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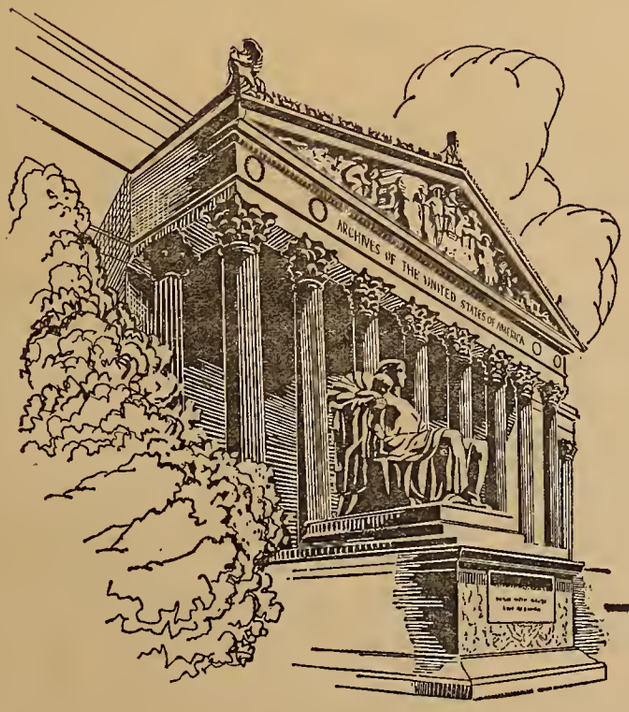

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1968, and specifies how they are affected.

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Title 3—THE PRESIDENT

Proclamation 3878

UNITED NATIONS DAY, 1968

By the President of the United States of America

A Proclamation

On October 24, 1968, the world will mark the twenty-third birthday of the United Nations.

Our commitment to that organization has been a continuing element of our foreign policy since the U.N. was founded, in 1945. Distinguished Americans of both parties represented our country in the framing of its Charter. Democrats and Republicans alike continued to represent our country in the councils of the United Nations. Together they have contributed to its objectives—the peaceful settlement of disputes, economic and social progress, the control of nuclear armaments, the growth of international law, and the protection of human rights.

The cause of human rights is receiving special notice in the United Nations this year, for it was 20 years ago that the General Assembly adopted a landmark document, the Universal Declaration of Human Rights. To mark that anniversary, 1968 has been designated as International Human Rights Year.

As we take stock of the work of the United Nations, let us not be beguiled either by easy optimism or by blind pessimism. Let us look squarely at both its successes and its disappointments. Above all, we must not forget that the cause of peace and progress, in this age of mingled hope and danger, requires nations to reject aggression in favor of conciliation and cooperation—of which the United Nations offers the greatest common instrument. Not by arms, but by giving life and practice to the principles of peace, will men find the peace and security in which freedom can flourish.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim Thursday, October 24, 1968, as United Nations Day, and I urge the citizens of this Nation to observe that day by means of such community programs as will contribute to a realistic understanding of the aims, problems, and achievements of the United Nations and its associated organizations.

I also call upon officials of the Federal and State Governments and upon local officials to encourage citizen groups and agencies of communication—press, radio, television, and motion pictures—to engage in special and appropriate observance of United Nations Day this year in cooperation with the United Nations Association of the United States of America and other interested organizations.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of October, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-third.

[F.R. Doc. 68-12623; Filed, Oct. 14, 1968; 1:30 p.m.]

Proclamation 3879

RECOGNIZING THE SIGNIFICANT PART WHICH HARRY S. TRUMAN PLAYED IN THE CREATION OF THE UNITED NATIONS

By the President of the United States of America

A Proclamation

By Proclamation No. 3878, I proclaimed October 24, 1968, as United Nations Day, and urged the citizens of this Nation to observe that day by appropriate community programs.

It is especially fitting that, on United Nations Day, Americans should recall the significant part which President Harry S. Truman played in the creation of the United Nations, and the continued support which he gave to that Organization during his term of office.

Some of Harry S. Truman's first decisions when he became President on the death of Franklin D. Roosevelt concerned the United Nations Conference in San Francisco. From the day the Conference met on April 25, 1945, to draft the United Nations Charter, until it concluded two months later, President Truman gave close direction to the work of our delegation and climaxed the proceedings with an historic address at the closing session of the Conference.

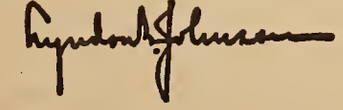
President Truman knew that an effective world organization was needed to prevent a repetition of the devastation wrought by two World Wars. Under his direction, the United States proposed that the development of nuclear energy take place under United Nations control. Through the Point Four Program and in other ways, he projected the United Nations into the field of economic and social development. His concern for human rights led him to appoint Eleanor Roosevelt as the United States spokesman on human rights. Mrs. Roosevelt helped draft the Universal Declaration of Human Rights, whose 20th anniversary we celebrate this year.

President Truman never flinched in the exercise of United States responsibility in and through the United Nations. Had he not resolutely supported United Nations opposition to the attack on the Republic of Korea in 1950, other aggressive adventures would have been encouraged, and the United Nations would be a far less effective body. He was alert to every possibility for using the United Nations on behalf of peace and justice—whether in Iran, Greece, the Middle East, Kashmir, or elsewhere.

The United States and the world owe much to President Truman's interest in the United Nations. It is right that the Congress should have, by a joint resolution approved October 11th authorized and requested that I issue a proclamation recognizing this fact on October 24—United Nations Day. It is my great pleasure to do so.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby urge the citizens of this Nation in their observances of United Nations Day 1968 to give special recognition to the significant part which Harry S. Truman played in the creation of the United Nations and to recall those qualities of character, responsibility and leadership which caused him to support the United Nations in its efforts to keep the peace, and to promote the rule of law and the prevalence of social justice among all men.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of October, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-third.



[F.R. Doc. 68–12624; Filed, Oct. 14, 1968; 1 : 30 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Post Office Department; Correction

In F.R. Doc. 68–12088, appearing at page 14876 of the issue for Friday, October 4, 1968, "213.3110" in the first and ninth lines should be "213.3111".

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68–12539; Filed, Oct. 15, 1968; 8:46 a.m.]

Title 7—AGRICULTURE

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

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Volume Regulation

Notice was published in the September 18, 1968, issue of the FEDERAL REGISTER (33 F.R. 14117) regarding a proposal to release 93,000 tons (i.e., more than 65 percent) of the proposed desirable free tonnage of 138,000 tons of natural Thompson Seedless raisins by designating a 1968–69 preliminary free tonnage percentage for such purpose. The desirable free tonnage of such raisins was subsequently designated as 138,000 for the 1968–69 crop year (33 F.R. 14777). The proposal was recommended by the Raisin Administrative Committee. The Committee is established under, and its recommendations are made in accordance with, the provisions of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the "act".

The notice afforded interested persons an opportunity to submit written data, views, or arguments, not later than October 5, 1968. The Raisin Administrative Committee has submitted written comments with respect to the notice. The Committee has determined that field prices are firmly established for natural Thompson Seedless raisins and therefore has recommended that a significantly larger portion (i.e., 125,000 tons) of the desirable free tonnage be released than the 93,000 tons as proposed in the notice. This increase would permit handlers to use more of their raisin acquisitions as free tonnage, thereby permitting earlier payment to producers on a greater portion of free tonnage.

Based upon the California Crop and Livestock Reporting Service October 1, 1968, estimate of the 1968 production of natural Thompson Seedless raisins of 225,000 tons and the firm establishment of field prices, the Committee recommended 55 percent as the preliminary free tonnage percentage that would tend to release approximately the recommended portion of the desirable free tonnage of such raisins.

After consideration of all relevant matter presented, including that in the notice, the information, recommendation, and comments submitted by the Committee, and other available information, it is found that designating for the 1968–69 crop year preliminary free and reserve tonnage percentages for natural Thompson Seedless raisins as 55 percent and 45 percent respectively, as hereinafter set forth, will tend to effectuate the declared policy of the act.

It is therefore ordered as follows:

§ 989.226 Free and reserve percentages for the 1968–69 crop year.

The preliminary percentages of standard natural Thompson Seedless raisins acquired by handlers during the crop year beginning September 1, 1968, which shall be free tonnage and reserve tonnage, respectively, are designated as follows: Preliminary free tonnage percentage, 55 percent; and preliminary reserve tonnage, 45 percent.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The percentages designated herein for a crop year apply to all standard raisins of the applicable varietal type acquired by handlers from the beginning of the crop year, and such acquisitions for the current crop year have begun; and (2) the current crop year began on September 1, 1968, and the preliminary free and reserve percentages will automatically apply to all such raisins acquired by handlers beginning on that date.

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

Dated: October 10, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division.

[F.R. Doc. 68–12570; Filed, Oct. 15, 1968; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS PURCHASES, AND OTHER OPERATIONS

PART 1443—OILSEEDS

Subpart—Cottonseed Purchase Program Regulations

In order to incorporate program changes, the regulations issued by Commodity Credit Corporation, published in 28 F.R. 6394 and 29 F.R. 8396 as the Cottonseed Purchase Program Regulations, are hereby revised to read as follows:

Sec.
1443.1 General statement.
1443.2 Administration.
1443.3 Availability of program.
1443.4 Eligible producer.
1443.5 Eligible cottonseed.
1443.6 Participating ginners.
1443.7 Grade basis for purchase price.
1443.8 Payment for cottonseed and transportation.
1443.9 Approved forms.
1443.10 Determination of quantity.
1443.11 Personal liability.
1443.12 Setoffs.
1443.13 Books and records.
1443.14 Benefits and contingent fees.
1443.15 Nondiscrimination in employment.

AUTHORITY: The provisions of this subpart issued under secs. 4 and 5, 62 Stat. 1070 and 1072, as amended, secs. 301 and 401, 63 Stat. 1053 and 1054, as amended, sec. 601, 70 Stat. 212; 15 U.S.C. 714b and 714c, 7 U.S.C. 1447, 1421, 1446d.

§ 1443.1 General statement.

This subpart and any amendments hereto contain the basic terms and conditions under which CCC, as part of its price support program for cottonseed, will purchase from producers and participating ginners cottonseed of each crop for which an annual supplement to this subpart is issued. The annual supplement will specify the prices to be paid to producers and participating ginners by CCC for cottonseed of the applicable crop and will set forth other program provisions not contained in this subpart. CCC will purchase eligible cottonseed through county committees (a) from ginners who meet the requirements of § 1443.6 and who otherwise comply with the applicable provisions of this subpart (which ginners are referred to in this subpart as "participating ginners"), in areas where the State committee determines that crushers are paying ginners prices for cottonseed which are less than the f.o.b. prices at which CCC would purchase cottonseed from participating ginners, as specified in the applicable annual supplement, and (b) from eligible producers, in areas where the State committee determines that crushers or ginners or both are paying producers prices for cottonseed which are less than the prices at which CCC would purchase cottonseed from producers, as specified in the applicable annual supplement. As

used in this subpart, "CCC" means the Commodity Credit Corporation, and "ASCS" means the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture. As used in this subpart, the words or phrases "Person," "State committee," "County committee," and "County office manager" shall each have the meaning ascribed to such words or phrases in the regulations pertaining to Reconstitution of Farms, Allotments, and Bases, Part 719 of this title, and any amendment thereto.

§ 1443.2 Administration.

(a) *Responsibility.* The program will be carried out by ASCS under the general supervision and direction of the Executive Vice President, CCC. In the field the regulations in this subpart will be administered by State and county committees and the New Orleans ASCS Commodity Office located at Wirth Building, 120 Marais Street, New Orleans, La. 70112 (referred to in this subpart as "the New Orleans Office"). The purchase, transportation, handling, and storage of cottonseed acquired by CCC under this subpart prior to delivery of the cottonseed to a crusher or to a storage facility approved by the New Orleans Office (such storage facility is referred to in this subpart as "approved storage facility") will be administered through State and county committees. Documents and contracts relating to such operations may be executed on behalf of CCC by any member of the county committee, county office manager, or other employee of the county committee designated by the county office manager. Contracts for the storage and handling of cottonseed acquired by CCC under this subpart, subsequent to delivery of the cottonseed to a crusher or to an approved storage facility, and for the sale, crushing, and processing of cottonseed will be executed by CCC contracting officers in the New Orleans Office.

(b) *Limitation of authority.* State and county committees, county office managers, and the New Orleans Office, do not have authority to modify or waive any of the provisions of this subpart.

(c) *State committee.* The State committee may take any action authorized or required in this subpart to be taken by the county committee which has not been taken by such committee. The State committee may also (1) correct or require a county committee to correct any action taken by such county committee which is not in accordance with this subpart or (2) require a county committee to withhold taking any action which is not in accordance with this subpart.

(d) *Executive Vice President, CCC.* No delegation herein to a State or county committee or to the New Orleans Office shall preclude the Executive Vice President, CCC, or his designee, from determining any question arising under this subpart or from reversing or modifying any determination made by a State or county committee, or by the New Orleans Office.

§ 1443.3 Availability of program.

(a) *Area.* Subject to the provisions of § 1443.1, the purchase program will be available in all cotton-producing areas of the United States.

(b) *Time.* Purchases of cottonseed of any crop will be made in an area, when the State committee determines that such purchases are necessary to make the cottonseed price support program effective, from the date of such determination through the last day of February of the calendar year following the year in which the crop is grown. Whenever the final date of availability falls on a nonworkday for county offices, the applicable final date of availability shall be extended to the next workday.

§ 1443.4 Eligible producer.

An eligible producer is any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision, producing cottonseed in the capacity of landowner, landlord, tenant, or sharecropper.

§ 1443.5 Eligible cottonseed.

Cottonseed is eligible cottonseed if it meets the following requirements:

(a) *Area of production.* The cottonseed must be produced in the United States by an eligible producer.

(b) *Liens.* The cottonseed must be free and clear of liens or encumbrances, or proper waivers must be obtained.

(c) *Beneficial interest.* The beneficial interest in the cottonseed tendered to CCC by an eligible producer must be in the producer and must always have been in him or in him and a former producer whom he succeeded before the cottonseed was harvested. Any producer tendering cottonseed for purchase by CCC must have the legal right to sell the cottonseed. Eligible producers who are members of a cooperative participating ginner may act collectively through such ginner in selling their eligible cottonseed to CCC if (1) the cottonseed to be sold is delivered to the cooperative gin by such producer-members, and (2) the cooperative gin has been granted the legal right to sell the cottonseed by such producer-members.

(d) *Succession of interest.* To meet the requirements of succession to a former producer, the rights, responsibilities, and interest of the former producer with respect to the farming unit on which the cottonseed was produced shall have been substantially assumed by the person claiming succession. Mere purchase of a crop prior to harvest, without acquisition of any additional interest in the farming unit on which the cottonseed is produced shall not constitute succession.

(e) *Doubtful cases.* Any producer in doubt as to whether his interest in the cottonseed complies with the requirements of this section, before requesting price support, should make available to the county committee all pertinent information which will permit a determination to be made by CCC.

§ 1443.6 Participating ginners.

A participating ginner, to be eligible to sell cottonseed to CCC, must execute a Form CCC–901, Participating Ginner's Agreement, with CCC, and pay producers not less than the CCC purchase price of cottonseed to producers announced in the annual supplement to this subpart. The provisions of the Participating Ginner's Agreement shall continue in effect through the last day of February of the calendar year following the year in which the crop is grown, unless the ginner is notified in writing by the county committee that he is no longer eligible to participate in the program or the ginner gives written notice to the county committee that he is withdrawing from the program. In the event of any such notification, the ginner will no longer be eligible to tender cottonseed to CCC for purchase. The provisions of the Participating Ginner's Agreement shall include an assurance that the ginner's participation in the price support program will be conducted and his facilities operated in compliance with all requirements imposed by or pursuant to the regulations governing nondiscrimination in federally assisted programs of the Department of Agriculture, Part 15 of this title, which effectuates Title VI of the Civil Rights Act of 1964. All cottonseed tendered to CCC by a participating ginner shall be cottonseed from cotton which is ginned at his facility; cottonseed acquired by the ginner which is not from such cotton shall be kept separate and apart from cottonseed tendered or to be tendered to CCC. The maximum quantity of cottonseed from any crop which a participating ginner may tender to CCC is the quantity of seed of such crop which was ginned from cotton at his facility and which he has purchased from eligible producers at not less than the prices required by this section.

§ 1443.7 Grade basis for purchase price.

(a) *Purchases from producers.* (1) Except as provided otherwise in this paragraph (a), the grade of cottonseed purchased from a producer by CCC shall be considered to be the average grade for the county in which the purchase is made on the basis of the latest cottonseed grade report for the county published by ASCS, or on such other basis as the Executive Vice President, CCC, may approve.

(2) For any county where both upland and American-Egyptian cotton are grown, the ASCS grade report for such county shall specify the average grade for each such type of cottonseed and each such type of cottonseed shall be purchased at prices determined on the basis of the average grade for each such type of cottonseed.

(3) For any county where both upland and Sea Island or Sealand cottonseed are grown, the ASCS grade report for such county will specify the average grade for all cottonseed in the county without regard to type and the purchase price for all cottonseed produced in the

county shall be determined on the basis of such average grade.

(4) Whenever there is insufficient grade information available to make a determination of the average grade of cottonseed of a particular crop produced in a county, the grade of any cottonseed purchased shall be considered to be grade 90, unless another grade is approved by the State committee on the basis of official chemical analysis of the cottonseed being purchased in the area, or on the basis of other reasonable data.

(5) If a producer delivers to CCC at least 20,000 pounds of cottonseed within any period of 3 consecutive days, the grade of such cottonseed may, at the producer's request, be determined in accordance with the C&MS Service and Regulatory Announcement No. 179, as amended, "Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes Within the United States" (hereinafter referred to as "the Cottonseed Standards"), §§ 61.101 through 61.104 of this title, by chemical analysis of samples drawn from the cottonseed by federally licensed cottonseed samplers or by such other persons as may be approved by the county committee and forwarded to and analyzed by federally licensed cottonseed chemists. The cost of such sampling and analysis shall be borne by CCC.

(b) *Purchase from ginners.* (1) The grades of cottonseed purchased from participating ginners by CCC shall be determined in accordance with the Cottonseed Standards by chemical analysis of samples drawn from the cottonseed by federally licensed cottonseed samplers or by such other persons as are approved by the county committee, and forwarded to and analyzed by federally licensed cottonseed chemists. The cost of such sampling and analysis shall be borne by CCC.

(2) Cottonseed which is "below-grade" or "off-quality," as defined in the Cottonseed Standards, will be purchased from participating ginners by CCC at the market value at time of tender of such cottonseed, as determined by CCC.

(3) A ginner tendering cottonseed of any crop for purchase by CCC must not have paid any producer for cottonseed of that crop purchased by the ginner less than the price which CCC would pay to the producer for such cottonseed, as specified in the applicable annual supplement to this subpart, based on the average grade for the county in which the gin is located, determined as provided in subparagraphs (1) through (4) of paragraph (a) of this section.

(4) Notwithstanding the preceding requirements as to price, a participating ginner, after first notifying the county committee of the county where the gin is located of his intention to do so, may reduce the price paid to producers below the price established on the basis of the average grade for the county: *Provided,* That:

(i) He shall not pay any producer for cottonseed, during the period the ginner is paying such reduced price, less than the price which CCC would pay to the producer for such cottonseed, as specified in the applicable annual supplement to this subpart, based on the average grade of cottonseed produced at the gin during such period;

(ii) The average grade of cottonseed produced at the gin during such period shall be determined on the basis of official chemical analysis covering such cottonseed or on such other reasonable basis as may be approved by the State committee; and

(iii) The ginner furnishes the county office with certified copies of such chemical analysis or other evidence satisfactory to the State committee, showing the average grade of cottonseed produced at the gin during such period.

If it is determined by the State committee or county committee that any ginner has paid any producer for cottonseed of any crop less than the minimum price which he was obligated to pay under this paragraph (b), such ginner shall, without prejudice to any other rights which CCC may have, be ineligible to make any further sales to CCC of cottonseed of that crop, unless he first pays each such producer the difference between the price previously paid to the producer and the price the producer should have received.

(c) *Advances by cooperative gins.* If the participating ginner is a cooperative gin and if the marketing agreements between the gin and its members provide for advances, the gin may advance a part of the purchase price at the time each lot of cottonseed is purchased and pay the balance after completion of ginning of the applicable crop but not later than December 31 of the calendar year following the year in which the crop of cotton is grown. Such balance shall be made in cash unless the State committee has approved deferred payment by issuance of revolving-fund certificates or by other methods of retention of funds for capital purposes. The State committee will approve deferred payment only by cooperative gins which it determines (1) are organized under applicable State law as an association of persons who are engaged in the production of agricultural commodities, (2) meet producer ownership, membership meeting and voting requirements of applicable State law, (3) have more than 50 percent of their equity capital owned by producer-members, and (4) are operating on a financially sound basis. Any such cooperative gin desiring approval to make deferred payment shall submit its application for approval to the county committee of the county where the gin is located not later than the date Form CCC–901, Participating Ginner's Agreement, is filed, or such later date as the State committee may for good cause approve. The cooperative gin shall submit with its application a certified statement that the gin meets the requirements or subparagraphs (1) through (3) of this paragraph and a complete and accurate statement of its current financial condition. The cooperative gin shall also submit with its application a copy of its bylaws, board of directors resolution or other document which authorizes the gin to make deferred payments for the cottonseed and such other information regarding its cooperative status and financial condition as the State committee may request.

§ 1443.8 Payment for cottonseed and transportation.

(a) *Payment and delivery.* (1) Payments for cottonseed purchased from producers and participating ginners by CCC and for authorized transportation performed by such producers and ginners in accordance with subparagraph (2) of this paragraph (a) shall be made by county offices by means of sight drafts drawn on CCC.

(2) The cottonseed shall be delivered to CCC f.o.b. conveyance or carrier at the gin, or at a point designated by the county committee. If the county committee designates a point of delivery other than the gin, the producer or ginner shall be paid for transporting the seed from the gin to such point at a rate not in excess of the local commercial rate for such transportation services, as determined by the county committee.

(b) *Passage of title.* Title and risk of loss to the cottonseed shall pass to CCC upon delivery of the cottonseed to CCC.

§ 1443.9 Approved forms.

The approved forms, together with the provisions of this subpart, including amendments thereto, and the applicable supplement for the crop, shall govern the rights and responsibilities of producers and participating ginners under the CCC cottonseed purchase program. Approved forms may be obtained from county offices. Documents executed by an administrator, agent, executor, or trustee will be acceptable only where valid in law.

(a) *Producers.* Producer's Voucher, Form CCC–905, shall be executed by the producer when his cottonseed is purchased by CCC.

(b) *Cotton ginners.* (1) Each cotton ginner desiring to sell cottonseed to CCC pursuant to this subpart shall, prior to tender of any cottonseed for sale, file a Participating Ginner's Agreement, Form CCC–901, with the county office of the county in which each of his gins is located. The filing of such agreement does not obligate the ginner to sell any cottonseed to CCC, but if cottonseed of any crop is tendered by the ginner for sale to CCC under this subpart, the ginner must have complied with all provisions of this subpart applicable to purchases of cottonseed of that crop by a participating ginner. A cooperative gin desiring approval to make deferred payment of part of the purchase price of the cottonseed, as provided in paragraph (c) of § 1443.7, shall submit its application for approval to the county committee of the county where the gin's office in maintained.

(2) The ginner shall prepare and execute a Ginner's Voucher and Certificate, Form CCC–904, covering cottonseed tendered to CCC for purchase and shall deliver the form to the county office at time the seed is delivered to CCC for purchase.

(3) Each Form CCC–904 submitted by a ginner to the county office shall be supported by weight certificates or warehouse receipts covering the cottonseed purchased which have been issued by a crusher, an approved storage facility, or a representative of the county committee at a designated storage site. In the absence of warehouse receipts guaranteeing grade, Form CCC–904 shall be supported by official chemical analysis certificates covering the cottonseed and identifying such cottonseed by lot number or receipt numbers, or both, and weights.

§ 1443.10 Determination of quantity.

The quantity of cottonseed purchased from a producer by CCC shall be the gross weight (or if the cottonseed is graded as provided in § 1443.7(a)(5), the net weight) actually delivered to CCC, as determined by a representative of the county committee, by an approved storage facility, or by a crusher. The quantity of cottonseed purchased from a producer by a participating ginner shall be the gross weight of the cottonseed as customarily determined by the ginner when making purchases of cottonseed from producers. The quantity of cottonseed purchased from a ginner by CCC shall be the net weight of the cottonseed which is the gross weight thereof less the weight of all foreign matter in excess of 1 percent.

§ 1443.11 Personal liability.

If the producer or participating ginner has made a fraudulent representation in connection with a price support purchase by CCC under this subpart or in the purchase documents, he shall be personally liable, aside from any additional liability under criminal or civil fraud statutes, for any loss which CCC sustains upon the cottonseed delivered under the purchase. For the purpose of this program such loss shall be deemed to be the price paid to the producer or participating ginner on the cottonseed delivered under the purchase plus all costs sustained by CCC in connection with the cottonseed together with interest on such amounts at the rate announced in a separate notice published in the FEDERAL REGISTER, less the market value, as determined by CCC, of the cottonseed on the date of delivery, or the sales price if the cottonseed is sold in order to determine its market value.

§ 1443.12 Setoffs.

When CCC makes direct purchases of cottonseed from producers, setoffs will be made as follows:

(a) *Facility and drying equipment loans.* If any installment(s) on any loan made by CCC on farm storage facilities or drying equipment is payable under the provisions of the note evidencing such loan out of any amount due the producer under the program provided for in this subpart, the producer must designate CCC as payee of such amount to the extent of such installment(s), but not to exceed that portion of the amount remaining after deduction of amounts due prior lienholders.

(b) *Producers listed on county claim control record.* If the producer is indebted to CCC, or to any other agency of the United States and such indebtedness is listed on the county claim control record, amounts due the producer under the program provided for in this subpart, after deduction of amounts provided for in paragraph (a) of this section, shall be applied, as provided in the Secretary's Setoffs and Withholdings Regulations, Part 13 of this title as amended, to such indebtedness.

(c) *Producer's right.* Compliance with the provisions of this section shall not deprive the producer of any right he would otherwise have to contest the justness of the indebtedness involved in the setoff action, either by administrative appeal or by legal action.

§ 1443.13 Books and records.

Each participating ginner tendering cottonseed to CCC for purchase shall keep accurate books, records, and accounts with respect to all purchases of cottonseed (including the name of producer, date of receipt, weight, and purchase price of each lot of cottonseed purchased) and all other transactions under this subpart for a period of at least 3 years from the last day any cottonseed is tendered to CCC for purchase under the applicable Participating Ginner's Agreement. The participating ginner shall permit authorized employees of the U.S. Department of Agriculture at any time during customary business hours to inspect, examine, audit, and make copies of such books, records, and accounts.

