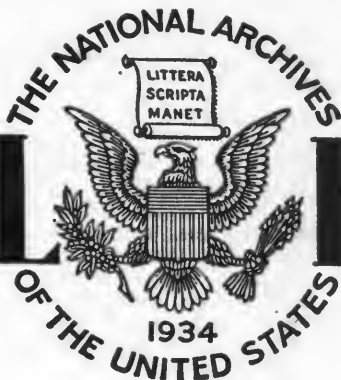


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1961-62 Edition

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Rules and Regulations

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 13928 etc.; FCC 61-1235]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Second Memorandum Opinion and Order

In the matter of amendment of Part 2, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations to align that Part with the Geneva (1959) Radio Regulations to the extent practicable, Docket No. 13928; allocation of frequencies, amendment of Part 2 of the Commission's rules and regulations, Docket No. 12404; petition filed by Lorac Service Corporation, Tulsa, Oklahoma, May 1, 1959, RM-116; petition filed by Hastings-Raydist, Inc., Hampton, Virginia, September 22, 1959, RM-139.

1. On January 25, 1961, the Commission adopted a notice of proposed rule making to align, insofar as practicable, Subparts A and B of Part 2 of the Commission's rules and regulations with the Geneva (1959) Radio Regulations, contingent upon ratification by the President. Upon receipt of the advice and consent of the Senate, the regulations were so ratified on October 4, 1961. This notice appeared in the FEDERAL REGISTER of February 22, 1961 (26 F.R. 1499). The dates for filing comments and reply comments with respect to this matter were listed in the notice as February 28, 1961, and March 10, 1961, respectively, but were extended by Commission order on its own motion and appeared in the above-mentioned FEDERAL REGISTER as March 14, 1961, and March 24, 1961, respectively. An order denying further additional time for filing comments was released by the Commission on March 8, 1961. A memorandum opinion and order, which scheduled an oral hearing with respect to the proposed ultimate disposition of airborne doppler radars in the 8750-8850 Mc/s band, was adopted by the Commission on June 21, 1961, and published in the FEDERAL REGISTER on June 29, 1961 (26 F.R. 5838).

2. Timely comments with respect to this notice of proposed rule making were received from Aeronautical Radio, Inc. (ARINC); Aerospace Flight Test Radio Coordinating Council (AFTRCC); Air Transport Association (ATA); Aircraft Owners and Pilots Association (AOPA); American Waterways Operators, Inc.; Associated Universities, Inc. (AUI); Association of American Railroads (AAR); Bendix Aviation Corporation; Central Railroad Company of New Jersey; Chicago Rock Island and Pacific Railroad Company; Collins Radio Company; GPL

Division-General Precision, Inc. (GPL); General Railway Signal Company; Hastings-Raydist, Inc.; National Academy of Sciences; and New York Central Railroad Company (NYC).

3. The comments of ARINC, ATA, Collins Radio Company, GPL, and Bendix Aviation Corporation protested the proposed continuation of the temporary status of the 8750-8850 Mc/s band allocation to airborne doppler radars, embodied in footnote US120 (proposed US53) to the Part 2 Table of Frequency Allocations. The Commission is issuing concurrently herewith a further notice of proposed rule making in this docket eliciting public comment on a modified proposal with respect to this subject.

4. The comments of General Railway Signal Company, AAR, NYC, Central Railroad Company of New Jersey, and Chicago, Rock Island and Pacific Railroad Company objected to the proposal in this Docket and in Dockets Nos. 11959 and 13824 which specified May 1, 1961 as the terminal date for stations in the Railroad Radio Service operating on 161.61 Mc/s. An Eighth and Final Memorandum Report and Order in Docket 11959, adopted by the Commission on May 17, 1961 and published in the FEDERAL REGISTER May 25, 1961 (26 F.R. 4519), and a Report and Order in Docket 13824, also adopted by the Commission on May 17, 1961 and published in the FEDERAL REGISTER May 25, 1961 (26 F.R. 4523), amended Parts 2 and 16, respectively, to permit the continued authorization of those Railroad Radio Service stations authorized as of April 1, 1958, to operate on 161.61 Mc/s on the condition that harmful interference will not be caused to the operation of any station in the maritime mobile service. With respect to this matter, the subject Second Memorandum Opinion and Order merely reflects the amendment already incorporated into Part 2.

5. The AFTRCC comments noted that footnote US78 to the proposed Part 2 Table of Frequency Allocations does not appear to provide for the use of flight test telemetry (in the band 1435-1535 Mc/s) to secure data from a satellite in space which is not intended to return to earth. The proposals herein were not intended to make adequate provision for space communications and footnote US78 does not contemplate the use of flight test telemetry for obtaining data from objects launched into space beyond the influence of the earth. In this connection, the Commission adopted a Second Notice of Inquiry in Docket 13522 on May 17, 1961, published in the FEDERAL REGISTER June 3, 1961 (26 F.R. 4951), to which was attached a draft of the preliminary views of the U.S.A. with respect to frequency allocations for space communications. The draft outlines a plan for the eventual provision of many frequency bands, on a world-wide basis, for space communications, including telem-

etry and augmentation of the space research bands contained in the Geneva (1959) Radio Regulations.

6. The remaining comments received in response to the initial notice of proposed rulemaking were general in nature within the scope of each respondent's interest and stated no objection to implementation of the proposals herein.

7. Hastings-Raydist, Inc. filed a petition (RM-139) with the Commission on September 22, 1959 to amend Parts 2, 11, and 20 of the Commission's rules to permit the use of frequencies in the 1605-1800 kc/s and 3300-3310 kc/s band for radiolocation operations. Lorac Service Corporation filed a petition (RM-116) with the Commission on May 1, 1959 to amend Parts 2 and 11 of the Commission's rules of permit use of the 1605-1715 kc/s band by radiopositioning stations. The rulemaking herein has the effect of granting the Lorac petition and granting the Hastings-Raydist petition in part, insofar as Part 2 is concerned, in that the Table of Frequency Allocations is hereby amended to include the Radiolocation Service in the band 1605-1800 kc/s. (Footnote NG21 to the present Part 2 Table of Frequency Allocations permits restricted use of the 1750-1800 kc/s band by certain stations in the Radiolocation Service.) The remaining portions of the Hastings-Raydist petition not acted upon in this proceeding will be considered by the Commission in subsequent actions. Incidentally, the rulemaking herein also makes the bands 70-90 kc/s and 110-130 kc/s available to the Radiolocation Service within the framework of the Table of Frequency Allocations.

8. Part 2 amendments in Appendix I below include many editorial changes and corrections to the Appendix to the notice of proposed rule making in this Docket. The more significant of these changes includes the moving of many footnote designators to more appropriate columns in the Table of Frequency Allocations and use of the terms kc/s, Mc/s, and Gc/s in lieu of kc, Mc, and Gc to denote kilocycles per second, megacycles per second, and gigacycles per second, respectively, in Subparts A and B of Part 2. This method of expressing frequencies and bands is in consonance with the Geneva (1959) Radio Regulations and international practice. Most US and NG footnote numbers are hereby changed from those used in the present Part 2 Table of Frequency Allocations in order to fill in gaps and provide a consecutive numbering system. Appendix II below is a cross reference list of old and new US and NG footnote numbers used in Subpart B of Part 2.

9. Appendix I below includes all amendments to Subparts A and B of Part 2 which have been adopted by the Commission in other rule-making proceedings since the notice of proposed rule making in this Docket was issued.

10. Inasmuch as all outstanding proposals in Docket No. 12404 were incorporated into Docket 13928, the proceedings in Docket 12404 are hereby terminated.

11. In view of the foregoing, the Commission finds that the public interest, convenience and necessity will be served by the amendments herein ordered and, pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended;

12. *It is ordered*, That Subparts A and B of Part 2 of the Commission's Rules and Regulations, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations, are amended, effective December 1, 1961, as set forth in the attached Appendix I.

13. *It is further ordered*, That the petition of Lorac Service Corporation (RM-116) is granted and the petition of Hastings-Raydist, Inc. is granted in part, as described in paragraph 7 of this document.

14. *It is further ordered*, That the proceedings in Docket No. 12404 are terminated.

Adopted: October 18, 1961.

Released: October 25, 1961.

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

APPENDIX I

Subparts A and B of Part 2 of the Commission's rules and regulations and the table of contents thereto are revised to read as follows:

Subpart A—Definitions

Sec.

2.1 Definitions.

Subpart B—Allocation, Assignment and Use of Radio Frequencies

- 2.100 International regulations in force.
- 2.101 Nomenclature of frequencies.
- 2.102 Assignment of frequencies.
- 2.103 Government use of non-Government frequencies.
- 2.104 Application of the table of frequency allocations.
- 2.105 Format of the table of frequency allocations.
- 2.106 Table of frequency allocations.

AUTHORITY: §§ 2.1 to 2.106 issued under sec. 4, 48 Stat. 1086, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303.

Subpart A—Definitions

§ 2.1 Definitions.

The following definitions are issued:
Aeronautical advisory station. An aeronautical station used for advisory and civil defense communications with private aircraft stations.

Aeronautical fixed service. A fixed service intended for the transmission of information relating to air navigation, preparation for and safety of flight.

Aeronautical fixed station. A station in the aeronautical fixed service.

Aeronautical mobile service. A mobile service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft may also participate.

Aeronautical radionavigation service. A radionavigation service intended for the benefit of aircraft.

Aeronautical search and rescue mobile station. A mobile station used for communication with aircraft engaged in search and rescue operations.

Aeronautical station. A land station in the aeronautical mobile service. In certain instances an aeronautical station may be placed on board a ship.

Aeronautical telemetering land station. A telemetering land station used in the flight testing of manned or unmanned aircraft, missiles, or major components thereof.

Aeronautical telemetering mobile station. A telemetering mobile station used in the flight testing of manned or unmanned aircraft, missiles, or major components thereof.

Aeronautical utility land station. A land station located at airdrome control towers and used for control of ground vehicles and aircraft on the ground at airdromes.

Aeronautical utility mobile station. A mobile station used for communication, at airdromes, with the aeronautical utility land station, ground vehicles, and aircraft on the ground.

Aircarrier aircraft station. An aircraft station aboard an aircraft engaged in, or essential to, transportation of passengers or cargo for hire.

Aircraft station. A mobile station in the aeronautical mobile service on board an aircraft.

Airdrome control station. An aeronautical station providing communication between an airdrome control tower and aircraft.

Amateur service. A service of self-training, intercommunication and technical investigations carried on by amateurs, that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.

Amateur station. A station in the amateur service.

Authorized frequency. The frequency assigned to a station by the Commission and specified in the instrument of authorization.

Authorized power. The power assigned to a radio station by the Commission and specified in the instrument of authorization. The authorized power does not necessarily correspond to the power used by the Commission for purposes of its Master Frequency Record (MFR) and notification to the International Telecommunication Union.

Aviation services. Aviation services are primarily for the safe, expeditious and economical operation of aircraft. They include the aeronautical fixed service, aeronautical mobile service, aeronautical radionavigation service, and secondarily, the handling of public correspondence to and from aircraft.

Baseband. In the process of modulation, the baseband is the frequency band occupied by the aggregate of the modulating signals when first used to modulate a carrier.

Base station. A land station in the land mobile service carrying on a service with land mobile stations.

Broadcasting service. A radiocommunication service in which the transmissions are intended for direct reception by the general public. This service may include sound transmissions, television transmissions or other types of transmissions.

Broadcasting station. A station in the broadcasting service.

Carrier. In a frequency stabilized system, the sinusoidal component of a modulated wave whose frequency is independent of the modulating wave; or the output of a transmitter when the modulating wave is made zero; or a wave generated at a point in the transmitting system and subsequently modulated by the signal; or a wave generated locally at the receiving terminal which, when combined with the side bands in a suitable detector, produces the modulating wave.

Carrier frequency. The frequency of the carrier.

Citizens radio service. A radiocommunication service of fixed, land, and mobile stations intended for personal or business radiocommunications, radio signalling, control of remote objects or devices by means of radio, and other purposes not specifically prohibited.

Civil Air Patrol land station. A land station used exclusively for communications of the Civil Air Patrol.

Civil Air Patrol mobile station. A mobile station used exclusively for communications of the Civil Air Patrol.

Coast station. A land station in the maritime mobile service.

Common carrier fixed station. A fixed station open to public correspondence.

Disaster communications service. A service of fixed, land, and mobile stations licensed or authorized to provide essential communications incident to or in connection with disaster or other incidents which involve loss of communications facilities normally available or which require the temporary establishment of communications facilities beyond those normally available.

Domestic fixed public service. A fixed service, the stations of which are open to public correspondence, for radiocommunications originating and terminating solely at points all of which lie within: (a) the State of Alaska, or (b) the State of Hawaii, or (c) the contiguous 48 States and the District of Columbia, or (d) a single possession of the United States. Generally, in cases where service is afforded on frequencies above 72 Mc/s, radiocommunications between the contiguous 48 States (including the District of Columbia) and Canada or Mexico, or radiocommunications between the State of Alaska and Canada, are deemed to be in the domestic fixed public service.

Domestic fixed public station. A fixed station in the domestic fixed public service.

Domestic public radiocommunication services. The land mobile and domestic fixed public services the stations of which are open to public correspondence.

Duplex operation. Operating method in which transmission is possible simultaneously in both directions.

Earth-space service. A radiocommunication service between earth stations and space stations.

Earth station. A station in the earth-space service located either on the earth's surface or on an object which is limited to flight between points on the earth's surface.

Experimental station. A station utilizing radio waves in experiments with a view to the development of science or technique. This definition does not include amateur stations.

Facsimile. A system of telecommunication for the transmission of fixed images, with or without half-tones, with a view to their reproduction in a permanent form.

Facsimile broadcasting station. A broadcasting station utilizing facsimile primarily.

Fixed public control service. A fixed service carried on for the purpose of transmitting intelligence between transmitting or receiving stations in the public radiocommunication services and the message centers or control points associated therewith.

Fixed service. A service of radiocommunication between specified fixed points.

Fixed station. A station in the fixed service.

Flight test station. An aeronautical station used for the transmission of essential communications in connection with the testing of aircraft or major components of aircraft: *Provided, however, flight test stations, when operating on the frequency 3281 kc/s, are designated as land stations, only with respect to operation on the frequency 3281 kc/s.*

Flying school station. An aeronautical station used for radiocommunication pertaining to instructions to students or pilots while actually operating aircraft.

FM broadcast STL station. A fixed station utilizing telephony to transmit from a studio of an FM broadcasting station to the transmitter of that broadcasting station, programs to be broadcast by that station.

FM broadcasting station. A broadcasting station utilizing telephony by means of frequency modulation, and when authorized under a Subsidiary Communications Authorization (SCA), utilizing F9 emissions.

FM inter-city relay station. A fixed station used for the transmission of FM broadcasting programs from one FM broadcasting station to other FM broadcasting stations to provide simultaneous network FM broadcasting and operated only by FM broadcast licensees.

Gc/s (gigacycle per second). A gigacycle per second (Gc/s) means one thousand megacycles.

Harmful interference. Any emission, radiation or induction which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service operating in accordance with this chapter.

Industrial radio services. Any service of radiocommunication essential to, operated by, and for the sole use of, those enterprises which for purposes of safety or other necessity require radiocommunication in order to function efficiently,

the radio transmitting facilities of which are defined as fixed, land, mobile or radiolocation stations.

