highway 34, thence along South Dakota Highway 34 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction South Dakota Highway 50, thence along South Dakota Highway 50 to junction Interstate Highway 29, thence along Interstate Highway 29 to the South Dakota-Iowa State line; to points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line extending along U.S. Highway 20 to junction Illinois Highway 120, thence along Illinois Highway 120 to Lake Michigan.

To points in that part of New York on and north of a line beginning at Buffalo, N.Y., extending along New York Highway 16 to junction Alternate U.S. Highway 20, thence along Alternate U.S. Highway 20 to junction New York Highway 63, thence along New York Highway 63 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction New York Highway 352, thence along New York Highway 352 to junction New York Highway 14, thence along New York Highway 14 to the New York-Pennsylvania State line; to points in that part of Pennsylvania on, north, and east of a line beginning at the New York-Pennsylvania State line extending along Pennsylvania Highway 14 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 435, thence along Pennsylvania Highway 435 to junction Interstate Highway 81E, thence along Interstate Highway 81E to junction Interstate Highway 80, thence along Interstate Highway 80 to the Pennsylvania-New Jersey State line; to points in that part of New Jersey on and north of a line beginning at the Pennsylvania-New Jersey State line extending along Interstate Highway 80 to junction U.S. Highway 46, thence along U.S. Highway 46 to junction New Jersey Highway 10, thence along New Jersey Highway 10 to junction New Jersey Highway 511, thence along New Jersey Highway 511 to junction New Jersey Highway 510, thence along New Jersey Highway

510 to junction U.S. Highway 19, thence along U.S. Highway 19 to the New Jersey-New York State line; and to points in that part of Michigan on and north of a line beginning at Ludington, Mich., extending along U.S. Highway 10 to junction Michigan Highway 15, thence along Michigan Highway 15 to junction Michigan Highway 46, thence along Michigan Highway 46 to Port Sanlac, Mich. The purpose of this filing is to eliminate the gateway of Canton, S. Dak., and points in Kansas.

No. MC 114211 (Sub-No. E710), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery, and contractors' equipment and supplies*, between Oregon, Ill., on the one hand, and, on the other, points in Minnesota and South Dakota. The purpose of this filing is to eliminate the gateway of points in Iowa.

No. MC 114211 (Sub-No. E711), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from Green Isle, Minn., to points in Texas, restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr., and points in Iowa.

No. MC 114211 (Sub-No. E712), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof* (except commodities the transportation of which because of size or weight, requires the use of special equipment and except commodities described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from Independence, Mo., to points in California, Louisiana, Florida, and to points in that part of South Carolina on and south of a line beginning at the South Carolina-Georgia State line extending along U.S. Highway 301 to junction South Carolina Highway 61, thence along South Carolina Highway 61 to Charleston, S.C.; to points in that part of Georgia on and south of a line beginning at the Georgia-Alabama State line extending along U.S. Highway 80 to junction Georgia Highway 96, thence along Georgia Highway 96 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 301, thence along U.S. Highway 301 to the South Carolina-Georgia State line; to points in that part of Alabama on and south of a line beginning at the Mississippi-Alabama State line extending along U.S.

Highway 80 to junction Interstate Highway 85, thence along Interstate Highway 85 to the Georgia-Alabama State line; to points in that part of Mississippi on and south of a line beginning at the Arkansas-Mississippi State line extending along U.S. Highway 82 to junction U.S. Highway 49, thence along U.S. Highway 49 to junction Mississippi Highway 12, thence along Mississippi Highway 12 to junction Mississippi Highway 35, thence along Mississippi Highway 35 to junction Mississippi Highway 19, thence along Mississippi Highway 19 to junction Interstate Highway 20, thence along Interstate Highway 20 to the Mississippi-Alabama State line.