§ 1443.14 Benefits and contingent fees.

(a) *Officials not to benefit.* No member of or Delegate to the Congress of the United States or Resident Commissioner, shall be admitted to any share or part of any contract resulting from tenders of cottonseed by a participating ginner under this subpart or to any benefit that may arise therefrom, but this provision shall not be construed to extend to such a contract if made with a corporation for its general benefit and shall not extend to any benefits that may accrue from such contract to a member of or Delegate to the Congress or a Resident Commissioner in his capacity as a producer of cottonseed.

(b) *Contingent fees.* By tendering cottonseed to CCC for purchase under this subpart the participating ginner warrants that no person or selling agency has been employed or retained to solicit or secure the Participating Ginner's Agreement upon an understanding or agreement for a commission, percentage, brokerage, or contingent fee except bona fide employees or bona fide established commercial or selling agencies maintained by the participating ginner for the purpose of selling cottonseed. For breach or violation of this warranty, CCC shall have the right to annul the Participating Ginner's Agreement without liability, or in its discretion to deduct from the purchase price of the cottonseed the full amount of such commission, percentage, brokerage, or contingent fee.

§ 1443.15 Nondiscrimination in employment.

(a) *Equal opportunity clause.* During the period between the date the participating ginner files his Participating Ginner's Agreement and the earlier of the date on which he gives the county committee the notice referred to in § 1443.6, or the date on which he completes his final delivery to CCC under this subpart, the participating ginner agrees as follows:

(1) The participating ginner will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The participating ginner will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The participating ginner agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the county committee setting forth the provisions of this nondiscrimination clause.

(2) The participating ginner will, in all solicitations or advertisements for employees placed by or on behalf of the participating ginner, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(3) The participating ginner will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the county committee, advising the labor union or workers' representative of the participating ginner's commitments under this nondiscrimination clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The participating ginner will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The participating ginner will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the participating ginner's noncompliance with the nondiscrimination clause of this contract, or with any of such rules, regulations, or orders, the Participating Ginner's Agreement may be canceled, terminated, or suspended in whole or in part and the participating ginner may be declared ineligible for further Government contracts

in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in the said Executive order by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The participating ginner will include the provisions of subparagraphs (1) through (7) of this paragraph in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The participating ginner will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however,* That in the event the participating ginner becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the participating ginner may request the United States to enter into such litigation to protect the interests of the United States.

(b) *Substitute terms.* Effective October 14, 1968, the words "race, color, religion, sex, or national origin" shall be substituted for the words "race, creed, color, or national origin" wherever they appear in paragraph (a) of this section.

(c) *Certification of nonsegregated facilities.* By the filing of a Participating Ginner's Agreement, the participating ginner certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The participating ginner agrees that a breach of this certification is a violation of the Equal Opportunity clause in this section. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms, and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. He further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause; that he will retain such certifications in his files; and that he will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A Certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001 or 15 U.S.C. 714m(a).

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

Effective date. This subpart shall become effective upon filing with the Office of the Federal Register for publication.

Signed at Washington, D.C., on October 9, 1968.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 68-12569; Filed, Oct. 15, 1968; 8:48 a.m.]

Title 12—BANKS AND BANKING

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

PART 1—INVESTMENT SECURITIES REGULATION

Securities Eligible for Underwriting and Unlimited Holding

§ 1.222 Los Angeles County-Lawndale Building Authority.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $300,000 Building Authority Revenue Bonds of the Los Angeles County-Lawndale Building Authority for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Los Angeles County-Lawndale Building Authority is a public entity created under the laws of California by an agreement between the City of Lawndale and the County of Los Angeles. Under this agreement the Authority is authorized to acquire a site for, and to construct, a public building to house City and County offices to be leased to and operated by the City and to issue bonds to finance the project. The Authority is issuing these bonds for that purpose.

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

(c) *Ruling.* It is our conclusion that the $300,000 Building Authority Revenue Bonds of the Los Angeles County-Lawndale Building Authority are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated Sept. 13, 1968.)

§ 1.223 Southeastern Pennsylvania Transportation Authority, Rental Revenue Bonds (Philadelphia lease).

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $55 million Southeastern Pennsylvania Transportation Authority, Rental Revenue Bonds (Philadelphia lease), Series of 1968, for purchase, dealing in, underwriting, and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) Southeastern Pennsylvania Transportation Authority is a body corporate and politic created in 1964 in accordance with the Metropolitan Transportation Authorities Act of the Commonwealth of Pennsylvania with authority to exercise the public powers of the Commonwealth as an agency and instrumentality thereof. Under the Act the Authority is authorized to plan, acquire, construct, improve, maintain, operate, and lease, either as lessor or lessee, a transportation system in the Philadelphia metropolitan area, to borrow money and to issue bonds. The City of Philadelphia has long been authorized under the laws of Pennsylvania to purchase, construct, lease, and operate transit facilities and also to sell or lease such facilities for operation by others.

(2) The Authority is issuing these bonds to finance the purchase of the transit properties of the privately owned Philadelphia Transportation Company. Concurrently with the purchase the Authority will lease the properties thus acquired to the City of Philadelphia. The City will then lease back to the Authority the entire Philadelphia transit system consisting of the property acquired from Philadelphia Transportation Company and also the property owned by the City itself.

(3) Under the lease rental agreement the City has unconditionally promised to pay out of revenues of current and successive years a net rental on the dates and in the amounts necessary to meet the debt service requirements on the bonds. The City which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the $55 million Southeastern Pennsylvania Transportation Authority, Rental Revenue Bonds (Philadelphia lease), Series of 1968, are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated Sept. 17, 1968.)

§ 1.224 Export-Import Bank debentures.

(a) *Request.* The Comptroller of the Currency has been requested to rule that medium-term interest bearing debentures of the Export-Import Bank of the United States are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* The Export-Import Bank of the United States (Eximbank) is authorized by law to borrow money in furtherance of its statutory functions. In an opinion of September 30, 1966, addressed to the Secretary of the Treasury, the Attorney General of the United States ruled that Eximbank's guaranties of participation certificates and the other contractural liabilities it is authorized to incur under its governing statute are valid general obligations of the United States. On this basis we concluded in our ruling of March 28, 1968 (Part 210 of this title) that promissory notes of the Export-Import Bank of the United States are obligations of the United States and eligible for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(c) *Ruling.* It is our conclusion that debentures of the Export-Import Bank of the United States are obligations of the United States and, accordingly, are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24. (Comptroller's letter dated Sept. 23, 1968.)

§ 1.225 Merced County-Los Banos Public Safety Authority.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $400,000 Merced County-Los Banos Public Safety Authority, Public Safety Facilities, 1968 Revenue Bonds for purchase, dealing in, underwriting, and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Merced County-Los Banos Public Safety Authority is a public entity created under the laws of California by an agreement between the City of Los Banos and the County of Merced. Under this agreement the Authority is authorized to acquire a site for and to acquire, construct and lease public safety facilities for the City and the County and to issue bonds to finance such projects. The Authority is issuing these bonds to reimburse the City for a site for and to finance the construction of a public safety building and related facilities which will be leased to the City. The building will house the City police department and will include space and facilities to be shared by the County sheriff.

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

(c) *Ruling.* It is our conclusion that the $400,000 Merced County-Los Banos Public Safety Authority, Public Safety Facilities, 1968 Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated Oct. 4, 1968.)

§ 1.226 Seal Beach Administration Building Authority.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $450,000 Seal Beach Administration Building Authority Revenue Bonds for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Seal Beach Administration Building Authority is a public entity created under the laws of California by an agreement between the City of Seal Beach and Orange County Sanitation District No. 4. Under this agreement the Authority is authorized to acquire and construct an administration building and related facilities for City and District services to be leased to and operated by the City and to issue bonds to finance this project. The Authority is issuing these bonds for that purpose.

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

(c) *Ruling.* It is our conclusion that the $450,000 Seal Beach Administration Building Authority Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks. (Comptroller's letter dated Oct. 7, 1968.)

Dated: October 10, 1968.

[SEAL] J. T. WATSON,
Acting Comptroller of the Currency.

[F.R. Doc. 68-12564; Filed, Oct. 15, 1968; 8:48 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter III—Delaware River Basin Commission

PART 401—RULES OF PRACTICE AND PROCEDURE

Miscellaneous Amendments

Whereas, the Commission, after public hearing, duly adopted Water Quality Standards by amendment of the Comprehensive Plan pursuant to the Compact; and

Whereas such Standards were generally approved by the Secretary of the Interior pursuant to section 10 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466); and the Commission, after public hearing, duly adopted Basin Regulations to implement such Standards; and

Whereas it is necessary and appropriate to add to the rules of practice and procedure further provision for review, hearing and determination of objections to administrative actions and decisions taken or made pursuant to such Basin Regulations; now therefore

Be it resolved by the Delaware River Basin Commission:

1. Section 401.41 is amended to read as follows:

§ 401.41 Objections.

Every objection filed pursuant to § 401.40 shall be in writing and shall particularly specify the ground thereof. Amendments to the objections may be permitted by the Commission. All objections and supporting documents shall be filed in duplicate in such form as the Executive Director may prescribe. No person may be heard in opposition to an application except on objections so filed. Such objections shall be heard and determined under the procedure prescribed by Subpart E (Hearings) of this part.

§§ 401.42, 401.43, 401.44, 401.46 [Repealed]

2. *Repealer.* §§ 401.42, 401.43, 401.44, and 401.46 are hereby repealed.

3. The rules of practice and procedure are amended and supplemented by inserting therein a new subpart following § 401.41, designated Subpart D, as follows:

Subpart D—Review in Water Quality Cases

Sec.
401.51 Scope.
401.52 Notice and request for hearing.
401.53 Form of request.
401.54 Report.
401.55 Form and contents of report.
401.56 Protection of trade secrets; confidential information.
401.57 Failure to furnish report.
401.58 Informal conference.
401.59 Consolidation of hearings.

AUTHORITY: The provisions of this Subpart D issued under sec. 14.2, Delaware River Basin Compact, 75 Stat. 708.

Subpart D—Review in Water Quality Cases

§ 401.51 Scope.

This subpart shall apply to the review, hearing and decision of objections and issues arising as a result of administrative actions and decisions taken or rendered under the Basin Regulations.

§ 401.52 Notice and request for hearing.

The Executive Director shall serve notice of an action or decision by him under the Basin Regulations by personal service or certified mail, return receipt requested. The affected discharger shall be entitled (and the notice of action or decision shall so state) to show cause at a Commission hearing why such action or decision should not take effect. A request for such a hearing shall be filed with the Secretary of the Commission not more than 20 days after service of the Executive Director's determination. Failure to file such a request within the time limited shall be deemed to be an acceptance of the Executive Director's determination and a waiver of any further hearing.

§ 401.53 Form of request.

A request for a hearing may be informal but shall indicate the name of the individual and the address to which an acknowledgment may be directed. It may be stated in such detail as the objector may elect. The request shall be deemed filed only upon receipt by the Commission.

§ 401.54 Report.

Whenever the Executive Director determines that the request for a hearing is insufficient to identify the nature and scope of the objection, or that one or more issues may be resolved, reduced or identified by such action, he may require the objector to prepare and submit to the Commission, within such reasonable time (not less than 20 days) as he may specify, a technical report of the facts relating to the objection prior to the scheduling of the hearing. The report shall be required by notice in writing served upon the objector by certified mail, return receipt requested, addressed to the person or entity filing the request for hearing at the place indicated in the request.

§ 401.55 Form and contents of report.

(a) *Generally.* A request for a report under this article may require such information and the answers to such questions as may be reasonably pertinent to the subject of the action or determination under consideration.

(b) *Waste loading.* In cases involving objections to an allocation of the assimilative capacity of a stream, the report shall be signed and verified by a technically qualified person having personal knowledge of the facts stated therein, and shall include such of the following items as the Executive Director may require:

(1) A specification with particularity of the ground or grounds for the objection; and failure to specify a ground for objection prior to the hearing shall foreclose the objector from thereafter asserting such a ground at the hearing;

(2) A description of industrial processing and waste treatment operational characteristics in such detail as to permit an evaluation of the character, kind and quantity of the discharges, both treated and untreated, including the physical, chemical, and biological properties of any liquid, gaseous, solid, radioactive, or other substance composing the discharge in whole or in part;

(3) The thermal characteristics of the discharges and the level of heat in flow;

(4) Information in sufficient detail to permit evaluation in depth of any in-plant control or recovery process for which credit is claimed;

(5) An analysis of all the parameters that may have an effect on the strength of the waste or impinge upon the water quality criteria set forth in the Basin Regulations, including a determination of the rate of biochemical oxygen demand and the projection of a first-stage carbonaceous oxygen demand;

(6) Measurements of the waste as closely as possible to the processes where the wastes are produced, with the sample composited either continually or at frequent intervals (one-half hour or, where permitted by the Executive Director, 1 hour periods), so as to represent adequately the strength and volume of the waste that is discharged;

(7) Such other and additional specific technical data as the Executive Director may reasonably consider necessary and useful for the proper determination of a waste load allocation.

§ 401.56 Protection of trade secrets; confidential information.

No person shall be required in such report to divulge trade secrets or secret processes. All information disclosed to any Commissioner, agent or employee of the Commission in any report required by the rules in this subpart shall be confidential for the purposes of section 1905 of title 18 of the United States Code which provides:

> Whoever, being an officer or employee of the United States or of any department or agency thereof, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation or association; or permits any income return or copy thereof to be seen or examined by any persons except as provided by law; shall be fined not more than $1,000 or imprisoned not more than 1 year, or both; and shall be removed from office or employment. June 25, 1948, C. 624, 62 Stat. 791.

§ 401.57 Failure to furnish report.

The Executive Director may, upon 5 days notice to the objector, dismiss the request for a hearing as to any objector who fails to file a complete report within such time as shall be prescribed in the Director's notice.

§ 401.58 Informal conference.

Whenever the Executive Director deems it appropriate, he may cause an informal conference to be scheduled between an objector and such member of the Commission staff as he may designate. The purpose of such a conference shall be to resolve or narrow the ground or grounds of the objections.

§ 401.59 Consolidation of hearings.

Following such informal conferences as may be held, to the extent that the same or similar grounds for objections are raised by one or more objectors, the Executive Director may in his discretion, and with the consent of the objectors, cause a consolidated hearing to be scheduled at which two or more objectors asserting that ground may be heard.

4. A new Subpart E is inserted following Subpart D, to read as follows:

Subpart E—Conduct of Hearings

Sec.

AUTHORITY: The provisions of this Subpart E issued under sec. 14.2, Delaware River Basin Compact, 75 Stat. 708.

Subpart E—Conduct of Hearings

§ 401.61 Hearings generally.

(a) *Scope of subpart.* This subpart shall apply to hearings required for the purposes of Subparts C and D of this part and, to the extent applicable, to the conduct of administrative hearings for which no other provision is made by statute or regulation.

(b) *Timely request.* Any person aggrieved by any action or decision of the Executive Director taken under and Basin Regulation shall be entitled upon timely filing of a request therefor, to a hearing in accordance with these regulations.

(c) *Optional joint hearings.* Whenever designated by a department, agency or instrumentality of a signatory party, and within any limitations prescribed by the designation, a hearing officer designated pursuant to this subpart may serve as a hearing officer, examiner or agent pursuant to such additional designation. The hearing officer may conduct joint hearings for the Commission and for such other department, agency or instrumentality. Pursuant to the additional designation, a hearing officer shall cause to be filed with the department, agency or instrumentality making the designation, a certified copy of the transcript of the evidence taken before him and, if requested, of his findings and recommendations. Neither the hearing officer

nor the Delaware River Basin Commission shall have or exercise any power or duty as a result of such additional designation to decide the merits of any matter arising under the separate laws of a signatory party (other than the Delaware River Basin Compact).

(d) *Schedule.* The Executive Director shall cause the schedule for each hearing to be listed in advance upon a "hearing docket" which shall be posted in public view at the office of the Commission.

§ 401.62 Hearing officer.

(a) *Generally.* Hearings shall be conducted by one or more members of the Commission, by the Executive Director, or by such other hearing officer as the chairman may designate, except as provided in paragraph (b) of this section.

(b) *Waste load allocation cases.* In cases involving the allocation of the assimilative capacity of a stream.

(1) The Executive Director shall appoint a hearing board of at least two persons. One of them shall be nominated by the water pollution control agency of the state in which the discharge originates, and he shall be chairman. The board shall have and exercise the powers and duties of a hearing officer.

(2) A quorum of the board for purposes of the hearing shall consist of two members.

(3) Questions of practice or procedure during the hearing shall be determined by the chairman.

§ 401.63 Hearing procedure.

(a) The hearing officer shall have the power to rule upon offers of proof and the admissibility of evidence, to regulate the course of the hearings, and to hold conferences for the settlement or simplification of issues.

(b) The hearing officer shall cause each witness to be sworn or to make affirmation.

(c) Any party to a hearing shall have the right to present evidence and to examine and cross-examine witnesses.

(d) When necessary, in order to prevent undue prolongation of the hearing, the hearing officer may limit the number of times any witness may testify, the repetitious examination or cross-examination of witnesses, or the extent of corroborative or cumulative testimony.

(e) The hearing officer shall exclude irrelevant, immaterial, or unduly repetitious evidence, but the parties shall not be bound by technical rules of evidence, and all relevant evidence of reasonably probative value may be received.

(f) Any person entitled to be heard may appear and be heard in person or be represented by an attorney at law or, if the applicant is a corporation, by its corporate officer, an authorized employee, or by an attorney at law.

(g) Briefs and oral argument may be required by the hearing officer and shall be permitted upon request made prior to the close of the hearing by any party. They shall be part of the record unless otherwise ordered by the hearing officer.

§ 401.64 Staff and other expert testimony.

(a) The Executive Director shall arrange for the presentation of testimony by the Commision's technical staff and other experts, as he may deem necessary or desirable, to incorporate in the record or support the administrative action, determination or decision which is the subject of the hearing.

(b) A party to the hearing may submit the testimony of an expert witness, to be made part of the record, whether or not the expert is present, provided that such testimony has been reduced to writing, sworn, and copies thereof distributed to all parties appearing at the hearing. Such testimony, however, shall not be admitted whenever the expert is not present and available for cross-examination at the hearing unless the testimony shall have been made available to all parties of record at least 5 days prior to the hearing and all parties have waived the right of cross-examination.

§ 401.65 Record of proceedings.

A record of the proceedings and evidence at each hearing shall be made by a qualified stenographer designated by the Executive Director. Where demanded by the applicant, objector, or any other person who is a party to these proceedings, or where deemed necessary by the hearing officer, the testimony shall be transcribed. Those instances where a transcript of proceedings is made, two copies shall be delivered to the Commission. The applicant, objector, or other persons who desire copies shall obtain them from the stenographer at such price as may be agreed upon by the stenographer and the person desiring the transcript.

§ 401.66 Findings and report.

The hearing officer shall prepare a report of his findings and recommendations. In the case of an objection to a waste load allocation, the hearing officer shall make specific findings of a recommended allocation of carbonaceous oxygen demand, which may increase, reduce, or confirm the Executive Director's determination. The report shall be served by personal service or certified mail (return receipt requested) upon each party to the hearing or its counsel unless all parties have waived service of the report. The applicant and any objector may file objections to the report within 20 days after the service upon him of a copy of the report. A brief shall be filed together with any objections. The report of the hearing officer together with objections and briefs shall be promptly submitted to the Commission. The Commission may require or permit oral argument upon such submission prior to its decision.

§ 401.67 Action by the Commission.

The Commission will act upon the findings and recommendations of the hearing officer pursuant to law. The determination of the Commission will be in writing and shall be filed together with any transcript of the hearing, report of the hearing officer, objections thereto, and all plans, maps, exhibits, and other papers, records or documents relating to the hearing. Subject to the provisions of § 401.56, all such records, papers, and documents may be examined by any person at the office of the Commission, and shall not be removed therefrom except temporarily upon the written order of the Secretary after the filing of a receipt therefor in form prescribed by the Secretary. Copies of any such records and papers may be made in the office of the Commission by any person, subject to such reasonable safeguards for the protection of the records as the Executive Director may require.

5. *Redesignated and amended sections.* The following sections are renumbered and amended as indicated:

(a) Section 401.45 redesignated 401.72 and amended to read as follows.

§ 401.72 Supplementary details.

Forms, procedures and supplementary information, to effectuate these regulations, may be provided or required by the Executive Director as to any hearing, project or class of projects.

§ 401.73 [Redesignated]

(b) Section 401.47 redesignated 401.73.

§ 401.42 [Redesignated]

(c) Section 401.48 redesignated 401.42 and precedes new Subpart D.

§ 401.71 [Redesignated]

(d) Section 401.51 redesignated 401.71.

§ 401.74 [Redesignated]

(e) Section 401.52 redesignated 401.74.

§ 401.75 [Redesignated]

(f) Section 401.53 redesignated 401.75.

§§ 401.51, 401.52 [Redesignated]

(g) Present Subpart D is redesignated Subpart F.

(Sec. 14.2, Delaware River Basin Compact, 75 Stat. 708)

Effective date. These regulations shall take effect immediately upon publication and filing pursuant to law.

W. BRINTON WHITALL,
Secretary.

[F.R. Doc. 68-12485; Filed, Oct. 15, 1968; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 50—FULFILLING THE MILITARY SERVICE OBLIGATION

The Deputy Secretary of Defense approved the following revision to Part 50 on August 21, 1968:

Sec.
50.1 Purpose and applicability.
50.2 The military service obligation.

AUTHORITY: The provisions of this Part 50 issued under sec. 301, 80 Stat. 379; 5 U.S.C. 301; sec. 6(d)(1), 62 Stat. 611; 50 App. U.S.C. 456(d)(1); sec. 651, 70A Stat. 27; 10 U.S.C. 651.

§ 50.1 Purpose and applicability.

This part implements the Military Selective Service Act of 1967 (50 App. U.S.C. 451 et seq.); the Armed Forces Reserve Act of 1952, as amended; and various sections of title 10, United States Code as outlined herein, by prescribing uniform policy with respect to fulfillment of the statutory military service obligation. The provisions of this part apply to the Military Departments.

§ 50.2 The military service obligation.

(a) *Statutory provisions*—(1) *The 8-year obligation*—(i) *Section 6(d)(1) of the Selective Service Act.* Persons commissioned in a reserve component upon completion of officer training programs specified in section 6(d)(1) of that Act who perform initial active-duty-for-training of 3 to 6 months in lieu of 2 or more years of active duty are required to serve in a reserve component until the eighth anniversary of the receipt of such commission.

(ii) *Section 262 of the Armed Forces Reserve Act of 1952, as amended.* Persons without prior military service between the ages of 17 and 18½ who, prior to August 1, 1963, enlisted directly in the Ready Reserve in a reserve component of an armed force, other than in the Army National Guard or the Air National Guard, with a requirement to perform initial active-duty-for-training of 3 to 6 months.

(2) *The 6-year obligation.* General—Section 651(a) of title 10, United States Code—"Each male person who, after August 9, 1955, becomes a member of an armed force before his twenty-sixth birthday * * * shall serve in the armed forces for a total of six years, unless he is sooner discharged because of personal hardship under regulations prescribed by the Secretary of Defense * * *. Any part of such service that is not active duty or is active duty for training shall be performed in a reserve component."

(b) *Definitions.* For the purpose of administering paragraph (a) of this section, the terms "inducted," "enlisted," and "appointed" refer to initial entry of male personnel into any of the armed forces, including a reserve component thereof.

(c) *Transfer to a reserve component.* Qualified individuals affected by the provisions of paragraph (a) of this section, are required to serve a total period of 8 or 6 years, as the case may be, from the date of their induction, enlistment, or appointment. Persons who have a portion of their obligation remaining upon release from active training and service, and who are determined by the Secretary of the Military Department concerned to be physically and mentally qualified for enlistment or appointment in a reserve component shall be transferred without discharge from military status.

(d) *Fulfillment of the military service obligation.* (1) Periods of Ready Reserve and Standby Reserve service within the total military service obligation are governed by Part 115 of this subchapter and sections 269 and 511 (b) and (d) of title 10 United States Code.

(2) Upon completion of the military service obligation, the individual shall be discharged or otherwise separated unless he is otherwise obligated to remain in the military service.

(3) The military service obligation is considered terminated upon a discharge for the purpose of complete separation from military status. It is not considered terminated upon discharge or other type of separation for the purpose of immediate entry or reentry in the same or any other component of the armed forces, or for the purpose of entry into an officers' training program in which the individual has military status. Additional service performed after such a discharge or other type or separation will be counted toward fulfillment of such obligation.

(4) An individual may, upon his written application, be discharged from the Reserve, irrespective of having performed the total required period of service, for the purpose of taking final vows in a religious order. Such application shall be accompanied by certification, signed by an appropriate official of the religious order concerned, that preparations for final acceptance cannot proceed further until separation from the military service is accomplished.

(5) An enlisted member of an armed force who accepts appointment to a Service academy as a cadet or midshipman, or as a Reserve Officers' Training Corps cadet or midshipman under the provisions of section 2107 of title 10, United States Code, shall not be separated from enlisted status by reason of such appointment.

(i) The period of time so served shall be counted toward fulfillment of the military service obligation in the event the appointment is terminated prior to graduation or the cadet or midshipman fails to accept a commission if offered. This credit would not alter the authority for ordering such individuals to active duty as provided in DoD Directive 1332.23, "Service Academy Separations", May 9, 1968[1] and Part 127 of this subchapter. (Directive 1332.23 delineates certain procedures to be followed in the case of Service academy disenrollees.)

(ii) Under sections 971, 2107, 3682, 6116, and 8682 of title 10, United States Code, such service may not be counted toward fulfillment of an officer's military service obligation.

(6) A Service academy cadet or midshipman who initially entered an armed force in such status and whose appointment is terminated prior to graduation, or who fails to accept a commission if offered, will be processed in accordance with the provisions of DoD Directive 1332.23. Credit toward fulfillment of the military service obligation will be granted such disenrollees only if they are serving in an enlisted status.

(7) Enlisted service for the period covered by Reserve Officers' Training Corps advanced training may not be counted toward fulfillment of a military service obligation of an officer appointed under section 2106 of title 10, United States Code. An officer appointed under section 2107 of title 10, United States Code may not be credited with service as a cadet or midshipman, or with concurrent enlisted service.

(8) An individual whose enlistment or appointment is declared void on the grounds of minority and who is released pursuant to such action shall not, as the result of such enlistment or appointment, be considered to have acquired a military service obligation; however, service rendered under a void minority enlistment when characterized as honorable by the Secretary of the Military Department concerned, shall be creditable toward fulfilling any subsequent statutory military service obligation acquired by the individual. Such credit would not alter the terms of any subsequent enlistments for specific periods, e.g., direct enlistments in the Ready Reserve under the provisions of section 511 of title 10, United States Code.