Industrial, scientific and medical equipment (ISM equipment). Devices which use radio waves for industrial, scientific, medical, or any other purposes including the transfer of energy by radio and which are neither used nor intended to be used for radiocommunication.

Instrument landing system. A radionavigation system which provides aircraft with horizontal and vertical guidance just before and during landing and, at certain fixed points, indicates the distance to the reference point of landing.

Instrument landing system glide path. A system of vertical guidance embodied in the instrument landing system which indicates the vertical deviation of the aircraft from its optimum path of descent.

Instrument landing system localizer. A system of horizontal guidance embodied in the instrument landing system which indicates the horizontal deviation of the aircraft from its optimum path of descent along the axis of the runway.

International broadcasting station. A broadcasting station employing frequencies allocated to the broadcasting service between 5950 kc/s and 26100 kc/s, whose transmissions are intended to be received directly by the general public in foreign countries.

International control station. A fixed station in the fixed public control service associated directly with the international fixed public radiocommunication service.

International fixed public radio service. A fixed service, the stations of which are open to public correspondence and which, in general, is intended to provide radiocommunication between any one of the contiguous 48 states (including the District of Columbia) and the State of Alaska, or the State of Hawaii, or any U.S. possession or any foreign point; or between any U.S. possession and any other point; or between the State of Alaska and any other point; or between the State of Hawaii and any other point. In addition, radiocommunications within the contiguous 48 states (including the District of Columbia) in connection with the relaying of international traffic between stations which provide the above service, are also deemed to be in the international fixed public radiocommunication service; provided, however, that communications solely between Alaska, or any one of the contiguous 48 states (including the District of Columbia), and either Canada or Mexico are not deemed to be in the international fixed public radiocommunication service when such radiocommunications are transmitted on frequencies above 72 Mc/s.

International fixed public station. A fixed station in the international fixed public radio service.

Interzone station. A fixed station in the public safety (police) radio service using radiotelegraphy (A1 emission) for communication with zone stations within the zone and with interzone stations in other zones.

Ionospheric scatter. The propagation of radio waves by scattering as a result

of irregularities or discontinuities in the ionization of the ionosphere.

Kc/s (kilocycle per second). A kilocycle per second (kc/s) means one thousand cycles per second.

Land mobile service. A mobile service between base stations and land mobile stations, or between land mobile stations.

Land mobile station. A mobile station in the land mobile service capable of surface movement within the geographical limits of a country or continent.

Land station. A station in the mobile service not intended to be used while in motion.

Land transportation radio service. Any private service of radiocommunication essential to the conduct of certain land transportation activities and operated for the use of persons engaged in those activities, the transmitting facilities of which are defined as fixed, land, mobile or radiolocation stations.

Localizer station. A radionavigation land station in the aeronautical radionavigation service which provides signals for the lateral guidance of aircraft with respect to a runway centerline.

Loran station. A long distance radionavigation land station transmitting synchronized pulses. Hyperbolic lines of position are determined by the measurement of the difference in the time of arrival of these pulses.

Marine radiobeacon station. A radionavigation land station, the emissions of which are intended to enable a ship station to determine its bearing or its direction in relation to the marine radiobeacon station.

Maritime mobile service. A mobile service between coast stations and ship stations, or between ship stations, in which survival craft stations may also participate.

Maritime radionavigation service. A radionavigation service intended for the benefit of ships.

Marker beacon. A transmitter in the aeronautical radionavigation service which radiates vertically a distinctive pattern for providing position information to aircraft.

Mc/s (megacycle per second). A megacycle per second (Mc/s) means one thousand kilocycles.

Meteorological aids service. A radiocommunication service used for meteorological, including hydrological, observations and exploration.

Mobile, except television pickup, station. Any mobile station other than a television pickup station.

Mobile service. A service of radio communication between mobile and land stations, or between mobile stations.

Mobile station. A station in the mobile service intended to be used while in motion or during halts at unspecified points.

Modulation. The process of producing a wave some characteristic of which varies as a function of the instantaneous value of another wave, called the modulating wave.

Omni-directional range station. A radionavigation land station in the aeronautical radionavigation service providing direct indication of the bearing

(omni-bearing) of that station from an aircraft.

Operational fixed station. A fixed station, not open to public correspondence, operated by and for the sole use of those agencies operating their own radiocommunication facilities in the public safety, industrial, land transportation, marine, or aviation service.

Port operations. Communications in or near a port, or in locks or waterways, between coast stations and ship stations, or between ship stations, in which messages are restricted to those relating to the movement and safety of ships and, in emergency, to the safety of persons.

Primary standard of frequency. The primary standard of frequency for radio frequency measurements shall be the national standard of frequency maintained by the National Bureau of Standards, Department of Commerce, Washington, D.C. The operating frequency of all radio stations will be determined by comparison with this standard or the standard signals of station WWV of the National Bureau of Standards.

Private aircraft station. An aircraft station on board an aircraft not operated as an air carrier.

Public correspondence. Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission.

Public safety radio service. Any service of radiocommunication essential either to the discharge of non-Federal governmental functions or the alleviation of an emergency endangering life or property, the radio transmitting facilities of which are defined as fixed, land, mobile, or radiolocation stations.

Racon. A radionavigation system transmitting, automatically or in response to a predetermined received signal, a pulsed radio signal with specific characteristics.

Racon station. A radionavigation land station which employs a racon.

Radar. A radiodetermination system based on comparison of reference signals with radio signals reflected, or retransmitted, from the position to be determined.

Radio. A general term applied to the use of radio waves.

Radio altimeter. A radionavigation equipment, on board an aircraft, which makes use of the reflection of radio waves from the ground to determine the height of the aircraft above the ground.

Radio astronomy. Astronomy based on the reception of radio waves of cosmic origin.

Radio astronomy service. A service involving the use of radio astronomy.

Radiobeacon station. A station in the radionavigation service the emissions of which are intended to enable a mobile station to determine its bearing or direction in relation to the radiobeacon station.

Radiocommunication. Telecommunication by means of radio waves.

Radiodetermination. The determination of position, or the obtaining of information relating to position, by means of the propagation properties of radio waves.

Radiodetermination service. A service involving the use of radiodetermination.

Radiodetermination station. A station in the radiodetermination service.

Radio direction-finding. Radiodetermination using the reception of radio waves for the purpose of determining the direction of a station or object.

Radio direction-finding station. A radiodetermination station using radio direction-finding.

Radiolocation. Radiodetermination used for purposes other than those of radionavigation.

Radiolocation land station. A station in the radiolocation service not intended to be used while in motion.

Radiolocation mobile station. A station in the radiolocation service intended to be used while in motion or during halts at unspecified points.

Radiolocation service. A radiodetermination service involving the use of radiolocation.

Radionavigation. Radiodetermination used for the purposes of navigation, including obstruction warning.

Radionavigation land station. A station in the radionavigation service not intended to be used while in motion.

Radionavigation mobile station. A station in the radionavigation service intended to be used while in motion or during halts at unspecified points.

Radionavigation service. A radiodetermination service involving the use of radionavigation.

Radio range station. A radionavigation land station in the aeronautical radionavigation service providing radial equisignal zones.

Radiosonde. An automatic radio transmitter in the meteorological aids service usually carried on an aircraft, free balloon, kite or parachute, and which transmits meteorological data.

Radiosonde station. A station in the meteorological aids service employing a radiosonde.

Radio waves (or Hertzian waves). Electromagnetic waves of frequencies lower than 3,000 Gc/s [3,000,000 Mc/s], propagated in space without artificial guide.

Remote pickup broadcast base station. A base station, licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

Remote pickup broadcast mobile station. A land mobile station, licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

Safety service. A radiocommunication service used permanently or temporarily for the safeguarding of human life and property.

Ship station. A mobile station in the maritime mobile service located on board a vessel, other than a survival craft, which is not permanently moored.

Simplex operation. Operating method in which transmission is made possible alternately in each direction, for example, by means of manual control.

Space service. A radiocommunication service between space stations.

Space station. A station in the earth-space service or the space service located on an object which is beyond, or intended to go beyond, the major portion of the earth's atmosphere and which is not intended for flight between points on the earth's surface.

Standard broadcasting station. A broadcasting station operated on a frequency in the band 535-1605 kilocycles.

Standard frequency service. A radiocommunication service for scientific, technical and other purposes, providing the transmission of specified frequencies of stated high precision, intended for general reception.

Survival craft station. A mobile station in the maritime or aeronautical mobile service intended solely for survival purposes and located on any lifeboat, liferaft or other survival equipment.

Telecommunication. Any transmission, emission or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

Telegraphy. A system of telecommunication which is concerned in any process providing transmission and reproduction at a distance of documentary matter, such as written or printed matter or fixed images, or the reproduction at a distance of any kind of information in such form. The foregoing definition appears in the International Telecommunication Convention, but, for the purposes of the Commission's Rules, telegraphy shall mean, unless otherwise specified, "A system of telecommunication for the transmission of written matter by the use of a signal code."

Telemetering. The use of telecommunication for automatically indicating or recording measurements at a distance from the measuring instrument.

Telemetering fixed station. A fixed station, the emissions of which are used for telemetering.

Telemetering land station. A land station, the emissions of which are used for telemetering.

Telemetering mobile station. A mobile station, the emissions of which are used for telemetering.

Telephony. A system of telecommunication set up for the transmission of speech or, in some cases, other sounds.

Television. A system of telecommunication for transmission of transient images of fixed or moving objects.

Television broadcasting station. A broadcasting station utilizing both television and telephony to provide combination and simultaneous visual and aural programs intended to be received directly by the general public.

Television inter-city relay station. A fixed station used for intercity transmission of television program material and related communications for use by television broadcast stations.

Television pickup station. A land mobile station used for the transmission of television program material and related communications from the scenes of events occurring at points removed from television broadcast station studios to television broadcast stations.

Television STL station (studio-transmitter link). A fixed station used for the transmission of television program material and related communications from a studio to the transmitter of a television broadcast station.

Tropospheric scatter. The propagation of radio waves by scattering as a result of irregularities or discontinuities in the physical properties of the troposphere.

Zone station. A fixed station in the public safety (police) radio service using radiotelegraph (A1 emission) for communication with other similar stations in the same zone and with an interzone station.

Subpart B—Allocation, Assignment and Use of Radio Frequencies

§ 2.100 International regulations in force.

The Geneva (1959) Radio Regulations became effective May 1, 1961, have been incorporated into Subparts A and B of this Part to the extent practicable, and are applicable nationally, effective December 1, 1961, unless otherwise indicated.

§ 2.101 Nomenclature of frequencies.

Band No.	Frequency subdivision	Frequency range
4.....	VLF (very low frequency)	Below 30 kc/s.
5.....	LF (low frequency)	30 to 300 kc/s.
6.....	MF (medium frequency)	300 to 3000 kc/s.
7.....	HF (high frequency)	3 to 30 Mc/s.
8.....	VHF (very high frequency)	30 to 300 Mc/s.
9.....	UHF (ultra high frequency)	300 to 3000 Mc/s.
10.....	SHF (super high frequency)	3 to 30 Gc/s.
11.....	EHF (extremely high frequency)	30 to 300 Gc/s.

§ 2.102 Assignment of frequencies.

(a) Except as otherwise provided in this section, the assignment of frequencies and bands of frequencies to all stations and classes of stations and the licensing and authorizing of the use of all such frequencies between 10 kc/s and 40,000 Mc/s, and the actual use of such frequencies for radio communication or for any other purpose, including the transfer of energy by radio, shall be in accordance with the Table of Frequency Allocations in § 2.106.

(b) On the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations the following exceptions to paragraph (a) of this section may be authorized:

(1) In individual cases the Commission may, without rule-making proceedings, authorize on a temporary basis only, the use of frequencies not in accordance with the Table of Frequency Allocations for projects of short duration or emergencies where the Commission finds that important or exceptional circumstances require such utilization: *Provided*, That such authorizations are not intended to develop a service to be operated on frequencies other than those allocated such service.

(2) A station for the development of techniques or equipment to be employed by services or classes of stations set

forth in columns 8 and 9 of the Table of Frequency Allocations may be authorized the use of frequencies allocated to those services or classes of stations.

(3) Experimental stations engaged solely in scientific or technical radio experiments not related to an existing or proposed service nor intended to develop a proposed service or specific use of radio may be authorized the use of any frequency which is in a band allocated to the fixed, land mobile or broadcasting services or to one of these services shared with another service.

(4) Experimental stations engaged solely in ionospheric sounding by means of the technique of sweeping a band of frequencies may be authorized the use of any band or bands of frequencies.

(5) Experimental stations to be operated pursuant to a contractual agreement with the United States Government and intended for the sole and express purpose of developing equipment or a technique to be employed by stations belonging to and operated by the United States may be authorized the use of any frequency.

(6) Experimental stations intended for the sole and express purpose of developing equipment or a technique to be employed by stations under the jurisdiction of a foreign government may be authorized the use of any frequency which is not in a band allocated to the amateur service.

(7) In the event a band is reallocated so as to delete its availability for use by a particular service, the Commission may provide for the further interim use of the band by stations in that service for a temporary, specific period of time.

(c) The use of frequencies in the bands above 25 Mc/s allocated exclusively to Government stations and the use of frequencies below 25 Mc/s which may not be in accordance with § 2.106 may be authorized to non-Government stations in those instances where the Commission finds, after consultations with the appropriate Government agency or agencies, that such assignment is necessary for intercommunication with Government stations or where such use by non-Government stations is required for coordination with Government activities.

(d) Aircraft stations may communicate with stations of the maritime mobile service. They shall then conform to those provisions of the Radio Regulations which relate to the maritime mobile service. For this purpose aircraft stations should use the frequencies allocated to the maritime mobile service. However, having regard to interference which may be caused by aircraft stations at high altitudes, maritime mobile frequencies in the bands above 30 Mc/s shall not be used by aircraft stations in any specific area without the prior agreement of all administrations of the area in which interference is likely to be caused. In particular, aircraft stations operating in Region 1 should not use frequencies in the bands above 30 Mc/s allocated to the maritime mobile service by virtue of any agreement between administrations in that Region.

(e) Non-Government services operating on frequencies in the band 25-50

Mc/s must recognize that it is shared with various services of other countries; that harmful interference may be caused by skywave signals received from distant stations of all services of the United States and other countries radiating power on frequencies in this band; and that no protection from such harmful interference generally can be expected. Persons desiring to avoid such harmful interference should consider operation on available frequencies higher in the radio spectrum not generally subject to this type of difficulty.

(f) The stations of a service shall use frequencies so separated from the limits of a band allocated to that service as not to cause harmful interference to the service to which the frequency bands immediately adjoining are allocated.

(g) In the bands above 25 Mc/s which are allocated to the non-Government land mobile service, fixed stations may be authorized on the following conditions:

(1) That such stations are authorized in the service shown in Column 11 of the Table of Frequency Allocations in the band in question;

(2) That harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

§ 2.103 Government use of non-Government frequencies.

(7) Government stations may be authorized to use non-Government frequencies in the bands above 25 Mc/s if the Commission finds that such use is necessary for coordination of Government and non-Government activities: *Provided, however, That:*

(1) Government operation on non-Government frequencies shall conform with the conditions agreed upon by the Commission and the Office of Emergency Planning (the more important of which are contained in subparagraphs (2), (3), and (4) of this paragraph), a complete list of which is available for public examination at each of the Commission's Field Engineering and Monitoring Bureau Field Offices;

(2) Such operations shall be in accordance with Commission rules governing the service to which the frequencies involved are allocated;

(3) Such operations shall not cause harmful interference to non-Government stations and, should harmful interference result, that the interfering Government operation shall immediately terminate; and

(4) Government operation has been certified as necessary by the non-Government licensees involved and this certification has been furnished, in writing, to the Government agency with which communication is required.