To points in that part of Arkansas on and south of a line beginning at the Oklahoma-Arkansas State line extending along U.S. Highway 64 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Arkansas-Mississippi State line; to points in that part of Oklahoma on and south of a line beginning at the Oklahoma-Texas State line extending along Oklahoma Highway 15 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction Muskagee Turnpike, thence along Muskagee Turnpike to junction Interstate Highway 40, thence along Interstate Highway 40 to the Oklahoma-Arkansas State line; to points in that part of New Mexico on and south of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 66 to junction New Mexico Highway 39, thence along New Mexico Highway 39 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 550, thence along U.S. Highway 550 to junction New Mexico Highway 504, thence along New Mexico Highway 504 to the Arizona-New Mexico State line; to points in that part of Arizona on and south of a line beginning at the Utah-Arizona State line extending along U.S. Highway 89 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction Arizona Highway 504, thence along Arizona Highway 504 to the Arizona-New Mexico State line; to points in that part of Utah on and south of a line beginning at the Utah-Nevada State line extending along Utah Highway 21 to junction Utah Highway 130, thence along Utah Highway 130 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction U.S. Highway 89, thence along U.S. Highway 89 to the Arizona-Utah State line.

To points in that part of Nevada on and west of a line beginning at the Idaho-Nevada State line extending along Nevada Highway 51 to junction Nevada Highway 46, thence along Nevada Highway 46 to junction U.S. Highway 50,

thence along U.S. Highway 50 to the Utah-Nevada State line; to points in that part of Oregon on and west of a line beginning at the Washington-Oregon State line extending along Oregon Highway 11 to junction Interstate Highway 80N, thence along Interstate Highway 80N to the Idaho-Oregon State line; to points in that part of Washington on and west of a line beginning at the United States-Canada International Boundary line extending along U.S. Highway 97 to junction Washington Highway 155, thence along Washington Highway 155 to junction Washington Highway 174, thence along Washington Highway 174 to junction Washington Highway 21, thence along Washington Highway 21 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction Washington Highway 261, thence along Washington Highway 261 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Washington Highway 11, thence along Washington Highway 11 to the Oregon-Washington State line, restricted against shipments moving in foreign commerce to points in Canada. The purpose of this filing is to eliminate the gateways of Martin City, Mo., and points in Kansas.

No. MC 114211 (Sub-No. E713), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment*, from Durant, Okla., to points in South Dakota, and to points in that part of Wisconsin on and north of a line beginning at the Minnesota-Wisconsin State line extending along Interstate Highway 90 to junction Wisconsin Highway 82, thence along Wisconsin Highway 82 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to Sheboygan, Wis.; to points in that part of Minnesota on and north of a line beginning at the North Dakota-Minnesota State line extending along U.S. Highway 12 to junction Minnesota Highway 7, thence along Minnesota Highway 7 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 212, thence along U.S. Highway 212 to junction Minnesota Highway 67, thence along Minnesota Highway 67 to junction Minnesota Highway 68, thence along Minnesota Highway 68 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Interstate Highway 90, thence along Interstate Highway 90 to the Wisconsin-Minnesota State line; to points in that part of Montana on and north of a line beginning at the North Dakota-Montana State line extending along U.S. Highway 12 to junction Montana Highway 22, thence along Montana Highway 22 to junction Montana Highway 200, thence along Montana Highway 200 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Idaho-Montana State

line; to points in that part of Idaho on and north of a line beginning at the Montana-Idaho State line extending along U.S. Highway 12 to junction Idaho Highway 13, thence along Idaho Highway 13 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Washington-Idaho State line; and to points in that part of Washington on and north of a line beginning at the Idaho-Washington State line extending along U.S. Highway 12 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Washington Highway 4, thence along Washington Highway 4 to junction Washington Highway 433, thence along Washington Highway 433 to the Oregon-Washington State line. The purpose of this filing is to eliminate the gateways of Minneapolis, Minn., and points in Kansas.