(9) Discharge or other separation of an individual from an armed force prior to the date of completion of a military service obligation will be effected at the discretion of the Secretary of the Military Department concerned. Provisions of Part 125 of this subchapter, shall apply in cases of discharge by reason of personal or community hardship, prior to completion of a military service obligation.

(10) Interservice transfers of reservists who have a military service obligation shall be accomplished as prescribed in Part 123 of this subchapter.

(11) An individual who is enlisted or appointed in the Ready Reserve of any armed force, and who subsequently fails to participate satisfactorily in Reserve training will not be discharged by reason thereof. In such cases, provisions of Parts 101 and 127 of this subchapter will apply. An individual who is inducted under provisions of section 6(c)(2)(D) of the Selective Service Act of 1967 and who completes the required period of active training and service shall continue to hold his appointment or enlistment contract to serve as a Reserve, and shall be required to fulfill the terms thereof unless discharged from the obligation by the Secretary of the Military Department concerned.

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

[F.R. Doc. 68-12533; Filed, Oct. 15, 1968; 8:46 a.m.]

[1] Filed as part of original. Copies available from The Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa. 19120, Attention: Code 300.

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5A—Federal Supply Service, General Services Administration

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 5A of Title 41 is amended as follows:

PART 5A–72—REGULAR PURCHASE PROGRAMS OTHER THAN FEDERAL SUPPLY SCHEDULE

Subpart 5A–72.1—Procurement of Stores Stock Items

1. Section 5A–72.105–19 is amended to add a citation. As amended the section reads as follows:

§ 5A–72.105–19 Aggregate awards.

Provision shall be made for making aggregate awards where such action is deemed advantageous. Requirements with respect to aggregate awards are contained in §§ 5–2.201–53, 5–2.201–54, and 5A–2.201–54.

2. Section 5A–72.105–20 is amended as follows:

§ 5A–72.105–20 Maximum order limitations—requirements and indefinite quantity contracts.

* * * * *

(c) Requirements in excess of the maximum order limitations of national or zone term contracts shall be procured in the same manner as that prescribed in § 5A–73.113(b) with respect to requirements which exceed the maximum order limitations of Federal Supply Schedules.

PART 5A–73—FEDERAL SUPPLY SCHEDULE PROGRAM

3. The table of contents for Part 5A–73 is amended to add two new entries and to delete the title line of § 5A–73.123–3 as follows:

Sec.

5A–73.109–7	Use of Schedules by contractors and grantees.
5A–73.123–3	[Reserved]
5A–73.123–5	Blanket purchase arrangements.

Subpart 5A–73.1—Production and Maintenance

4. Section 5A–73.109–1 is amended to change paragraph (a) of the clause therein to read as follows:

§ 5A–73.109–1 Statement of scope.

* * * * *

SCOPE OF CONTRACT

(a) This invitation provides for the normal supply requirements of (complete in accordance with § 5A–73.109–3, –4, or –5) and resultant contracts will be used as primary sources for the articles or services listed herein. Articles or services will be ordered from time to time in such quantities as may be needed to fill any requirement determined in accordance with currently applicable procurement and supply procedures. As it is impossible to determine the precise quantities of different kinds of articles and services described in the invitation that will be needed during the contract term, each Contractor whose bid is accepted will be obligated to deliver all articles and services of the kinds contracted for that may be ordered during the contract term, Except:

* * * * *

5. Section 5A–73.109–7 is added to prescribe a provision concerning the use of Federal Supply Schedules by contractors and grantees.

§ 5A–73.109–7 Use of Schedules by contractors and grantees.

The following Use of Schedule by Contractors and Grantees clause shall be included in each solicitation and resulting Schedule. (NOTE: When the provision is used in solicitations it shall be preceded by a statement substantially as follows: "The following provision will be included in the resulting Federal Supply Schedule.")

USE OF SCHEDULE BY CONTRACTORS AND GRANTEES

This Schedule may be used as a source of supply by authorized Government contractors in accordance with FPR 1–5.9 and by authorized grantees of Federal agencies in accordance with GSA Bulletin FPMR A–17, dated November 7, 1967.

6. Section 5A–73.110–1 is amended to read as follows:

§ 5A–73.110–1 Special requirements clause.

The following special requirements clause shall be included in each solicitation and resulting Schedule. (NOTE: When the provision is used in solicitations it shall be preceded by a statement substantially as follows: "The following provision will be included in the resulting Federal Supply Schedule.")

SPECIAL REQUIREMENTS

Where an agency required, under (a) of the Scope of Contract provision, to use the contracts listed herein, finds that the specific articles or services contracted for will not meet a special requirement, articles or services having the same general characteristics needed to meet the special requirement may be procured: *Provided,* That a prior written waiver of the requirement for using this Schedule is obtained from the General Services Administration. Requests for such waivers shall be submitted to the Commissioner, Federal Supply Service, General Services Administration, Washington, D.C. 20405, in accordance with section 101–26.401–3 of the Federal Property Management Regulations and any implementing regulations of the requesting agency.

7. Section 5A–73.112 is amended to change paragraph (e) thereof to read as follows:

§ 5A–73.112 Maximum order limitations.

* * * * *

(e) Whenever a maximum order limitation is used, the applicable clause prescribed in paragraph (f), (g), or (h), below, with the appropriate monetary limitations inserted, shall be included in the solicitation and resulting Schedules. In addition, the provision below shall be included in the solicitation (but not the resulting Schedule) immediately following the maximum order limitation clause:

CONSOLIDATION OF REQUIREMENTS

For the information of offerors, the following provision will be included in resulting Schedules:

In accordance with GSA Bulletin FPMR E–50, whenever feasible, agencies should consolidate their requirements so as to take advantage of price savings available through separate procurement of quantities which exceed the maximum order limitation.

* * * * *

8. Section 5A–73.113 is revised to read as follows:

§ 5A–73.113 Requirements in excess of maximum order limitations.

(a) *Federal Supply Schedule provisions.* With the exception of FSC Group 65, Part 1, sections A and B, Drugs and Pharmaceutical Products, and FSC Group 89, Part I, Subsistence, which have been assigned to the Veterans Administration, whenever a maximum order limitation provision is contained in a Federal Supply Schedule solicitation, the resulting Schedule shall include the following provision in addition to the maximum order limitation:

REQUIREMENTS IN EXCESS OF MAXIMUM ORDER LIMITATIONS

(a) Except as provided below, agencies included under (a) of the "Scope of Contract" provision, including the Department of Defense where the requirement falls within DoD–GSA Interagency Purchase Assignments, shall forward purchase requests for items included herein which exceed the applicable maximum order limitation to *the GSA regional office which serves the consignee.* Agencies included under (b) of the "Scope of Contract" provision, may at their option, forward such purchase requests to the GSA regional office which serves the consignee for purchase action.

(b) In accordance with GSA Bulletin FPMR E–50, whenever feasible, agencies should consolidate their requirements so as to take advantage of price savings available through separate procurement of quantities which exceed the maximum order limitation. Agencies which periodically consolidate requirements for one or more items included in this Schedule at an agency headquarters office (national, regional, State, bureau, etc.) and the total requirement exceeds the maximum order limitation, may either:

(1) Arrange for the office executing the Schedule to make a separate contract for use by the agency in placing delivery orders (direct order/expediting/payment by requiring agency), or

(2) Submit requisitions for the total requirement to the GSA regional office serving the agency headquarters office.

(b) *Procurement procedure.* Requirements which exceed the maximum order limitation of Federal Supply Schedules (except the two Schedules identified in (a), above) shall be procured in accordance with this paragraph (b).

(1) A regional buying activity which receives a purchase request for a requirement which exceeds the maximum order limitation of a Schedule made by another buying activity (Procurement Operations Division or another region) shall immediately give written or oral notice of the requirement to the Schedule contracting activity. Unless excepted under

(b)(5) or (b)(6), below, regional procurement of the requirement shall be authorized by the Schedule contracting activity. Such authorizations shall be given on a case by case basis, and shall not be construed as authority for procurement of succeeding requirements.

(2) In authorizing regional procurement as provided in (b)(1), above, the Schedule contracting activity shall furnish the regional buying activity with such advice, information, and assistance as is necessary to assure that purchases of the same commodities are handled in a consistent manner. This shall include as a minimum the following:

(i) Guidance as to appropriate specifications and purchase descriptions, including in the case of "brand name or equal" descriptions, the salient features to be used.

(ii) Any special clauses for use in the solicitation and/or contract.

(iii) Appropriate bidders' mailing lists.

(iv) Name of person to contact in Schedule contracting activity.

(3) A regional buying activity authorized under (b)(1), above, to handle a procurement shall, upon issuance of the solicitation, send two copies thereof to the designated contact in the Schedule contracting activity for immediate review and prompt advice to the regional buying activity of any changes required, so that the solicitation can be amended on a timely basis.

(4) Any controversial matters or difficulties which may arise in determining contract award (e.g., determining reasonableness of prices or responsibility of bidders) shall be coordinated with the Schedule contracting activity.

(5) In any case where one or more of the following circumstances is present, the Chief of the regional buying activity or the Chief of the branch in the Procurement Operations Division, as applicable, which made the Schedule involved, may make an exception and not authorize regional procurement of the requirement:

(i) Where it is known that specifications involved are in the process of being changed and actions must be closely coordinated to assure a consistent approach to the market;

(ii) When the items required are in short supply and entry of more than one office into the market may cause confusion and tend to create an impression of inflated demand;

(iii) Where the requirement can be consolidated with other requirements and it is probable that such consolidation will result in lower prices;

(iv) Where contract administration problems exist which involve specifications for the same or similar items and new purchases must be handled on a consistent basis; and

(v) Where proprietary purchases are involved and consistency in required justifications must be maintained.

(6) Regional procurement shall not be authorized in the case of any item where a specific consolidated purchasing program, such as those for security cabinets and office machines, is in effect.

(7) When procuring requirements in excess of the maximum order limitations of a Schedule, Schedule contractors for the items involved shall be given an opportunity to submit prices irrespective of whether the requirement is advertised or negotiated. Whenever bid prices received as a result of formal advertising are higher than the prices in the Schedule and are determined to be unreasonable, all bids may be rejected and the requirement procured by negotiation, under authority set forth in § 1–3.214.

9. Section 5A–73.123–5 is added to prescribe a blanket purchase arrangement provision for Federal Supply Schedules.

§ 5A–73.123–5 Blanket purchase arrangements.

The provision below shall be included in each Federal Supply Schedule solicitation. The provision shall also be included in each resulting Schedule, except that the language immediately following paragraph (c) (reading "For the information of offerors, the following provision will be included in resulting Schedules:") shall be deleted.

BLANKET PURCHASE ARRANGEMENTS

The Contractor agrees to enter into blanket purchase arrangements with ordering activities: *Provided*, That:

(a) Only items covered by the contract are ordered under such arrangements;

(b) The period of time covered by such arrangements shall not exceed the period of the contract; and

(c) Orders placed under such arrangements shall be issued in accordance with all applicable regulations and the terms and conditions of the contract.

For the information of offerors, the following provision will be included in resulting Schedules:

Blanket purchase arrangements shall not be used to cover an anticipated series of orders to be placed within a short period of time the value of which would exceed the maximum order limitation (see FPMR 101–26.401–4(c)). If requirements exceeding the maximum order limitation can be foreseen and consolidated, they should be submitted for definite quantity procurement outside the Schedule as provided in GSA Bulletin FPMR E–50 (see Special Provision No. ——,[1] Requirements in Excess of Maximum Order Limitations).

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); CFR 5–1.101(c))

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: October 4, 1968.

H. A. ABERSFELLER,
Commissioner,
Federal Supply Service.

[F.R. Doc. 68–12534; Filed, Oct. 15, 1968; 8:46 a.m.]

[1] Contracting Officer insert appropriate number.

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1010–A]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of October, A.D. 1968.

Upon further consideration of Service Order No. 1010 (33 F.R. 15122) and good cause appearing therefor:

It is ordered, That:

Section 1033.1010 *Service Order No. 1010* (Distribution of Boxcars), be, and it is hereby, vacated and set aside.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That this order shall become effective at 12:01 a.m., October 14, 1968; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of the order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68–12550; Filed, Oct. 15, 1968; 8:47 a.m.]

[S.O. 1011]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of October, A.D., 1968.

It appearing, that an acute shortage of plain boxcars with inside length of fifty feet or longer and boxcars with inside length of forty feet or longer with side-door openings of eight feet or wider exists throughout the United States; that shippers are being deprived of such cars required for loading, resulting in a very severe emergency thus creating a great economic loss; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return

of such boxcars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1011 Service Order No. 1011.

(a) *Distribution of boxcars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Withdraw from distribution and return to owners empty, except as otherwise provided in subparagraph (2) or (3) of this paragraph, all plain boxcars which are listed in the Official Railway Equipment Register, ICC, R.E.R. 368, issued by E. J. McFarland, or reissues thereof, as having mechanical designation XM, with inside length of 50 feet or longer, or with inside length 40 feet or longer and with side-door openings 8 feet wide or wider, or equipped with plug doors regardless of length.

(2) Boxcars described in subparagraph (1) of this paragraph available empty at a station other than a junction with the owner may be loaded to stations on or via the owner, or to any station which is closer to the owner than the point where loaded.

(3) Boxcars described in subparagraph (1) of this paragraph available empty at a junction with the owner must be delivered to the owner at that junction, either loaded or empty.

(4) Boxcars described in subparagraph (1) of this paragraph must not be back-hauled empty, for the purpose of obtaining a load as authorized in subparagraphs (2) and (3) of this paragraph nor held empty more than 24 hours awaiting placement for loading.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., October 14, 1968.

(d) *Expiration date.* This order shall expire at 11:59 p.m., November 16, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4) and 17(2))

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

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68–12551; Filed, Oct. 15, 1968; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 919]

PEACHES GROWN IN MESA COUNTY, COLO.

Expenses and Rate of Assessment for 1968–69 Fiscal Year

Consideration is being given to the following proposals submitted by the Administrative Committee, established under the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), regulating the handling of peaches grown in Mesa County, Colo., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(1) That the expenses that are reasonable and likely to be incurred by the Administrative Committee during the period March 1, 1968, through February 28, 1969, will amount to $1,000.

(2) That there be fixed, at $0.02 per bushel basket, or equivalent quantity of peaches in other containers or in bulk, the rate of assessment payable by each handler in accordance with § 919.41 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: October 11, 1968.

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

[F.R. Doc. 68-12571; Filed, Oct. 15, 1968; 8:49 a.m.]

[7 CFR Part 966]

TOMATOES GROWN IN FLORIDA

Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation, hereinafter set forth, which was recommended by the Florida Tomato Committee, established pursuant to Marketing Agreement No. 125 and Marketing Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the production area. This program is effective under the Agriculutral Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views or arguments in connection with these proposals shall file the same in quadruplicate with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposals are as follows:

§ 966.306 Limitation of shipments.

During the period from November 4, 1968, through July 31, 1969, the following regulations shall be effective with respect to all varieties of tomatoes handled for shipment outside the regulation area as defined in § 966.4, except elongated types, commonly referred to as pear shaped or paste tomatoes and including, but not limited to, San Marzano, Red Top, and Roma varieties; and cerasiform type tomatoes, commonly referred to as cherry tomatoes.

(a) *Minimum size.* No person shall handle any lot of tomatoes for shipment outside of the regulation area unless they are size 7 x 7 or larger: *Provided,* That not more than 10 percent, by count, of the tomatoes in any lot of 7 x 7 (over 2⅛ inches minimum diameter to 2$^{9}/_{32}$ inches maximum diameter) may be smaller than the specified minimum diameter.

(b) *Size specifications.* (1) No person shall handle for shipment outside the regulation area any tomatoes unless they are packed in one or more of the following ranges of diameters (expressed in terms of minimum and maximum). Measurement of minimum and maximum diameter shall be in accordance with the methods prescribed in the United States Standards for Grades of Fresh Tomatoes (§§ 51.1855 to 51.1877 of this title).

Size classification:	*Diameter (inches)*
7 x 7	Over 2⅛ to 2$^{9}/_{32}$, inclusive.
6 x 7	Over 2$^{9}/_{32}$, to 2$^{17}/_{32}$, inclusive.
6 x 6	Over 2$^{17}/_{32}$ to 2⅞, inclusive.
5 x 6	Over 2⅞.

(2) Tomatoes shall be packed separately for each designated size range except that size 6 x 6 and larger may be commingled.

(3) To allow for variations incident to proper sizing, not more than a total of ten (10) percent, by count, of the tomatoes in any lot may be smaller than the specified minimum diameter or larger than the maximum diameter.

(c) *Containers.* (1) No person shall handle tomatoes for shipment outside the regulation area unless they are packed in a 20-pound, 40-pound, or 60-pound container with the following tolerances:

Container weight	Minimum weight	Maximum weight
Pounds	*Pounds*	*Pounds*
20	20	21½
40	40	41½
60	60	62

(2) To allow for variations incident to proper packing, not more than a total of ten (10) percent of the aforesaid containers in any lot, by count, may exceed the specified maximum net weight specified for each such container.

(d) *Inspection.* No person shall handle for shipment outside the regulation area any tomatoes unless such tomatoes are inspected and certified pursuant to the provisions of § 966.60.

(e) *Truck shipments.* For purposes of these regulations, the rule, § 966.140, relating to truck shipments of tomatoes grown in Florida, shall continue in effect.

(f) *Minimum quantity.* For purposes of these regulations, each person subject thereto may handle, pursuant to § 966.53, up to, but not to exceed, 60 pounds of tomatoes per day without regard to the requirements of this part, but this exception shall not apply to any portion of a shipment of over 60 pounds of tomatoes.

(g) *Special purpose shipments.* (1) The requirements of paragraphs (a) through (f) of this section and the assessment requirements of this part shall not be applicable to shipments of hydroponic tomatoes if such tomatoes are handled in accordance with the safeguard requirements of paragraph (h) of this section.

(2) The container weight requirements of paragraph (c) of this section shall not be applicable to plastic tray packed ripe tomatoes if such tomatoes are handled in accordance with the safeguard requirements of paragraph (h) of this section.

(h) *Safeguards.* Each handler making shipments of tomatoes pursuant to paragraph (g) of this section shall (1) apply to the committee for a Certificate of Privilege to make such shipments; (2) obtain a Certificate of Privilege from the committee, if qualified; and (3) furnish a record of each such shipment within 10 days to the committee.

(i) *Definitions.* "Hydroponic Tomatoes" means any tomatoes grown in solution without soil. Other terms used in this section have the same meaning as when used in Marketing Agreement No. 125, as amended, and this part.

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

Dated: October 10, 1968.

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

[F.R. Doc. 68–12543; Filed, Oct. 15, 1968; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 37]

[Docket No. 9193; Notice 68–24]

AIRCRAFT WHEELS AND BRAKES

Technical Standard Order–C26b

The Federal Aviation Administration is considering amending § 37.172 of Part 37 of the Federal Aviation Regulations (TSO–C26a) to update the minimum performance standards for aircraft wheels and brakes and to establish standards for small aircraft landing wheel brakes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC–24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before January 14, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This proposal would revise the minimum performance standards for wheels and brakes to incorporate the advances in the state-of-the-art reflected in the more recent SAE specifications for wheels and brakes.

The revised TSO would also include standards appropriate for small aircraft landing wheel brakes. The development of small, high performance airplanes near the 12,500 pound limit has underscored the need for standards for brake units suitable for small aircraft. An amendment to Part 23 of the Federal Aviation Regulations has already been proposed requiring small airplane brakes to be approved and establishing kinetic energy absorption requirements. This change will facilitate small airplane manufacturers' compliance with the new provisions of Part 23.

In consideration of the foregoing, it is proposed to amend § 37.172 of Part 37 of the Federal Aviation Regulations to read as follows:

Section 37.172 will be amended to read as follows:

§ 37.172 Aircraft wheels and brakes—TSO–C26b.

(a) *Applicability.* The TSO prescribes the minimum performance standards that aircraft landing wheels and brakes must meet in order to be identified with the applicable TSO marking. New models of such equipment which are to be so identified and that are manufactured on or after the effective date of this standard must meet the requirement of the Federal Aviation Administration Standard for Aircraft Wheels and Brakes set forth at the end of this section.

(b) *Marking.* In lieu of the marking requirements of § 37.7, the aircraft wheels and brakes must be legibly and permanently marked with the following information:

(1) Name of the manufacturer responsible for compliance.

(2) Serial number and drawing number.

(3) Applicable technical standard order (TSO) number.

(4) Size (this marking applies to wheels only).

All stamped, etched, or embossed markings must be located in non-critical areas.

(c) *Data requirements.* In addition to the data specified in § 37.5, the manufacturer must furnish to the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Federal Aviation Administration, in the region in which the manufacturer is located (or, in the case of the Western Region, the Chief, Aircraft Engineering Division), the following technical data:

(1) Seven copies of the manufacturers' equipment operating instructions, limitations, and installation procedures. These must include the weight of the brake assembly, maximum rejected takeoff kinetic energy in foot-pounds (KE_{RT}), design landing kinetic energy in foot-pounds (KE_{RT}), applicable speed as specified in section 4.2(a)(2), type of hydraulic fluid used, weight of wheel assembly, and the radial limit load rating in pounds.

(2) One copy of the manufacturer's test report.

(3) One copy of the manufacturer's maintenance instructions.

(d) *Previously approved equipment.* Wheels and brakes approved prior to the effective date of this section may continue to be manufactured under the provisions of their original approval.

FEDERAL AVIATION ADMINISTRATION STANDARD FOR AIRCRAFT WHEELS AND BRAKES

1. *Purpose.* This document contains minimum performance standards for aircraft landing wheels and brakes.

2. *Design*—2.1 *Lubricant retainers.* Suitable retainers must be provided to prevent lubricants from reaching the braking surface and to prevent foreign matter from entering the bearings.

2.2 *Removable flanges.* All removable flanges must be assembled onto the wheel in a manner that will prevent the removable flange and its retaining device from leaving the wheel if a tire should deflate while the wheel is rolling.

2.3 *Adjustment.* When necessary to insure safe performance, the brake mechanism must be equipped with suitable adjustment devices.

2.4 *Water seal.* Wheels intended for use on amphibious aircraft must be sealed to prevent entrance of water into the wheel bearings or other portions of the wheel or brake, unless all exposed materials therein are corrosion resistant, and the design is such that brake action and service life will not be impaired by the presence of sea water or fresh water.

2.5 *Explosion prevention.* Unless determined to be unnecessary, means must be provided to minimize the probability of wheel and tire explosions which result from elevated brake temperatures.

3. *Rating.* (a) Each wheel design and wheel-brake system design must be rated for the following:

(1) S=Static load in pounds required by § 25.731(b) of the Federal Aviation Regulations in this chapter.

(2) L=Radial limit load that the wheel will bear calculated from the ground load requirements of the applicable airworthiness part of the Federal Aviation Regulations.

(b) Each wheel-brake system design must also be rated for the following:

(1) KE_{DL}=Kinetic energy capacity in foot-pounds per wheel-brake system at the *Design Landing* rate of absorption.

(2) KE_{RT}=Kinetic energy capacity in foot-pounds per wheel-brake system at the *Rejected Takeoff* rate of absorption for wheel-brake systems of airplanes certificated under Part 25 of the Federal Aviation Regulations only.

4. *Qualification tests*—4.1 *Wheel tests.* To establish the S and L ratings for a wheel, test a standard sample in accordance with the following radial and combined load tests:

(a) *Radial load test.* Test the wheel for the yield and ultimate loads as follows:

(1) *Test method.* Mount the wheel with tire installed on its axle. Load the axle perpendicularly to the axle with the tire restrained against a flat nondeflecting surface. The wheel axle must have the same angular orientation to the nondeflecting surface that it will have to the runway when it is mounted on its aircraft and is under the radial limit load. Inflate the tire to the pressure recommended for the L load with air or water. If water inflation is used, the water must be bled off during loading to approximate the same tire deflection that would result if air inflation were used. Water pressure may not exceed the pressure which would develop if air inflation were used and the tire was deflected to its maximum extent. Use of strain gauges or special coatings to show regions of high stress is desirable. Deflection and permanent set readings must be taken at suitable points to indicate deflection and permanent set of the wheel rim at the bead seat.

(2) *Yield load.* Apply a radial load 1.15 times the L load specified by the aircraft manufacturer. Apply the load with the wheel positioned against the nondeflecting surface, and the valve hole positioned at 0° with respect to the line between the center of the wheel and the point of contact, then with the valve hole positioned 90°, 180°, and 270° from the nondeflecting surface, and finally twice again with the valve hole positioned at 0°. The 90° increments must be altered to other positions if the other positions are more critical. The loadings must not cause permanent set increments of increasing magnitude. The permanent set increment caused by the last loading may not exceed 5 percent of the deflection caused by that loading. The bearing cups, cones and rollers used in operation must be used for these loadings. There must be no yielding of the wheel such as would

result in loose bearing cups, air leakage through the wheel or past the wheel seal, or interference in any critical areas.

(3) *Ultimate load.* Apply a radial load 2 times larger for castings and 1.5 times larger for forgings than the L load specified by the aircraft manufacturer. Apply the load with the same wheel positioned against the nondeflecting surface and the valve hole positioned at 0° with respect to the line between the center of the wheel and the point of contact. The load must be substained for 10 seconds. The bearing cones may be replaced with conical bushings, but the cups used in operation must be used for this loading. A tubeless tire may be replaced with a tire and tube.

(b) *Combined radial and side load test.* Test the wheel for the yield and ultimate loads as follows:

(1) *Test method.* Mount the wheel with tire installed on its axle. For the radial component, load the axle perpendicularly to the axle with the tire restrained against a flat nondeflecting surface. The wheel axle must have the same angular orientation to the nondeflecting surface that it will have to the runway when it is mounted on its aircraft and is under the limit radial load. For the side load component, load the axle parallel to the axle. The side load reaction must arise from the friction of the tire on the nondeflecting surface. Apply the two loads simultaneously, increasing them either continuously or in increments no larger than 10 percent of the loads to be applied. Alternatively a resultant load equivalent to the radial and side loads may be applied to the axle. Inflate the tire to the pressure recommended for the limit radial load with air or water. If water inflation is used, the water must be bled off during loading to approximate the same tire deflection that would result if air inflation were used. Water pressure may not exceed the pressure which would develop if air inflation were used and the tire were deflected to its maximum extent. Use of strain gauges or special coatings to show regions of high stress is desirable. Deflection and permanent set readings must be taken at suitable points to indicate deflection and permanent set of the wheel rim at the bead seat.