§ 2.104 Application of the Table of Frequency Allocations.

(a) In the Table of Frequency Allocations below 25 Mc/s, the authority extended to stations in the fixed service, unless otherwise specified, extends only to those stations in the following categories of service:

already assigned or may be assigned at a later date; (c) can claim protection however, from harmful interference from stations of the same or other secondary service(s) to which frequencies may be assigned at a later date.

(f) The following symbols are used to designate footnotes in the Table of Frequency Allocations.

(1) Any footnote, consisting only of digits, e.g., (170), denotes a paragraph in the Geneva (1959) Radio Regulations. Where such a footnote is applicable, without modification, to the national Table of Frequency Allocations, the symbol appears in the national table as well as in Column 1, 2, 3, or 4.

(2) Any footnote consisting of the letters US followed by one or more digits, e.g., US1, denotes a stipulation the application of which is a matter of agreement between the Commission and other appropriate Government agencies.

(3) Any footnote consisting of the letters NG followed by one or more digits, e.g., NG1, is a stipulation applicable to non-Government stations.

ermment radio stations, i.e., those whose frequencies are assigned by the Commission.

(c) Column 10 lists certain frequencies which have national or international significance and are used for specific standardized purposes. These frequencies may be made available for assignment to stations which conform to the nature of service or station listed in Column 11 opposite the assignable frequency. The assignment and use of the frequencies listed in Column 10 is limited to those stations which, by definition, are included in the services and classes of stations (Column 8 or 9) to which the frequency band (Column 7) is allocated.

(d) In Column 11 "SERVICES" are in large block print and "Stations" in small print.

(e) Where, in Columns 2, 4, and 8, a band is indicated as allocated to more than one service, such services are listed in the following order:

(1) Services, the names of which are printed in all capital letters (example:

(1) Aeronautical fixed.
(2) Fixed (in U.S. possessions and Alaska).

(3) International fixed public.
(b) In the Table of Frequency Allocations between 5,000 and 25,000 kc/s, the authority extended to stations in the mobile service, unless otherwise specified, extends only to those stations in the following categories of service:

(1) Aeronautical mobile.
(2) Maritime mobile.

§ 2.105 Format of the Table of Frequency Allocations.

(a) Columns 1, 2, 3, and 4 of the Table of Frequency Allocations indicate the allocation applicable on a world-wide basis or in Region 2 in accordance with the Geneva Radio Regulations.

(b) In Column 6 (above 25 Mc/s) the letter G means Federal Government radio stations, i.e., those belonging to and operated by the United States. The symbol NG means other than Federal Gov-

ernment radio stations, i.e., those whose frequencies are assigned by the Commission.

(c) Column 10 lists certain frequencies which have national or international significance and are used for specific standardized purposes. These frequencies may be made available for assignment to stations which conform to the nature of service or station listed in Column 11 opposite the assignable frequency. The assignment and use of the frequencies listed in Column 10 is limited to those stations which, by definition, are included in the services and classes of stations (Column 8 or 9) to which the frequency band (Column 7) is allocated.

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(d) In Column 11 "SERVICES" are in large block print and "Stations" in small print.

(e) Where, in Columns 2, 4, and 8, a band is indicated as allocated to more than one service, such services are listed in the following order:

Worldwide		Region 2		United States		Federal Communications Commission				
Band (kc/s)	Service	Band (kc/s)	Service	Band (kc/s)	Allocation	Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature of services
1	2	3	4	5	6	7	8	9	10	11
Below 10 (157)	(Not allocated.)			Below 10	(Not allocated.)	Below 10	(Not allocated.)			
10-14	RADIONAVIGATION. Radiolocation.					10-14	RADIONAVIGATION.	Radiolocation land. Radiolocation mobile.		RADIONAVIGATION.
14-19.95 (159)	FIXED. MARITIME MOBILE. (158)					14-19.95	FIXED.	Fixed.		INTERNATIONAL FIXED PUBLIC.
19.95-20.05 (159)	STANDARD FREQUENCY. (160)					19.95-20.05	STANDARD FREQUENCY.	Standard frequency.	20	Standard frequency.
20.05-70 (161)	FIXED. MARITIME MOBILE. (158)					20.05-70	FIXED.	Fixed.		INTERNATIONAL FIXED PUBLIC.
70-90		70-90 (164)	FIXED. MARITIME MOBILE (158) MARITIME RADIO-NAVIGATION. (162) Radiolocation.			70-90	FIXED. Radiolocation.	Fixed. Radiolocation land. Radiolocation mobile.		INTERNATIONAL FIXED PUBLIC. RADIOLOCATION.
90-110		90-110 (165) (167)	RADIONAVIGATION. (168) Maritime mobile. (158)			90-110 (165) (167)	RADIONAVIGATION.	Radiolocation land. Radiolocation mobile.		RADIONAVIGATION.

Worldwide		Region 2		United States		Federal Communications Commission				
Band (kc/s)	Service	Band (kc/s)	Service	Band (kc/s)	Allocation	Band (kc/s)	Service	Class of station	Freq. quency (kc/s)	Nature (of services of stations)
1	2	3	4	5	6	7	8	9	10	11
110-130		110-130 (164) (167) (168)	FIXED, MARITIME MOBILE, MARITIME RADIO-NAVIGATION, Radiolocation.			110-130 (167)	FIXED, MARITIME MOBILE, Radiolocation.	Coast, Fixed, Radiolocation land, Radiolocation mobile, Ship.	10	FIXED (in Alaska), INTERNATIONAL, FIXED PUBLIC, MARITIME MOBILE, RADIOLOCATION.
130-160		130-160 (167)	FIXED, MARITIME MOBILE, (171)			130-160 (167)	FIXED, MARITIME MOBILE, (171)	Coast, Fixed, Ship.		FIXED (in Alaska), INTERNATIONAL, FIXED PUBLIC, MARITIME MOBILE.
160-200		160-200	FIXED, (179)			160-200	FIXED,	Fixed.		FIXED (in Alaska), INTERNATIONAL, FIXED PUBLIC.
200-285		200-285	AERONAUTICAL, RADIONAVIGATION, Aeronautical mobile.			200-285	AERONAUTICAL, RADIONAVIGATION, Aeronautical mobile.	Aeronautical, Aircraft, Radionavigation land.		AERONAUTICAL MOBILE, AERONAUTICAL, RADIONAVIGATION.
285-315	MARITIME RADIO-NAVIGATION (radiobeacons), Aeronautical radionavigation.					285-325 (US16)	MARITIME RADIONAVIGATION, (US18)	Radionavigation land.		MARITIME RADIONAVIGATION.
315-325		315-325	MARITIME RADIO-NAVIGATION (radiobeacons), Aeronautical radionavigation.							
325-405	AERONAUTICAL RADIONAVIGATION, Aeronautical mobile, (181)					325-405	AERONAUTICAL, RADIONAVIGATION, Aeronautical mobile.	Aeronautical, Aircraft, Radionavigation land.		AERONAUTICAL, MOBILE, AERONAUTICAL, RADIONAVIGATION.
405-415 (182)		405-415	MARITIME RADIO-NAVIGATION, (radio direction-finding), Aeronautical radionavigation, Aeronautical mobile.			405-415 (US18)	MARITIME RADIO-NAVIGATION (radio direction-finding), Aeronautical radionavigation, Aeronautical mobile, (US19)	Aeronautical, Aircraft, Radionavigation land, Radionavigation mobile.	410	Radio direction-finding.
415-490	MARITIME MOBILE (185) (186)					415-490	MARITIME MOBILE	Coast, Ship.		MARITIME MOBILE (telegraphy).
490-510 (187)	MOBILE (distress and calling).					490-510	MOBILE.	Coast, Mobile.	500	Distress and calling.
510-525		510-525	MOBILE, Aeronautical radionavigation, (188)			510-535 (US14)				
525-535		525-535	MOBILE, Broadcasting, (191) Aeronautical radionavigation, (188)							
535-1005	BROADCASTING.					535-1005 (US15) (NG16)	BROADCASTING.			Standard broadcasting.

Worldwide		Region 2		United States		Federal Communications Commission				
Band (kc/s)	Service	Band (kc/s)	Service	Band (kc/s)	Allocation	Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature (of services)
1605-1800	2	1605-1800	4	1605-1715	6	1605-1715	8	Base Mobile. Fixed Land mobile. Radionavigation land.	10	11
			FIXED MOBILE. AERONAUTICAL. RADIONAVIGATION. Radiolocation.				AERONAUTICAL. RADIONAVIGATION. (USTF) FIXED LAND MOBILE. MARITIME MOBILE. RADIOLOCATION. (NG18)			AERONAUTICAL. FIXED. AERONAUTICAL. RADIONAVIGATION. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED. PUBLIC. MARITIME MOBILE. PUBLIC SAFETY. RADIOLOCATION. Remote pickup broadcast base. Remote pickup broadcast mobile. Radionavigation land. Do.
				1715-1760		1715-1760	FIXED. LAND MOBILE. MARITIME MOBILE. RADIOLOCATION.	Base Mobile. Fixed. Land mobile. Ship.		1638 1708
1800-2000		1800-2000 (198)	AMATEUR. FIXED. MOBILE except aeronautical mobile. RADIONAVIGATION.			1750-1800 (NG14)	FIXED. MOBILE. RADIOLOCATION.	Fixed. Land. Mobile.		AERONAUTICAL. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED. PUBLIC. MARITIME MOBILE. PUBLIC SAFETY. RADIOLOCATION. Remote pickup broadcast base. Remote pickup broadcast mobile.
2000-2065		2000-2065	FIXED. MOBILE.			1800-2000 (198)	RADIONAVIGATION. Amateur. (NG15)	Amateur. Loran.		AMATEUR. Loran.
2065-2107		2065-2107	MARITIME MOBILE. (200)			2000-2035	MARITIME MOBILE. (NG19)	Coast. Ship.		MARITIME MOBILE.
2107-2170		2107-2170	FIXED. MOBILE.			2035-2065	MARITIME MOBILE.	Coast.		Coast (telegraphy).
						2065-2107	MARITIME MOBILE.	Ship.		Ship (telegraphy).
2170-2184	MOBILE (distress and calling). (201)					2107-2170	FIXED. LAND MOBILE. MARITIME MOBILE. (NG19)	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED. PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
						2170-2184 (201)	MOBILE.	Aircraft. Coast. Ship. Survival craft.	2182	AERONAUTICAL. MOBILE (telephony). MARITIME MOBILE (telephony). (NG22) Distress and calling frequency.

Worldwide			Region 2			United States			Federal Communications Commission				
Band (kc/s)	Service		Band (kc/s)	Service		Band (kc/s)	Allocation		Band (kc/s)	Service	Class of station	Fre- quency (kc/s)	Nature (of services of stations)
2194-2300	2		2194-2300	FIXED MOBILE.		2194-2495			2194-2495	FIXED LAND MOBILE. MARITIME MOBILE. (NG19)	Base. Coast. Fixed. Land mobile. Ship.	10	AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
2300-2495			2300-2495	FIXED. MOBILE. BROADCASTING. (202)									
2495-2505			2495-2505 (203) (204)	STANDARD FREQUENCY.		2495-2505			2495-2505	STANDARD FREQUENCY. (US74) Radio astronomy.	Radio astronomy. Standard frequency.	2500	RADIO ASTRONOMY. Standard frequency.
2505-2625			2505-2625	FIXED. MOBILE.		2505-2650 (NG20)			2505-2650 (NG20)	FIXED. LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.	2638 2738 2804 2808 2812	AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL FIXED PUBLIC. Intership (telephony). (NG44) Do. PUBLIC SAFETY. Zone and interzone police. Do. Do.
2625-2850			2625-2850	FIXED. MOBILE.									
2850-3025	AERONAUTICAL MOBILE. (R)					2850-3025			2850-3025	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
3025-3155	AERONAUTICAL MOBILE. (OR)					3025-3155			3025-3155	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
3155-3200	FIXED. MOBILE except aero- nautical mobile. (R)					3155-3200			3155-3200	FIXED. LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska and Puerto Rico). INDUSTRIAL. INTERNATIONAL FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
3200-3220	FIXED. MOBILE except sero- nautical mobile. (R) BROADCASTING. (202)					3200-3230 (NG20)			3200-3230 (NG20)	FIXED. LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
3230-3400	FIXED. MOBILE except sero- nautical mobile BROADCASTING. (202)					3230-3240			3230-3240	FIXED. LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
						3240-3400			3240-3400	FIXED. LAND MOBILE. MARITIME MOBILE. MOBILE.	Base. Coast. Fixed. Land mobile. Mobile. Ship.		AVIATION (flight test and aeronautical fixed only). FIXED (in Alaska). INDUSTRIAL INTERNATIONAL FIXED PUBLIC MARITIME MOBILE. PUBLIC SAFETY.

Worldwide		Region 2		United States		Federal Communications Commission				
Band (kc/s)	Service	Band (kc/s)	Service	Band (kc/s)	Allocation	Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature (of services of stations)
1	2	3	4	5	6	7	8	9	10	11
3400-3500	AERONAUTICAL MOBILE. (R)					3400-3500	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
3500-4000		3500-4000	AMATEUR. FIXED. MOBILE except aeronautical mobile. (R)			3500-4000	AMATEUR.	Amateur.		AMATEUR.
4000-4063	FIXED.					4000-4063	FIXED.	Fixed.		AERONAUTICAL FIXED. (in Alaska) INTERNATIONAL FIXED PUBLIC.
4063-4438	MARITIME MOBILE. (208) (209)					4063-4133	MARITIME MOBILE.	Ship.		Ship (telephony). (NG28)
						4133-4140	MARITIME MOBILE.	Ship.		Ship (SSB telephony).
						4140-4160	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).
						4160-4177	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						4177-4187	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).
						4187-4238	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						4238-4368	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).
4438-4650		4438-4650	FIXED. MOBILE except aeronautical mobile. (R)			4368-4438	MARITIME MOBILE.	Coast.		Coast (telephony). (NG29)
						4438-4650	FIXED. MOBILE.	Base. Fixed. Mobile.		AERONAUTICAL FIXED. (in Alaska) INDUSTRIAL INTERNATIONAL FIXED PUBLIC.
4650-4700	AERONAUTICAL MOBILE. (R)					4650-4700	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
4700-4750	AERONAUTICAL MOBILE. (OR)					4700-4750	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
4750-4850		4750-4850	FIXED. BROADCASTING. (202)			4750-4850	FIXED.	Fixed.		AERONAUTICAL FIXED. (in Alaska) INTERNATIONAL FIXED PUBLIC.
4850-4995	FIXED. LAND MOBILE. BROADCASTING. (202)					4850-4995	FIXED.	Fixed.		AERONAUTICAL FIXED. (in Alaska) INTERNATIONAL FIXED PUBLIC.
4995-5005	STANDARD FREQUENCY. (204) (210)					4995-5005	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	5000	RADIO ASTRONOMY. Standard frequency.
5005-5060	FIXED. BROADCASTING. (202)					5005-5450	FIXED.	Fixed.		AERONAUTICAL FIXED. (in Alaska) INTERNATIONAL FIXED PUBLIC. Zone and interzone police.
5060-5250	FIXED.									
5250-5450		5250-5450	FIXED. LAND MOBILE.							