No. MC 114211 (Sub-No. E714), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery and parts thereof*, from Richardton, N. Dak., to points in Louisiana, Mississippi, Alabama, Georgia, Florida, Arkansas, Tennessee, South Carolina, North Carolina, Kentucky, West Virginia, Illinois, Indiana, Ohio, Wisconsin, Michigan, and to points in that part of Iowa on and east of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 59 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Iowa Highway 86, thence along Iowa Highway 86 to the Iowa-Minnesota State line; to points in that part of Missouri on and east of a line beginning at the Kansas-Missouri State line extending along U.S. Highway 59 to the Missouri-Iowa State line; to points in that part of Kansas on and east of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 75 to junction Kansas Highway 4, thence along Kansas Highway 4 to junction U.S. Highway 59, thence along U.S. Highway 59 to the Kansas-Missouri State line; to points in that part of Oklahoma on and east of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 75 to junction Oklahoma Highway 3, thence along Oklahoma Highway 3 to junction Oklahoma Highway 99, thence along Oklahoma Highway 99 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Kansas-Oklahoma State line; and to points in that part of Texas on and east of a line beginning at the Texas-Mexico State line extending along U.S. Highway 81 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction Texas Highway 220, thence along Texas Highway 220 to junction

U.S. Highway 87, thence along U.S. Highway 67 to junction Texas Highway 174, thence along Texas Highway 174 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 380, thence along U.S. Highway 380 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Texas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E1041), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery and contractors' equipment and supplies*, from Thief River Falls, Minn., to points in Maine, New Hampshire, Vermont, Michigan, Indiana, Ohio, Kentucky, West Virginia, North Carolina, Tennessee, South Carolina, Mississippi, Alabama, Georgia, Florida, Louisiana, Arkansas, Missouri, Kansas, Oklahoma, Texas, New Mexico, Arizona and to points in that part of California on, south and west of a line beginning at the Nevada-California State line extending along Interstate Highway 80 to junction California Highway 20, thence along California Highway 20 to junction California Highway 99, thence along California Highway 99 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction California Highway 299, thence along California Highway 299 to junction U.S. Highway 101, thence along U.S. Highway 101 to Eureka, Calif., to points in that part of Nevada on and south of a line beginning at the Utah-Nevada State line extending along U.S. Highway 50 to junction Alternate U.S. Highway 95, thence along Alternate U.S. Highway 95 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Nevada-California State line.

To points in that part of Utah on and south of a line beginning at the Colorado-Utah State line extending along U.S. Highway 40 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Nevada-Utah State line, to points in that part of Colorado on and south of a line beginning at the Nebraska-Colorado State line extending along U.S. Highway 138 to junction Colorado Highway 14, thence along Colorado Highway 14 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Colorado-Utah State line, to points in that part of Nebraska on and south of a line beginning at the Iowa-Nebraska State line extending along U.S. Highway 30 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 138, thence along U.S. Highway 138 to the Colorado-Nebraska State line, to points in that part of Wisconsin on

and south of a line beginning at the Minnesota-Wisconsin State line extending along U.S. Highway 8 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Wisconsin Highway 64, thence along Wisconsin Highway 64 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 115322 (Sub-No. E9), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James E. Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Oswego, N.Y., to points in North Carolina on and west of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Tennessee (except Nashville).

No. MC 115322 (Sub-No. E25), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James E. Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mt. Morris, N.Y., to points in North Carolina on and west of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Mountain City, Tenn.

No. MC 115322 (Sub-No. E26), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James E. Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Orleans County, N.Y., to points in North Carolina on and west of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Mountain City, Tenn.

No. MC 115322 (Sub-No. E42), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James E. Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Tennessee on and east of U.S. Highway 127 (except Chattanooga, Tenn.), to points in Florida south of Florida Highway 40 (except points on and west of U.S. Highway 41 between junction of Florida Highway 40 and U.S. Highway 41 and Ft. Myers, Fla.). The purpose of this filing is to eliminate the gateway of Columbia, S.C.