(2) *Yield load.* Apply radial and side loads 1.15 times the respective ground loads specified by the aircraft manufacturer. Apply these loads with wheel positioned against the nondeflecting surface and the valve hole positioned at 0° with respect to the center of the wheel and the point of contact, then with the valve hole positioned 90°, 180°, and 270° from the nondeflecting surface, and finally twice again with the valve hole positioned at 0°. The 90° increments must be altered to other positions if the other positions are more critical. The loadings must not cause permanent set increments of increasing magnitude. The bearing cups, cones, and rollers used in operation must be used for this test. There must be no yielding of the wheel such as would result in loose bearing cups, air leakage through the wheel or past the wheel seal, or interference in any critical areas. A tire and tube may be used when testing a tubeless wheel only when it has been demonstrated that pressure will be lost due to the inability of a tire bead to remain properly positioned under the load. The combined yield load must be applied in both inboard and outboard directions of the wheel.

(3) *Ultimate load.* Apply radial and side loads 2 times larger for castings and 1.5 times larger for forgings than the respective L_R and L_S loads specified by the aircraft manufacturer. Apply these loads with the same wheel positioned against the nondeflecting surface and the valve hole positioned at 0° with respect to the center of the wheel and the point of contact. The load must be sustained for 10 seconds. Apply the load in the most critical of the inboard or outboard directions. The bearing cones may be replaced with conical bushings, but the cups used in operation must be used for this loading. A tubeless tire may be replaced with a tire and tube.

4.2 *Wheel-brake system test.* A sample of a wheel-brake system design must meet the following tests to qualify the design for its kinetic energy ratings. The wheel of a wheel-brake assembly must be separately tested under paragraph 4.1. The wheel-brake system must be tested with that operating medium recommended for normal use (e.g., air, or an oil meeting recommended specifications).

(a) *Dynamic torque tests.* Test the wheel-brake system on a suitable inertia brake testing machine in accordance with the following: (Note that paragraphs (c) and (d) require fluild pressure observations to be made during the dynamic torque tests).

(1) *Speed and weight values.* For airplanes, select either Method I or Method II below to calculate the kinetic energy level which a single wheel and brake system will be required to absorb. For rotorcraft, use Method I. Do not consider the decelerating effects of propeller reverse pitch, drag parachutes, and engine thrust reversers.

(i) *Method I.* Calculate the kinetic energy level to be used in the brake testing machine by using the equation.

$$KE = 0.0444WV^2$$

Where:

KE = Kinetic energy per wheel-brake system in ft-lbs. For the design landing test, KE will be subdesignated KE_{DL}, and for the rejected takeoff test, KE_{RT}.

W = Airplane weight per wheel-brake system in pounds. For the design landing test the design landing weight will be used.

V = Airplane speed in knots. For the design landing test the speed will be V_{SO}, the power-off stalling speed of the airplane at sea level at the design landing weight and in the landing configuration. For the rejected takeoff test, applicable only to airplanes certificated under Part 25 of Federal Aviation Regulations, the airplane manufacturer shall determine the most critical combination of takeoff weight and V_1 speed.

For rotorcraft, the rotorcraft manufacturer shall calculate the most critical combination of takeoff weight and speed to be used in the above equation.

(ii) *Method II.* The speed and weight values may be determined by other equations based on a rational analysis of the sequence of events expected to occur during operational landing at maximum landing weight. The analysis must include rational or conservative values for braking coefficients of friction between tire and runway, aerodynamic drag, propeller drag, powerplant forward thrust, and, if critical, loss of drag credit for the most adverse single engine or propeller due to malfunction.

(2) The wheel-brake assembly must bring the inertia brake testing machine to a stop at the average deceleration rates, and for the number of repetitions, specified in the following table without failure, impairment of operation, or replacement of parts except as permitted in subparagraph (3) below:

Category of the aircraft on which wheel-brake assembly will be used—	*Tests*
Federal Aviation Regulations Part 25.	KE_{DL}: 100 design landing stops at 10 ft/sec². KE_{RT}: 1 rejected takeoff stop at 6 ft/sec².
Federal Aviation Regulations Part 23.	KE_{DL}: 35 design landing stops at 10 ft/sec².
Federal Aviation Regulations Parts 27 and 29.	KE_{DL}: 20 design landing stops at 6 ft/sec².

(3) *General conditions.* (i) During landing stop tests (KE_{DL}), one change of brake lining and attached discs is permissible. The remainder of the brake assembly parts must withstand the 100 KE_{DL} stops without failure or impairment of operation.

(ii) During the accelerate-stop tests (KE_{RT}) brake lining and bare discs may be new or used. No less than two landing stop tests must have been completed on the brake prior to this test.

(iii) As used in this subparagraph, "brake lining" is either individual blocks of wearing material or discs which have wearing material integrally bonded to them. "Bare discs" are plates or drums which do not have wearing material integrally bonded to them.

(b) *Brake structural torque test.* Apply the radial load S and a torque load specified in subparagraph (1) or (2), as applicable, for at least three seconds. Rotation of the wheel must be resisted by a reaction force transmitted through the brake or brakes by an application of at least maximum brake line pressure or brake cable tension in the case of a nonhydraulic brake. If such pressure or tension is insufficient to prevent rotation, the friction surfaces may be clamped, bolted, or otherwise restrained, while applying the above pressure or tension.

(1) For landing gears with only one wheel per landing gear strut, the torque load is 1.2 SR where R is the normal rolling radius of the tire under load S.

(2) For landing gears with multiple wheels per landing gear strut, the torque load is 1.44 SR where R is the normal rolling radius of the tire under load S.

NOTE: The 1.44 factor contains an additional factor of 1.2 to account for occasions when the load of a wheel truck is distributed as much as 10 percent above its design distribution.

(c) *Burst pressure-hydraulic brakes.* The brake with actuator piston extended to simulate a maximum worn condition must withstand hydraulic pressure equal to the greatest of the following:

(1) For brake systems capable of developing only a limited pressure as in power operated brake systems, 2 times the maximum brake line pressure available to the brakes.

(2) Two times the highest pressure used in the tests required by paragraph 3.3(a)(2).

(3) For airplanes, 2 times the pressure required to resist a static torque of 0.55 SR with the brake at 70° where S is defined in paragraph (b) above.

(4) For rotorcraft, 2 times the pressure required to hold the rotorcraft on a 20° slope at design takeoff weight.

(d) *Endurance tests—hydraulic brakes.* The hydraulic brake-wheel assembly must be subjected to an endurance test during which the total leakage may not exceed 5cc. and no malfunction may occur during or upon completion of the test. Minimum piston travel during the test may not be less than

the maximum allowable piston travel in operation. The tests must be conducted by subjecting the hydraulic brake-wheel assembly to—

(1) 100,000 cycles for airplanes, and 50,000 cycles for rotorcraft, of application and release of the average hydraulic pressure needed in the *KEDL* tests specified in section 4.2(a)(2) except that persons using Method II in conducting the tests specified in section 4.2(a)(2) must subject the wheel-brake assembly to the average of the maximum pressures needed in those tests. The wheel cylinder pistons at rest location within the cylinder may be adjusted so that 25,000 cycles for airplanes, and 12,500 cycles for rotorcraft, are performed at each of the four positions where the piston would be at rest when adjusted for 25 percent, 50 percent, 75 percent, and 100 percent wear in the friction pads; and

(2) 5,000 cycles for airplanes, and 2,500 cycles for rotorcraft, of application and release of the greater of the following:

(i) The hydraulic pressure that is required to hold a static torque of 0.55 *SR* at 70° F. where *R* is the normal rolling radius;

(ii) The maximum hydraulic pressure used in conducting the dynamic brake tests of section 4.2(a)(2); or

(iii) For brake systems capable of developing only a limited pressure, the maximum brake line pressure available to the brakes.

4.3 *Taxi and parking test.* Simulate on the inertia brake testing machine a landing at the maximum weight followed by a realistic roll, taxi stop and park, in accordance with the taxi speed and distance provided by the aircraft manufacturer.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354 and 1421).

Issued in Washington, D.C., on October 8, 1968.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 68–12535; Filed, Oct. 15, 1968; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1206, 1240, 1249]

[No. 35045]

MOTOR CARRIERS OF PASSENGERS

Classification

OCTOBER 1, 1968.

Notice is hereby given pursuant to section 4(a) of the Administrative Procedure Act, 5 U.S.C. 553, that the Commission has under consideration a petition filed July 18, 1968, by the National Association of Motor Bus Owners to amend 49 CFR 1206.2–1(a), *Classification of carriers;* 49 CFR 1240.4, *Classification of motor carriers of passengers;* 49 CFR 1249.5, *Annual reports of Class I carriers of passengers;* 49 CFR 1249.6, *Annual reports of carriers of passengers other than Class I carriers;* and 49 CFR 1249.11, *Quarterly reports of passenger revenues, expenses and statistics* to provide effective January 1, 1969, that for the purposes of accounting and reporting regulations common and contract carriers of passengers subject to Part II of the Interstate Commerce Act shall be grouped into three general classes designated and defined as follows:

Class I. Carriers having average annual gross operating revenues (including interstate and intrastate) of $1 million or more from property motor carrier operations.

Class II. Carriers having average annual gross operating revenues (including interstate and intrastate) of $200,000 but less than $1 million from property motor carrier operations.

Class III. Carriers having average annual gross operating revenues (including interstate and intrastate) of less than $200,000 from property motor carrier operations.

The proposed amendments would, in effect, increase from $200,000 to $1 million the base classification level for defining a Class I carrier of passengers, and increase from $50,000 to $200,000 the base classification level for defining a Class II carrier of passengers for accounting and reporting purposes, thus establishing new limits of $1 million or more average annual gross operating revenues for Class I carriers, $200,000 to $1 million average annual gross operating revenues for Class II carriers, and under $200,000 average annual gross operating revenues for Class III carriers, all three classes to include revenues from both interstate and intrastate passenger motor carrier operations.

No other change in the method of classifying motor carriers of passengers for accounting and reporting purposes, or in accounting and reporting requirements is contemplated by this proposal. It is expected that the reporting requirement for a balance sheet and income statement for passenger carriers reporting total annual operating revenues of $50,000 or more, annual report Form E (49 CFR 1249.6) will be continued at that dollar level.

It is estimated the proposed changes will relieve approximately 200 motor carriers of passengers from prescribed accounting regulations and from the necessity of filing quarterly reports. They would then file annual report Form E in lieu of the more comprehensive annual report Form D.

Any party desiring to make representations in favor of or against the proposed change may do so through submission of written data, views, or comments for consideration. The original and five copies of such representations must be filed with the Secretary of the Interstate Commerce Commission, Washington, D.C. 20423, within 35 days of publication of this notice in the FEDERAL REGISTER.

Notice shall be given motor carriers hereby affected subject to the provisions of Part II of the Interstate Commerce Act, and the general public, by depositing a copy of this notice in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

(Sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304; sec. 220, 49 Stat. 563, as amended; 49 U.S.C. 320)

By the Commission, Division 2.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68–12552; Filed, Oct. 15, 1968; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 225]

[Docket No. 20329; EDR–149]

TARIFFS OF CERTAIN CERTIFICATED AIRLINES; TRADE AGREEMENTS

Modification of Trade Agreement Authorization for Local Service Carriers; Extension of Part for 1 Year

Correction

In F.R. Doc. 68–12404 appearing at page 15220 in the issue of Friday, October 11, 1968, in the last line of column 3, page 15220, the reference to "Part 255" should read "Part 225".

Notices

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

[Docket No. HM–8]

TRANSPORTATION OF HAZARDOUS MATERIALS

Request for Public Advice on Labels and Classification

On August 21, 1968 (33 F.R. 11862), the Hazardous Materials Regulations Board announced a plan to revise the regulations governing the transportation of hazardous materials. That document announced the intention to issue notices of proposed rule making in at least four areas, including "classification and labels", and invited public help in developing the basic regulatory principles to guide the Board in revising the regulations.

The Board is planning to consider, in the near future, a proposal for classification and labels. To assist the Board in that consideration, the public is invited to express its views on the labeling system recommended by the United Nations Committee of Experts on the Transport of Dangerous Goods,[1] and on the correlative classifications.

This document is not a proposal to change the regulations. It is an effort to get public participation early in the rule-making process.

The United Nations labels are color coded and identify each kind of hazard with a pictorial symbol and classification number.

Each label represents a class of hazard, so the first things to consider is classification. To limit the number of classes, each class must be a compromise between (i) the detail which would be necessary to cover the infinite number of materials which may be transported, and (ii) the simplicity which is necessary for the regulations to have any practical value. The changes in classification proposed below are such a compromise.

The following table compares the U.N. classes and the proposed classes. Although they are not shown, most of the U.N. classes have subdivisions which are similar to the subdivisions of the proposed classes:

U.N. classes	*Proposed classes (classification)*
Class 1—Explosives	Class 1—Explosives. Explosives A. Explosives B. Explosives C.
Class 2—Gases: Compressed, liquified, or dissolved under pressure.	Class 2—Compressed gases (including liquified gases): Nonflammable. Flammable.
Class 3—Inflammable liquids. Liquids which give off an inflammable vapor at or below 150° F. open test. (The word "Inflammable" in the U.N. system has the same meaning as "Flammable.")	Class 3—Flammable liquids; combustible liquids: Flammable liquids—flash point at or below 80° F. (open-cup) or 73° F. (closed-cup). Combustible liquids—flash point at 81° to 150° F. (open-cup) or 74° to 141° F. closed-cup). NOTE: This is an alternative to the proposal in Docket No. HM–3; Notice No. 68–2, to raise the definition of flammable liquids to 110° F. (open-cup) or 100° F. (closed-cup).
Class 4—Inflammable solids; substances liable to spontaneous combustion; substances which, on contact with water, emit inflammable gases.	Class 4—Flammable solids; spontaneously combustible materials; water reactive materials.
Class 5—Oxidizing substances; organic peroxides.	Class 5—Oxidizing materials; organic peroxides.
Class 6—Poisonous (toxic) and infectious substances.	Class 6—Poisonous (toxic) and Etiologic agents: Poison gas. Poison A (solid or liquid). Poison B (solid or liquid). Tear Gas. Etiologic agents.
Class 7—Radioactive substances	Class 7—Radioactive materials.
Class 8—Corrosives	Class 8—Corrosives: Corrosive liquids. Corrosive solids.
Class 9—Miscellaneous dangerous substances. (This is an undefined catchall.)	

Definitions of some of the proposed classifications are not contained in the Hazardous Materials Regulations and some of the classifications in the regulations may be inadequately defined. We ask for discussion of the adequacy of the proposed classifications using a common sense definition of the terms and assuming that they can be defined satisfactorily at a later date. For example, commenters should assume that poison A represents a greater hazard than poison B and that the line of demarcation will be drawn in a later rulemaking procedure.

We are considering new labels, shown in the appendix, to represent the classes of hazards discussed above. The proposed labels are consistent with the present recommended U.N. labeling system. This will result in one labeling system serving both domestic and international shipments. The illustrations have been somewhat simplified to indicate the general approach under consideration, and the recommendations relate essentially to danger labels. This system permits the addition of handling instructions and other safety information, such as "Keep Away From Fire and Heat" and "Do Not Drop".

The proposed colors are as indicated in the appendix. For compressed gases which also have flammable or poisonous characteristics, a second pictorial symbol—a gas cylinder—has been added to the bottom half of the flammable or poisonous label to denote additional hazard. This additional symbol complements the use of the U.N. class numeral and provides a better identification of the compressed gas.

Before the U.N. labeling system could be adopted, numerous changes would be required in the Commodity List in § 172.5 of the regulations. For example, flammable solids now require a "yellow" label, as do all oxidizing materials. Under the proposed system, each flammable solid and oxidizing material must be evaluated to determine which of the flammable or oxidizing materials labels would be required, and an appropriate change must be made in the Commodity List entry for that item.

When one label does not represent all of the serious hazards presented by a material, the U.N. system provides for the additional hazards to be represented by additional labels without the class number. For example, chlorine trifluoride would have a combination of labels to show that it is a corrosive (class 8), poisonous (class 6), compressed gas (class 2), and also an oxidizing material (class 5). We are not now considering

[1] May be purchased for $5.50 from:

United Nations Sales Section, New York, N.Y.

Order by this title:

Transport of Dangerous Goods (1966), ST/ECA/81/Rev. 1, E/CN.2/Conf.5/10/Rev. 1, Sales No. 1967 VIII.2.

the adoption of this part of the U.N. system. The regulations now provide that materials which present more than one hazard must be classified and labeled according to the greatest hazard, except that those materials which are also class A poisons or radioactive materials must be classified and labeled to show both hazards. The matter of dual (or maybe multiple) labels may be considered at a later date.

Public views are specifically requested on these basic questions: (1) Do the proposed classes identify the hazard potential related to transportation? (2) Do the proposed classes identify the hazards which require special packaging, special handling during transportation, or special handling after an accident? (3) Would each label give notice of the hazard potential of the material in the package to which it is attached? (4) Would each label call attention to the need for special handling and stowing of the container?

Interested persons are invited to give us their views, before December 1, 1968, on whether the U.N. labeling system would be appropriate for our regulations. Correspondence (identifying the docket number) should be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. All responses to this request will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board.

Issued in Washington, D.C., on October 9, 1968.

W. C. JENNINGS,
Chairman, Hazardous Materials Regulations Board.

APPENDIX I

LABEL DESCRIPTIONS

CLASS 1: *Explosives.* The background is burnt orange. The symbol is an exploding bomb.

CLASS 2: *Compressed Gases.* For nonflammable compressed gases, the background is bright green, and the symbol is a gas cylinder. For flammable compressed gases the background is bright red, and the symbols are a flame and a gas cylinder.

CLASS 3: *Flammable Liquids; Combustible Liquids.* The background is bright red. The symbol is a flame.

CLASS 4: *Flammable Solids.* The background is white, with seven bright red vertical stripes. The symbol is a flame.

Spontaneously Combustible Materials. The upper half of the background is white; the lower half is bright red. The symbol is a flame.

Water Reactive Materials. The background is bright blue. The symbol is a flame.

CLASS 5: *Oxidizing Materials; Organic Peroxides.* The background is bright yellow. The symbol is a burning sphere (flame over a circle).

CLASS 6: *Poisons.* The background is white. The symbol is a skull and crossbones; for poison gases, the gas cylinder is also shown.

CLASS 7: *Radioactive Materials.* These labels are the subject of a separate rule-making action (Docket HM–2).

CLASS 8: *Corrosive Materials.* The upper half of the background is white; the lower half is black. The symbol shows corrosives spilling from two tests tubes and attacking a hand and a piece of metal.

[F.R. Doc. 68–12492; Filed, Oct. 15, 1968; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[S–1588]

CALIFORNIA

Notice of Classification of Public Lands for Multiple-Use Management

OCTOBER 9, 1968.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands described in paragraph 4 below are classified for multiple-use management. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269) as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. chs. 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation.

3. Adverse comments were received following publication of the notice of proposed classification in the FEDERAL REGISTER (33 F.R. 10113, July 13, 1968) and following the public hearing held in Salinas on July 29, 1968. These comments recommended that all isolated parcels included in the proposed classification should not be retained unless these lands contain exceptional public values. Approximately 3,910 acres of these lands have been deleted from paragraph 4 of this notice. These lands are listed in a separate notice of termination. The record of public participation and comments is available for inspection in the Folsom District Office.

4. The public lands affected by this classification are located within Monterey County. For the purpose of this classification, the lands have been subdivided into blocks, each of which has been analyzed in detail and described in documents and on maps available for inspection at the Folsom District Office, Bureau of Land Management, 63 Natoma Street, Folsom, Calif. 95630, and in the Sacramento Land Office, Bureau of Land Management, 2800 Cottage Way, Sacramento, Calif. 95825. The overall descriptions of the areas are as follows:

MOUNT DIABLO MERIDIAN, CALIFORNIA

BLOCK NO. 1

All public lands in:

T. 17 S., R. 2 E.,
Secs. 22, 27, 33, and 34.
T. 16 S., R. 3 E.,
Sec. 13.
T. 16 S., R. 4 E.,
Secs. 7, 18, 19, and 20.
T. 17 S., R. 4 E.,
Secs. 13, 14, and 15;
Secs. 17 to 20, inclusive;
Secs. 22 to 25, inclusive.
T. 17 S., R. 5 E.,
Sec. 19;
Secs. 29 to 33, inclusive.
T. 18 S., R. 5 E.,
Secs. 5, 6, 7, 9, 10, 11, 13, 14, and 15;
Secs. 21 to 28, inclusive;
Secs. 34 and 35.
T. 19 S., R. 5 E.,
Secs. 2 and 3;
Secs. 10 to 14, inclusive;
Secs. 25 to 28, inclusive;
Secs. 33, 34, and 35.
T. 19 S., R. 6 E.,
Secs. 30 to 34, inclusive.
T. 21 S., R. 6 E.,
Sec. 15.
T. 21 S., R. 7 E.,
Secs. 3, 4, 9, 10, 14, 15, 21, 22, 27, and 28.
T. 21 S., R. 8 E.,
Secs. 33, 34, and 35.
T. 22 S., R. 8 E.,
Secs. 1 to 4, inclusive;
Secs. 9 to 15, inclusive;
Secs. 22 to 25, inclusive.
T. 22 S., R. 9 E.,
Secs. 6 and 7;
Secs. 17 to 20, inclusive;
Secs. 26 to 31, inclusive;
Secs. 33 to 35, inclusive.
T. 23 S., R. 9 E.,
Secs. 1 to 5, inclusive;
Secs. 9, 15, 21, and 22.
T. 23 S., R. 10 E.,
Sec. 31.
T. 24 S., R. 10 E.,
Secs. 5 to 9, inclusive;
Secs. 15, 17, 18, 20, 21, and 22.

Except the following public lands:

T. 21 S., R. 7 E.,
Sec. 3, SW¼NW¼.
T. 24 S., R. 10 E.,
Sec. 21, SE¼SW¼.

BLOCK 2

All public lands in:

T. 15 S., R. 5 E.,
Sec. 32.
T. 16 S., R. 5 E.,
Sec. 5.
T. 16 S., R. 6 E.,
Secs. 21, 22, 28, 29, 32, 33, and 34.
T. 17 S., R. 6 E.,
Sec. 3.
T. 21 S., R. 11 E.,
Secs. 13, 14, 15, 23, and 24.
T. 22 S., R. 11 E.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 24 and 25.
T. 20 S., R. 12 E.,
Secs. 26 and 27.
T. 21 S., R. 12 E.,
Secs. 20, 21, 28, 29, 31, 32, and 33.
T. 22 S., R. 12 E.,
Secs. 1, 4, 5, 7, and 12;
Secs. 17 to 22, inclusive;
Secs. 27 to 32, inclusive.
T. 22 S., R. 13 E.,
Secs. 6, 7, 11, 12, 18, 20, 21, 28, 29, 30, 32, 33, and 34.

T. 23 S., R. 13 E.,
Secs. 3, 11, 12, 14, 25, 26, 27, and 35.
T. 22 S., R. 14 E.,
Secs. 17, 18, and 27.

Except the following public lands:

T. 16 S., R. 6 E.,
Sec. 29, NW¼SE¼.
T. 22 S., R. 11 E.,
Sec. 15, E½SW¼.
T. 22 S., R. 12 E.,
Sec. 28, SW¼SE¼.
T. 23 S., R. 13 E.,
Sec. 11, NW¼SW¼;
Sec. 25, N½NW¼.

The areas described aggregate approximately 51,466 acres.

5. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2411.2(c).

E. J. PETERSEN,
Acting State Director.

[F.R. Doc. 68-12562; Filed, Oct. 15, 1968; 8:48 a.m.]

[S-1588]

CALIFORNIA

Notice of Termination of Proposed Classification of Public Lands

OCTOBER 9, 1968.

Notice of a proposed classification of public lands for multiple use management was published as F.R. Doc. 68-8288 on page 10113 of the issue for July 13, 1968. The proposed classification is canceled insofar as it involves the lands described below. Therefore, pursuant to the regulations contained in 43 CFR 2411.2(e)(2)(ii), such lands will be, at 10 a.m. on November 15, 1968, relieved of any segregative effect the aforementioned proposed classification may have had.

The lands involved in this notice of termination are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

All public lands in:

T. 18 S., R. 3 E.,
Sec. 24.
T. 14 S., R. 4 E.,
Secs. 24 and 36.
T. 17 S., R. 4 E.,
Sec. 28.
T. 14 S., R. 5 E.,
Secs. 30 and 31.
T. 15 S., R. 5 E.,
Secs. 9, 10, 12, 13, 14, 15, 23, and 24.
T. 18 S., R. 5 E.,
Secs. 31 and 33.
T. 19 S., R. 5 E.,
Sec. 1.
T. 15 S., R. 6 E.,
Sec. 18.
T. 16 S., R. 6 E.,
Sec. 29, NW¼SE¼.
T. 24 S., R. 8 E.,
Sec. 11.
T. 22 S., R. 9 E.,
Secs. 15, 22, and 23.
T. 23 S., R. 9 E.,
Secs. 11, 13, and 14.
T. 22 S., R. 11 E.,
Sec. 15, lots 11 and 14;
Sec. 22.
T. 22 S., R. 12 E.,
Sec. 13;
Sec. 28, lot 15;
Sec. 33.
T. 23 S., R. 12 E.,
Sec. 6.
T. 23 S., R. 13 E.,
Sec. 32.
T. 24 S., R. 13 E.,
Secs. 4 and 5.

The areas described aggregate approximately 3,910 acres of public land.

E. J. PETERSEN,
Acting State Director.

[F.R. Doc. 68-12563; Filed, Oct. 15, 1968; 8:48 a.m.]

[Serial No. I-2448]

IDAHO

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

OCTOBER 9, 1968.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple-use management all of the public lands in the area described below. Publication of this notice has the effect (a) of segregating all the public land within the area described below from appropriation under the following agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171), and (b) of further segregating the lands described in paragraph 3 of this notice from the operation of the general mining laws (30 U.S.C. ch. 2). Except as provided in (a) and (b) above, the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public domain lands affected are located within the following described area in Clark County and are shown on maps on file in the Idaho Falls District Office, Bureau of Land Management, and in the Land Office, Bureau of Land Management, Boise, Idaho 83702.