Coast (telephony).

Coast.

MARITIME MOBILE.

8745-8915

Worldwide		Region 2		United States		Federal Communications Commission				
Band (kc/s)	Service	Band (kc/s)	Service	Band (kc/s)	Allocation	Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature (of services of stations)
1	2	3	4	5	6	7	8	9	10	11
8815-8965	AERONAUTICAL MOBILE. (R)					8815-8965	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
8965-9040	AERONAUTICAL MOBILE. (OR)					8965-9040	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
9040-9500	FIXED.					9040-9500	FIXED.	Fixed.		AERONAUTICAL FIXED. (in Alaska). INTERNATIONAL FIXED PUBLIC.
9500-9775	BROADCASTING.					9500-9775	BROADCASTING.	International broadcasting.		International broadcasting.
9775-9995	FIXED.					9775-9995	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
9995-10005	STANDARD FREQUENCY. (204) (214) (215)					9995-10003	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	10000	RADIO ASTRONOMY. Standard frequency.
10005-10100	AERONAUTICAL MOBILE. (R)					10005-10005	STANDARD FREQUENCY. Earth-Space. (US76) Radio astronomy. (US74) Space. (US76)	Earth. Radio astronomy. Space. Standard frequency.		EARTH-SPACE. RADIO ASTRONOMY. SPACE. Standard frequency.
10100-11175	FIXED.					10005-10100	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
11175-11275	AERONAUTICAL MOBILE. (OR)					10100-11175	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
11275-11400	AERONAUTICAL MOBILE. (R)					11175-11275	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
11400-11700	FIXED. (216)					11275-11400	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
11700-11975	BROADCASTING.					11400-11700	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
11975-12300	FIXED.					11700-11975	BROADCASTING.	International broadcasting.		International broadcasting.
12300-13200	MARITIME MOBILE. (213)					11975-12300	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
						12300-12400	MARITIME MOBILE.	Ship.		Ship (telephony).
						12400-12407	MARITIME MOBILE.	Ship.		Ship calling (DSB telephony).
						12407-12421	MARITIME MOBILE.	Ship.		Ship (SSB telephony).
						12421-12471	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).
						12471-12531	MARITIME MOBILE.	Ship.		Ship (telephony).
						12531-12561	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).
						12561-12714	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						12714-13130	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).
						13130-13200	MARITIME MOBILE.	Coast.		Coast (telephony).

Worldwide			Region 2			United States			Federal Communications Commission		
Band (Kc/s)	Service	Band (Kc/s)	Service	Band (Kc/s)	Allocation	Band (Kc/s)	Service	Class of station	Frequency (Kc/s)	Nature (OF SERVICES of stations)	
1	2	3	4	5	6	7	8	9	10	11	
13200-13260	AERONAUTICAL MOBILE. (OR)					13200-13260	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.	
13260-13360	AERONAUTICAL MOBILE. (R)					13260-13360	AERONAUTICAL MOBILE. (R)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.	
13360-14000 (217)	FIXED.					13360-14000	FIXED.	Fixed.	13560	AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC Industrial scientific and medical equipment.	
14000-14350	AMATEUR. (218)					14000-14350	AMATEUR.	Amateur.		AMATEUR.	
14350-14990	FIXED.					14350-14990	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.	
14990-15010	STANDARD FREQUENCY. (204) (219)					14990-15010	STANDARD FREQUENCY. (US74). Radio astronomy. (US74).	Radio astronomy. Standard frequency.	15000	RADIO ASTRONOMY. Standard frequency.	
15010-15100	AERONAUTICAL MOBILE. (OR)					15010-15100	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.	
15100-15450	BROADCASTING					15100-15450	BROADCASTING.	International broadcasting.		International broadcasting.	
15450-16460	FIXED.					15450-16460	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.	
16460-17360	MARITIME MOBILE. (213)					16460-16530	MARITIME MOBILE.	Ship.		Ship (telephony).	
						16530-16537	MARITIME MOBILE.	Ship.		Ship calling (DSB telephony).	
						16537-16562	MARITIME MOBILE.	Ship.		Ship (SSB telephony).	
						16562-16622	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).	
						16622-16708	MARITIME MOBILE.	Ship.		Ship (telephony).	
						16708-16748	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).	
						16748-16952	MARITIME MOBILE.	Ship.		Ship (telegraphy).	
						16952-17260	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).	
						17260-17360	MARITIME MOBILE.	Coast.		Coast (telephony).	
17360-17700	FIXED.					17360-17700	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.	
17700-17900	BROADCASTING.					17700-17900	BROADCASTING.	International broadcasting.		International broadcasting.	
17900-17970	AERONAUTICAL MOBILE. (R)					17900-17970	AERONAUTICAL MOBILE. (R)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.	
17970-18030	AERONAUTICAL MOBILE. (OR)					17970-18030	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.	
18030-19990	FIXED.					18030-19990	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.	

Worldwide		Region 2		United States		Federal Communications Commission				
Band (kc/s)	Services	Band (kc/s)	Service	Band (kc/s)	Allocation	Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature (of stations)
1	2	3	4	5	6	7	8	9	10	11
19990-20010	STANDARD FREQUENCY. (204) (220) (221)					19990-20010	STANDARD FREQUENCY. Earth-space. (US76) Radio astronomy. (US74) Space. (US76)	Earth Radio astronomy. Space. Standard frequency.	10	
20010-21000	FIXED.					20010-21000	FIXED.	Fixed.	20000	Standard frequency.
21000-21450	AMATEUR.					21000-21450	AMATEUR.	Amateur.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
21450-21750	BROADCASTING.					21490-21790	BROADCASTING.	International broadcasting.		AMATEUR.
21750-21850	FIXED.					21790-21850	FIXED.	Fixed.		International broadcasting.
21850-22000	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (R)					21850-22000	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (R)	Aeronautical. Aeronautical fixed. Aircraft.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
22000-22720	MARITIME MOBILE.					22000-22070	MARITIME MOBILE.	Ship.		AERONAUTICAL FIXED. AERONAUTICAL MOBILE.
						22070-22078	MARITIME MOBILE.	Ship.		Ship (telephony).
						22078-22109	MARITIME MOBILE.	Ship.		Ship calling (DSB telephony).
						22100-22148	MARITIME MOBILE.	Ship.		Ship (SSB telephony).
						22148-22220	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).
						22220-22270	MARITIME MOBILE.	Ship.		Ship (telephony).
						22270-22400	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).
						22400-22650	MARITIME MOBILE.	Coast.		Ship (telegraphy).
						22650-22720	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).
22720-23200	FIXED.					22720-23200	FIXED.	Coast.		Coast (telephony).
23200-23350	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (OR)					23200-23350	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (OR)	Aeronautical. Aeronautical fixed. Aircraft.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
23350-24990 (222)	FIXED. LAND MOBILE.					23350-24990	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.

Worldwide			Region 2			United States			Federal Communications Commission		
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Band (Mc/s)	Class of station	Frequency (Mc/s)	Nature of services
1	2	3	4	5	6	7	8	9	10	11	
24.99-25.01	STANDARD FREQUENCY. (204) (223)			24.99-25.01	G, NG. (US68)	24.99-25.01	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	25	RADIO ASTRONOMY. Standard frequency.	
25.01-25.07	FIXED. MOBILE except aeronautical mobile. (224)			25.01-25.33	NG.	25.01-25.33	LAND MOBILE.	Base. Land mobile.	25.02-25.32 (NG32)	INDUSTRIAL.	
25.07-25.11	MARITIME MOBILE. (224)										
25.11-25.6	FIXED. MOBILE except aeronautical mobile.			25.33-25.6	G.						
25.6-26.1	BROADCASTING.			25.6-26.1	G, NG.	25.6-26.1 (US25)	BROADCASTING.	International broadcasting.			
26.1-27.5 (225) (226)	FIXED. MOBILE except aeronautical mobile.			26.1-26.48	NG.	26.1-26.48	LAND MOBILE.	Base. Land mobile.	26.11-26.47 (NG32)	Remote pickup broadcast base; remote pickup broadcast mobile.	
				26.48-26.95 (US10)	G.					26.62	Civil air patrol land; civil air patrol mobile.
27.5-28		27.5-28	METEOROLOGICAL AIDS. FIXED MOBILE.	26.95-27.54	NG.	26.95-26.96	FIXED.	Fixed.	26.955	INTERNATIONAL FIXED PUBLIC.	
28-29.7	AMATEUR.										Industrial, scientific and medical equipment.
29.7-41 (234) (235)	FIXED. (228) (229) MOBILE.			27.54-28	G.						INDUSTRIAL.
				28-29.7	AMATEUR. (US1)	28-29.7	AMATEUR.	Amateur.			AMATEUR.
				29.7-29.89	NG.	29.7-29.8	LAND MOBILE.	Base. Land mobile.	29.71-29.79 (NG32)		INDUSTRIAL.
						29.8-29.89	FIXED. (232)	Fixed.	29.81-29.88 (NG31)		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
				29.89-29.91 (232)	G.						
				29.91-30	NG.	29.91-30	FIXED. (232)	Fixed.	29.92-29.99 (NG31)		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
				30-30.56	G.						INDUSTRIAL. Do.
				30.56-32	NG.	30.56-32	LAND MOBILE.	Base. Land mobile.	30.58-30.62		INDUSTRIAL. Do.
											INDUSTRIAL. LAND TRANSPORTATION.

Worldwide				Region 2				United States				Federal Communications Commission						
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (of services)	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (of services)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
						43.68-44.61	LAND MOBILE.	Base, Land mobile.				LAND TRANSPORTATION.						
				46.6-47	G.	44.61-46.6	LAND MOBILE.	Base, Land mobile.				PUBLIC SAFETY.						
				47-49.6	NG.			Base, Land mobile.				PUBLIC SAFETY.						
						47.43-47.69	LAND MOBILE.	Base, Land mobile.				PUBLIC SAFETY.						
						47.69-49.6	LAND MOBILE.	Base, Land mobile.				INDUSTRIAL.						
50-54		50-54	AMATEUR.	49.6-50	G.			Amateur.				AMATEUR.						
54-68		54-68	FIXED, (228) (237) MOBILE BROADCASTING.	50-54	AMATEUR. (US1)	54-72	BROADCASTING.	Television broadcasting.			55.25	Video Channel 2.						
				54-72 (US2)	NG.						59.75	Sound Channel 2.						
68-74.6		68-74.6	FIXED MOBILE BROADCASTING.								61.25	Video Channel 3.						
				72-73 (US20)	NG.						65.75	Sound Channel 3.						
74.6-75.4		(253)	AERONAUTICAL RADIONAVIGATION.	73-74.6	G, NG. (US21)	73-74.6	RADIO ASTRONOMY.	Radio astronomy.			67.25	Video Channel 4.						
75.4-88			FIXED MOBILE BROADCASTING.	74.6-75.4	G, NG.	74.6-75.4	AERONAUTICAL RADIONAVIGATION.	Aeronautical radionavigation.			71.75	Sound Channel 4.						
				75.4-76 (US20)	NG.						72.02-72.08 (NG38)	Operational fixed.						
88-100		88-100	BROADCASTING.									RADIO ASTRONOMY.						
100-108		100-108	BROADCASTING.	76-88 (US23)	NG.	76-88 (NG21)	BROADCASTING.	Television broadcasting.			75.42-75.08 (NG38)	Operational fixed.						
108-117.975			AERONAUTICAL RADIONAVIGATION.	88-108 (US23)	NG.	88-108 (NG21)	BROADCASTING.	FM broadcasting.			77.25	Video Channel 5.						
				108-117.975	G, NG.	108-117.975	AERONAUTICAL RADIONAVIGATION.	Radionavigation land.			81.75	Video Channel 6.						
											83.25	Video Channel 6.						
											87.75	Sound Channel 6.						
											88.1-107.9 (NG36)	FM Channel 201- FM Channel 300.						
											108.1	Localizer.						
											108.2	Omni-directional range.						
											108.3	Localizer.						
											108.4	Omni-directional range.						
											108.5	Localizer.						
											108.6	Omni-directional range.						
											108.7	Localizer.						
											108.8	Omni-directional range.						
											108.9	Localizer.						
											109.0	Omni-directional range.						
											109.1	Localizer.						
											109.2	Omni-directional range.						
											109.3	Localizer.						
											109.4	Omni-directional range.						
											109.5	Localizer.						
											109.6	Omni-directional range.						
											109.7	Localizer.						
											109.8	Omni-directional range.						
											109.9	Localizer.						
											110.0	Omni-directional range.						
											110.1	Localizer.						
											110.2	Omni-directional range.						

Worldwide				Region 2				United States				Federal Communications Commission			
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation (USI)	Band (Mc/s)	Service	Band (Mc/s)	Allocation (USI)	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (of stations)	
1	2		4			5	6	7	8	9	10	11			
137-144	AMATEUR.	137-144	FIXED MOBILE Radiolocation.	137-144 (US10)	G.	137-144 (US10)							143.91	Civil air patrol land; civil air patrol mobile.	
144-146	AMATEUR.			144-146	AMATEUR. (US1)	144-146		144-146	AMATEUR.					AMATEUR.	
146-148		146-148	AMATEUR.										148.14	Civil air patrol land; civil air patrol mobile.	
148-174		148-174	FIXED MOBILE.	148-150.8 (US10)	G.			150.8-150.98	LAND MOBILE.	Base, Land mobile.				LAND TRANSPORTATION.	
				150.8-163	NG.			150.98-151.49	LAND MOBILE.	Base, Land mobile.				PUBLIC SAFETY.	
								151.49-152	LAND MOBILE.	Base, Land mobile.				INDUSTRIAL.	
								152-152.24	LAND MOBILE.	Base, Land mobile.				DOMESTIC PUBLIC.	
								152.24-152.48	LAND MOBILE.	Base, Land mobile.				LAND TRANSPORTATION. (NG38)	
								152.48-152.84	LAND MOBILE.	Base, Land mobile.				DOMESTIC PUBLIC.	
								152.84-153.7325	LAND MOBILE.	Base, Land mobile.				INDUSTRIAL. (NG4)	
								153.7325-154.46	LAND MOBILE.	Base, Land mobile.				PUBLIC SAFETY. (NG28)	
								154.46-154.6275	LAND MOBILE.	Base, Land mobile.				INDUSTRIAL.	
								154.6275-156.25	LAND MOBILE.	Base, Land mobile.				PUBLIC SAFETY.	
								156.25-157.45 (US9)	MARITIME MOBILE. (NG6)	Coast. Shlp.			156.3	MARITIME MOBILE. (NG2)	
								157.45 (US9)					156.35	MARITIME MOBILE. (NG2)	
								157.45 (US9)					156.4	MARITIME MOBILE. (NG2)	
								157.45 (US9)					156.45	MARITIME MOBILE. (NG2)	
								157.45 (US9)					156.5	MARITIME MOBILE. (NG2)	
								157.45 (US9)					156.55	MARITIME MOBILE. (NG2)	
								157.45 (US9)					156.6	MARITIME MOBILE. (NG2)	
								157.45 (US9)					156.65	Do.	
								157.45 (US9)					156.7	Do.	
								157.45 (US9)					156.8	MARITIME MOBILE (calling & safety)	
								157.45 (US9)					156.9	MARITIME MOBILE.	
								157.45 (US9)					156.95	Do.	
								157.45 (US9)					157.0	Do.	
													157.05	GOVERNMENT.	
													157.1	Do.	
													157.15	Do.	
													157.2-	MARITIME MOBILE.	
													157.4		
													157.4 (NG 34)		
								157.45-157.74	LAND MOBILE.	Base, Land mobile.				LAND TRANSPORTATION. (NG6) (NG38)	