No. MC 115322 (Sub-No. E44), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James E. Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and vegetables*, from points in Tennessee (except points in Scott, Campbell, Claiborne, Hawkins, Union, Hancock, Grainger, Jefferson, Hamblen, Sevier, Swain, Cocke, Greene, Sullivan, Washington, Unicoi, Carter, and Johnson Counties, and points west of U.S. Highway 79), to points in Connecticut, Maryland, Massachusetts, New Jersey, New York (except points west of a line beginning at Pultneyville, N.Y., on Lake Ontario, thence south on New York Highway 21 to junction New York Highway 17, thence west on New York Highway 17 to the New York-Pennsylvania State line), Pennsylvania (except points on and west of a line beginning at the New York-Pennsylvania State line on U.S. Highway 219, thence south to the junction of U.S. Highway 219 and U.S. Highway 119 at DuBois, Pa., thence along U.S. Highway 119 to the Pennsylvania-West Virginia State line), Rhode Island, Virginia (except points located west and south of an area bounded by U.S. Highways 220 and 60), and the District of Columbia. The purpose of this filing is to eliminate the gateway of Hendersonville, N.C.

No. MC 115322 (Sub-No. E69), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Florida 32809. Applicant's representative: James E. Wilson, 13th & Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Wayland, N.Y., to points in North Carolina on and west of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Mountain City, Tenn.

No. MC 115322 (Sub-No. E70), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James E. Wilson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fulton, N.Y., to points in North Carolina on and west of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Mountain City, Tenn.

No. MC 115322 (Sub-No. S73), filed May 14, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James E. Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Genesee County, N.Y., to points in North Carolina on and west of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Mountain City, Tenn.

No. MC 115523 (Sub-No. E1), filed June 5, 1974. Applicant: CLARK TANK LINES CO., INC., P.O. Box 1895, Salt Lake City, Utah 84410. Applicant's repre-

sentative: H. D. Stratford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Road oils and asphalt*, in bulk, in tank vehicles, from rail stations in Utah in and south of Daggett, Summit, Morgan, Weber, Davis, and Tooele Counties, Utah, to points in Idaho (Salt Lake City, Utah, and points within 25 miles thereof, and points in Bear Lake, Cassia, Franklin, Oneida, Owyhee, and Twin Falls Counties Idaho)\*; (2) *Road oils and asphalt*, in bulk, in tank vehicles, from Salt Lake City, Utah, and points within 25 miles thereof, to points in Idaho (points in Bear Lake, Cassia, Franklin, Oneida, Owyhee, and Twin Falls Counties, Idaho)\*; (3) *Asphalt and road oil*, in bulk, in tank vehicles, from points in Wyoming to points in that part of Idaho in and north of Idaho County, Idaho [points in that part of Idaho in and south of Adams, Valley, Lemhi, Clark, and Fremont Counties, Idaho (except Pocatello, Idaho, and points within 5 miles thereof)]\*; (4) *Road oil and asphalt*, from rail stations in Utah in and north of Grand, Emery, Plute, Sevier, Beaver, and Iron Counties, Utah, to points in that part of Arizona in and west of Coconino, Gila, Pinal, and Pima Counties, Ariz., and points in Lincoln and Clark Counties, Nev. (Cedar City, Utah)\*;