BOISE MERIDIAN, IDAHO

CLARK COUNTY

T. 9 N., R. 29 E.,
Secs. 1, 2, and 3;
Sec. 10, N½;
Sec. 11, N½;
Secs. 12, 13, 24, 25, and 36.
T. 10 N., R. 29 E.,
Secs. 1, 2, and 3;
Secs. 10 through 15, inclusive;
Secs. 22 through 27, inclusive;
Secs. 34, 35, and 36.
T. 8 N., R. 30 E.,
Secs. 1 through 23, inclusive;
Secs. 26, 27, and 28;
Sec. 29, E½;
Sec. 32, NE¼;
Secs. 33, 34, and 35.
T. 9 N., R. 30 E.,
Secs. 2 through 11, inclusive;
Secs. 13 through 36, inclusive.
T. 10 N., R. 30 E.,
Secs. 5 through 8, inclusive;
Secs. 17 through 20, inclusive;
Secs. 29 through 33, inclusive.
T. 8 N., R. 31 E.,
Secs. 1 through 18, inclusive.
T. 9 N., R. 31 E.,
Secs. 22, 23, 25, 26, 27, 34, 35, and 36.
T. 9 N., R. 32 E.,
Secs. 1, 2, and 3;
Sec. 4, E½;
Secs. 10 through 14, inclusive;
Sec. 15, E½;
Sec. 22, E½;
Secs. 23 through 26, inclusive;
Sec. 27, E½;
Secs. 30 through 36, inclusive.
T. 10 N., R. 32 E.,
Secs. 1 through 4, inclusive;
Secs. 10 through 15, inclusive;
Secs. 22 through 27, inclusive;
Sec. 33, E½;
Secs. 34, 35, and 36.
T. 11 N., R. 32 E.,
Sec. 1, E½;
Sec. 12, NE¼;
Secs. 25, 26, and 27;
Secs. 33 through 36, inclusive.
T. 12 N., R. 32 E.,
Secs. 1, 2, 3, 10, 11, 12, 13, 24, 25, and 36.
T. 13 N., R. 32 E.,
Secs. 13, 14, and 15;
Secs. 22 through 27, inclusive;
Secs. 34, 35, and 36.
T. 9 N., R. 33 E.,
Secs. 1 through 11, inclusive;
Secs. 14 through 23, inclusive;
Secs. 26 through 35, inclusive.
T. 10 N., R. 33 E.,
Secs. 1 through 15, inclusive;
Secs. 17 through 19, inclusive;
Sec. 20, W½, W½SE¼;
Sec. 21, N½, N½SW¼, SE¼SW¼, SE¼;
Secs. 22 through 35, inclusive.
T. 11 N., R. 33 E.,
All.
T. 12 N., R. 33 E.,
All.
T. 13 N., R. 33 E.,
Secs. 13 through 36, inclusive.
T. 9 N., R. 34 E.,
Sec. 4, N½N½;
Sec. 5, N½N½;
Sec. 6;
Sec. 11, S½;
Sec. 12, S½;
Secs. 13 and 14;
Sec. 22 SE¼SW¼ and SE¼;
Secs. 23 through 26, inclusive;
Sec. 27, E½ and E½W½;
Secs. 33 through 36, inclusive.
T. 10 N., R. 34 E.,
Secs. 1 through 33, inclusive.
T. 11 N., R. 34 E.,
Secs. 2 through 11, inclusive;
Secs. 16 through 21, inclusive;
Secs. 28 through 33, inclusive.
T. 12 N., R. 34 E.,
All.
T. 9 N., R. 35 E.,
Secs. 1 and 2;
Sec. 3, E½;
Sec. 7, S½;
Sec. 8, S½;
Sec. 9, S½;
Sec. 10, NE¼ and S½;
Secs. 11 through 36, inclusive.

T. 10 N., R. 35 E.,
Secs. 11 through 14, inclusive;
Sec. 21, E½ and E½W½;
Secs. 22 through 27, inclusive;
Sec. 28, E½ and E½W½;
Sec. 33, N½NE¼ and NE¼NW¼;
Sec. 34, E½ and N½NW¼;
Secs. 35 and 36.
T. 11 N., R. 35 E.,
Secs. 1 through 4, inclusive;
Sec. 5, E½E½;
Sec. 10, N½;
Sec. 11, N½.
T. 12 N., R. 35 E.,
Secs. 19 through 36, inclusive.
T. 9 N., R. 36 E.,
Sec. 2, W½;
Sec. 3;
Sec. 4, E½;
Secs. 6, 7, and 10;
Sec. 11, W½;
Sec. 14, W½;
Secs. 15, 18, 19, and 22;
Sec. 23, W½;
Sec. 27, W½;
Secs. 28, 30, 31, and 32;
Sec. 33, N½;
Sec. 34, NW¼.
T. 10 N., R. 36 E.,
Sec. 10, E½ and E½W½;
Secs. 13 and 14;
Sec. 15, E½;
Sec. 22, E½;
Secs. 23 through 26, inclusive;
Sec. 27, E½.
T. 11 N., R. 36 E.,
Secs 5 and 6.
T. 12 N., R. 36 E.,
Secs. 19 through 23, inclusive;
Secs. 26 through 35, inclusive.
T. 9 N., R. 37 E.,
Sec. 1, S½S½;
Sec. 2, S½S½;
Sec. 3, S½S½;
Secs. 10 through 36, inclusive.
T. 10 N., R. 37 E.,
Sec. 1, NW¼NE¼ and N½NW¼;
Sec. 2, N½ and SW¼;
Secs. 3, 4, 5, 8, 9, and 10;
Sec. 11, W½;
Sec. 14, W½;
Secs. 15 through 21, inclusive;
Secs. 28 through 32, inclusive.
T. 10 N., R. 38 E.,
Secs. 11 through 16, inclusive;
Secs. 21 through 28, inclusive;
Secs. 33 through 36, inclusive.
T. 11 N., R. 38 E.,
Secs. 3 and 4;
Sec 9, N½;
Sec. 10, N½.
T. 12 N., R. 38 E.,
Sec. 2, S½;
Sec. 8, S½;
Secs. 9, 10, and 11;
Sec. 14, N½;
Sec. 15, N½;
Secs. 16 and 17;
Sec. 20, N½;
Sec. 21, N½;
Sec. 26, SW¼SW¼;
Sec. 27, S½ and S½N½;
Secs. 33 and 34.
T. 10 N., R. 39 E.,
Sec. 8, E½E½;
Secs. 9, 16, 17, and 18.

The area described aggregates approximately 301,400 acres.

3. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws:

BOISE MERIDIAN, IDAHO

PASS CREEK RECREATION SITE

T. 9 N., R. 29 E.,
Sec. 3, SW¼SW¼.

RENO DIVERSION SITE

T. 8 N., R. 30 E.,
Sec. 3, S½NE¼, N½SE¼.

JOHN DAY RECREATION SITE

T. 9 N., R. 30 E.,
Sec. 5, lots 2 and 3, S½NE¼, SE¼NW¼, N½SE¼, SE¼SE¼;
Sec. 8, NE¼NE¼;
Sec. 9, SW¼NW¼, W½SW¼, SE¼SW¼.

SCOTT BUTTE RECREATION SITE

T. 9 N., R. 30 E.,
Sec. 21, E½E½.

BIRCH CREEK CROSSING RECREATION SITE

T. 9 N., R. 30 E.,
Sec. 27, SW¼NW¼, NW¼SW¼;
Sec. 28, SE¼NE¼, NE¼SE¼.

RENO DITCH RECREATION SITE

T. 8 N., R. 31 E.,
Sec. 7, SE¼SE¼;
Sec. 17, NW¼NW¼;
Sec. 18, NE¼NE¼.

WARM SPRINGS ARCHEOLOGICAL SITE

T. 11 N., R. 32 E.,
Sec. 25, E½NE¼.

MEDICINE LODGE RECREATION SITE NO. 1

T. 11 N., R. 33 E.,
Sec. 2, lot 4 and SW¼NW¼;
Sec. 3, lot 1 and SE¼NE¼.

HORSE PASTURE RECREATION SITE

T. 11 N., R. 33 E.,
Sec. 12, NW¼NE¼.

SPRING HOLLOW ARCHEOLOGICAL SITE

T. 12 N., R. 33 E.,
Sec. 22, NE¼NW¼.

MEDICINE LODGE RECREATION SITE NO. 2

T. 11 N., R. 34 E.,
Sec. 17, NW¼NW¼;
Sec. 18, NE¼NE¼.

PATELZICK CREEK RECREATION SITE NO. 1

T. 12 N., R. 35 E.,
Sec. 24, SE¼NE¼NE¼, NE¼SE¼NE¼.
T. 12 N., R. 36 E.,
Sec. 19, SW¼NW¼NW¼, NW¼SW¼NW¼.

PATELZICK CREEK RECREATION SITE NO. 2

T. 12 ., R. 36 E.,
Sec. 19, NE¼SW¼.

These areas aggregate 1,644.84 acres.

4. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections concerning the proposed classification may present their views in writing to the Idaho Falls District Manager, Bureau of Land Management, Post Office Box 1867, Idaho Falls, Idaho 83401.

5. A public hearing on this proposed classification will be held at 10 a.m. on October 30, 1968, in the Lions Den in Dubois, Idaho.

JOE T. FALLINI,
State Director.

[F.R. Doc. 68-12521; Filed, Oct. 15, 1968; 8:45 a.m.]

[Montana 1598]

MONTANA

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

OCTOBER 9, 1968.

In F.R. Doc. 67-6733 appearing on pages 8623-8625 of the issue for Thursday, June 15, 1967, the following corrections should be made:

1. The second entry under T. 12 S., R. 10 W., which now reads "Secs. 10 to 14, inclusive;" should read "Secs. 10 to 15, inclusive."

2. The third entry under T. 13 S., R. 10 W., which now reads "Secs. 27 to 36, inclusive;" should read "Secs. 25 to 36 inclusive."

3. The first entry under T. 1 N., R. 12 W., which now reads "Secs. 3, 10, and 11;" should read "Secs. 3, 4, 10, and 11."

JAMES M. LINNE,
Acting State Director.

[F.R. Doc. 68-12522; Filed, Oct. 15, 1968; 8:45 a.m.]

[New Mexico 7160]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 9, 1968.

The Federal Aviation Administration, U.S. Department of Transportation, has filed an application, New Mexico 7160, for the withdrawal of land described below, from all forms of appropriation under the public land laws, including the general mining and the mineral leasing laws. The applicant desires the lands for site exploration and flight testing for relocation of the Deming VORTAC Air Navigation Facility.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Chief, Division of Lands and Minerals, Program Management and Land Office, Post Office Box 1449, Santa Fe, N. Mex. 87501.

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

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

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

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

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN

T. 23 S., R. 7 W.,
Sec. 19, lots 11, 12, 19, and 20.

The area described contains 160 acres in Luna County.

MICHAEL T. SOLAN,
Chief, Division of Lands and Minerals, Program Management and Land Office.

[F.R. Doc. 68-12523; Filed, Oct. 15, 1968; 8:45 a.m.]

[OR 2752]

OREGON

Notice of Proposed Classification of Public Lands

1. Pursuant to the provisions of the act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the following described public lands in Malheur County, Oreg., for disposal through exchange under section 8 of the act of June 28, 1934 (48 Stat. 1272), as amended (43 U.S.C. 315g):

WILLAMETTE MERIDIAN, OREGON

T. 19 S., R. 44 E., Willamette Meridian,
Sec. 21, NW¼SE¼;
Sec. 22, N½NW¼, SW¼NW¼, SE¼SW¼, SW¼SE¼;
Sec. 27, W½E½, W½;
Sec. 28, S½NE¼, SE¼;
Sec. 33, E½;
Sec. 34, W½E½, W½.
T. 20 S., R. 44 E., Willamette Meridian,
Sec. 2, SW¼NE¼, lots 3, 4, S½NW¼, N½SW¼, NW¼SE¼;
Sec. 3, lots 1, 2, 3, 4, S½N½, E½SW¼, SE¼.

The areas described aggregate 2,632.83 acres.

2. Classification of the above-described lands by a classification order will segregate the lands from all forms of disposal under the public land laws, including the mining laws, except as to application under section 8 of the Taylor Grazing Act (48 Stat. 1272), as amended.

3. Publication of this proposed classification order will not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing disposal of their mineral and vegetative resources, other than under the mining laws.

4. For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Department of Interior, 365 A Street West, Post Office Box 220, Vale, Oreg. 97918.

After having considered comments received as a result of this publication, the undersigned officer will classify the above-described lands, which classification shall be published in the FEDERAL REGISTER.

For the State Director.

ETHAN W. FREEMAN,
Acting District Manager.

[F.R. Doc. 68-12548; Filed, Oct. 15, 1968; 8:47 a.m.]

Office of the Secretary

[Secretary's Order No. 2907]

DIRECTOR, NATIONAL PARK SERVICE

Delegation of Authority

1. *Delegation.* There is hereby delegated to the Director, National Park Service, the authority granted to the Secretary of the Interior by section 3(b)(3) of the Act of October 2, 1968, 81 Stat. 931.

2. *Termination.* The authority herein delegated shall terminate 1 year from the date this order is published in the FEDERAL REGISTER.

DAVID S. BLACK,
Acting Secretary of the Interior.

OCTOBER 11, 1968.

[F.R. Doc. 68-12640; Filed, Oct. 15, 1968; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

PLUTONIUM AND URANIUM ENRICHED IN U^{233}

Charges

1. This notice amends a similarly entitled notice published May 29, 1963, 28 F.R. 5314. Delete that portion of paragraph 3 through subparagraph (a) and substitute in lieu thereof the following:

3. *Base charges.* The following base charges are for materials distributed by the AEC.

(a) For plutonium nitrate distributed on or after July 1, 1963:

(i) The base charges, except as stated in (ii) and (iii) below, shall be as given in the following table:

Assay as weight percent of isotope Pu^{240} in plutonium	*Charge in dollars per gram of isotopes Pu^{239} plus Pu^{241} in plutonium*
3	60
6	48
8	43
12	42
25	60
30	70

Charges for intermediate Pu^{240} assays shall be obtained by linear interpolation between the nearest assays listed above. In some cases, the user will need to blend material of different assays to obtain a desired intermediate assay. Charges for use and consumption of plutonium distributed by lease shall be based on the Pu^{240} assay of the material as distributed by the AEC to the lessee, rather than any other Pu^{240} assay resulting from irradiation of the material by the lessee.

(ii) The base charges for plutonium of standard isotopic assays, herewith defined as plutonium containing 6 to 12 weight percent of the isotope Pu^{240}, inclusive, shall be $43 per gram of the contained plutonium isotopes Pu^{239} plus Pu^{241} through June 30, 1969.

(iii) Any increase or decrease in base charges for plutonium distributed by lease prior to the publication of this notice shall become effective on July 1, 1969.

2. This notice is effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 10th day of October 1968.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 68-12520; Filed, Oct. 15, 1968; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

ALABAMA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Alabama, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources:

ALABAMA

Autauga.	Houston.
Baldwin.	Jackson.
Barbour.	Jefferson.
Bibb.	Lamar.
Blount.	Lauderdale.
Bullock.	Lawrence.
Butler.	Lee.
Calhoun.	Limestone.
Chambers.	Lowndes.
Cherokee.	Macon.
Chilton.	Madison.
Choctaw.	Marengo.
Clay.	Marion.
Cleburne.	Marshall.
Coffee.	Montgomery.
Colbert.	Morgan.
Conecuh.	Perry.
Coosa.	Pickens.
Crenshaw.	Pike.
Cullman.	Randolph.
Dale.	Russell.
Dallas.	St. Clair.
De Kalb.	Shelby.
Elmore.	Sumter.
Etowah.	Talladega.
Fayette.	Tallapoosa.
Franklin.	Tuscaloosa.
Greene.	Walker.
Hale.	Wilcox.
Henry.	Winston.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of October 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68–12545; Filed, Oct. 15, 1968; 8:47 a.m.]

MINNESOTA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Minnesota, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MINNESOTA

Blue Earth.	La Sueur.
Kittson.	Nicollet.
Lake of the Woods.	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of October 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68–12546; Filed, Oct. 15, 1968; 8:47 a.m.]

TEXAS AND WYOMING

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of Texas and Wyoming, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

TEXAS

Brooks.	Jim Wells.
Cameron.	Kleberg.
Duval.	Willacy.
Hidalgo.	

WYOMING

Crook.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of October 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68–12547; Filed, Oct. 15, 1968; 8:47 a.m.]

NATIONAL AGRICULTURAL LIBRARY

Delegation of Functions

Section 198 of the Statement of Organization and Delegations appearing at 29 F.R. 16210 et seq., as amended at 32 F.R. 12868, is further amended by adding a new paragraph "i", which reads as follows:

i. Authority to make copies of bibliographies prepared by the Department library, microfilm and other photographic reproductions of books and other library materials in the Department, and sell such bibliographies and reproductions at cost.

Done a Washington, D.C., this 10th day of October 1968.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 68–12544; Filed, Oct. 15, 1968; 8:46 a.m.]

BUREAU OF THE BUDGET

REPORT ON UTILIZATION OF ADVISORY COMMITTEES DURING FISCAL YEAR 1968

Notice of Availability

In compliance with the provisions of Executive Order No. 11007, dated February 26, 1962, the Bureau of the Budget has prepared a report containing a list of all advisory committees utilized by the Bureau during fiscal year 1968, including the names and affiliations of their members, a description of the function of each committee, and a statement of the dates of any meetings.

This report is available at the Administrative Services Office, Bureau of the Budget, Executive Office Building, Washington, D.C. 20503.

VELMA N. BALDWIN,
Director of Administration.

[F.R. Doc. 68–12568; Filed, Oct. 15, 1968; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20051; Order 68–10–45]

AIRLINE SCHEDULING COMMITTEES

Order Regarding Establishment

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of October 1968.

On September 23, 1968, the Vice President-Traffic, Air Transport Association (ATA) as attorney in fact for certain air carriers and foreign air carriers, filed pursuant to section 412 of the Federal Aviation Act of 1958, as amended (the Act) agreements designated Agreements CAB 20560, 20561, and 20562 [1] providing, respectively, for the establishment of Scheduling Committees to arrange for the administration of a program for the adjustment of scheduled domestic and foreign air transportation operations into and out of (1) John F. Kennedy International Airport, La Guardia Airport and Newark Airport; (2) Washington National Airport and (3) O'Hare International Airport.[2]

Attached as an appendix [3] is the agreement concerning New York City and a transmittal letter which explains the agreements. The agreements relating to Washington National Airport and O'Hare International Airport are identical in substance to the New York agreement except that in the case of Washington National Airport, the agreement does not become effective unless all carriers which serve Washington National Airport become parties to the agreement.

In light of the importance of the agreements, the Board will afford all interested persons an opportunity to submit comments with respect to the agreements.

Accordingly, it is ordered:

1. That interested persons be and they hereby are afforded a period of 20 days from the issuance of this order within which to file comments with respect to Agreements CAB 20560, 20561, and 20562 filed in Docket 20051; [4] and

2. A copy of this order shall be served upon all U.S. certificated carriers, all foreign carriers holding permits from the Board, the Departments of Transportation and Justice, the Port of New York Authority, the Department of Aviation of the city of Chicago, and the Federal Aviation Administration.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68–12558; Filed, Oct. 15, 1968; 8:48 a.m.]

[1] The filings were supplemented by letters of Sept. 26 and 27, 1968, indicating that additional carriers had executed one or more of the agreements.

[2] The agreements resulted from discussions authorized by Order 68–7–138, July 26, 1968, and Order 68–8–30, Aug. 8, 1968, between Trans World Airlines, Inc., and other United States and foreign carriers providing scheduled services to and from New York City, Chicago, Los Angeles, and Washington concerning possible means of alleviating the air traffic congestion problems at such cities.

[3] Appendix filed as part of the original document.

[4] Such comments shall in all respects conform to the requirements of the Board's rules of practice for the filing of documents.

[Docket No. 20293]

NOVO INDUSTRIAL CORP. ET AL.

Notice of Proposed Approval

Application of Novo Industrial Corp., Barnett Aircargo, Inc., and Barnett International Airfreight Corp., for approval of control relationships pursuant to section 408 of the Federal Aviation Act of 1958, as amended, Docket 20293.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., October 10, 1968.

[SEAL] A. M. ANDREWS,
Director,
Bureau of Operating Rights.

ORDER APPROVING CONTROL RELATIONSHIPS

Issued under delegated authority.

Application of Novo Industrial Corp., Barnett Aircargo, Inc., and Barnett International Airfreight Corp. for approval pursuant to section 408 of the Federal Aviation Act of 1958, as amended.

By joint application filed September 26, 1968, Novo Industrial Corp. (Novo) requests approval, pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act) of an agreement with Barnett Aircargo, Inc., and Barnett International Airfreight Corp. (Barnett Companies) for the merger of the Barnett Companies with Air Dispatch, Inc. (ADI)[1] by means of a tax free exchange of Novo and Barnett stock.

Novo is a diversified holding company with operating divisions and subsidiary companies engaged in a variety of manufacturing, selling and service activities. Barnett Aircargo, Inc., is a domestic air freight forwarder and Barnett International Airfreight Corp. is an international air freight forwarder. The two companies are owned equally by Alan and Norman Barnett.[2] The transaction for which approval is sought will be accomplished by the merger of the Barnett Companies into ADI and the issuance by Novo in return therefor of 1600 shares of Novo common stock in equal parts to Alan and Norman Barnett. The operating authorizations of the Barnett Companies will be surrendered for cancellation upon completion of the stock transfer.

Applicants submit that the merger will not adversely affect other air freight forwarders since the operations of the Barnett Companies resulted in gross revenues of less than $200,000 in 1967; that Barnett has operated only in the Los Angeles-New York-Milan markets; that customers of the Barnett Companies will benefit from the broader coverage of ADI and that approval of the merger is thus in the public interest.

No comments relative to the application or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy furnished to the Attorney General in accordance with the requirements of section 408(b) of the Act.

Upon consideration of the foregoing, it is concluded that Novo is a person controlling an air carrier (ADI) within the meaning of section 408 of the Act and that the acquisition by Novo and the merger into ADI of the Barnett Companies is subject to that section. However, it is further concluded that the acquisition and merger do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly and do not tend to restrain competition. Furthermore, no person disclosing a substantial interest in this proceeding is currently requesting a hearing and it is concluded that the public interest does not require a hearing. The acquisition and merger are similar to others which have been approved by the Board and essentially do not present any new substantive issues.[3] In view of the foregoing, it appears that approval of the transaction would not be inconsistent with the public interest.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the acquisition and merger described herein should be approved pursuant to section 408(b) of the Act.

Accordingly, it is ordered:

1. That the acquisition of the Barnett Companies by Novo and the merger of such companies with ADI be and it hereby is approved; and

2. That the operating authorizations of the Barnett Companies be surrendered to the Board for cancellation within 15 days of the final closing of the transaction.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-12560; Filed, Oct. 15, 1968; 8:48 a.m.]

[Docket No. 19993; Order 68-10-44]

ROSS AVIATION, INC.

Order To Show Cause Regarding Establishment of Service Mail Rate

Issued under delegated authority, October 10, 1968.

By notice of intent filed on June 27, 1968, pursuant to 14 CFR Part 298, the Postmaster General petitioned the Board to establish for Ross Aviation, Inc. (Ross), a final service mail rate of 35 cents per great circle aircraft mile for the transportation of mail by aircraft between Cheyenne and Rock Springs via Rawlins, Wyo. This final service mail rate was fixed on July 31, 1968, Order 68-7-166.

On September 23, 1968, the Postmaster General, at the request of Ross, filed a petition to amend the service mail rate currently in effect. While maintaining the same overall revenue per flight for the air taxi, the Postmaster General requests a correction of the mileage from 460 to 458 miles and a revision of the applicable rate from 35 cents to 35.15 cents per great circle aircraft mile between the above points.

The Board therefore finds it is in the public interest to adjust, determine, and fix the fair and reasonable rate of compensation to be paid to Ross by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the Postmaster General's petition, and other matters officially noticed, the Board proposes to issue an order[1] to include the following findings and conclusions:

1. On and after September 23, 1968, the fair and reasonable final service mail rate to be paid to Ross Aviation, Inc., pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Cheyenne and Rock Springs via Rawlins, Wyo., shall be 35.15 cents per great circle aircraft mail.

2. The final service mail rate here fixed and determined is to be paid in its entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.14(f):

It is ordered, That:

1. All interested persons, and particularly Ross Aviation, Inc., the Postmaster General, and Frontier Airlines, Inc., are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above as the fair and reasonable rate of compensation to be paid to Ross Aviation, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rate or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed,

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[1] The acquisition of ADI by Novo was approved by Order E-24429, Nov. 21, 1966. The Board has also approved the acquisition by Novo of Trans-World Forwarding and Air Expediting Co., currently an international air freight forwarder, by Order E-26863, June 3, 1968.

[2] Control and interlocking relationships of the Barnett Companies et al., was approved by the Board after hearing. Order E-12121, Jan. 17, 1958, Docket 8394.

[3] Novo Industrial Corp. and Trans-World Forwarding and Air Expediting Co., Order E-26863, June 3, 1968, Docket 19762, Airborne Freight Corp. and 4A Air Freight Corp., Order E-25887, Oct. 26, 1967, Docket 19050.

[1] As this order to show cause does not constitute a final action and merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). The provisions of that part dealing with petitions for Board review will be applicable to any final action which may be taken by the staff in this matter under authority delegated in § 385.14(g).

written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and if answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Ross Aviation, Inc., the Postmaster General, and Frontier Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-12559; Filed, Oct. 15, 1968; 8:48 a.m.]

[Docket No. 19817]

TRANSAVIA HOLLAND, N.V., AND EXECUTIVE JET AVIATION, INC.

Notice of Proposed Approval

Application of Transavia Holland, N.V., and Executive Jet Aviation, Inc., for disclaimer of jurisdiction or approval under section 408 of the Federal Aviation Act of 1958, as amended, Docket 19817.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., October 10, 1968.

[SEAL] A. M. ANDREWS,
Director,
Bureau of Operating Rights.

ORDER OF APPROVAL

Issued under delegated authority.

Application of Transavia Holland, N.V., and Executive Jet Aviation, Inc., for disclaimer of jurisdiction or approval under section 408 of the Federal Aviation Act.

By Order E-26756, May 6, 1968, the Board approved, under section 408(b) of the Federal Aviation Act of 1958, as amended (the Act), the dry lease by Transavia Holland, N.V., of one Boeing 707-355C from Executive Jet Aviation, Inc. (EJA), for a term commencing May 15, 1968, and terminating on October 31, 1968.

By application filed October 2, 1968, Transavia and EJA request the Board to disclaim jurisdiction over, or to approve pursuant to section 408(b), an agreement which amends the above dry leasing solely by extending it for 1 year. The applicants make the same allegations in support of the instant request as were advanced in their previous application.

No objections to the application or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

Upon consideration of the application, it is concluded that the lease involves a substantial part of the properties of EJA and therefore is subject to section 408 of the Act. The one aircraft represents 25 percent of EJA's fleet of large jet aircraft. However, it is further concluded that the transaction does not affect the control of a carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and does not restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing, and it is found that the public interest does not require a hearing. The instant application essentially does not present new substantive issues not already considered by the Board in Order E-26756, above. Thus, approval of the extension of the dry lease for 1 year would not appear to be inconsistent with the public interest.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the foregoing transaction should be approved under section 408(b) of the Act without a hearing.