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Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (of stations)
1	2	3	4	5	6	7	8	9	10	11
						157.74-158.1	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC.
						158.1-158.46	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.
						158.46-158.7	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC.
						158.7-159.48	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.
						159.48-161.575	LAND MOBILE.	Base, Land mobile.		LAND TRANSPORTATION. (NG6) (NG26) (NG28)
						161.575-161.625 (US77)	MARITIME MOBILE.	Coast.	161.6	MARITIME MOBILE. (NG6) (NG17) (NG26)
						161.625-161.775	LAND MOBILE.	Base, Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile. (NG6) (NG26)
				102-174	(US12)	161.775-162.0	MARITIME MOBILE. (NG6)	Coast.	161.8, 161.85, 161.9, 161.95, 162.0	Coast. (NG26) (NG37)
					G. (US8) (US11) (US12) (US13)				166.25, 170.15	PUBLIC SAFETY; Remote pickup.
					(US9)				170.425, 170.475, 170.575, 171.425, 171.475, 171.575, 172.225, 172.275, 172.375	PUBLIC SAFETY.
						173.2-173.4	FIXED, LAND MOBILE.	Base, Fixed, Land mobile.		INDUSTRIAL.
174-210		174-216 (294)	FIXED MOBILE, BROADCASTING.	174-216	NG.	174-216	BROADCASTING.	Television broadcasting.	175.25, 179.75, 181.25, 185.75, 187.25, 191.75, 193.25, 197.75, 199.25, 203.75, 205.25, 209.75, 211.25, 215.75	Video Channel 7, Sound Channel 8, Video Channel 9, Sound Channel 10, Video Channel 11, Sound Channel 12, Video Channel 13, Sound

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (OF SERVICES (of stations
1	2	3	4	5	6	7	8	9	10	11
216-220		216-220	FIXED MOBILE RADIOLOCATION.	216-220	G. (US5)				217.425 217.475 217.525 217.550 217.575 217.625 217.675 219.325 219.375 219.425 219.450 219.475 219.525 219.575	Telemetering land; telemetering mobile. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do.
220-225		220-225	AMATEUR RADIOLOCATION.	220-225	G, N.G. (US34)	220-225	Amateur. (NG13)	Amateur.		AMATEUR.
225-235		225-235	FIXED MOBILE.	225-328.6 (308) (310) (US17)	G.					
235-328.6 (309) (310)	FIXED MOBILE.								243	Survival craft and equipment.
328.6-335.4 (310)	AERONAUTICAL RADIONAVIGATION. (311)			328.6-335.4 (310)	G, N.G.	328.6-335.4	AERONAUTICAL RADIONAVIGATION. (311)	Radionavigation land.		Glide path.
335.4-400	FIXED MOBILE.			335.4-400	G.					
400-401	METEOROLOGICAL AIDS. (280) SPACE. (280) EARTH-SPACE. (280)			400-401	G, N.G.	400-401	METEOROLOGICAL AIDS. (US70) SPACE. (US76) EARTH-SPACE.	Radio-sonde. Earth.		Radio-sonde. SPACE. EARTH-SPACE.
401-406 (317)	METEOROLOGICAL AIDS. Fixed. Mobile except aeronautical mobile.			401-404	G, N.G.	401-404	METEOROLOGICAL AIDS. (US70)	Radio-sonde.		Radio-sonde.
406-420 (317)	FIXED MOBILE except aeronautical mobile.			404-406	G, N.G.	404-406	METEOROLOGICAL AIDS. (US70) Radio astronomy. (US74)	Radio astronomy. Radio-sonde.		RADIO ASTRONOMY. Radio-sonde.
420-450		420-450 (318)	RADIOLOCATION. Amateur.	406-420	G. (US13)					
450-470 (318)	FIXED MOBILE.			420-450 (US36) (US35)	G, N.G.	420-450	Amateur. (US7)	Amateur.		AMATEUR.
				450-470 (US6)	NG.	450-451	LAND MOBILE.	Base. Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile.
						451-452	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.
						452-453	LAND MOBILE.	Base. Land mobile.		LAND TRANSPORTATION.
						453-454	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.
						454-455	LAND MOBILE.	Base. Land mobile.		DOMESTIC PUBLIC. (NG12)
						455-456	LAND MOBILE.	Base. Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile.

Worldwide			Region 2			United States			Federal Communications Commission			
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (of stations)
1	2	3	4	5	6	7	8	9	10	11		
						456-457	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.		
						457-458	LAND MOBILE.	Base, Land mobile.		LAND TRANSPORTATION.		
						458-459	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.		
						459-460	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC. (NG12)		
						460-462.525	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.		
						462.525-463.225	FIXED. MOBILE.	Fixed. Land. Mobile.		CITIZENS.		
						463.225-464.725	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL. CITIZENS.		
						464.725-466.475	FIXED. MOBILE.	Fixed. Land. Mobile.		CITIZENS.		
						466.475-470	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL. CITIZENS. (NG38)		
470-890		470-890	BROADCASTING.	470-890	NG.	470-890	BROADCASTING.	Television broadcasting.			915	Industrial, scientific, and medical equipment.
890-942 (340)		890-942 (340)	FIXED. RADIOLOCATION.	890-942 (340)	G. (US36)	942-962 (NG8) (NG9)	FIXED. (NG40)	AM broadcast. STL FM broadcast. STL Television STL (audio only). International aeronautical fixed (Alaska, Hawaii, and U.S. possessions only). International fixed public (Alaska, Hawaii, and U.S. possessions only).				
942-960		942-960	FIXED.	942-960	NG.	942-962 (NG8) (NG9)	FIXED. (NG40)	AM broadcast. STL FM broadcast. STL Television STL (audio only). International aeronautical fixed (Alaska, Hawaii, and U.S. possessions only). International fixed public (Alaska, Hawaii, and U.S. possessions only).				
						962-960 (NG10)	FIXED.	International fixed public (Puerto Rico and Virgin Islands only). International control. Operational fixed.				
960-1215	AERONAUTICAL RADIOLOCATION. (341)			960-1215	G, NG.	960-1215	AERONAUTICAL RADIOLOCATION. (341)	Amateur.				AMATEUR.
1215-1300	RADIOLOCATION. Amateur.			1215-1300	G, NG. (US37)	1215-1300	Amateur.					
1300-1350	AERONAUTICAL RADIOLOCATION. Radiolocation.			1300-1350	G, NG. (US38)	1300-1350	AERONAUTICAL RADIOLOCATION. (346)					
1350-1400		1350-1400	RADIOLOCATION.	1350-1400	G.	1400-1427	RADIO ASTRONOMY. (US74)					
1400-1427	RADIO ASTRONOMY.			1400-1427	G, NG.	1400-1427	RADIO ASTRONOMY. (US74)					

Worldwide Region 2 United States Federal Communications Commission

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of services
1	2	3	4	5	6	7	8	9	10	11
1427-1429	SPACE, (280) EARTH-SPACE, (280) FIXED, MOBILE except aeronautical mobile.			1427-1429	G, NG, (US60) (US64) (US73) (US76)	1427-1429	SPACE, EARTH-SPACE.			
1429-1435		1429-1435	FIXED, MOBILE.	1429-1435	G.					
1435-1535		1435-1535	MOBILE, Fixed.	1435-1535	G, NG, (US78)	1435-1535	MOBILE.	Aeronautical telemetering.		AVIATION.
1535-1660	AERONAUTICAL RADIONAVIGATION, (341)			1535-1660	G, NG, (US88)	1535-1660	AERONAUTICAL RADIONAVIGATION, (341)			
1660-1700	METEOROLOGICAL AIDS, FIXED, MOBILE except aeronautical mobile.			1660-1670	G.	1670-1700	METEOROLOGICAL AIDS.			Radionsonde.
1700-1710		1700-1710	FIXED, MOBILE, Space, (280) Earth-Space, (280)	1700-1710	G, NG, (US60) (US63) (US76)	1700-1710	SPACE, EARTH-SPACE.			
1710-2200		1710-2200	FIXED, MOBILE.	1710-1860	G.					
2200-2300		2200-2300	FIXED, MOBILE, Space, (280) Earth-Space, (280).	1850-2200	NG.	1850-1990 (NG8)	FIXED.	International control, Operational fixed.		
2300-2450 (857)		2300-2450	RADIOLOCATION, Amateur, Fixed, Mobile.	2300-2450	G, NG, (US40)	2300-2450 (857)	Amateur.	Amateur.		
2450-2550 (857)		2450-2550	FIXED, MOBILE, RADIOLOCATION.	2450-2500	NG, (US41)	2450-2500 (857)	FIXED, MOBILE, Radiolocation.		2450	Industrial, scientific and medical equipment.
2550-2700 (865)	FIXED, MOBILE.			2500-2600	NG.	2500-2600 (NG8)	FIXED.	International control, Operational fixed.		
2700-2900 (866)	AERONAUTICAL RADIONAVIGATION, (340) Radiolocation.			2600-2700	G, NG, (US22)	2600-2700	RADIO ASTRONOMY, (US74)			
2900-3100	RADIONAVIGATION, (367) Radiolocation.			2700-2900	G, (346) (369) (US42) (US43)					
				2900-3100	G, NG.	2900-3100	MARITIME RADIONAVIGATION, Radiolocation, (US44)			

Worldwide			Region 2			United States			Federal Communications Commission				
Band (Mc/s)	Service		Band (Mc/s)	Service		Band (Mc/s)	Allocation		Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (of stations)
1	2		3	4		5	6		7	8	9	10	11
3100-3300 (369)	RADIOLOCATION.					3100-3300 G, (369) (US45) (US46)							
3300-3500			3300-3500	RADIOLOCATION. Amateur.		3300-3500 G, N.G. (US61)			3300-3500	Amateur.	Amateur.		AMATEUR.
3500-3700			3500-3700	FIXED MOBILE RADIOLOCATION.		3500-3700 G.							
3700-4200			3700-4200	FIXED MOBILE.		3700-4200 N.G.			3700-4200	FIXED.	Common carrier fixed.		DOMESTIC PUBLIC. (NG41)
4200-4400	AERONAUTICAL RADIONAVIGATION. (34)					4200-4400 G, N.G. (US47)			4200-4400	AERONAUTICAL RADIONAVIGATION. (341)	Altimeter.		
4400-5000 (365)	FIXED MOBILE.					4400-4990 G.							
5000-5250	AERONAUTICAL RADIONAVIGATION. (34)					4990-5000 G, N.G. (US68)			4990-5000	RADIO ASTRONOMY. (US74)	Radio astronomy.		
5250-5255	RADIOLOCATION. Space. (280) Earth-Space. (280)					5000-5250 G, N.G.			5000-5250	AERONAUTICAL RADIONAVIGATION. (341)			
5255-5350	RADIOLOCATION.					5250-5350 G.							
5350-5460	AERONAUTICAL RADIONAVIGATION. (385) Radiolocation.					5350-5460 G, N.G.			5350-5460	AERONAUTICAL RADIONAVIGATION. (385) RADIOLOCATION. (US48)			
5460-5470	RADIONAVIGATION. (385) Radiolocation.					5460-5470 G, N.G.			5460-5470	RADIONAVIGATION. (385) (US65) Radiolocation. (US49)			
5470-5650 (387)	MARITIME RADIO-NAVIGATION. Radiolocation.					5470-5600 G, N.G.			5470-5600	MARITIME RADIO-NAVIGATION. (US65) Radiolocation. (US50)			
						5600-5650 G, N.G.			5600-5650	MARITIME RADIO-NAVIGATION. (US65) METEOROLOGICAL AIDS. (387) Radiolocation. (US51)			
5650-5850 (391)	RADIOLOCATION. Amateur.					5650-5925 (391) G, N.G. (US52)			5650-5925	Amateur.	Amateur.	5800	Industrial, scientific and medical equipment.
5850-5925 (391)			5850-5925	RADIOLOCATION. Amateur.									
5925-8400	FIXED MOBILE.					5925-7125 N.G.			5925-6425	FIXED.	Common carrier fixed.		DOMESTIC PUBLIC. (NG41)
									6425-6875	MOBILE.	Land. (NG7) MOBILE (except television pickup).		
									6875-6975 (US38)	FIXED.	International control. Operational fixed.		

Worldwide		Region 2		United States		Federal Communications Commission			Nature of services (of stations)	
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station		Frequency (Mc/s)
1	2	3	4	5	6	7	8	9	10	11
8400-8500	FIXED MOBILE Space (280) Earth-Space. (280)	7125-8400			G.	6875-7125 (NG11)	FIXED MOBILE.	Television pickup. Television STL.		
8500-8750	RADIOLOCATION.						SPACE EARLY-SPACE. FIXED MOBILE.			
8750-8850	RADIOLOCATION. AERONAUTICAL RADIONAVIGATION. (346)	8400-8500			G, NG. (US62) (US63) (US76)					
8850-9000	RADIOLOCATION.	8500-9000			G. (US53)				8800	Airborne doppler radar.
9000-9200	AERONAUTICAL RADIONAVIGATION. (346) Radiolocation.	9000-9200			G, NG.	9000-9200	AERONAUTICAL RADIONAVIGATION. (346) (US54) Radiolocation. (US55)			
9200-9300	RADIOLOCATION.	9200-9300			G. (US45)					
9300-9500 (399)	RADIONAVIGATION. Radiolocation.	9300-9500			G, NG.	9300-9500	RADIONAVIGATION. (US66) (US71) Meteorological aids. Radiolocation. (US56)			
9500-9800	RADIOLOCATION.	9500-10000			G. (US57)					
9800-10000	RADIOLOCATION. Fixed.									
10000-10500	RADIOLOCATION. Amateur.	10000-10500			G, NG. (US58)	10000-10500	Amateur. Radiolocation. (NG42)	Amateur. Radiolocation land. Radiolocation mobile.		AMATEUR. RADIOLOCATION.
10500-10550		10500-10550	RADIOLOCATION. (404)			10500-10550	RADIOLOCATION.	Radiolocation land. Radiolocation mobile.		RADIOLOCATION.
10550-10700 (405)	FIXED MOBILE. Radiolocation.				NG.	10550-10680	FIXED MOBILE.			
10700-11700	FIXED MOBILE.				G, NG.	10680-10700	RADIO ASTRONOMY. (US74)			
11700-12700	FIXED MOBILE except aeronautical mobile. BROADCASTING.				NG.	10700-11700	FIXED.	Common carrier fixed.		DOMESTIC PUBLIC. (NG41)
12700-13250	FIXED MOBILE.				NG.	11700-12200	MOBILE.	Land. (NG7) Mobile (except television pickup).		
13250-13400	AERONAUTICAL RADIONAVIGATION. (406)				G, NG.	12200-12700 (NG8)	FIXED.	International control. Operational fixed.		
13400-14000	RADIOLOCATION.				G.	12700-13200 (NG11)	FIXED MOBILE.	Television pickup. Television STL.		
14000-14400	RADIONAVIGATION.				G, NG.	13200-13250	FIXED MOBILE.			
						13250-13400	AERONAUTICAL RADIONAVIGATION. (406)			Airborne doppler radar.
						13400-14000				
						14000-14400	RADIONAVIGATION.			