(5) *Road oil and asphalt*, in bulk, in tank vehicles, from points in Adams, Washington, Payette, Gem, Canyon, and Ada Counties, Idaho, to points in Nevada and Utah (Boise, Idaho)\*; (6) *Fertilizer ingredients derived from petroleum*, in bulk, in tank vehicles, from the site of storage facilities of Tidewater Terminal Co., near Umatilla, Oreg., and Umatilla, Oreg., to points in Idaho south of Idaho County, Idaho (Valley and Canyon Counties, Idaho)\*; (7) *Fertilizer ingredients derived from petroleum*, in bulk, in tank vehicles, from Salt Lake City, Utah, and points within 25 miles thereof, to points in that part of Idaho in and west of Cassia, Blaine, Butte, and Lemhi Counties, Idaho (Burley, Idaho)\*; (8) *Lime products*, from Dolomite, Utah, to points in Montana, Wyoming, Colorado, New Mexico, Arizona, California, Oregon, and Washington (facilities of Utah Calcium Company, Inc., in Tooele County, Utah)\*; (9) *Ammonium nitrate and ammonium sulphate*, in dry form, from Geneva, Utah, to points in Boulder, Larimer, Weld, Morgan, Adams, Washington, Arapaho, Denver, Yuma, Phillips, Logan, and Sedgwick Counties, Colo. (facilities of Phosphate Minerals Company, near Kemmeron, Lincoln County, Wyo.)\*; (10) *Dry superphosphate and ammonium phosphate*, from points in that part of Idaho south of Idaho County, Idaho, to points in Iowa, and points in that part of Minnesota on and south of U.S. Highway 12. Restriction: The authority granted above is subject to the restriction that no shipment in bags destined to an incorporated municipality shall be transported except when moving in combination with a shipment in bulk moving in the same vehicle

at the same time. (Facilities of El Paso Natural Gas Company near Canda, Idaho, and Laramie, Wyo.)\*.

(11) *Dry fertilizer, dry fertilizer ingredients, and dry fertilizer compounds* used in the manufacture of fertilizer, when not intended for use as an explosive or an explosive agent, from points in Twin Falls, Gooding, Lincoln, Jerome, Minidoka, Cassia, Power, Oneida, Bannock, Franklin, Bear Lake, Caribou, Bingham, Jefferson, Madison, and Teton Counties, Idaho, to points in Montana. Restriction: The authority granted above is subject to the restriction that no shipment in bags destined to an incorporated municipality shall be transported except when moving in combination with a shipment in bulk moving in the same vehicle at the same time (Points in Bonneville County, Idaho)\*; (12) *Dry fertilizer, dry fertilizer ingredients, and dry fertilizer compounds* used in the manufacture of fertilizer, when not intended for use as an explosive or an explosive agent, from points in Owyhee, Canyon, Ada, and Elmore Counties, Idaho, to points in Montana, in and east of Gallatin, Meagher, Cascade, Chouteau, and Liberty Counties, Mont. Restriction: The authority granted above is subject to the restriction that no shipment in bags destined to an incorporated municipality shall be transported except when moving in combination with a shipment in bulk moving in the same vehicle at the same time (Points in Bonneville County, Idaho)\*; (13) *Dry fertilizer and urea* when used in the manufacture of fertilizer, when not intended for use as an explosive or an explosive agent, from points in California to points in Washington. Restriction: The authority granted above is subject to the restriction that no shipment in bags destined to an incorporated municipality shall be transported except when moving in combination with a shipment in bulk moving in the same vehicle at the same time. (Points in Columbia County, Oreg.; points in Idaho south of the southern boundary of Idaho County, Idaho)\*; (14) *Dry fertilizers and dry fertilizer ingredients*, in bulk, from Garfield, Geneva, and Salt Lake City, Utah, to points in Idaho (points in Idaho south of the Salmon River)\*;

(15) *Dry fertilizers and dry fertilizer ingredients*, when not intended for use as an explosive or an explosive agent, in bulk, from Garfield, Geneva, and Salt Lake City, Utah, to points in Montana, and in that part of Wyoming in and north of Teton, Sublette, Fremont, Natrona, Converse, and Niobrara Counties, Wyo. (points in Bonneville County, Idaho)\*; (16) *Dry fertilizer and dry fertilizer ingredients*, from Garfield and Geneva, Utah, to points in that part of Arizona on and south of U.S. Highway 70 (Prince Nev.)\*; and (17) *Dry fertilizer and dry fertilizer ingredients*, from points in Utah in and north of Iron, Beaver, Plute, Sevier, Emery, and Grand Counties, Utah, to points in California. Restriction: The authority granted above is subject to the restriction that no shipment in bags destined to an incorporated municipality shall be transported except