Accordingly, it is ordered:

1. That the 1-year extension of the lease of one B-707-355C aircraft from Executive Jet Sales, Inc., a wholly owned subsidiary of EJA to Transavia be and it hereby is approved; and

2. That, to the extent not granted, the application be and it hereby is denied.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 2 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-12561; Filed, Oct. 15, 1968; 8:48 a.m.]

CIVIL SERVICE COMMISSION

DEPUTY ASSISTANT SECRETARY (PROGRAM ANALYSIS-EDUCATION), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission has found, effective September 24, 1968, that there is a manpower shortage for the single position of Deputy Assistant Secretary (Program Analysis-Education), Office of the Assistant Secretary (Planning and Evaluation), Department of Health, Education, and Welfare, Washington, D.C.

The appointee may be paid for the expenses of travel and transportation to his post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68-12541; Filed, Oct. 15, 1968; 8:46 a.m.]

ELECTRICIAN, PUGET SOUND NAVAL SHIPYARD

Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on September 20, 1968, for positions of Electrician, with marine experience, journeyman grade, at the Puget Sound Naval Shipyard, Bremerton, Washington.

Assuming other legal requirements are met, appointees to these positions may be paid for the expenses of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68-12542; Filed, Oct. 15, 1968; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

Notice of Grant of Authority To Make Noncareer Executive Assignment; Correction

In F.R. Doc. 68-11913, appearing on page 14734 of the issue for Wednesday, October 2, 1968, insert the word "Rule" following the word "Service" in the second line.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68-12540; Filed, Oct. 15, 1968; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18294; FCC 68-1009]

RADIO ASTRONOMY AND SPACE SERVICES

Second Notice of Inquiry

In the matter of an inquiry relating to preparation for a World Administrative Radio Conference of the International Telecommunication Union on matters pertaining to the radio astronomy and space services, Docket No. 18294.

1. On August 14, 1968, the Commission adopted its initial notice of inquiry

in this proceeding, preparatory to a World Administrative Radio Conference (WARC) to be convened by the International Telecommunication Union (ITU) in late 1970 or early 1971 to deal with matters relating to the radio astronomy and space services. Decisions with respect to the site of the WARC, the opening date, duration, and specific agenda are expected to be made by the Administrative Council of the ITU at its next annual session in May 1969.

2. The Commission's initial notice dealt essentially with two subjects: (1) A proposed agenda for the WARC, consisting of five broad items; and (2) frequency allocation proposals with respect to certain bands above 17.7 GHz. Comments in response to the notice of inquiry were filed by 14 interested parties, nine of whom were silent with respect to the proposed agenda, three of whom specifically supported the proposed agenda, and two of whom suggested changes. The last two were Teleprompter Corp. and the Radio Technical Commission for Marine Services (RTCM). Teleprompter suggested that "* * * item 1 of the agenda should be enlarged to include full treatment of terrestrial radio services as well as space and radio astronomy services." and that "* * * the agenda proposed by the United States must permit a very broad inquiry * * *". This suggestion goes far beyond the express purpose for which the Administrative Council recommended that the WARC be convened, and must be rejected since it would be contrary to the International Telecommunication Convention (Montreux, 1965). RTCM, on the other hand, agreed in principle with the agenda but suggested that Item 2 be divided into separate parts, one dealing with the needs of aviation and the other dealing with similar needs of maritime interests. They argued that grouping the two services into a single agenda item might convey the possibly false impression that a common solution is required or desired. RTCM also expressed the view that a common solution including the joint use of satellites should not be precluded, but the agenda for the Conference should not tend to prejudge the issue. The two thoughts appear to be contradictory in that separating the issues migh convey the possibly false impression that separate solutions are required or desired. Accordingly, to meet both points, the Commission has recommended to the Department of State that the agenda proposed by the Commission in its notice be adopted as a U.S. proposal for transmission to the ITU, with Item 2 thereof modified to read as follows:

2. To revise, and supplement as necessary, the Radio regulations to provide for the use of space techniques by the aeronautical mobile and the maritime mobile services, for navigation as well as for communication purposes, for the use of separate or joint systems, as appropriate;

3. The remaining comments, which dealt with issues other than the agenda, will not be treated in this second notice but will be taken into account in subsequent notices in this proceeding.

4. Of the five agenda items proposed, two deal specifically with the revision or addition of regulations pertaining to administrative and technical matters. It is the purpose of this second notice to discuss proposals pertinent to those agenda items, namely 1 and 5, which are quoted herewith:

1. To revise existing administrative and technical regulations and adopt such new provisions as necessary for the space services and the radio astronomy service which will ensure the efficient use of the spectrum;

5. To revise, and supplement as necessary, the existing regulations pertaining to the technical criteria for frequency sharing between space and terrestrial systems and establish criteria for sharing between satellite systems.

5. By way of background, one of the permanent organs of the ITU is its International Frequency Registration Board (IFRB) which, among other things, maintains the Master International Frequency Register. Individual administrations make frequency assignments to various classes of stations and notify those assignments to the IFRB for recording in the Master Register. The dates of notification and the conditions under which they are accepted for recording are determinants in the establishment of relative priorities among the stations concerned in the event that interference subsequently develops. Traditionally, one of the more important functions of the Board has been to subject new notifications to a technical examination to assess the probability of interference to assignments already recorded in the Master Register. However, the Space Conference convened by the ITU in 1963 made only very limited provisions for technical examination of space systems vis-a-vis terrestrial systems or vice versa, and made no provisions for technical examination of the interference potential between different space systems. Administrations were dealing with an embryonic service wherein a single global system was contemplated and wherein most of the expertise, experience, and launch capability resided in a handful of countries. Conditions have changed dramatically, however, and it is appropriate to reexamine the actions taken in this regard by the EARC, Geneva, 1963.

6. Today, the space services have matured appreciably, technical knowledge has become more widespread, there is a broader base of experience upon which to make judgments and there are three communication-satellite systems in being with more in the offing, i.e., the INTELSAT system, the Soviet system and the U.S. Government system. In addition to these, or as adjuncts thereto, a number of countries are planning domestic or regional systems and it appears certain that the picture will become more complex in the years ahead, for which plans must be made now. We are of the view that the international Radio Regulations must be modified to provide better management tools for coping with the potential of mutual interference between space systems and between space and terrestrial systems.

7. Article 7 of the Radio Regulations, "Special Rules Relating to Particular Services" could be modified to specify hard and fast rules with respect to assignable frequencies, maximum powers, orbital separations, etc., in order to provide for interservice and intraservice sharing, but this could impose undue constraints on a rapidly changing technology. A more attractive approach is to modify Articles 9 and 9A, dealing with the notification and recording of frequencies in the Master Register, to establish procedures whereby the IFRB would make technical examinations for the space services in much the same fashion as is done now for terrestrial services. Using this approach the IFRB could conduct an examination, based on the technical characteristics of existing communication satellite systems already recorded in the Master Register and those of the newly notified system, to ensure that an agreed minimum desired-to-undesired signal ratio would be preserved at the receiver input of the existing system. This would tend to encourage the development and introduction of improved antenna directivity both in space and at earth stations, the introduction of different modulation techniques and space station stabilization techniques and would tend to obviate the need for an international allotment plan for geostationary orbital positions on the equatorial plane. Implicit in this proposal is a requirement for prelaunch technical examination by the IFRB. Should that examination result in an unfavorable finding by the Board, it would be incumbent upon the notifying administration to take steps to ensure that harmful interference would not occur.

8. In addition to examining existing procedures with respect to sharing between space and terrestrial systems, consideration has been given to potential interference problems arising between different space systems. The following combinations were examined:

A. Space stations of one system causing interference to space stations of another system, where both transmit in one band and receive in another, as is now the case at 4 and 6 GHz, respectively;

B. Earth stations of one system causing interference to earth stations of another system where both receive in one band and transmit in another, as is now the case at 4 and 6 GHz, respectively;

C. Space stations of one system causing interference at the receiving earth station of another system;

D. Earth stations of one system causing interference at the receiving space station of another system; and

E. Space stations of one system causing interference to the receiving space stations of another system in bands which the Space WARC may allocate only for space-to-space communications.

9. Interference between systems could not occur in cases A and B as long as space stations receive in bands other than those in which they transmit, as would be the case also with earth stations. In case C, even though the power flux density at the earth's surface was

limited sufficiently to avoid harmful interference to terrestrial systems, the space station would constitute a source of harmful interference to the receiving earth station of another system if it were within the beam of that earth station's antenna. The degree to which interference occurred would be a function of factors such as the relative powers and antenna directivity of the desired and undesired space stations, their angular separation, and the directivity of the receiving earth station antenna and their separate methods of modulation. The same general considerations would come into play in evaluating the potential impact of a new transmitting earth station upon the receiving space station of another system. Again, in case E, the avoidance of harmful interference will be a matter of appropriate angular separations, relative powers and antenna directivities and methods of modulation. The common thread running through C, D, and E is the need to maintain a satisfactory desired-to-undesired signal ratio at the receiver input in question, for various combinations of modulation in opposing systems. Ratios recommended by the CCIR in this regard could be the criteria upon which the IFRB would base its technical examination for potential harmful interference between different space systems.

10. With respect to existing procedures concerned with sharing between space and terrestrial systems, the need for change is not so apparent. At present, if country A wishes to establish a new earth station within the shared bands and finds that the "coordination distance" (calculated in accordance with Recommendation 1–A of the Final Acts of the Space EARC, Geneva, 1963) overlaps the territory of country B, it is incumbent upon country A to attempt to coordinate its proposed new earth station with country B prior to notifying that earth station assignment to the IFRB. Once coordination has been effected, country B must refrain from installing new stations of the fixed or mobile services in the same band and within the coordination distance contour of the earth station until coordination has been effected with country A. This procedure has been effective and should be retained and used to the maximum extent practicable. To do otherwise, and require the IFRB to examine all such cases, it would be necessary to notify to the IFRB literally thousands of terrestrial stations which are now in operation but which have not been notified. This stems from the fact that many such stations have little potential for international interference, as well as from a decision taken by the Administrative Radio Conference of the ITU, Geneva, 1959, that it was unnecessary to notify internationally all assignments above 27.5 MHz but rather that it would suffice to notify only "representative" listings. As a result, for example, in the frequency band 3700–4200 MHz there may be 60 microwave relay stations authorized in the states of North Dakota, Minnesota, and Wisconsin but they would be shown in the Master Register as one each in the three states. This is sufficient to demonstrate usage but not nearly enough to permit a technical examination by the IFRB with respect to a proposed Canadian earth station just north of central Minnesota.

11. Thus far we have treated only general philosophies rather than setting forth in specific detail the changes in the Radio Regulations necessary to implement those philosophies. These factors, however, are crucial to the direction in which we go in framing formal proposals to the WARC. If there is general agreement on the approach suggested, those philosophies can be expressed in the Preliminary Views of the United States which, hopefully, can be distributed abroad shortly after January 1, 1969, to elicit the views, reactions and comments of other administrations. That would permit the development of detailed proposals on these points at a more leisurely pace. If there is not general agreement on the philosophical concepts expressed herein, we must be made aware of that fact as quickly as possible so that alternative approaches may be examined.

12. Based on experience in preparing for ITU Conferences it is clear that the degree to which U.S. proposals are supported is dependent, in large measure, on the extent to which its Preliminary Views on a given conference find acceptance in advance of that conference. Those views must be distributed far enough in advance of the conference to permit time for international discussions, revisions as necessary in the light of national and international reactions, and the recirculation of the amended views. Although the WARC is scheduled tentatively for late 1970 or early 1971, prevailing international sentiment clearly favors the earlier date. If that sentiment continues to prevail, it is not unlikely that the WARC will convene in September or October 1970. Formal proposals to such a conference should reach the Secretary-General 5 to 6 months in advance of the convening date to permit their translation into the working languages of the Union and distribution to all administrations in advance of the conference. This could mean that formal proposals would be forwarded as early as April 1970. This, in turn, means that our Preliminary Views should be distributed abroad not later than February or March 1969 if we hope to influence the planning of other administrations for the Space WARC. Therefore, all views of interested parties within the United States on matters pertinent to the conference must be made known to the Commission by early December 1968 so that they may be meshed and reconciled with the views of other interested Government and non-Government entities into one consolidated document representing the Preliminary Views of the United States relevant to the forthcoming Space WARC. It should be noted however, that such views will not be irrevocable once established and that the United States may find it desirable, on the basis of new information or changing conditions, to modify its proposals even as late as during the conference itself.

13. Not yet mentioned are the specific technical criteria for interservice and intraservice sharing upon which IFRB would base its technical examinations. The Xth Plenary Assembly of the CCIR, Geneva, 1963, adopted Recommendations with respect to sharing criteria for space and terrestrial microwave systems. Those criteria were subsequently incorporated in the international Radio Regulations by the Space EARC, Geneva, 1963. The XIth Plenary Assembly of the CCIR, Oslo, 1966, modified its earlier Recommendations both with respect to the permissible power flux density at the surface of the earth from space stations and with respect to the effect of terrain shielding in calculating coordination distances for earth stations. The latter Recommendations are not now reflected in the Radio Regulations since there has been no WARC since 1966 which was empowered to so amend the Radio Regulations. It is the intention of the Commission to recommend to the Department of State that the United States propose inclusion in the Radio Regulations of the most current and generally acceptable sharing criteria available at the time of the conference.

14. In summary, following consideration of comments received, the Commission, in consultation with the Director of Telecommunications Management, will develop specific detailed proposals for consideration by the Department of State for inclusion in the Preliminary Views of the United States to meet the following objectives:

(a) Up-date the sharing criteria for space and terrestrial systems in the same bands;

(b) Establish sharing criteria for different space systems in the same bands;

(c) Provide procedures and criteria for technical examination of two or more space systems sharing the same band, and revise as appropriate, existing procedures concerned with space and terrestrial systems sharing the same band; and

(d) Modify, as appropriate, regulations requiring amendment as a consequence of changes resulting from (a), (b), and (c) above.

15. It should again be noted that this is not a rule-making proceeding but rather one intended to serve as a vehicle for eliciting public comment in the development of U.S. proposals to the forthcoming Space WARC. It is expected that this second notice will be followed by additional notices as the conference preparatory work progresses.

16. This action is taken pursuant to section 403 of the Communications Act of 1934, as amended. Interested parties responding to this inquiry shall furnish comments on or before November 13, 1968. An original and 14 copies of each response must be filed as required by

§ 1.49 of the Commission's rules and regulations.

Adopted: October 9, 1968.

Released: October 10, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 68-12566; Filed, Oct. 15, 1968; 8:48 a.m.]

[1] Chairman Hyde absent; Commissioner Johnson concurring in the result.

FEDERAL RESERVE SYSTEM

KINGSTON TRUST CO.

Order Approving Merger of Banks

In the matter of the application of Kingston Trust Co. for approval of merger with The Kerhonkson National Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Kingston Trust Co., Kingston, N.Y., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and The Kerhonkson National Bank, Kerhonkson, N.Y., under the charter and title of Kingston Trust Co. As an incident to the merger, the three offices of The Kerhonkson National Bank would become branches of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger:

It is hereby ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order.

Dated at Washington, D.C., this 3d day of October 1968.

By order of the Board of Governors.[2]

[SEAL] ROBERT P. FORRESTAL, *Assistant Secretary.*

[F.R. Doc. 68-12524; Filed, Oct. 15, 1968; 8:45 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of New York.

[2] Voting for this action: Chairman Martin, and Governors Robertson, Mitchell, Daane, Maisel, and Sherrill. Absent and not voting: Governor Brimmer.

FEDERAL POWER COMMISSION

[Docket No. G-3973 etc.]

MOBIL OIL CORP. ET AL.

Findings and Order

OCTOBER 7, 1968.

Mobil Oil Corp. (successor to La Gloria Oil and Gas Co.), Docket No. G-3973 et al.; Mobil Oil Corp. (successor to Texas Eastern Transmission Corp.), Docket No. G-15238 et al.; Mobil Oil Corp., Docket No. CI63-464; Phillips Petroleum Co. (successor to Texas Eastern Transmission Corp.), Docket No. CI68-904; La Gloria Oil and Gas Co., Docket No. CI68-708; Texas Eastern Transmission Corp., Docket No. CP61-65 et al.; La Gloria Oil and Gas Co. and Mobil Oil Corp., Docket No. RI67-358.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, terminating certificates, reinstating certificate, permitting and approving abandonment of service, accepting FPC gas rate schedules and supplements for filing, accepting notices of succession for filing, redesignating FPC gas rate schedules, making successor co-respondent, redesignating proceeding, and accepting agreement and undertaking for filing.

On November 13, 1967, Mobil Oil Corp. (Mobil) filed applications pursuant to section 7(c) of the Natural Gas Act for certificates of public convenience and necessity and petitions to amend orders issuing certificates by authorizing Mobil to continue sales of natural gas in interstate commerce in lieu of La Gloria Oil and Gas Co. (La Gloria) and Texas Eastern Transmission Corp. (Texas Eastern), all as more fully set forth in the applications and petitions to amend and in the appendix hereto.

On January 15, 1968, Phillips Petroleum Co. (Phillips) filed an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continuation of the sale of natural gas in interstate commerce in lieu of Texas Eastern, all as more fully set forth in the application and in the appendix hereto.

La Gloria is a wholly owned subsidiary of Texas Eastern. Four of the La Gloria sales to be continued by Mobil are on-system sales to Texas Eastern. The estimated reserves remaining for these sales are approximately 9,967,000 Mcf of gas, and the sales totaled 1,525,986 Mcf of gas in 1966. Texas Eastern's total reserves are approximately 806,707,000 Mcf of gas. The off-system sales of La Gloria total approximately 7,862,000 Mcf of gas annually and have reserves of approximately 31,000,000 Mcf of gas. The properties from which the on-system sales are made by La Gloria to Texas Eastern were fully developed before La Gloria's acquisition by Texas Eastern.

Mobil and Phillips will be permitted to continue the sales, including the on-system sales by La Gloria to Texas Eastern, at the rates heretofore authorized, as proposed in the applications and petitions to amend with the exception of a sale in South Louisiana to United Fuel Gas Co. in Docket No. CI63-1388. The rates for such sale shall be the applicable just and reasonable rates prescribed in Opinion No. 546, Docket No. AR61-2, effective September 25, 1968. The Commission's action in permitting sales at these rates by Mobil to Texas Eastern is without prejudice to any action which the Commission may take in any rate proceeding involving either party.

The certificate heretofore issued to La Gloria in Docket No. G-3973, pursuant to which Mobil proposes to continue several sales, was inadvertently vacated by order issued August 8, 1961, in Docket No. G-18966 et al., concurrently with the granting of permission for and approval of the abandonment of service in Docket No. CI61-338 with respect to sales made pursuant to La Gloria's FPC Gas Rate Schedule No. 5. Therefore, the certificate will be reinstated and the order issuing the certificate will be amended by deleting therefrom authorization to sell natural gas pursuant to La Gloria's FPC Gas Rate Schedule No. 5.

Mobil proposes to continue a sale in Docket No. G-3973 heretofore authorized to be made pursuant to La Gloria's FPC Gas Rate Schedule No. 2. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI67-358. Mobil has filed a motion to be made co-respondent in said proceeding together with an agreement and undertaking to assure the refund by any amounts collected after September 1, 1967, in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Mobil will be made co-respondent; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

On November 29, 1967, La Gloria filed in Docket No. CI68-708 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon due to depletion of reserves the sale of natural gas authorized in Docket No. G-3973 to be made pursuant to its FPC Gas Rate Schedule No. 6, all as more fully set forth in the application. The abandonment will be permitted and approved as requested.

The Commission has reviewed each application and finds that the dispositions ordered herein are consistent with all substantive policies of the Commission and required by the public convenience and necessity. The assignment of producing properties by La Gloria and Texas Eastern to the assignees is essentially different from the lease assignments made in the Continental-Cities

Service case[1] involving on-system sales. Here, all of the successions in interest except for four sales, involve sales of off-system gas. Under present Commission policy as expressed in the Union Producing case, such sales normally are accorded the applicable area rate. See Union Producing Co., 31 FPC 503, 504. As for the four on-system sales (comprising only 2 percent of the annual sales from the assigned leases), the related producing leases were fully developed and contracts were executed for the sale of gas before Texas Eastern acquired ownership of La Gloria. Thus, the properties involved in the on-system sales to Texas Eastern were developed by an independent producer and not at the expense of the pipeline company and its rate payers.

After due notice published in the FEDERAL REGISTER, no petitions to intervene, notices of intervention, or protests to the granting of the applications or petitions to amend have been received.

At a hearing held on October 3, 1968, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Applicants are engaged in the sale for resale of natural gas in interstate commerce subject to the jurisdiction of the Commission, and each is, therefore, a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission, and such sales by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The proposed sales of natural gas are required by the public convenience and necessity, and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity to La Gloria should be amended as hereinafter ordered.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that certain certificates heretofore issued to Texas Eastern for sales proposed to be continued by Mobil and Phillips should be terminated.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate heretofore issued in Docket No. G–3973 should be reinstated, and the order issuing the certificate should be amended by deleting therefrom authorization to make the sales permitted to be abandoned and authorized to be continued in other dockets.

(8) The sale proposed to be abandoned by La Gloria is made in interstate commerce subject to the jurisdiction of the Commission and the abandonment thereof is subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(9) The abandonment of service by La Gloria is permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the notices of succession and FPC gas rate schedules and supplements submitted by Applicants should be accepted for filing and that La Gloria's FPC gas rate schedules should be redesignated.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Mobil should be made a co-respondent in the proceeding pending in Docket No. RI67–358, that said proceeding should be redesignated accordingly, and that the agreement and undertaking submitted by Mobil in said proceedings should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued to Phillips in Docket No. CI68–904 and to Mobil in Docket Nos. CI68–674, CI68–675, and CI68–676 upon the terms and conditions of this order authorizing the sales by Applicants of natural gas in interstate commerce for resale for ultimate public consumption, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications in this proceeding.

(B) The certificates issued in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts of operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which hereafter may be made by the Commission and any proceeding now pending or hereinafter instituted by or against Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. The grant of the certificates herein for service to the particular customers involved shall not imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. The grant of the certificates herein shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The certificate heretofore issued in Docket No. G–3973 and vacated by order issued April 8, 1961, in Docket No. G–18966 et al., is reinstated and the order issuing said certificate is amended by substituting Mobil in lieu of La Gloria as certificate holder and by deleting therefrom authorization to sell natural gas pursuant to the contracts on file with the Commission as La Gloria's FPC Gas Rate Schedule Nos. 3, 5, and 6. In all other respects said order shall remain in full force and effect.

(E) The orders issuing certificates in Dockets Nos. G–10836, G–11373, G–14996, CI61–635, CI63–1205, CI63–1388, CI63–1468, and CI66–53 are amended by substituting Mobil in lieu of La Gloria as certificate holder. The prescribed rates in Docket No. CI63–1388, effective September 25, 1968, shall be as ordered in Opinion No. 546, Docket No. AR61–2 (Southern Louisiana Area Rate Proceeding). In all other respects said orders shall remain in full force and effect.

(F) The order issuing a certificate in Docket No. G–15238 is amended by substituting Mobil in lieu of Texas Eastern as certificate holder, and in all other respects said order shall remain in full force and effect.

(G) The order issuing a certificate to Mobil in Docket No. CI63–464 is amended by adding thereto authorization to sell natural gas heretofore authorized in Docket No. G–3973 to be sold pursuant to La Gloria's FPC Gas Rate Schedule No. 3, and in all other respects said order shall remain in full force and effect.

(H) The certificates heretofore issued to Texas Eastern in Dockets Nos. CP61–65, CP61–169, CP62–142, and CP62–158 are terminated.

(I) Permission for and approval of the abandonment of service by La Gloria in Docket No. CI68–708, as hereinbefore described and as more fully described in the application and in the appendix hereto, are granted.

(J) Mobil is made a co-respondent in the proceeding pending in Docket No. RI67–358, the proceeding is redesignated accordingly, and the agreement and undertaking submitted by Mobil in said proceeding is accepted for filing.

(K) Mobil shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking submitted by Mobil in Docket No. RI67–358

[1] Continental Oil Co. et al., 39 FPC _____, Opinion No. 542, issued in Docket No. G–2737 et al., on June 27, 1968.

shall remain in full force and effect until discharged by the Commission.

(L) The notices of succession submitted by Mobil to the FPC gas rate schedules of La Gloria are accepted for filing effective as of November 8, 1967, and said rate schedules are redesignated as shown in the appendix hereto.

(M) The FPC gas rate schedules submitted by Mobil for the sales heretofore authorized to be made by Texas Eastern are accepted for filing effective as of November 8, 1967, and said rate schedules are redesignated as shown in the appendix hereto.

(N) The FPC gas rate schedule submitted by Phillips for the sale heretofore authorized to be made by Texas Eastern is accepted for filing effective as of November 1, 1967, and designated as shown in the appendix hereto.

(O) The summary of the assignment of acreage from La Gloria to Mobil is accepted for filing effective as of November 8, 1967, and is designated as Supplement No. 29 to Mobil's FPC Gas Rate Schedule No. 318. This supplement supersedes La Gloria's FPC Gas Rate Schedule No. 3.