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
14400-15150	FIXED MOBILE.			14400-15150	G.					
15150-15250	SPACE, (280) EARTH-SPACE. Fixed. Mobile.			15150-15250	G, N.G. (US66) (US63) (US76)	15150-15250	SPACE, EARTH-SPACE.			
15250-15400 (405)	FIXED MOBILE.			15250-15350	G.					
15400-15700	AERONAUTICAL RADIONAVIGATION. (341)			15350-15400 (US68)	G, N.G.	15350-15400	RADIO ASTRONOMY. (US74)			
15700-17700	RADIOLOCATION.			15400-15700	G, N.G.	15400-15700	AERONAUTICAL RADIONAVIGATION. (341)			
17700-21000 (405)	FIXED MOBILE.			15700-17700	G.					
21000-22000	AMATEUR.			17700-19300	NG.	17700-19300	FIXED MOBILE.			
22000-23000 (410)	FIXED MOBILE.			19300-19400	G, NG.	19300-19400	RADIO ASTRONOMY. (US74)			
23000-24260	RADIOLOCATION.			19400-19700	NG.	19400-19700	FIXED MOBILE.			
24250-25250	RADIONAVIGATION. (411)			19700-21000	G.					
25250-31500 (405)	FIXED MOBILE.			21000-22000	AMATEUR.	21000-22000	AMATEUR.	Amateur.		AMATEUR.
				22000-23000	G. (410)				22125	Industrial, scientific and medical equipment.
				23000-24250	G.					
				24250-25250	G, N.G. (US72)	24250-25250	RADIONAVIGATION. (411)			
				25250-27525	G.					
				27525-31300	NG.	27525-31300	FIXED MOBILE.			
				31300-31500	G, N.G.	31300-31500	RADIO ASTRONOMY. (US74)			
31500-31800	SPACE, (280) EARTH-SPACE. Fixed. Mobile.			31500-31800	G, N.G. (US60) (US63) (US76)	31500-31800	SPACE, EARTH-SPACE.			
31800-33400	RADIONAVIGATION.			31800-33400	G, N.G.	31800-33400	RADIONAVIGATION. (US68)			
33400-36000	RADIOLOCATION.			33400-38600	G.					
36000-40000	FIXED MOBILE.			38600-40000	NG.	38600-40000	FIXED MOBILE.			
Above 40000	Not allocated.			Above 40000	G, N.G.			Amateur. Experimental.		

FOOTNOTES

GENEVA FOOTNOTES

(157) Administrations authorizing the use of frequencies below 10 kc/s for special national purposes shall ensure that no harmful interference is caused thereby to the services to which the bands above 10 kc/s are allocated (see also Article 14, No. 699).

(158) Limited to coast telegraph stations (A1 and F1 only).

(159) The stations of services to which the bands between 14 and 70 kc/s are allocated may transmit standard frequency and time signals. Such stations shall be afforded protection from harmful interference. In Albania, Bulgaria, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the frequencies 25 kc/s and 50 kc/s will be used for this purpose under the same conditions.

(160) The standard frequency is 20 kc/s.

(161) In the U.S.S.R., frequencies in the band 60-80 kc/s may be used for industrial, scientific and medical purposes subject to the condition that interference is not caused to stations of services to which this band is allocated.

(162) Limited to continuous wave systems.

(164) The establishment and operation of maritime radionavigation stations shall be subject to agreements between administrations whose services, operating in accordance with the Table, may be affected. However, the fixed, maritime mobile and radiolocation services shall not cause harmful interference to maritime radionavigation stations established under such agreements.

(166) The development and operation of long distance radionavigation systems are authorized in this band, which will become exclusively allocated, wholly or in part, to the radionavigation service for the use of any one such system as soon as it is internationally adopted. Other considerations being equal, preference should be given to the system requiring the minimum bandwidth for world-wide service and causing the least harmful interference to other services. If a pulse radionavigation system is employed, the pulse emissions shall nevertheless be confined within the band 90-110 kc/s and shall not cause harmful interference outside the band to stations operating in accordance with the Regulations. In Regions 1 and 3, during the period prior to the international adoption of any long distance radionavigation system, the operation of specific radionavigation stations shall be subject to agreements between administrations whose services, operating in accordance with the Table, may be affected. Once established under such agreements radionavigation stations shall be protected from harmful interference.

(167) Only classes A1 or F1, A4 or F4 emissions are authorized in the band 90-160 kc/s for stations of the fixed and maritime mobile services.

(168) Aeronautical stations may use frequencies in the bands 110-112 kc/s, 115-126 kc/s and 129-130 kc/s on a permitted basis for high-speed communications to aircraft.

(171) The frequency 143 kc/s is the calling frequency for stations in the maritime mobile service using the band 90-160 kc/s. The conditions for its use are prescribed in Article 32.

(179) In northern areas which are subject to auroral disturbances the aeronautical fixed service is the primary service.

(181) Norwegian fixed stations situated in northern areas subject to auroral disturbances are allowed to continue operation on two frequencies in the band 385-395 kc/s for transmissions chiefly composed of weather messages.

(185) In the European Maritime Area, subject to the conditions specified in the Final Acts of the European Maritime Conference (Copenhagen 1948), and any subsequent revision of that agreement, the administrations

concerned may keep in the bands 415-485 kc/s and 515-525 kc/s such of the following broadcasting stations as will not cause harmful interference to the maritime mobile service: Hamar, Innsbruck, Oestersund, Oulu.

(186) Limited to radiotelegraphy.

(187) The frequency 500 kc/s is the international distress and calling frequency for radiotelegraphy. The conditions for its use are prescribed in Article 32.

(188) In operating stations of the aeronautical radionavigation service, the administrations concerned shall take all the technical steps necessary to avoid harmful interference to the maritime mobile service.

(191) The carrier power of broadcasting stations in this band shall not exceed 250 watts.

(198) In Region 2 the Loran system has priority. Other services to which the band is allocated may use any frequency in this band provided that they do not cause harmful interference to the Loran system.

In Region 3 the Loran system in any particular area operates either on 1850 or 1950 kc/s, the bands occupied being 1825-1875 kc/s and 1925-1975 kc/s respectively. Other services to which the band 1800-2000 kc/s is allocated may use any frequency therein on condition that no harmful interference is caused to the Loran system operating on 1850 or 1950 kc/s.

(200) In Region 2, limited to ship stations using radiotelegraphy.

(201) The frequency 2182 kc/s is the international distress and calling frequency for radiotelephony. The conditions for the use of this frequency are prescribed in Article 35.

(202) For the conditions of use of this band by the broadcasting service see Nos. 135, 136, and 423 to 428.

(203) Standard frequency is 2500 kc/s.

(204) The standard frequency guard-bands at 2.5 Mc/s, 5 Mc/s, 10 Mc/s, 15 Mc/s, 20 Mc/s, and 25 Mc/s may be used by the radio astronomy service. The radio astronomy service shall be protected from harmful interference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(208) In the U.S.S.R., in the bands 4063-4133 kc/s and 4408-4438 kc/s, fixed stations of limited power may operate provided that, in order to minimize the possibility of causing harmful interference to the maritime mobile service, they are situated at least 600 km from the coast. A limited power station is one whose power and antenna characteristics are so adjusted that the field strength established at any point in any direction does not exceed that obtainable with a nondirectional antenna and a peak envelope power of 1 kw.

(209) On condition that harmful interference is not caused to the maritime mobile service, the frequencies between 4063 and 4438 kc/s may be used exceptionally by fixed stations communicating only within the boundary of the country in which they are located, with a mean power not exceeding 50 watts; however, in Regions 2 and 3, between 4238 and 4368 kc/s, a mean power not exceeding 500 watts may be used by such fixed stations.

(210) The standard frequency is 5000 kc/s.

(211) On condition that harmful interference is not caused to the maritime mobile service, the frequencies between 6200 and 6525 kc/s may be used exceptionally by fixed stations, communicating only within the boundary of the country in which they are located, with a mean power not exceeding 50 watts. At the time of notification of these frequencies, the attention of the International Frequency Registration Board will be drawn to the above conditions.

(213) Between 8615 and 8815 kc/s, 12,925 and 13,200 kc/s, and between 17,160 and 17,360 kc/s, the U.S.S.R. will meet their special requirements for the fixed service with due

regard to technical provisions (power, location, antenna, etc.) with a view to minimizing the possibility of harmful interference to the maritime mobile service. Coast stations in the maritime mobile service will also have due regard to technical provisions (power, location, antenna, etc.) with a view to minimizing the possibility of harmful interference to the fixed service in the U.S.S.R. The International Frequency Registration Board will be consulted regarding this subject.

(214) The standard frequency is 10,000 kc/s.

(215) The band 10,003-10,005 kc/s is also allocated, on a secondary basis, to the space and earth-space services for research purposes.

(216) In the U.S.S.R., the band 11,400-11,450 kc/s is also allocated to the aeronautical mobile (OR) service.

(217) The frequency 13,560 kc/s is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 0.05 percent of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(218) In the U.S.S.R., the band 14,250-14,350 kc/s is also allocated to the fixed service.

(219) The standard frequency is 15,000 kc/s.

(220) The standard frequency is 20,000 kc/s.

(221) The band 19,990-20,010 kc/s is also allocated, on a secondary basis, to the space and earth-space services for research purposes.

(222) Intership radiotelegraphy may be used in the maritime mobile service between the frequencies 23,350 and 24,000 kc/s.

(223) The standard frequency is 25,000 kc/s.

(224) Limited to ship stations employing A1 or F1 emissions.

(225) The frequency 27,120 kc/s is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 0.6 percent of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(226) In Region 2, Australia and New Zealand, the amateur service may operate between the frequencies 26,960 and 27,230 kc/s.

(228) Stations designed to use ionospheric scatter may operate only subject to agreements between administrations concerned and those whose services, operating in accordance with the Table, may be affected.

(229) Systems designed to use ionospheric scatter or other fixed service systems designed to operate over distances exceeding 800 km shall confine their emissions to the following bands:

Region 1	Region 2	Region 3
32.6-33	32.6-33	32.6-33
36.2-36.6	34.6-35	34.6-35
39-39.4	35.4-36.8	36.4-36.8

and shall have priority in Region 2 in the bands shown above for such use in that Region.

(230) In the case of the bands referred to in No. 229, which are limited to a particular Region the provisions of No. 117 shall apply and administrations shall avoid beaming such transmissions towards another Region unless specifically coordinated otherwise.

(231) Ionospheric scatter stations, existing on 1 January 1960, and not causing harmful interference to the other services to which

the band is allocated, may continue to operate on frequencies now assigned until re-accommodated.

(232) Conventional (F2) long distance fixed service use of the band 29.7-30 Mc/s is not excluded in Region 2 provided that such use is coordinated between the administrations concerned.

(234) As regards the use of the frequencies 38 Mc/s and 40.68 Mc/s by the radio astronomy service, see Recommendation No. 31.

(235) The band 39.986-40.002 Mc/s is also allocated, on a secondary basis, to the space and earth-space services for research purposes.

(236) The frequency 40.68 Mc/s is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 0.05 percent of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(237) Systems designed to use ionospheric scatter which may cause harmful interference to the broadcasting service are prohibited.

(253) In Region 2, the band 73-74.6 Mc/s may be used by the radio astronomy service. Administrations assigning frequencies to stations of services to which this band is allocated should take all practicable measures to avoid harmful interference to radio astronomy observations.

(259) The frequency 75 Mc/s is assigned to aeronautical marker beacons. Administrations shall refrain from assigning frequencies close to the limits of the guard-band to stations of other services which, because of their power or geographical position, might cause harmful interference to marker beacons.

(273) The frequency 121.5 Mc/s is the aeronautical emergency frequency in this band; mobile stations of the maritime mobile service may communicate on this frequency for safety purposes with stations of the aeronautical mobile service.

(276) In Region 2 in the band 132-135 Mc/s, the aeronautical mobile (R) service shall operate on a primary basis subject to coordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

(280) For research purposes.

(281) In the band 136-137 Mc/s, the aeronautical mobile (OR) service will be the primary service for as long as it continues to operate in this band. On discontinuation of this service, the space and earth-space services will be the primary services. In Bulgaria, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., this band is allocated on a primary basis to the aeronautical mobile service.

(287) The frequency 156.8 Mc/s is the international safety and calling frequency for the maritime mobile VHF radiotelephone service. Administrations shall ensure that a guard-band of 75 kc/s on each side of the frequency 156.8 Mc/s is provided. The conditions for the use of this frequency are contained in Article 35.

In the bands, 156.025-157.425 Mc/s, 160.625-160.975 Mc/s and 161.475-162.025 Mc/s, each administration shall give priority to the maritime mobile service on only such frequencies as are assigned to stations of the maritime mobile service by that administration.

Any use of frequencies in these bands by stations of other services to which they are allocated should be avoided in areas where such use might cause harmful interference to the maritime mobile VHF radiotelephone service.

(294) The band 183.6 Mc/s ± 0.5 Mc/s is also allocated to the space and earth-space

services for research purposes subject to causing no harmful interference.

(309) The frequency 243 Mc/s is the frequency in this band for use by survival craft stations and equipment used for survival purposes.

(310) Radio astronomy observations on the Deuterium line (322-329 Mc/s) are carried out in a number of countries under national arrangements. Administrations should bear in mind the needs of the radio astronomy service in their future planning of this band.

(311) Limited to Instrument Landing Systems (glide path).

(317) The band 404-410 Mc/s in Regions 2 and 3, and the band 406-410 Mc/s in Region 1 are also allocated to the radio astronomy service. An appropriate continuous band within these limits shall be designated on a national or area basis. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference. The radio astronomy service shall be protected from harmful interference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(318) Radio altimeters may also be used, temporarily, in the band 420-460 Mc/s until they are able to operate in a band allocated to the aeronautical radionavigation service or until they are no longer required.

(340) In Region 2, the frequency 915 Mc/s is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 25 Mc/s of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(341) The bands 960-1215 Mc/s, 1535-1660 Mc/s, 4200-4400 Mc/s, 5000-5250 Mc/s and 15.4-15.7 Gc/s are reserved on a world-wide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based facilities.

(346) The use of the bands 1300-1350 Mc/s, 2700-2900 Mc/s and 9000-9200 Mc/s by the aeronautical radionavigation service is restricted to ground-based radars and, in the future, to associated airborne transponders which transmit only on frequencies in these bands and only when actuated by radars operating in the same band.

(357) The frequency 2450 Mc/s is designated for industrial, scientific and medical purposes except in Albania, Bulgaria, Hungary, Poland, Rumania, Czechoslovakia, and the U.S.S.R., where the frequency 2375 Mc/s is used. Emissions must be confined within ± 50 Mc/s of the frequencies designated. Radiocommunication services operating within these limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(365) The bands 2690-2700 Mc/s and 4990-5000 Mc/s are also allocated to the radio astronomy service. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference. The radio astronomy service shall be protected from harmful interference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(366) In the band 2700-2900 Mc/s ground-based radars used for meteorological purposes are authorized to operate on the basis of equality with stations of the aeronautical radionavigation service.

(367) The use of the band 2900-3100 Mc/s by the aeronautical radionavigation service is limited to ground-based radars.

(369) In the band 3100-3300 Mc/s, existing racons and shipborne radars in merchant ships may operate within the band 3100-3266 Mc/s.

(385) The use of the band 5350-5470 Mc/s by the aeronautical radionavigation service is limited to airborne radars and associated airborne beacons.

(387) Between 5600 and 5650 Mc/s, ground-based radars used for meteorological purposes are authorized to operate on the basis of equality with stations of the maritime radionavigation service.