when moving in combination with a shipment in bulk moving in the same vehicle at the same time. (Prince, Nev.; points in Idaho south of the Salmon River)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 116915 (Sub-No. E11), filed June 4, 1974. Applicant: ECK MILLER TRANSPORTATION CORPORATION, Owensboro, Ky. 42301. Applicant's representative: William P. Sullivan, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products* (other than motor vehicles), and equipment, materials and supplies (except in bulk) used in the manufacture and processing of aluminum and aluminum products which require the use of special equipment by reason of size or weight (1) from points in Indiana and the Lower Peninsula of Michigan to points in Florida, (2) from points in Illinois to points in North Carolina and Missouri and from points in Missouri to points in Florida, (3) from points in Tennessee on and west of Interstate Highway 65 to points in Connecticut, Pennsylvania, New Jersey, and New York, and from points in Missouri to points in Connecticut and New Jersey, and (4) from (a) points in Ohio, Virginia, and West Virginia to points in Arkansas and Texas, (b) from points in Indiana to Texas. The purpose of this filing is to eliminate the gateway of Hawesville, Ky.

No. MC 117344 (Sub-No. E30), filed June 2, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vegetable oils*, in bulk, in tank vehicles, from points in Indiana on and north of Interstate Highway 74 (except Indianapolis), and (2) *Soya bean oil*, from Chicago, Ill., to points in Alabama. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 117344 (Sub-No. E33), filed June 2, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vegetable oils*, in bulk, in tank vehicles, from points in Illinois on and north of Interstate Highway 74 (except Chicago and Bloomington), and (2) *Soya bean oil*, from Chicago and Bloomington, Ill., to points in Tennessee on and east of U.S. Highway 127 (except Kingsport and Elizabethton). The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 117344 (Sub-No. E54), filed May 19, 1974. Applicant: THE MAXWELL COMPANY, 10380 Evendale Drive, Cincinnati, Ohio 45215. Appli-

cant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils, shortenings and vegetable oil products*, in bulk, in tank vehicles, from St. Bernard, Ohio to points in North Carolina on and east of a line beginning at the North Carolina Boundary line and extending along North Carolina Highway 16 to Wilkesboro, N.C., and thence along North Carolina Highway 18 to the North Carolina-South Carolina Boundary line and those points in that part of Virginia on and east of Virginia Highway 16. The purpose of this filing is to eliminate the gateway of Columbus, Ohio.

No. MC 117344 (Sub-No. E55), filed May 21, 1974. Applicant: THE MAXWELL CO., P.O. Box 15010, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petroleum) as described in Appendix XIII to the report in *Description in Motor Carrier Certificates* 61 M.C.C. 209, in bulk, in tank vehicles, from points in Kentucky on and east of U.S. Route 25 and on and north of State Route 32 within 100 miles of Cincinnati, Ohio to points in Tennessee on and west of Interstate Highway I-65. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 117344 (Sub-No. E57), filed May 21, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* which are liquid chemicals, in bulk, from points in Indiana within 50 miles of Cincinnati, Ohio; and points in Kentucky within 100 miles of Cincinnati, Ohio, to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of the plant site of the Monsanto Co. at Addyston, Ohio.

No. MC 117574 (Sub-No. E26), filed May 31, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air, water, and gas cooling and heating equipment and materials, accessories, and supplies* used in the installation thereof, which because of size or weight require the use of special equipment, and commodities listed above which do not require the use of special equipment, when moving in the same vehicle or as part of the same shipment with commodities listed above, between points in Connecticut, Massa-

chusetts, Rhode Island, New Jersey, Delaware, points in Pennsylvania east of a line beginning at the Pennsylvania-Maryland State line near New Freedom, Pa., and extending north through York, Hummelstown, Trevorton, Opp, and East Smithfield, Pa., to the Pennsylvania-New York State line, points in Maryland in the counties of Baltimore, Harford, Cecil, Kent, Queen Annes, Talbot, Caroline, and Dorchester, and those in New York State on and east of a north-south line drawn along U.S. Highway 11 from the Pennsylvania-New York State line to New York Highway 3, thence along New York Highway 3 to share of Lake Ontario, on the one hand, and, on the other, all points in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and points in South Carolina on and south of a line drawn along U.S. Highway 521 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to Charleston, S.C., those in Tennessee in and west of the counties of Fentress, Morgan, Roane, Loudon, Monroe, and Polk (Lebanon, Pa.)\*; and