(P) The notice of cancellation dated November 28, 1967, is accepted for filing to be effective on the date of this order and is designated as Supplement No. 6 to La Gloria's FPC Gas Rate Schedule No. 6.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

APPENDIX

Docket No. and date filed	Applicant	Purchaser and location	FPC gas rate schedule: Description and date of document	No.	Supp.
G-3973 E 11-13-67	Mobil Oil Corp. (successor to La Gloria Oil & Gas Co).	Texas Eastern Transmission Corp., South Cottonwood Creek Field, De Witt County, Tex.	La Gloria Oil & Gas Co., FPC GRS No. 1.	413	
			Supplement Nos. 1-7	413	1-7
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	413	8
G-3973 E 11-13-67	do	Texas Eastern Transmission Corp., Waskom Field, Harrison County, Tex.	La Gloria Oil & Gas Co., FPC GRS No. 2.	414	
			Supplement Nos. 1-10	414	1-10
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	414	11
G-3973 E 11-13-67	do	Natural Gas Pipeline Co. of America, La Gloria Field, Jim Wells County, Tex.	La Gloria Oil & Gas Co., FPC GRS No. 4.	415	
			Supplement Nos. 1-6	415	1-6
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	415	7
G-3973 E 11-13-67	do	Arkansas Louisiana Gas Co., Waskom Field, Harrison County, Tex.	La Gloria Oil & Gas Co., FPC GRS No. 9.	416	
			Supplement Nos. 1-9	416	1-9
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	416	10
G-3973 E 11-13-67	Mobil Oil Corp. (Operator) (successor to La Gloria Oil & Gas Co. (Operator)).	Natural Gas Pipeline Co. of America, La Gloria Field, Jim Wells and Brooks Counties, Tex.	La Gloria Oil & Gas Co. (Operator) FPC GRS No. 10.	417	
			Supplement Nos. 1-9	417	1-9
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	417	10
G-10836 E 11-13-67	Mobil Oil Corp. (successor to La Gloria Oil & Gas Co.).	Trunkline Gas Co., Ramsey and Columbus Fields, Colorado County, Tex.	La Gloria Oil & Gas Co., FPC GRS No. 12.	419	
			Supplement Nos. 1-6	419	1-6
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	419	7
G-11373 E 11-13-67	Mobil Oil Corp. (Operator) et al. (successor to La Gloria Oil & Gas Co. (Operator) et al.).	Texas Eastern Transmission Corp., Greenwood-Waskom Field, Harrison County, Tex.	La Gloria Oil & Gas Co. (Operator) et al., FPC GRS No. 11.	418	
			Supplement No. 1	418	1
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	418	2
G-14996 E 11-13-67	Mobil Oil Corp. (successor to La Gloria Oil & Gas Co.).	Texas Eastern Transmission Corp., Bird Island Field, Kleberg County, Tex.	La Gloria Oil & Gas Co., FPC GRS No. 13.	420	
			Supplement Nos. 1-2	420	1-2
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	420	3
G-15238 E 11-13-67	Mobil Oil Corp. (successor to Texas Eastern Trausmission Corp.).	United Gas Pipe Line Co., Blocker (Pettit) Field, Harrison County, Tex.	Contract 4-14-58 [2]	426	
			Letter agreement 4-14-58. [2 3]	426	1
			Letter agreement 4-14-58. [2 4]	426	2
			Assignment 11-8-67 [5]	426	3
CI61-635 E 11-13-67	Mobil Oil Corp. (successor to La Gloria Oil & Gas Co.).	United Gas Pipe Line Co., South El Toro Field, Jackson County, Tex.	La Gloria Oil & Gas Co., FPC GRS No. 15.	421	
			Supplement Nos. 1-2	421	1-2
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	421	3
CI63-464 (G-3973) CE 11-13-67	do	Transcontinental Gas Pipe Line Corp., La Gloria Field, Jim Wells and Brooks Counties, Tex.	Assignment 11-8-67 [1]	318	29
CI63-1205 E 11-13-67	do	El Paso Natural Gas Co., Fulcher Kutz Field, San Juan County, N. Mex.	La Gloria Oil & Gas Co., FPC GRS No. 16.	422	
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	422	1
CI63-1388 E 11-13-67	do	United Fuel Gas Co., Valentine Field, Lafourche Parish, La.	La Gloria Oil & Gas Co., FPC GRS No. 17.	423	
			Supplement No. 1	423	1
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	423	2
CI63-1468 E 11-13-67	do	Arkansas Louisiana Gas Co., Waukomis Area, Garfield County, Okla.	La Gloria Oil & Gas Co., FPC GRS No. 18.	424	
			Supplement Nos. 1-4	424	1-4
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	424	5
CI66-53 E 11-13-67	do	Northern Natural Gas Co., East Clark Area, Harper County, Okla.	La Gloria Oil & Gas Co., FPC GRS No. 20.	425	
			Supplement No. 1	425	1
			Notice of succession 11-8-67.		
			Assignment 11-8-67 [1]	425	2

Filing Code: B—Abandonment.
C—Amendment to add acreage.
E—Succession.

See footnotes at end of table.

APPENDIX—Continued

Docket No. and date filed	Applicant	Purchaser and location	FPC gas rate schedule: Description and date of document	No.	Supp.
CI68-674 (CP62-142) E 11-13-67	Mobil Oil Corp. (successor to Texas Eastern Transmission Corp.).	Texas Gas Transmission Corp., Calhoun Field, Ouachita Parish, La.	Ratification 11-22-61 [6]	428	
			Contract 9-3-58 [6]	428	1
			Assignment 11-8-67 [5]	428	2
CI68-675 (CP62-158) E 11-13-67	do	United Gas Pipe Line Co., Calhoun Field, Ouachita Parish, La.	Contract 12-13-61 [7]	429	
			Letter agreemeut 12-13-61.[3]	429	1
			Letter agreement 7-1-64.[3]	429	2
			Assignment 11-8-67 [5]	429	3
CI68-676 (CP61-169) E 11-13-67	do	El Paso Natural Gas Co., Flora Vista Field, San Juan County, N. Mex.	Contract 3-18-57 [8]	427	
			Assignment 4-27-60 [9]	427	1
			Supplemental agreement 11-22-60.[10]	427	2
			Supplemental agreement 10-4-61.[10]	427	3
			Assignment 11-8-67 [5]	427	4
CI68-708 (G-3973) B 11-29-67	La Gloria Oil and Gas Co.	Texas Eastern Transmission Corp., Cottonwood Creek Field, De Witt County, Tex.	Notice of cancellation 11-28-67.[11]	6	6
CI68-904 (CP61-65) E 1-15-68	Phillips Petroleum Co. (successor to Texas Eastern Transmission Corp.	Trunkline Gas Co., Alta Loma Field, Galveston County, Tex.	Ratification 12-9-59 [12]	444	
			Contract 5-14-58 [12]	444	1
			Letter agreement 5-16-58.[12 13]	444	2
			Supplemental agreement 1-23-59.[12 14]	444	3
			Assignment 11-2-67 [15]	444	4

[1] Summary of assignment of acreage from La Gloria to Mobil.
[2] Presently on file as Sheets Nos. 2-30 of Texas Eastern's FPC Gas Tariff, Original Volume No. 3 (Rate Schedule F-1).
[3] Provides for tax reimbursement.
[4] Allows sufficient gas to be released from contract to permit seller to protect itself against drainage.
[5] Summary of assignment of acreage from Texas Eastern to Mobil.
[6] Presently on file as Sheets Nos. 138-189 of Texas Easteru's FPC Gas Tariff, Original Volume No. 3 (Rate Schedule F-5).
[7] Presently on file as Sheets Nos. 190-225B of Texas Eastern's FPC Gas Tariff, Original Volume No. 3 (Rate Schedule F-6).
[8] Presently on file as Sheets Nos. 108-137 of Texas Eastern's FPC Gas Tariff, Original Volume No. 3 (Rate Schedule F-4).
[9] Between Claud F. Aikman, et ux., as assignors and Texas Eastorn as assignee.
[10] Adds acreage.
[11] Cancels FPC Gas Rate Schedule No. 6.
[12] Presently on file as Sheets Nos. 56-107 of Texas Eastern's FPC Gas Tariff, Original Volume No. 3 (Rate Schedule F-3).
[13] Allows later attachment of acreage description to contract.
[14] Modifies quantity and term provisions.
[15] Assignment of acreage from Texas Eastern to Phillips.

[F.R. Doc. 68-12452; Filed, Oct. 15, 1968; 8:45 a.m.]

[Docket No. G-3869, etc.]

REDAN CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

OCTOBER 2, 1968.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 1, 1968.

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 all applications in which no protests or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Acting Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3869 E 9-9-68	The Redan Co. (successor to Anadarko Production Co.) c/o Burns and Wall, attorneys, 1212 Denver Club Bldg., Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., Padroni Field, Logan County, Colo.	14.0	16.4
G-13103 C 9-18-68	Aztec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex. 75202.	Southern Union Gathering Co., Basin Dakota Pool, San Juan County, N. Mex.	13.0	15.025
G-18400 E 9-19-68	C. J. Pinner (Operator) et al. (successor to Pauley Petroleum, Inc. (Operator) et al.), 1517 Bank of the Southwest Bldg., Houston, Tex. 77002.	Texas Eastern Transmission Corp., Tobasco Field, Hidalgo County, Tex.	14.4	14.65
CI62-1412 (CI67-1106) (CI67-1392) C 9-3-68 [1]	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102.	Oklahoma Natural Gas Gathering Corp. & National Fuels Corp., Ringwood Field, Major County, Okla.	12.0	14.65
CI62-1476 D 9-11-68	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840 (partial abandonment).	Northern Natural Gas Co., Carbin Area, Beaver County, Okla.	(2)	
CI66-782 D 9-11-68	do	Panhandle Eastern Pipe Line Co., Seiling Area, Woodward and Dewey Counties, Okla.	(2)	
CI-67-693 C 9-18-68	John E. Schalk et al., 915 Midland Savings, Denver, Colo. 80202.	El Paso Natural Gas Co., Ballard Pictured Cliff Field, Rio Arriba County, N. Mex.	12.0	15.025
CI69-280 A 9-19-68	John Franks, Post Office Box 1200, Shreveport, La. 71102.	Arkansas Louisiana Gas Co., Southeast Haynesville area, Claiborne Parish, La.	18.333	15.025
CI69-281 A 9-18-68	Nielson Enterprises, Inc., Post Office Box 370, Cody, Wyo. 82414.	Colorado Interstate Gas Co., Mocane Field, Harper County, Okla.	[3] 17.0	14.65
CO69-282 A 9-20-68	J. E. Williams, Inc., c/o John M. Shuey, attorney, 604 Johnson Bldg., Shreveport, La. 71101.	United Gas Pipe Line Co., Maxie Field, Acadia Parish, La.	21.25	15.025

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.
See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI69-283 B 9-20-68	Philip Lemon et al., Cairo, W. Va. 26337.	Consolidated Gas Supply Corp., Union District, Ritchie County, W. Va.	Uneconomical	
CI69-284 B 9-3-68	Cleary Petroleum, Inc., 310 Kermac Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., Adams Ranch Field, Meade County, Kans.	Depleted	
CI69-285 B 9-3-68	Cleary Petroleum, Inc. (Operator) et al.	Arkansas Louisiana Gas Co., Okeene Field, Blaine County, Okla.	Depleted	
CI69-286 A 9-19-68	Sunray DX Oil Co	Natural Gas Pipeline Co. of America, Rigg Unit, Dewey County, Okla.	17.015	14.65
CI69-287 A 9-18-68	P. & M. Oil Co., c/o L. G. Pigott, agent, 406 Wood St., West Union, W. Va. 26456.	Consolidated Gas Supply Corp., New Milton District, Doddridge County, W. Va.	25.0	15.325
CI69-288 A 9-18-68	P. Douglass Farr, Post Office Drawer 307, West Union, W. Va. 26456.	do	25.0	15.325
CI69-289 A 9-18-68	C. E. Plauger et al., Patterson St., Salem, W. Va. 26426.	Consolidated Gas Supply Corp., McClellan District, Doddridge County, W. Va.	25.0	15.325
CI69-290 A 9-18-68	S & R Oil & Gas Co., c/o James F. Scott, agent, 124 Valley St., Salem, W. Va. 26426.	do	25.0	15.325
CI69-291 B 9-16-68	Tenneco Oil Co., Post Office Box 2511, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., East Cameron Block 17 Field, Offshore Louisiana.	(4)	
CI69-292 A 9-23-68	Petroleum, Inc., Operator, 300 West Douglas, Wichita, Kans. 67202.	Northern Natural Gas Co., Mocane-Laverne Field, Beaver County, Okla.	[3] 17.0	14.65
CI69-293	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020.	Michigan Wisconsin Pipe Line Co., Eugene Island Block 276 Field, Offshore Louisiana.	21.25	15.025
CI69-294 A 9-23-68	James Gregg Lea, Post Office Box 127, Shreveport, La. 71102.	Arkansas Louisiana Gas Co., Cheniere Creek Field, Ouachita Parish, La.	18.333	15.025
CI69-295 A 9-23-68 [5]	Appalachian Exploration & Development, Inc., Post Office Box 1473, Charleston, W. Va. 25325.	Consolidated Gas Supply Corp., Rocky Fork Field, Kanawha County, W. Va.	28.0	15.325
CI69-296 B 9-23-68	Getty Oil Co., Post Office Box 1404, Houston, Tex. 77001.	United Gas Pipe Line Co., Southeast Houma Field, Terrebonne Parish, La.	Depleted	
CI69-297 B 9-23-68	do	Natural Gas Pipeline Co. of America, Southeast Woodward Field, Woodward County, Okla.	Depleted	
CI69-298 A 9-20-68	C. E. Richner et al., Box 310, Pineville, W. Va. 24874.	Consolidated Gas Supply Corp., Sandy River District, McDowell County, W. Va.	25.0	15.325
CI69-299 A 9-20-68	Stonestreet Oil & Gas Co., Spencer, W. Va., 25276.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	25.0	15.325
CI69-300 A 9-20-68	Petroleum Promotions, Inc., G-8469 South Saginaw Road, Grand Blanc, Mich. 48439.	Consolidated Gas Supply Corp., Hackers Creek District, Lewis County, W. Va.	25.0	15.325
CI69-302 A 9-20-68	Magness Petroleum Co., 844 First National Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., acreage in Ellis County, Okla.	[3] 17.0	14.65
CI69-303 A 9-20-68	W. C. Pickens et al., 2000 Fidelity Union Tower, Dallas, Tex. 75201.	Northern Natural Gas Co., Mocane-Laverne Field, Beaver County, Okla.	[3] 17.0	14.65
CI69-304 (G-16091) F 9-18-68	Humble Oil & Refining Co. (successor to Gulf Oil Corp.), Post Office Box 2180, Houston, Tex. 77001.	Transwestern Pipeline Co., Mendota Field, Hemphill County, Tex.	17.0	14.65
CI69-305 A 9-18-68	Creslenn Oil Co. (Operator) et al., 1111 Mercantile Dallas Bldg., Dallas, Tex. 75201.	Phillips Petroleum Co., Quinduno Field, Roberts County, Tex.	12.5	14.65
CI69-306 (G-12581) F 9-16-68	Southern Gulf Production Co. (Operator) et al. (successor to Agnes Cullen Arnold et al.), 1801 C and I Life Bldg., Houston, Tex. 77002.	Transcontinental Gas Pipe Line Corp., Washburn Ranch, West (5450') Field, La Salle County, Tex.	14.0	14.65
CI69-307 A 9-25-68	Sohio Petroleum Co., 970 First National Bldg., Oklahoma City, Okla. 73102.	Phillips Petroleum Co., West Panhandle Field, Hutchinson County, Tex.	[6] 13.0	14.65
CI69-308 A 9-25-68	do	do	[6] 13.0	14.65
CI69-311 B 9-16-68	Sun Oil Co. (Gulf Coast Division), 1608 Walnut St., Philadelphia, Pa. 19103.	Texas Gas Transmission Corp., Egan Field, Acadia Parish, La.	Depleted	

[1] Adds acreage acquired from Post Oak Oil Co. and Payne, Inc., Dockets Nos. CI67-1106 and CI67-1392.
[2] Uneconomical to compress low pressure gas.
[3] Subject to upward and downward B.t.u. adjustment.
[4] Production from the lease committed under contract has ceased and Seller has surrendered said lease.
[5] Surplus gas in excess of gas required for Applicant's contractual commitments to others.
[6] Less 0.4466 cent per Mcf for sour gas.

[F.R. Doc. 68-12451; Filed, Oct. 15, 1968; 8:45 a.m.]

[Docket No. RI69-134, etc.]

LESTER WILKONSON ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

OCTOBER 3, 1968.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing

[1] Does not consolidate for hearing or dispose of the several matters herein.

of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before November 27, 1968.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in Dockets Nos.
RI69-134	Lester Wilkonson (Operator) et al., Schweiter Bldg., Wichita, Kans. 67202.	[2] 2	3	Plateau Natural Gas Co. (Council Grove Formation, Hugoton Field, Grant County, Kans.).	$520	9- 9-68	[3] 10-10-68	[4] 10-11-68	[7] 14.0	[5] [6] [7] 15.0	
RI69-135	Harry L. Blackstock, Jr. (Operator) et al., 417 North Virginia, Oklahoma City, Okla. 73106.	[8] 1	2	Arkansas Louisiana Gas Co. (Southeast Ames Field, Major County, Okla.) (Oklahoma "Other" Area).	9,873	9-11-68	[3] 10-12-68	[4] 10-13-68	13.5	[5] [6] 14.5	

[2] Basic contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61-1.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The suspension period is limited to 1 day.
[5] Periodic rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to a downward B.t.u. adjustment.
[8] Contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61-1 and proposed rate does not exceed initial service ceiling rate of 15 cents per Mcf.

Lester Wilkonson (Operator) et al., (Wilkonson) requests that his proposed rate increase be permitted to become effective as of September 9, 1968, the date of filing. Harry L. Blackstock, Jr., (Operator) et al., (Blackstock) requests a retroactive effective date of April 17, 1968, for his proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Wilkonson and Blackstock's rate filings and such requests are denied.

The contracts related to the rate filings proposed by Wilkonson and Blackstock were executed subsequent to September 28, 1960, as amended, and the proposed increased rates are above the applicable ceilings for increased rates but below the initial service ceilings for the areas involved. We believe, in this situation, Wilkonson and Blackstock's rate filings should be suspended for 1 day from October 10, 1968 (Wilkonson) and October 12, 1968 (Blackstock), the expiration dates of the statutory notice.

[F.R. Doc. 68-12473; Filed, Oct. 15, 1968; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[Docket No. 7-2884]

CRUCIBLE STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 10, 1968.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

Crucible Steel Corp. (Delaware), File No. 7-2884.

Upon receipt of a request, on or before October 25, 1968, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68-12525; Filed, Oct. 15, 1968; 8:45 a.m.]

[File Nos. 7-2987, 7-2988]

CRUCIBLE STEEL CORP. AND FLORIDA GAS CO.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 10, 1968.

In the matter of applications of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Crucible Steel Corp. (Delaware)	7-2987
Florida Gas Co	7-2988

Upon receipt of a request, on or before October 25, 1968, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68-12526; Filed, Oct. 15, 1968; 8:45 a.m.]

[File No. 7–2985]

CRUCIBLE STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 10, 1968.

In the matter of application of the Midwest Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

Crucible Steel Corp. (Delaware), File No. 7–2985.

Upon receipt of a request, on or before October 25, 1968, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68–12527; Filed, Oct. 15, 1968; 8:45 a.m.]

[File No. 7–2986]

CRUCIBLE STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 10, 1968.

In the matter of application of the Pacific Coast Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

Crucible Steel Corp. (Delaware), File No. 7–2986.

Upon receipt of a request, on or before October 25, 1968, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68–12528; Filed, Oct. 15, 1968; 8:45 a.m.]

[70–4679]

HARTFORD ELECTRIC LIGHT CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

OCTOBER 10, 1968.

Notice is hereby given that The Hartford Electric Light Co. ("Hartford"), 176 Cumberland Avenue, Wethersfield, Conn. 06109, a public-utility subsidiary company of Northeast Utilities, 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 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Hartford proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $25 million principal amount of ------ percent first mortgage bonds, 1968 second series, due November 1, 1998. The interest rate of the bonds (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Hartford (which will be not less than 99 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under the first mortgage indenture and deed of trust dated as of January 1, 1958, between Hartford and Old Colony Trust Co., trustee, as heretofore amended and supplemented and as to be further amended and supplemented by a seventh supplemental mortgage indenture to be dated as of November 1, 1968.

The application states that Hartford intends to use the net proceeds from the sale of the bonds and $8 million of capital contributions from Northeast, which is the subject of a separate filing, to pay short-term borrowings estimated to be outstanding in the aggregate amount of $20 million at the time of such sale and the balance to provide a portion of Hartford's funds for construction expenditures and investments in regional nuclear generating companies. Such short-term borrowings have been incurred to finance, in part, Hartford's construction program and to supply funds in 1968 for its investment in regional nuclear generating companies and to pay notes due. Hartford's construction program contemplates construction expenditures of approximately $37,300,000 for 1968 and $34,600,000 for 1969. During 1968 and 1969 Hartford expects to make investments in regional nuclear generating companies in amounts estimated to aggregate $1,600,000 but which may total as much as $4,100,000.

The application further states that the issue of the bonds is subject to the jurisdiction of the Connecticut Public Utilities Commission. A statement of fees and expenses incident to the issue and sale of the bonds will be filed by amendment.

Notice is further given that any interested person may, not later than November 1, 1968, request in writing that a hearing be held in respect of 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 should the Commission order a hearing in respect thereof. 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 (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service thereof (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 amended, may be granted 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 notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68–12529; Filed, Oct. 15, 1968; 8:45 a.m.]

[70-4673]

IROQUOIS GAS CORP. ET AL.

Notice of Proposed Acquisition of Utility Assets From Nonassociate, Issue and Sale of Notes to Holding Company, Issue and Sale of Notes by Holding Company to Dealer in Commercial Paper, and Exemption From Competitive Bidding

OCTOBER 10, 1968.

Notice is hereby given that National Fuel Gas Co. ("National"), a registered holding company, 30 Rockefeller Plaza, New York, N.Y. 10020, and two of its gas utility subsidiary companies, Iroquois Gas Corp. ("Iroquois") and United Natural Gas Co. ("United"), have 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), 7, 9(a), and 10 of the Act and Rules 43, 45, and 50(a)(5) 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.

Iroquois and United propose to purchase an 89.2-mile 24-inch pipeline from The Tennessee Gas Pipeline Co. ("Tennessee"). The cost of the pipeline plus connecting facilities, is estimated at $6,500,000, of which Iroquois is to pay $5,330,000 and United is to pay $1,160,000. The pipeline is located in or adjacent to the same service area in which gas utility assets already owned and operated by Iroquois and United are located. The pipeline will be used to permit United to supply additional gas to Iroquois so that Iroquois can meet the increased needs of its customers, particularly in the Buffalo and Niagara Falls areas. The filing represents that the Tennessee pipeline is located approximately where Iroquois and United had plans to construct a pipeline which had an estimated cost of $8,200,000 and that, as the Tennessee pipeline is already in place and functioning, it would be more economical to purchase the pipeline rather than construct one. The purchase price for the Tennessee pipeline will be equal to the original cost thereof (exclusive of initial line pack), less the depreciation accrued thereon as at the date the pipeline is acquired. Both Iroquois and United will record their segments of the pipeline at original cost less depreciation.

To finance, in part, the acquisition of its segment of the pipeline, Iroquois proposes to issue and sell to National an unsecured promissory note in an amount not to exceed $4 million maturing on December 31, 1969. Iroquois' note will bear interest at the prime commercial bank rate in effect on the date the note is issued, and such interest rate will be adjusted quarterly and on the date the note is paid to the effective cost of money incurred by National in securing the $4 million during the preceding quarter or lesser period. The note will be prepayable at any time, in whole or in part, without premium.

National proposes, from time to time from the effective date of the Commission's order in this proceeding and ending December 31, 1969, to issue and sell commercial paper, with a maturity of not more than 9 months, in the aggregate principal amount at any one time outstanding of up to but not more than $4 million. Such commercial paper will be sold by National directly to A. G. Becker & Co., Inc. ("Becker"), a dealer in commercial paper, in denominations of not less than $50,000 nor more than $1 million, with varying maturities not to exceed 270 days and which will not be prepayable prior to maturity. No commission will be payable in connection with the issuance and sale of the commercial paper; however, Becker will reoffer and sell the commercial paper at a discount rate of one-eighth of 1 percent per annum less than the prevailing discount rate to the company. Becker, in reoffering the commercial paper, will limit the reoffer and sale to not more than 100 buyers of commercial paper identified and designated in a list (nonpublic) prepared in advance. It is anticipated that the commercial paper will be held by the buyers to maturity; however, Becker may, if desired, repurchase the commercial paper and reoffer it to others on said list of buyers.

The effective interest cost of the commercial paper to National will not exceed the prime commercial bank rate prevailing on the date of issue at The Chase Manhattan Bank, N.A. ("Chase"). In the event the prime commercial bank rate at Chase should be lower than National's effective cost on its commercial paper, National will avail itself of a current line of credit with Chase in an amount not exceeding $4 million, pursuant to the 5 percent exemption provision of section 6(b) of the Act.

The filing states that National proposes, subject to further authorization of this Commission, to issue and sell debentures some time in 1969, the proceeds of which will be used to retire National's commercial paper borrowings and to finance, in part, the 1969 construction program of the company's public-utility subsidiary companies. A portion of the proceeds of the 1969 debenture issue will be used by Iroquois to repay its $4 million note held by National.

National requests exception from the competitive bidding requirements of Rule 50 for the proposed issue and sale of its commercial paper pursuant to paragraph (a)(5) thereof. The company states that the notes will have a maturity not to exceed 9 months; will be issued to a limited group of buyers; the interest cost thereon will not exceed the prime rate at commercial banks and the rates for commercial paper for prime issuers such as National are contained in daily financial publications. National also requests authority to file certificates under Rule 24 with respect to the proposed transactions on a quarterly basis.

Fees and expenses in connection with the proposed transactions are estimated at $1,350 for National, $200 for United, and $5,900 for Iroquois, including respective legal fees of $950, $100, and $5,000. The filing states that the Federal Power Commission has authorized the acquisition of the pipeline by Iroquois and United and that the New York Public Service Commission has jurisdiction over the issuance of Iroquois' note to National and over the necessary franchises for the operation of said pipeline by Iroquois in New York State. It is represented that no other State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than October 28, 1968, 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 (airmail 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 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 notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-12530; Filed, Oct. 15, 1968; 8:46 a.m.]

[File No. 7-2989]

NORTHWEST INDUSTRIES, INC.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 10, 1968.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with

the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the preferred stock of the following company, which, security is listed and registered on one or more other national securities exchange:

Northwest Industries, Inc., $4.20 cumulative convertible prior preferred stock, without par value, File No. 7–2989.

Upon receipt of a request, on or before October 25, 1968, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68–12531; Filed, Oct. 15, 1968; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 11, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41469—*Carbon black oil to points in Kansas, Missouri, and Oklahoma.* Filed by Southwestern Freight Bureau, agent (No. B–9114), for interested rail carriers. Rates on carbon black oil, in tank carloads, from points in Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas, to points in Kansas, Missouri, and Oklahoma.

Grounds for relief—Rate relationship.

Tariff—Supplement 40 to Southwestern Freight Bureau, agent, tariff ICC 4714.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68–12553; Filed, Oct. 15, 1968; 8:47 a.m.]