(391) The frequency 5800 Mc/s is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 75 Mc/s of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific, and medical equipment.

(396) The use of the band 8750-8850 Mc/s by the aeronautical radionavigation service is limited to airborne Doppler navigation aids on a centre frequency of 8800 Mc/s.

(399) The use of the band 9300-9500 Mc/s by the aeronautical radionavigation service is limited to airborne weather radars, and ground-based radars. In this band ground-based radars used for meteorological purposes have priority over other radiolocation devices.

(404) Limited to continuous wave systems.

(405) The bands 10.68-10.7 Gc/s, 15.35-15.4 Gc/s, 19.3-19.4 Gc/s and 31.3-31.5 Gc/s are also allocated to the radio astronomy service. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference. The radio astronomy service shall be protected from interference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(406) Limited to Doppler navigation aids.

(410) The frequency 22.125 Gc/s is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 125 Mc/s of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific, and medical equipment.

(411) In the band 24.25-25.25 Gc/s, ground-based radionavigation aids are not permitted except where they operate in cooperation with airborne or shipborne radionavigation devices.

NG FOOTNOTES

NG1 Operational fixed stations may be authorized to use frequencies in this band in accordance with columns 10 and 11 of the Table of Frequency Allocations, on the condition that harmful interference will not be caused to the reception of television stations on Channels 4 or 5. In any area in the continental United States (excluding Alaska), the aviation service and marine service may each be authorized to use four of the frequencies in the bands 72-73 and 75.4-76 Mc/s listed in column 10 for operational fixed stations in these services.

NG2 Facsimile broadcasting stations may be authorized in the band 88-108 Mc/s.

NG3 Fixed stations in the domestic fixed public service and control stations in the domestic public radio services may be authorized to use any of the frequencies in the band 72-73 and 75.4-76 Mc/s indicated in column 10 on the conditions that (a) harmful interference will not be caused to the reception of television stations on channels

4 or 5 and (b) that harmful interference will not be caused to operational fixed stations.

NG4 The use of the frequencies in the band 152.84-153.35 Mc/s may be authorized, in any area, to remote pickup broadcast base and mobile stations on the condition that harmful interference will not be caused to the industrial radio services.

NG5 Licensees in the public safety radio services holding a valid authorization on June 30, 1958, to operate in the frequency band 156.27-157.47 Mc/s or on the frequencies 161.85, 161.91 or 161.97 Mc/s may, upon proper application, continue to be authorized for such operation, including expansion of existing systems, until such time as harmful interference is caused to the operation of any authorized station other than those licensed in the public safety radio service.

NG6 Stations in the public safety radio services authorized as of June 30, 1958, to use frequencies in the band 159.51-161.79 Mc/s in areas other than Puerto Rico and the Virgin Islands may continue such operation, including expansion of existing systems, on the condition that harmful interference will not be caused to stations in the services to which these bands are allocated. In Puerto Rico and the Virgin Islands this authority is limited to frequencies in the band 160.05-161.37 Mc/s. No new public radio service system will be authorized to operate on these frequencies.

NG7 Only those land stations which communicate with mobile (except television pickup) stations, are authorized to use frequencies in this band.

NG8 Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the lowest frequency in the band is assigned which will not cause harmful interference to stations in that area already assigned frequencies in accordance with the Table of Frequency Allocations.

NG9 FM inter-city relay stations may be authorized to use the band 942-952 Mc/s on the condition that harmful interference will not be caused to stations operating in accordance with the Table of Frequency Allocations.

NG10 Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the highest frequency in the band is assigned which will not cause harmful interference to stations in that area already assigned frequencies in accordance with the Table of Frequency Allocations.

NG11 Television inter-city relay stations may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to stations operating in accordance with the Table of Frequency Allocations.

NG12 Frequencies in the bands 454.40-455 Mc/s and 459.40-460 Mc/s may be assigned to domestic public land and mobile stations to provide a two-way air-ground public radiotelephone service.

NG13 In those portions of the States of Texas and New Mexico in the area bounded on the south by parallel 31°53' N., on the east by longitude 105°40' W., on the north by parallel 33°24' W., and on the west by longitude 106°40' W., the frequency band 220-225 Mc/s is not available for use by amateur stations engaged in normal amateur operation between the hours of 0500 and 1800 local time Monday through Friday, inclusive, of each week. However, the entire frequency band 220-225 Mc/s shall be available in all areas to those amateur stations authorized to operate in an organized civil defense network during all periods when civil defense emergencies exist and, in addition, special arrangements for civil defense drills between the hours and within the area set forth above may be made upon mutual agreement between the Federal Communica-

tions Commission Engineer in Charge at Dallas, Texas, and the Area Frequency Coordinator at White Sands, New Mexico, if it appears necessary to conduct such drills. Such arrangements shall specify dates and times, and will depend upon the degree of use of the frequency band at White Sands at any particular time.

NG14 Stations in the radiolocation service shall not cause harmful interference to stations in the disaster communications service between sunset and sunrise or at any time during an actual or imminent disaster. Conversely, stations in the disaster communications service shall not cause harmful interference to stations in the radiolocation service between sunrise and sunset except during an actual or imminent disaster.

NG15 (a) The amateur service may use in any area, whichever bands, 1800-1825 or 1975-2000, kc/s, are not required for Loran in that area, in accordance with the following conditions:

(1) The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran) service;

(2) The amateur service shall not cause harmful interference to the radionavigation (Loran) service;

(3) Only types A1 and A3 emissions shall be employed;

(4) Amateur operation shall be limited to:

Area	Bands (kc/s)	DC plate input power in watts	
		Day	Night
Minnesota, Iowa, Wisconsin, Michigan, Pennsylvania, Maryland, Delaware, and States to the north of these including the District of Columbia.....	1800-1825	500	200
North Dakota, South Dakota, Nebraska, Colorado, New Mexico, and States to the west of these States (except State of Washington).....	1975-2000	500	200
State of Washington.....	1975-2000	200	50
Oklahoma, Kansas, Missouri, Arkansas, Illinois, Indiana, Kentucky, Tennessee, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Texas, (West of 99° W. or North of 32° N.).....	1800-1825	200	50
State of Hawaii.....	1975-2000	500	200
Texas (East of 99° W. and South of 32° N.), Louisiana, Mississippi, Alabama, Alaska, Georgia, Florida, Puerto Rico, Virgin Islands, Guam, and other Possessions of the U.S. not listed in this table.....	None	No operation	

(b) This footnote shall be considered as temporary in the sense that it shall remain subject to cancellation or to revisions, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

NG16 For conditions which apply to the use of this band, refer to the North American Regional Broadcasting Agreement.

NG17 Stations in the Land Transportation Radio Services authorized as of May 15, 1958 to operate on the frequency 161.61 Mc/s may, upon proper application, continue to be authorized for such operation, including expansion of existing systems, on the condition that harmful interference will not be caused to the operation of any authorized station in the maritime mobile service. No new Land Transportation Radio Service

system will be authorized to operate on 161.61 Mc/s.

NG18 In the band 1605-1715 kc/s, stations in the radiolocation service shall not cause harmful interference to stations in the aeronautical radionavigation service.

NG19 Fixed stations associated with the maritime mobile service may be authorized, for purposes of communication with coast stations, to use frequencies assignable to ship stations in this band on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG20 Fixed stations in the public safety radio service may be authorized the use of frequencies in this band which are authorized to base and mobile stations of this service on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG21 In Hawaii, the frequency bands 76-88 Mc/s and 98-108 Mc/s are allocated exclusively to the fixed service for use by common carrier fixed stations for inter-island communications only. Spacing between assignable frequencies is not specified.

NG22 The frequency 2182 kc/s may be authorized to fixed stations associated with the maritime mobile service for the sole purpose of transmitting distress calls and distress traffic, and urgency and safety signals and messages.

NG23 Frequencies in the band 2110-2200 Mc/s may also be assigned to stations in the international fixed public radio service located south of 25°30' north latitude in the State of Florida and in U.S. Possessions in the Caribbean area.

NG24 On condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations, land stations authorized and used primarily as coast stations (not open to public correspondence) and associated land mobile stations may be authorized to use, on a secondary basis, the frequencies 156.35, 156.45 and 156.55 Mc/s: *Provided*, That, in each case, the frequency assignment will be common to the maritime mobile and land mobile services and that the maritime mobile service shall be protected from harmful interference from the land mobile service.

NG25 The frequency 6240 kc/s may be authorized to ship telephone stations and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG26 In Puerto Rico and the Virgin Islands only, the bands 154.04 Mc/s to 154.46 Mc/s and 161.40 Mc/s to 161.85 Mc/s are allocated exclusively to (a) aeronautical fixed service, (b) domestic fixed public service, and (c) international fixed public service. Spacings between assignments in these services are unspecified.

NG27 The frequency 6455 kc/s may be authorized to ship telephone stations and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG28 The frequency band 160.86-161.40 Mc/s is available for assignment to remote pickup base and remote pickup mobile stations in Puerto Rico and the Virgin Islands only, on a shared basis with the land transportation radio service.

NG29 The frequencies 4067, 4372.4 and 8205.5 kc/s may be authorized for use by either ship or coast radiotelephone stations operating in the Mississippi River system.

NG30 Stations in the international fixed public radiocommunication service in Florida, south of 25°30' north latitude, may be

authorized to use frequencies in the band 716-890 Mc/s on the condition that harmful interference will not be caused to the broadcasting service of any country. This is an interim allocation the termination of which will later be specified by the Commission when it is determined that equipments are generally available for use in bands allocated internationally to the fixed service.

NG31 The spacing between frequency assignments in this band shall be 10 kc/s. The first and last assignable frequencies are those indicated in column 10.

NG32 The spacing between frequency assignments in this band shall be 20 kc/s. The first and last assignable frequencies are those indicated in column 10.

NG33 The spacing between frequency assignments in this band shall be 40 kc/s. The first and last assignable frequencies are those indicated in column 10.

NG34 The spacing between frequency assignments in this band shall be 50 kc/s. The first and last assignable frequencies are those indicated in column 10.

NG35 The spacing between frequency assignments in this band shall be 100 kc/s. The first and last assignable frequencies are those indicated in column 10.

NG36 The spacing between frequency assignments in this band shall be 200 kc/s. The first and last assignable frequencies are those indicated in column 10.

NG37 The frequencies 161.8 and 161.85 Mc/s are not available for assignment to the maritime mobile service in Puerto Rico or the Virgin Islands.

NG38 The frequencies 152.3, 152.36, 152.42, 157.56, 157.62, and 157.68 Mc/s may be assigned exclusively to stations in the industrial radio service outside standard metropolitan areas of 50,000 or more population.

NG39 Citizens radio service operations may be authorized only in the 466.475-467.475 Mc/s portion of this band.

NG40 Non-Government fixed stations which were authorized on April 16, 1958, to use frequencies in the band 890-942 Mc/s may, upon the showing that interference is being caused by or to their assignments, be authorized to use frequencies in the band 942-952 Mc/s provided the bandwidth of emission does not exceed 1100 kc/s and provided that an engineering study by the Commission indicates that the proposed frequency assignment for such stations in the band 942-952 Mc/s is likely to result in the elimination of the interference occurring in the band 890-942 Mc/s, and will not cause interference to existing operations in the band 942-952 Mc/s.

NG41 Frequencies in the bands 3700-4200 Mc/s, 5925-6425 Mc/s, and 10,700-11,700 Mc/s may also be assigned to stations in the international fixed public and international control services located in U.S. Possessions in the Caribbean area.

NG42 Non-Government stations in the radiolocation service shall not cause harmful interference to the amateur service.

NG43 Fixed stations in the domestic public radio services in Alaska, south of 56° North Latitude and east of 134° West Longitude, may be authorized to use frequencies in the band 800-830 Mc/s, on the condition that harmful interference will not be caused to the broadcasting service of any country.

NG 44 Under exceptional circumstances, the frequencies 2638 and 2738 kc/s may be authorized to coast stations.

U.S. FOOTNOTES

US1 Pulsed emissions prohibited.

US2 The frequency 132.0 Mc/s may be authorized to non-Government stations only.

US3 The Government fixed, mobile and radiolocation services are permitted in the band 132.0-135.0 Mc/s on condition that harmful interference is not caused to the aeronautical mobile (R) service.

US4 The frequency 135.0 Mc/s may be authorized for Government aeronautical mobile communications, other than air traffic control communications, when requirements cannot be satisfied within the band 132-135 Mc/s, on condition that harmful interference is not caused to other services operating in accordance with the Table of Frequency Allocations.

US5 Until January 1, 1963, the frequencies 217.425 through 217.675 Mc/s and 219.325 through 219.575 Mc/s, inclusive, may be authorized for use by non-Government telemetering mobile stations aboard aircraft and telemetering land stations, for telemetering to and from aircraft in flight, when an engineering study indicates that harmful interference will not be caused to stations operating in accordance with the Table of Frequency Allocations.

US6 Radio altimeters will not be permitted to use the band 420-460 Mc/s after February 15, 1963.

US7 The power to be employed by amateur stations in this band will not exceed 50 watts DC plate power input to the final stage of the transmitter.

US8 The use of the frequencies 170.475, 171.425, 171.575, and 172.275 Mc/s east of the Mississippi River, and 170.425, 170.575, 171.475, 172.225, and 172.375 Mc/s west of the Mississippi River may be authorized to fixed, land and mobile stations operated by non-Federal forest fire-fighting agencies. In addition, land stations and mobile stations operated by non-Federal conservation agencies, for mobile relay operation only, may be authorized to use the frequency 172.275 Mc/s east of the Mississippi River and the frequency 171.475 Mc/s west of the Mississippi River. The use of any of the foregoing nine frequencies shall be on the condition that no harmful interference will be caused to Government stations.

US9 In order to provide for intercommunication for safety purposes between Government and non-Government stations in the maritime mobile service, the frequencies 157.05, 157.1 and 157.15 Mc/s are allocated exclusively in all areas, to Government stations in the fixed and mobile services, and the frequencies 173.225, 173.25, 173.275, 173.3, 173.325, 173.35 and 173.375 Mc/s are allocated exclusively in all areas, to non-Government stations in the fixed and land mobile services.

US10 The use of the frequencies 26.62 Mc/s (in Hawaii), 143.91 Mc/s (in the continental United States excluding Alaska), and 148.14 Mc/s (in all areas) may be authorized to Civil Air Patrol land stations and Civil Air Patrol mobile stations on the condition that harmful interference will not be caused to Government stations.

US11 The use of the frequencies 166.250 and 170.15 Mc/s may be authorized to non-Government remote pickup broadcast base and land mobile stations and to non-Government base, fixed and land mobile stations in the public safety radio services (the sum of the bandwidth of emission and tolerance not to exceed 60 kc/s) in the continental United States (excluding Alaska) only, except within the area bounded on the west by the Mississippi River, on the north by the parallel of latitude 37°30' N., and on the east and south by that arc of the circle with center at Springfield, Ill., and radius equal to the airline distance between Springfield, Ill., and Montgomery, Ala., subtended between the foregoing west and north boundaries, on the condition that harmful interference will not be caused to Government stations present or future in the Government band 162-174 Mc/s. The use of these frequencies by remote pickup broadcast stations will not be authorized for locations within 150 miles of New York City; and the use of these frequencies by the public safety radio services will not be authorized except for locations within 150 miles of New York City.

US12 The use of the frequency 162.0 Mc/s may be authorized to non-Government coast stations only.