(2) *Air, water, and gas cooling and heating equipment and materials, accessories and supplies* used in the installation thereof, which because of size or weight require the use of special equipment, and commodities listed above which do not require the use of special equipment, when moving in the same vehicle or as part of the same shipment with commodities listed above, between points in Connecticut, Massachusetts, Rhode Island, points in New Jersey in and north of Mercer and Middlesex Counties, points in Pennsylvania east of a line beginning at the Pennsylvania-Maryland State line near New Freedom, Pa., and extending north through York, Hummelstown, Trevorton, Opp, and East Smithfield, Pa., to the Pennsylvania-New York State line, those in New York on and east of New York Highway 7, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Minnesota, South Carolina, Tennessee, Wisconsin, points in Ohio (except in the counties of Ashtabula, Lake, Geauga, and Trumbull), points in North Carolina in and west of the counties of Carteret, Jones, Kinston, Greene, Edgecombe, Halifax, and Northampton, and points in West Virginia on and west of Interstate Highway 77, and all points in Kanawha County, W. Va. (Lebanon, Pa.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 117574 (Sub-No. E29), filed May 31, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pennsylvania 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery,

tools, parts, and supplies moving in connection therewith, between points in Massachusetts, on the one hand, and, on the other, points in North Carolina Counties of Gates, Hertford, Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Martin, Washington, Tyrrell, Dare, Hyde, Pitt, Beaufort, Craven, Jones, Onslow, Carteret, and Pamlico. Restriction: The operations authorized herein are subject to the following conditions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines. Points in that part of Pennsylvania on and east of U.S. Highway 219, to the junction with U.S. Highway 322, thence on and north of a line beginning at Grampian, Pennsylvania, and extending along U.S. Highway 322 through Clearfield and State College, Pennsylvania, to Lewistown, Pennsylvania, thence along U.S. Highway 522 to Selinsgrove, Pennsylvania, and on and west of U.S. Highway 11 to the New York-Pennsylvania State line (except the facilities of Curtiss Wright Corp. near Clearfield, Pa.) \*).

(2) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in Connecticut and Massachusetts, on the one hand, and, on the other, points in Ohio and West Virginia. Restrictions: The operations authorized herein are subject to the following restrictions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipelines. (points in that part of Pennsylvania on and east of U.S. Highway 219, to the junction with U.S. Highway 322, thence on and north of a line beginning at Grampian, Pennsylvania, and extending along U.S. Highway 322 through Clearfield and State College, Pennsylvania, to Lewistown, Pennsylvania, thence along U.S. Highway 522 to Selinsgrove, Pennsylvania, and on and west of U.S. Highway 11 to the New York-Pennsylvania State line, except the facilities of Curtiss Wright Corp. near Clearfield, Pa.) (3) *Self-propelled contractor's equipment*, each weighing 15,000 pounds or more (when transported on trailers) between points in Connecticut, Massachusetts, and Rhode Island, on the one hand, and, on the other, points in Virginia, those in Maryland west of the Susquehanna River and the Chesapeake Bay, Martinsburg, W. Va., and the District of Columbia. (those points in York County, Pa., within a 25 miles radius of Baltimore, Md.)\* The purpose of this

filing is to eliminate the gateways indicated by the asterisks above.