[Notice 520]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

OCTOBER 11, 1968.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 59680 (Deviation No. 73), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex. 75222, filed September 30, 1968. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *general commodities,* with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over Interstate Highway 64 to junction Interstate Highway 79, at or near Charleston, W. Va., thence over Interstate Highway 79 to junction U.S. Highway 50 at or near Bridgeport, W. Va., thence over U.S. Highway 50 to junction Interstate Highway 81 at or near Winchester, Va., thence over Interstate Highway 81 to junction Interstate Highway 84 at or near Scranton, Pa., thence over Interstate Highway 84 to junction Interstate Highway 90 at or near Sturbridge, Mass., thence over Interstate Highway 90 to Boston, Mass., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From St. Louis, Mo., over U.S. Highway 66 to junction Illinois Highway 48, thence over Illinois Highway 48 to junction U.S. Highway 54, thence over U.S. Highway 54 to junction U.S. Highway 24 to Gilman, Ill., thence over U.S. Highway 24 to junction U.S. Highway 6 at Napoleon, Ohio, thence over U.S. Highway 6 to Lorain, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio, thence over Ohio Highway 84 to junction Ohio Highway 46, thence over Ohio Highway 46 to Ashtabula, Ohio, thence over U.S. Highway 20 to junction New York Highway 78, thence over New York Highway 78 to junction New York Highway 33, thence over New York Highway 33 to Batavia, N.Y., thence over New York Highway 5 to Albany, N.Y., thence over New York Highway 9J to junction U.S. Highway 9, thence over U.S. Highway 9 to Newark, N.J., thence over U.S. Highway 1 to junction unnumbered highway (formerly portion U.S. Highway 1), thence over unnumbered highway via Bridgeport, Conn., to junction U.S. Highway 1, thence over U.S. Highway 1 to New Haven, Conn., thence over U.S. Highway 5 to Springfield, Mass., thence over U.S. Highway 20 to Boston, Mass., and return over the same route.

No. MC 69281 (Deviation No. 6), THE DAVIDSON TRANSFER & STORAGE CO., 6201 Pulaski Highway, Post Office Box 58, Baltimore, Md. 21203, filed September 30, 1968. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *general commodities,* with certain exceptions, over a deviation route as follows: From Downington, Pa., over U.S. Highway 30 to Exton, Pa., thence over Pennsylvania Highway 100 to junction Interstate Highway 76 (Interchange No. 23 of the Pennsylvania Turnpike), thence over Interstate Highway 76 to junction Interstate Highway 276, thence over Interstate Highway 276 to junction New Jersey Turnpike (Interchange No. 6), thence over the New Jersey Turnpike to junction U.S. Highway 1 at or near Newark, N.J., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Oxford, Pa., over U.S. Highway 122 to junction U.S. Highway 30, thence over U.S. Highway 30 to Philadelphia, Pa., (2) from State Road, Del., over U.S. Highway 13 to Philadelphia, Pa., thence over U.S. Highway 1 to Elizabeth, N.J., and (3) from Baltimore, Md., over U.S. Highway 40 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction Alternate U.S. Highway 130 (formerly New Jersey Highway 44), thence over Alternate U.S. Highway 130 via Gibbstown and Paulsboro, N.J., to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York, N.Y., and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 2890 (Deviation No. 73), AMERICAN BUSLINES, INC., 1501 South Central Avenue, Los Angeles, Calif. 90021, filed October 3, 1968. Carrier's representative: Bruce E. Mitchell, 1735 K Street NW., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Cleveland, Ohio, over Interstate Highway 71 to junction Interstate Highway 80–90 (Ohio Turnpike), thence over Interstate Highway 80–90 (Ohio Turnpike), to Toledo, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Chicago, Ill., over U.S.

Highway 41 to Hammond, Ind. (also from Chicago over city streets via Calumet City, Ill., to Hammond), thence over U.S. Highway 20 via Gary, Ind., to junction U.S. Highway 421, thence over U.S. Highway 421 to Michigan City, Ind., thence over Indiana Highway 29 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 120, thence over Ohio Highway 120 to Toledo, Ohio, thence over Ohio Highway 2 to Lorain, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio (also from Lorain, over Avon Lake Road to Avon, Ohio, thence over Ohio Highway 254 to Cleveland), thence over Ohio Highway 14 via Twinsburg and Edenburg, Ohio, to Deerfield, Ohio, thence over Alternate Ohio Highway 14 to Salem, Ohio, thence over Ohio Highway 45 to Lisbon, Ohio, thence over U.S. Highway 30 to Pittsburgh, Pa., and return over the same route.

No. MC 61616 (Deviation No. 30), (Cancels Deviation Nos. 12 and 18), MIDWEST BUSLINES, INC., 433 West Washington Avenue, North Little Rock, Ark. 72214, filed October 2, 1968. Carrier's representative: Nathaniel Davis, Post Office Box 1188, Little Rock, Ark. 72203. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S. Highway 64 and Interstate Highway 40, 1.7 miles west of Clarksville, Ark., over Interstate Highway 40 to junction Arkansas Highway 103 (an access road), thence over Arkansas Highway 103 to Clarksville, Ark., a distance of 5.2 miles; (2) from Clarksville, Ark., over Arkansas Highway 103 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 7 (an access road), thence over Arkansas Highway 7 to Russellville, Ark., a distance of 26.2 miles; (3) from Russellville, Ark., over Arkansas Highway 7 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 331 (an access road), thence over Arkansas Highway 331 to junction U.S. Highway 64, a distance of 6.7 miles; (4) from junction U.S. Highway 64 and Arkansas Highway 331 over Arkansas Highway 331 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction unnumbered access road, thence over unnumbered access road to Pottsville, Ark., a distance of 4.8 miles; and (5) from Pottsville, Ark., over unnumbered access road to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 105 (an access road), thence over Arkansas Highway 105 to Atkins, Ark., a distance of 6.7 miles, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: (1) From Fort Smith, Ark., over U.S. Highway 64 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction U.S. Highway 70, thence over U.S. Highway 70 to Memphis, Tenn., and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68-12554; Filed, Oct. 15, 1968; 8:47 a.m.]

[Notice 1227]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

OCTOBER 11, 1968.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 126375 (Sub-No. 5) (Republication) filed February 8, 1968, published in FEDERAL REGISTER issue of February 22, 1968, and republished this issue. Applicant: CEL TRANSPORTATION COMPANY, a corporation, Post Office Box 447, Latrobe, Pa. 15650. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 16219. By application filed February 8, 1968, as amended, applicant seeks a permit authorizing operations in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes of inedible animal fats, inedible animal grease, and inedible animal oils, in bulk, in tank vehicles, between the plantsite and facilities of Far Best Corp., Penn Hills Township, Pa., on the one hand, and, on the other, points in Ohio, Indiana, Illinois, and West Virginia, under continuing contract with Far Best Corp. The application was referred to Examiner von Rinteln for hearing and the recommendation of an appropriate order thereon. Hearing was held on July 22, 1968, at Pittsburgh, Pa. A report and recommended order was served September 11, 1968, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of *inedible animal fats, inedible animal grease, inedible animal oils, and products of such fats, grease, and oils* between the plantsite and facilities of the Far Best Corp., Penn Hills Township, Pa., on the one hand, and, on the other, points in Ohio, Indiana, Illinois, and West Virginia, under continuing contract with Far Best Corp., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

No. MC 29886 (Sub-No. 196) (Notice of Filing of Petition To Correct Certificate and/or To Reopen Said Matter for the Purpose of Enlarging the Authority Granted Herein), filed September 23, 1968. Petitioner: DALLAS & MAVIS FORWARDING CO., INC., South Bend, Ind. Petitioner's representative: Charles Pieroni (same address as above). Petitioner holds authority in No. MC 29886 (Sub-No. 196) to transport: Self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in Michigan. (Restriction: The operations authorized above are restricted against the transportation in interstate or foreign commerce of any traffic the origin and destination of which are both within 35 miles of Detroit, Mich., including Detroit.)

Between points in that part of Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to junction Business Interstate Highway 96, thence along Business Interstate Highway 96 to Lansing, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Connecticut, Iowa, Missouri, New Jersey, New York, and Pennsylvania. Between points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., thence along Business Interstate Highway 96 to Lansing, Mich., thence on and west of a line extending along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12, near Somerset Center, Mich., thence along U.S. Highway 12 to junction U.S. Highway 127 near Somerset, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Illinois, Indiana, Ohio, and

Wisconsin. Between points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to junction U.S. Highway 30N, near Delphos, Ohio, thence along U.S. Highway 30N to junction U.S. Highway 30, near Mansfield, Ohio, and thence along U.S. Highway 30 to the Ohio-West Virginia State line, points in Indiana and Illinois, and points in New York on and west of a line beginning at Rochester, N.Y., and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line.

Restriction: The operations authorized herein are restricted to commodities which are transported on trailers. By the instant petition, petitioner requests that certificate No. MC–29886 (Sub-No. 196) be modified so as to authorize the transportation of the described commodities: (1) Between points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., thence along Business Interstate Highway 96 to Lansing, Mich., thence on and west of a line extending along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12, near Somerset Center, Mich., thence along U.S. Highway 12 to junction U.S. Highway 127 near Somerset, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Wisconsin, in lieu of the authority to serve points in Wisconsin presently authorized therein, and (2)(a) between points in Connecticut, Massachusetts, Rhode Island, New York, and New Jersey; (b) between points in Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont; and (c) between points in Massachusetts, on the one hand, and, on the other, points in New Jersey and Pennsylvania. The purpose of the modification is to allow petitioner to transport the described commodities in areas in which applicant holds other authority to transport heavy machinery, or commodities which because of size or weight require special equipment or special handling in certificate No. MC–29886 (Sub-No. 189), as corrected, and issued June 14, 1967, and (a) certificate No. MC–29886 (Sub-No. 208), issued July 16, 1965, which authority was not included as a basis for the authority originally sought in the proceeding in No. MC–29883 (Sub-No. 196), as originally filed on September 4, 1964. Any interested person desiring to participate, may file an original and six copies of his written representations, views, or arguments in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 52709 (Notice of Filing of Petition for Removal of "Truckload Lot" Restriction in a Certain Portion of Certificate), filed September 19, 1968. Petitioner: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. 80216. Petitioner's representative: Eugene Hamilton (same address as above). Petitioner holds authority to No. MC 52709, the part pertinent herein, to transport, over irregular routes, general commodities, except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Denver, Colo., and points within 10 miles of the city limits of Denver. Restriction: Shipments of the commodities specified immediately above to and from municipalities shall be limited to quantities of 10,000 pounds or more, except that shipments of single pieces of articles shall be limited to 5,000 pounds or more. By the instant petition, petitioner requests that in order to achieve the purpose of the order in Ex Parte MC–68, that the truckload lot restriction be removed from said certificate. Any interested person desiring to participate, may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 71902 (Sub-Nos. 62, 65, and 66) (Notice of Filing of Petition for Modification of Certificates in Accordance With the Decision of the Commission in No. MC–C–3024, *National Automobile Transporters Association Petition for Declaratory Order*, 91 M.C.C. 395), filed September 23, 1968. Petitioner: UNITED TRANSPORTS, INC., 4900 North Santa Fe, Post Office Box 18547, Oklahoma City, Okla. 73118. Petitioner's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Petitioner states that in 1960, the Commission issued it in Sub 62 a certificate which authorized operations as follows: "New foreign-made motor vehicles (except trailers), by the truckaway method, from Houston, Tex., to points in Arkansas, Illinois, Indiana, Louisiana, Wisconsin, and Wyoming, with no transportation for compensation on return except as otherwise authorized." In 1962, a further extension of operations was authorized in MC 71902 Sub 65, as follows: "New automobiles when moving in mixed loads with new trucks, from Houston, Tex., to points in Colorado, with no transportation for compensation on return except as otherwise authorized." In 1963, Sub 66, reads as follows: "Imported and foreign new motor vehicles (except trailers) in secondary movements, from Houston, Tex., to points in Colorado, with no transportation for compensation on return except as otherwise authorized." Petitioner states that since 1963, it has been engaged in handling such operations involving "new foreign vehicles" from Port of Houston to points in Colorado and Wyoming in a single-line motor carrier service. By the instant petition, petitioner seeks modification of its Subs Nos. 62, 65, and 66, and would have no objection to a restriction which would limit the traffic to be handled to that "which has had both a prior movement by water and rail". Such authority might be further restricted to "new foreign made motor vehicles" and still further restricted to operation by the "truckaway" method. If petitioner is to continue to participate in that traffic which it has enjoyed for so many years, it will require and need "secondary or subsequent" movement, "truckaway" authority from both Amarillo and Denver to points in Colorado and Wyoming. Any interested person desiring to participate, may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 125785 (Sub-No. 2), (Notice of Filing of Petition to Modify Permit), filed September 11, 1968. Petitioner: SATURN EXPRESS, INC., Lincoln, Nebr. Petitioner holds authority in No. MC 125785 (Sub-No. 2) to conduct operations as a motor contract carrier, transporting: Sisal products, from New Orleans, La., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming, with no transportation for compensation on return except as otherwise authorized, under contract with Dan H. Shield Cordage Co., of Chicago, Ill. By the instant petition, petitioner, seeks to add Twi-Ro-Pa Mills Agency, Inc., New Orleans, La., as a contracting shipper. Any interested person desiring to participate, may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC–F–10275. Authority sought for control by P. B. MUTRIE TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154, of JAMES J. KEATING, INC., 58 State Street, Perth Amboy, N.J., and for acquisition by FRANCIS P. MUTRIE, and JAMES E. MUTRIE, both also of Waltham, Mass., of control of JAMES J. KEATING, INC., through the acquisition by P. B. MUTRIE MOTOR TRANSPORTATION, INC. Applicants' attorney and representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006, and John B. Jones, Jr., Union Trust Building, Washington, D.C. 20005. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between Elizabeth, N.J., and points within 10 miles of Elizabeth, on the one

hand, and, on the other, New York, N.Y., between points in Essex County, N.J., on the one hand, and, on the other, points in Union and Middlesex Counties, N.J., between points in Hudson County, N.J., on the one hand, and, on the other, points in Union County, N.J.; *plaster, acids, empty containers, chemicals, insecticides, plaster blocks, and fertilizer,* between certain specified points in New Jersey, on the one hand, and, on the other, Washington, D.C., Hagerstown and Baltimore, Md., certain specified points in New York, those in Connecticut west of the Connecticut River, and certain specified points in Pennsylvania; *chemicals,* from Claymont, Del., and Marcus Hook, Pa., to New York, N.Y., and certain specified points in New Jersey; and *electrical appliances, stoves, refrigerators, washing machines, chemicals, gums, waxes, linoleums, oils, paints, and radios,* from Newark, N.J., to points in New Jersey, and those in New York, within 50 miles of Newark. P. B. MUTRIE MOTOR TRANSPORTATION, INC., is authorized to operate as a *common carrier* in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, West Virginia, Virginia, Wisconsin, Vermont, Maryland, Michigan, Delaware, California, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–10276. Authority sought for control by CANADIAN NATIONAL RAILWAY COMPANY, 935 Lagauchetiere Street, West, Montreal, Quebec, Canada, of HUSBAND INTERNATIONAL TRANSPORT (ONTARIO) LIMITED, 7000 West Vernor, Detroit, Mich. 48209. Applicants' attorney: Rex Eames, 900 Guardian Building, Detroit, Mich. 48226. Operating rights sought to be controlled: *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, as a *common carrier,* over irregular routes, between Detroit, Mich., on the one hand, and, on the other, the plantsite of Ford Motor Co. on Sheldon Road, Plymouth Township (Wayne County), Mich.; and *general commodities,* except those of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment, between Detroit, Mich., and points within 8 miles of Detroit, on the one hand, and, on the other, the boundary of the United States and Canada at Detroit. CANADIAN NATIONAL RAILWAY COMPANY, holds no authority from this Commission. However, it controls SCOBIE'S TRANSPORT LIMITED, 10 Centre Street, Post Office Box 5695, London, Ontario, Canada, which is authorized to operate as a *common carrier* in New York. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68–12555; Filed, Oct. 15, 1968; 8:47 a.m.]

[Notice 710]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 11, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC–67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 76025 (Sub-No. 10 TA), filed October 7, 1968. Applicant: OVERLAND EXPRESS, INC., 498 First Street NW., New Brighton, Minn. 55112. Applicant's representative: James F. Sexton (same address as above). Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, 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, from La Crosse, and Middleton, Wis.; Clinton, Iowa, and the Swift & Co. plant near West Bend, Wis., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, subject to the restriction that shipments from Middleton, Clinton, and the Swift & Co. plant near West Bend shall only be transported in connection with shipments originating at La Crosse. Restriction: The operations described above shall be limited to a transportation service to be performed under a continuing contract, or contracts, with Swift & Co., for 150 days. Supporting shipper: Swift & Co., La Crosse, Wis. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 107839 (Sub-No. 129 TA), filed October 7, 1968. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 4985 York Street, Post Office Box 16021, Denver, Colo. 80216. Applicant's representative: Edward T. Lyons, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distribtued by meat packinghouses,* as described in sections A and C of appendix I, *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 766 and 209, from Greeley, Colo., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, District of Columbia, Michigan, Ohio, Indiana, and Maine, for 180 days. Supporting shipper: Monfort Packing Co., Box G, Greeley, Colo. 80632. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 114364 (Sub-No. 185 TA), filed October 7, 1968. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1101, 1401 North Little, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sodium bicarbonate, borax, sal soda, sodium carbonate, caustic soda, and calcium chloride,* in packages, from points in Sweetwater County, Wyo., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, for 180 days. Supporting shipper: Fred R. Turner, General Traffic Manager, Church & Dwight Co., Inc., 2 Pennsylvania Plaza, New York, N.Y. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 123639 (Sub-No. 109 TA), filed October 7, 1968. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. 80216. Applicant's representative; Edward R. Driskell (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses,* as described in sections A, B, and C of appendix I *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 766

and 209, from Greeley, Colo., to points in Indiana, Ohio, Michigan, Illinois (except Chicago), Wisconsin, Missouri, Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, and Pennsylvania, for 180 days. Supporting shipper: Monfort Packing Co., Box G, Greeley, Colo. 80632. Send protests to: District Supervisor C. W. Buckner, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 124245 (Sub-No. 12 TA) (Corrected amendment), filed July 3, 1968, published FEDERAL REGISTERS of July 23, 1968, and August 21, 1968, and republished as corrected this issue. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. 46618. Applicant's representative: Wm. L. Carney, 105 East Jennings Avenue, South Bend, Ind. 46614. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, and except commodities in bulk, dangerous explosives, commodities requiring special equipment and household goods as defined by the Commission), having had prior movement by railroad, except trailers in trailer-on-flat-car service, or Motor Carriers, when origin of the prior movement is within the New York, N.Y., commercial zone as defined in Ex Parte MC 37, from South Bend, Ind., to points in Elkhart and Saint Joseph Counties, Ind., for 180 days. NOTE: The purpose of this republication is to show the proposed authority as amended. Supporting shippers: Robertson's of South Bend, South Michigan Street, South Bend, Ind. 46601, Ziesel Brothers Co., 327 South Main Street, Elkhart, Ind. 46514, Frances Shop, 229 South Michigan Street, South Bend, Ind. 46601, Wyman's, George Wyman & Co., South Bend, Ind. 46624, Drake's, Elkhart, Ind. 46514, G. L. Perry Variety Stores Warehouse, East Side Industrial Park, Elkhart, Ind. 46514, Bermans Sporting Goods, Division of Sivco Corp., Post Office Box 459, 123 South Main Street, Elkhart, Ind. 46514, Adlers Town and Country, Mishawaka, Ind. 46544, Milady Shop, 119 North Michigan Street, South Bend, Ind. 46601, and Newman's 122 South Michigan Street, South Bend, Ind. 46601. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 129445 (Sub-No. 4 TA), filed October 7, 1968. Applicant: DIXIE TRANSPORT CO. OF TEXAS, Post Office Box 5447, 3840 Interstate 10S Beaumont, Tex. 77706. Applicant's representative: Archie L. Wilson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphaltic products*, in bulk, in tank vehicles, from Port Neches, Tex., to points in Louisiana, for 180 days. NOTE: Applicant does not intend to tack authority with presently authorized routes. Supporting shipper: Texas Emulsions, Inc. (Mr. W. E. McKemie, Commodore Perry Hotel President), Austin, Tex. 78701. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, 8610 Federal Building, 515 Rusk Avenue, Houston, Tex. 77002.

No. MC 133162 (Sub-No. 1 TA), filed October 7, 1968. Applicant: PABIAN TRANSPORTATION, INC., 614 East 12th Street, Schuyler, Nebr. 68661. Applicant's representative: Donn K. Bieber, 220 East 11th Street, Schuyler, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Showers, bathtub enclosures, parts, and accessories therefor*, from Columbus, Nebr., to Boise, Idaho; Indianapolis, Ind.; Albuquerque, N. Mex.; Dayton, Ohio; Corvallis, Portland, and Salem, Oreg.; Austin, Dallas, and Houston, Tex.; Seattle, Spokane, and Tacoma, Wash.; and ports of entry on the international boundary line between the United States and Canada located in Montana and Washington, and *rough rolled glass*, in packages or crates from Erwin, Tenn., to Columbus, Nebr., for the account of Loup Engineering Co., Columbus, Nebr., for 150 days. Supporting shipper: Loup Engineering Co., 672 15th Avenue, Columbus, Nebr. 68601. Send protests to: District Supervisor Max H. Johnston, Interstate Commerce Commission, Bureau of Operations, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 133217 TA, filed October 7, 1968. Applicant: CARL PAUL CARLSON AND CARL LEONARD CARLSON, a partnership, doing business as CARLSON TRUCKING, 3840 South Laramie Avenue, Cicero, Ill. 60650. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Carrollton, Macon, Marshall, Milan, and Moberly, Mo., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Washington, D.C., for 180 days. Supporting shipper: Banquet Canning Co., Division of F. M. Stamper Co., 515 Olive Street, St. Louis, Mo. 63101. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse, Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 133218 TA, filed October 7, 1968. Applicant: JAMES A. GLASS, doing business as J. A. GLASS TRUCKING CO., Route No. 2, Ninnekah, Okla. 73067. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, containers and advertising matter*, from Omaha, Nebr.; and St. Joseph, Mo.; to Chickasha, Clinton, Muskogee, and Shawnee, Okla.; Milwaukee, Wis.; and New Orleans, La., for 180 days. Supporting shippers: Marcey Distributing Co., Fred E. Marcey, 120 E. Choctaw, Clinton, Okla. 73601; Falstaff Sales Co., Post Office Box 1225, 631 North Main, Muskogee, Okla. 74481; Dale Distributing Co., Richard Dale, 617 East Main Street, Shawnee, Okla. 74801; Wallace Sales Co., Don Wallace, Post Office Box 752, Chickasha, Okla. 73018. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 133220 TA, filed October 7, 1968. Applicant: RECORD TRUCK LINE, INC., Henderson, Tenn. 38340. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Street, 100 North Main Building, Memphis, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe and nipples and fittings, valves, attachments, parts, and accessories therefor*, constituting fire prevention systems or used in the fabrication of fire prevention systems, from the plantsite of the Grinnel Corp. in Chester County, Tenn., to points in the United States, and *pipe, valves, fittings, and hangers used in the fabrication, assembly, and installation of fire prevention systems*, on return. Restricted against commodities the transportation of which because of size or weight requires the use of special equipment and restricted against transportation of pipe and all related commodities used in connection with the construction, stringing, repair, or dismantling of oil, gas, petroleum or water pipelines, for 180 days. Supporting shipper: Grinnel Corp., Henderson, Chester County, Tenn. (Plant Manager, Donald E. Smyth). Send protests to: W. W. Garland, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, 167 North Main, Memphis, Tenn. 38103.

No. MC 133221 TA, filed October 7, 1968. Applicant: OVERLAND CO., INC., 2285 Stewart Avenue, Atlanta, Ga. 30315. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polystyrene forms and shapes*, from points in Georgia to points in the United States on and east of U.S. Highway 85, for 180 days. Supporting shipper: Dolco Packaging Corp., Post Office Box 567, Lawrenceville, Ga. 30245. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 68-12556; Filed, Oct. 15, 1968; 8:47 a.m.]

[Notice 228]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 11, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70685. By order of October 8, 1968, the Transfer Board approved the transfer to C. R. Winters, Inc., Paramus, N.J., of the operating rights in permit No. MC-125169 (Sub-No. 2) issued March 17, 1964, to Cornelius Winters and Charles Winters, doing business as C. Winters & Son, Paramus, N.J., authorizing the transportation of: Burned crushed slate, from Bangor, Pa., to Paramus and Edison, N.J. A. David Millner, 744 Broad Street, Newark, N.J. 07102; attorney for applicants.

No. MC-FC-70823. By order of October 8, 1968, the Transfer Board approved the transfer to Ohio Bus Line, Inc., Cincinnati, Ohio, of the operating rights in certificates Nos. MC-39211, MC-39211 (Sub-No. 6), MC-39211 (Sub-No. 7), and No. MC-39211 (Sub-No. 8), issued to The Ohio Bus Line Co., a corporation, Cincinnati, Ohio, authorizing the transportation of: Passengers and their baggage, express, newspapers, and mail, between Cincinnati, Ohio, and Richmond, Ind.; between points in Ohio; and special passenger operations between specified points in Ohio and points in Illinois, Indiana, Kentucky, Michigan, Pennsylvania, Tennessee, Virginia, and West Virginia. Jonas B. Katz, 6 East Fourth Street, Cincinnati, Ohio 45202; attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-12557; Filed, Oct. 15, 1968; 8:48 a.m.]

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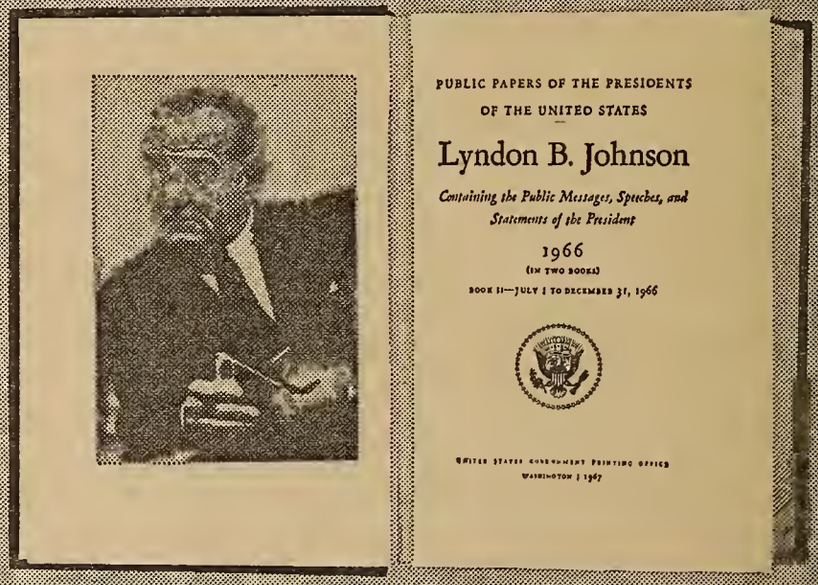

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