No. MC 117574 (Sub-No. E30), filed May 31, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pennsylvania 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in Connecticut and Massachusetts, on the one hand, and, on the other, points in Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Minnesota, South Carolina, Wisconsin, and North Carolina (except points in the Counties of Gates, Hertford, Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Martin, Washington, Tyrrell, Dare, Hyde, Pitt, Beaufort, Craven, Jones, Onslow, Carteret, and Pamlico, N.C.\*). Restriction: The operations authorized herein are subject to the following conditions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines (points in that part of Pennsylvania on and east of U.S. Highway 219 to the junction with U.S. Highway 322, thence on and north of a line beginning at Grampian, Pa., and extending along U.S. Highway 322 through Clearfield and State College, Pa., to Lewistown, Pa., thence along U.S. Highway 522 to Selinsgrove, Pa., and on and west of U.S. Highway 11 to the New York-Pennsylvania State line\*).

(2) *Self-propelled articles*, each weighing 51,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between Maine, New Hampshire, and Vermont, on the one hand, and, on the other, points in Delaware, District of Columbia, Maryland, Ohio, Virginia, and West Virginia. Restriction: The operations authorized herein are subject to the following conditions. Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines (points and places in a Pennsylvania area bounded on the north by the New York-Pennsylvania State line, thence by highways beginning at junction of said State line with U.S. Highway 11, over U.S. Highway 11 to junction of U.S. Highway 522, thence over U.S. Highway 522 to junction with U.S. Highway 322, thence over U.S. Highway 322 to Pennsylvania-New York State line, including points on the indicated highways\*). The purpose of this filing is to eliminate

the gateways indicated by the asterisks above.

No. MC 117574 (Sub-No. E31), filed May 31, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pennsylvania 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in New York, Connecticut, Delaware, and points in Maryland on and east of Interstate Highway 83, Massachusetts, and New Jersey, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Minnesota, Wisconsin, and those points in Kentucky, on and west of a north-south line beginning at the Kentucky-Ohio State line at Maysville, Kentucky, thence in a southerly direction along U.S. Highway 68 to its junction with Interstate Highway 75, thence along Interstate 75 to the Tennessee State line. Restriction: The operations authorized herein are restricted to commodities which are transported on trailers (points in Pennsylvania bounded on the north by the New York-Pennsylvania State line, thence by highways beginning at junction of said State line with U.S. Highway 11, thence along U.S. Highway 11 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 219, thence along U.S. Highway 219, to the Pennsylvania-New York State line, including points on the indicated highways\*). (2) *Self-propelled contractors' equipment and machinery*, each weighing 15,000 pounds or more, between points in West Virginia, on the one hand, and, on the other, points in both Illinois and Indiana, on and north of U.S. Highway 40, and those in Michigan. (Franklin County, Ohio.)\*

Restriction: The operations authorized herein are subject to the following conditions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines. (3) *Self-propelled articles*, each weighing 15,000 pounds or weight require the use of special equipment, between points in West Virginia on and north of an east-west line along Interstate Highway 77 to its junction with Interstate Highway 64, thence along Interstate Highway 64 to the Kentucky-West Virginia border, on the one hand, and, on the other, points in Illinois and Indiana on and south of U.S. Highway 40, and those in Kentucky on and north of a line from Ashland, Kentucky in a westerly direction along Interstate Highway 64 to junction Blue Grass Parkway, and thence along the Blue Grass Parkway to Interstate Highway 65,

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thence along Interstate Highway 65 to the Tennessee State line. Restriction: The operations authorized herein are restricted to commodities which are transported on trailers (80 mile radius of Columbus, Ohio\*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 123407 (Sub-No. E181), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven

Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, ceiling tile*, materials and accessories used in the installation of the commodities above (except lumber and commodities in bulk, chemicals and commodities which because of size or weight require the use

of special equipment), from Brookville, Ind., to points in Montana (except the Counties of Carbon, Big Horn, Powder River and Carter). The purpose of this filing is to eliminate the gateways of Warren, Ill., and L'Anse, Mich.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

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