US13 For the specific purpose of transmitting hydrological and meteorological data in cooperation with agencies of the Federal Government, the following frequencies may be authorized to non-Government fixed stations on the condition that harmful interference will not be caused to Government stations:

Mc/s	Mc/s	Mc/s	Mc/s
169.425	170.325	171.825	406.125
169.475	170.375	171.875	406.175
169.525	171.025	171.925	412.625
169.575	171.075	171.975	412.675
170.225	171.125	406.025	412.725
170.275	171.175	406.075	412.775

US14 This frequency band is not available to non-Government stations, except that, in Regions 1 and 3 only, the frequency 512 kc/s may be authorized for use by non-Government ship telegraph stations as a working frequency and, when 500 kc/s is being used for distress purposes, as a supplementary calling frequency.

US15 The use of the frequency 540 kc/s is subject to the conditions that no harmful interference is caused to the services operating on 500 kc/s, and in the band 510-535 kc/s.

US16 Airdrome control stations may continue to be authorized to use frequencies in the band 290-325 kc/s on the condition that harmful interference will not be caused to stations of services operating in accordance with the Table of Frequency Allocations.

US17 For the radiolocation activities of the petroleum industry only, radiolocation land stations and radiolocation mobile stations making use of SHORAN equipment may be authorized the use of the frequencies 230 Mc/s, 250 Mc/s and 310 Mc/s at locations within 150 miles of the respective shorelines of California, Alaska, and the Gulf of Mexico provided that no harmful interference is caused to services operating in accordance with the Table of Frequency Allocations and provided that SHORAN operations are coordinated locally in advance with Federal Government authorities making use of frequencies in this band in the same area.

US18 Navigation aids in U.S. and possessions between 200 and 415 kc/s are normally operated by the U.S. Government. However, authorizations may be made by the Commission for non-Government operation in this band subject to the conclusion of appropriate arrangements between the Commission and the Government agencies concerned and upon special showing of need for service which the Government is not yet prepared to render.

US19 In the band 405-415 kc/s, stations in the aeronautical mobile service shall not cause harmful interference to stations in the radionavigation service.

US20 In Alaska, Government stations in the fixed service may be authorized to use frequencies in the band 72-73 and 75.4-76 Mc/s on the condition that harmful interference will not be caused to the reception of TV channel 4.

US21 Existing Government operations and non-Government stations authorized in this band as of December 1, 1961, may continue and shall not be required to afford protection to the radio astronomy service.

US22 Existing stations holding a valid authorization to operate in this band as of December 1, 1961, may continue to so operate and shall not be required to afford protection to the radio astronomy service in this band.

US23 In Alaska, the frequency bands 76-88 Mc/s and 88-100 Mc/s are allocated to Government radio services and the non-Government fixed service.

US24 Government fixed stations in the Midway Islands use frequencies in the band

54.0-54.4 Mc/s; U.S. stations in the broadcasting service will not be authorized to use frequencies in the band 54-60 Mc/s at any island in the Pacific Ocean west of the Island of Oahu, non-Government experimental stations, other than contract developmental stations, will not be authorized to use frequencies in the band 54.0-54.4 Mc/s at any island in the Pacific Ocean west of the Island of Oahu. This note does not apply to Alaska.

US25 The use of frequencies in the band 25.85-26.1 Mc/s may be authorized in any area to non-Government remote pickup broadcast base and mobile stations on the condition that harmful interference is not caused to stations in the broadcasting service.

US26 The bands 117.975-121.425 and 123.575-126.825 Mc/s are for air traffic control communications.

US27 The frequency 121.6 Mc/s is for search and rescue communications. Aeronautical utility land and mobile stations may use this frequency on the condition that no harmful interference is caused to search and rescue communications during any period of search and rescue operations in the locale involved.

US28 The band 121.65-121.975 Mc/s is for use by aeronautical utility land and mobile stations, and for air traffic control communications.

US29 The current use of the band 121.975-123.075 Mc/s by military aircraft is temporary and may continue until they are moved to an appropriate band.

US30 The band 121.975-123.075 Mc/s is available to FAA aircraft for communications pursuant to flight inspection functions in accordance with the Federal Aviation Act of 1958.

US31 The band 121.975-123.075 Mc/s is for use by private aircraft stations. The frequencies 122.8 and 123.0 Mc/s may also be used by aeronautical advisory stations.

US32 The band 123.075-123.575 Mc/s is for (a) non-Government operations in accordance with the Commission's Rules and (b) for FAA communications incident to flight test activities pertinent to aircraft certification.

US33 The band 123.075-123.575 Mc/s is for use by flight test and flying school stations.

US34 The only non-Government service permitted in the band 220-225 Mc/s is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US35 Except as provided by footnote (US36), the only non-Government service permitted in the band 420-450 Mc/s is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US36 Each non-Government station in the fixed service, authorized to operate in the band 890-942 Mc/s and holding a valid authorization to so operate as of April 16, 1958, may continue to operate in that band for the duration of the term of its authorization in effect as of that date, and shall be protected from harmful interference from the radiolocation service during such term. Renewals of such authorizations, however, shall be contingent upon the condition that each such fixed station (1) accept any harmful interference that may be experienced from the operation of ISM equipments on 915 Mc/s (2) accept any harmful interference that may be experienced from the radiolocation service and (3) shall not cause harmful interference to the radiolocation service.

US37 The only non-Government service permitted in the band 1215-1300 Mc/s is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US38 The non-Government use of the band 1300-1350 Mc/s is limited to the aeronautical radionavigation service.

US39 Radio altimeters are permitted in the band 1600-1660 Mc/s until such time as international standardization of other aeronautical radionavigation systems or devices requires the discontinuance of radio altimeters in this band.

US40 The only non-Government service permitted in the band 2300-2450 Mc/s is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US41 The Government radiolocation service is permitted in the band 2450-2500 Mc/s on the condition that harmful interference is not caused to non-Government services.

US42 Temporarily, and until certain operations of the radiolocation service in the band 2700-2900 Mc/s can be transferred to other appropriate frequency bands, the aeronautical radionavigation and meteorological aids services may, in certain geographical areas, be subject to receiving some degree of interference from the radiolocation service.

US43 Non-Government land based radars in the aeronautical radionavigation service may be authorized in the band 2700-2900 Mc/s, subject to the conclusion of appropriate arrangements between the Commission and the Government agencies concerned, and upon special showing of need for service which the Government is not yet prepared to render.

US44 The non-Government radiolocation service may be authorized in the band 2900-3100 Mc/s on the condition that no harmful interference is caused to Government services.

US45 Each non-Government radiolocation land or radiolocation mobile station authorized to operate in the band 3100-3246 Mc/s, 3266-3300 Mc/s, or 9200-9300 Mc/s, and holding a valid authorization to so operate as of April 16, 1958, may continue to operate in that band for the duration of the term of its authorization in effect as of that date. Renewals of such authorizations, however, shall be contingent upon the condition that each such station shall not cause harmful interference to Government services.

US46 Each non-Government radionavigation station authorized to operate a shipborne radar in the band 3100-3246 Mc/s, and holding a valid authorization to so operate as of April 16, 1958, may continue to operate in that band for the duration of the term of its authorization in effect as of that date. Renewals of such authorizations, however, shall be contingent upon the condition that each such station must accept any harmful interference that might be experienced from Government services in that band.

US47 The band 4200-4400 Mc/s is reserved exclusively for radio altimeters until such time as international standardization of other aeronautical radionavigation systems or devices requires the discontinuance of radio altimeters in this band.

US48 The non-Government radiolocation service may be authorized in the band 5350-5460 Mc/s on the condition that it does not cause harmful interference to the aeronautical radionavigation service or to the Government radiolocation service.

US49 The non-Government radiolocation service may be authorized in the band 5460-5470 Mc/s on the condition that it does not cause harmful interference to the aeronautical or maritime radionavigation services or to the Government radiolocation service.

US50 The non-Government radiolocation service may be authorized in the band 5470-5600 Mc/s on the condition that it does not cause harmful interference to the maritime radionavigation service or to the Government radiolocation service.

US51 In the band 5600-5650 Mc/s, the non-Government radiolocation service shall

not cause harmful interference to the Government radiolocation service.

US52 The only non-Government service permitted in the band 5650-5925 Mc/s is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US53 In the band 8750-8850 Mc/s, Government and non-Government airborne doppler radars in the aeronautical radionavigation service may be authorized temporarily until moved to a frequency band allocated to the aeronautical radionavigation service, and meanwhile must accept any harmful interference that may be experienced from the radiolocation service.

US54 Temporarily, and until certain operations of the radiolocation service in the band 9000-9200 Mc/s can be transferred to other appropriate frequency bands, the aeronautical radionavigation service may, in certain geographical areas, be subject to receiving some degree of interference from the radiolocation service.

US55 The non-Government radiolocation service may be authorized in the band 9000-9200 Mc/s on the condition that harmful interference is not caused to the aeronautical radionavigation service or the Government radiolocation service.

US56 The non-Government radiolocation service may be authorized in the band 9300-9500 Mc/s on the condition that harmful interference is not caused to the Government radiolocation service.

US57 In the band 9750-9850 Mc/s, Government and non-Government airborne doppler radars in the aeronautical radionavigation service may be authorized temporarily until moved to a frequency band allocated to the aeronautical radionavigation service, and meanwhile must accept any harmful interference that may be experienced from the radiolocation service.

US58 In the band 10,000-10,500 Mc/s, pulsed emissions are prohibited. The amateur service and non-Government radiolocation services, which shall not cause harmful interference to the Government radiolocation service, are the only non-Government services permitted in this band. The non-Government radiolocation service is limited to survey operations using transmitters with a power not to exceed one watt into the antenna.

US59 The band 10,500-10,550 Mc/s is restricted to systems using type AO emission with a power not to exceed 40 watts into the antenna.

US60 The use of this band by non-Government services is limited to the space and earth-space services.

US61 The use of this band by non-Government services is limited to the amateur service.

US62 The use of this band by Government services is limited to the space and earth-space services.

US63 The use of this band in the space and earth-space services is primarily for communications other than telemetering and tracking.

US64 The use of this band in the space and earth-space services is primarily for telemetering and tracking.

US65 The use of the band 5460-5650 Mc/s by the maritime radionavigation service is limited to shipborne radars.

US66 The use of the band 9300-9500 Mc/s by the aeronautical radionavigation service is limited to airborne radars and associated airborne beacons.

US67 The use of the band 9300-9500 Mc/s by the meteorological aids service is limited to ground-based radars. Radiolocation installations will be coordinated with the meteorological aids service and, insofar as practicable, will be adjusted to meet the requirements of the meteorological aids service.

US68 The non-Government use of this band is limited to the radio astronomy service.

US69 In the band 31,800-33,400 Mc/s, ground-based radionavigation aids are not permitted except where they operate in cooperation with airborne or shipborne radionavigation devices.

US70 The meteorological aids service allocation in the band 400-406 Mc/s does not preclude the operation therein of associated ground transmitters.

US71 In the band 9300-9320 Mc/s, low-powered maritime radionavigation stations shall be protected from harmful interference caused by the operation of land-based equipment.

US72 In the band 24,250-25,250 Mc/s, Government radiolocation devices (ASDE) are permitted between 24,250-24,470 Mc/s on a shared basis.

US73 Where protection of space or earth-space operations is necessary at specific ground receiving stations from fixed and mobile service operations in the band 1427-1429 Mc/s, coordination will be effected with agencies concerned to accomplish such local protection.

US74 The radio astronomy service shall be protected from harmful interference from services operating in other bands only to the extent that these services are protected from each other.

US75 Except as provided by footnote US21, the non-Government use of this band is limited to the radio astronomy service.

US76 The allocation to the space and earth-space services is for research purposes only.

US77 The frequencies 156.6 and 156.7 Mc/s for use on a simplex basis and the frequency pair 157.0/161.6 Mc/s for ship and coast stations, respectively, for use on a duplex basis, may also be authorized to Government stations in the maritime mobile service for port operations only.

US78 In the band 1435-1535 Mc/s, the frequencies between 1435 and 1485 Mc/s will be assigned primarily for the flight testing of manned aircraft, or major components thereof; the frequencies between 1485 and 1535 Mc/s will be assigned primarily for the flight testing of unmanned aircraft and missiles or major components thereof. Specifically included as permissible usage for aeronautical telemetering stations in the band 1435-1535 Mc/s is telemetry associated with launching and reentry into the earth's atmosphere, as well as any incidental orbiting prior to reentry, of manned or unmanned objects undergoing flight tests.

US79 The aeronautical radionavigation service may be authorized the use of the frequencies 1638 kc/s and 1708 kc/s only.

APPENDIX II

Cross reference list of old and new NG and US footnote numbers used in the Part 2 Table of Frequency Allocations.

NG FOOTNOTES					
New	Old	New	Old	New	Old
1	3	16	24	31	44
2	4	17	53	32	45
3	5	18		33	46
4	6	19	26	34	47
5	7	20	27	35	49
6	11	21	28	36	50
7	12	22	29	37	56
8	13	23	30	38	57
9	14	24	31	39	58
10	15	25	34	40	101
11	16	26	35	41	
12	19	27	38	42	
13	20	28	40	43	43
14		29	41	44	
15	23	30	42		

US FOOTNOTES

New	Old	New	Old	New	Old
1	1	28	96	55	
2	5	29	97	56	
3	6	30	98	57	126
4	7	31	99	58	127
5	8	32	100	59	
6	11	33	101	60	
7	18	34	103	61	
8	19	35	104	62	
9	20	36	104A	63	
10	21	37	105	64	
11	22	38		65	
12	24	39		66	
13	25	40	109	67	
14	26	41	110	68	
15	27	42		69	
16	28	43		70	
17	30	44		71	
18	31	45	113B	72	
19		46	113C	73	
20		47		74	
21		48		75	
22		49		76	
23	33	50		77	224
24	34	51		78	
25		52	119		revised 107
26	94	53	120	79	NG25
27	95	54			

NOTE: NG and US footnotes effective in Part 2 prior to December 1, 1961, the numbers for which are not included under the caption "Old" in Appendix II, have been deleted or revised to the extent that they cannot be associated directly with "New" numbers.

[F.R. Doc. 61-10341; Filed, Nov. 14, 1961; 8:45 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 423—ALMONDS

Subpart—1961 Surplus Almond Price Support Program

This bulletin (hereinafter called subpart) contains regulations applicable to 1961 crop Surplus Almond Price Support Program, under which the Secretary of Agriculture makes price support available through the Commodity Credit Corporation and the Agricultural Stabilization and Conservation Service (hereinafter referred to as CCC and ASCS respectively).

GENERAL

- Sec. 423.1 Administration.
- 423.2 Availability.
- 423.3 Method of price support.
- 423.4 Support prices.
- 423.5 Loan agreement.

AUTHORITY: §§ 423.1 to 423.5 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 302, 303, 401, 63 Stat. 1053, 1054; 15 U.S.C. 714c, 7 U.S.C. 1421, 1447, 1448, 1449.

GENERAL

§ 423.1 Administration.

The program will be administered by the Oils and Peanut Division, ASCS, under the general direction and supervision of the Executive Vice President, CCC. In the field, the program will be

carried out by the California Agricultural Stabilization and Conservation State committee (hereinafter called the State Committee) and the Portland ASCS Commodity Office (hereinafter called the commodity office). The State Committee and the commodity office do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements thereto.

§ 423.2 Availability.

(a) Area. The program will be available in the State of California.

(b) Time. Loans will be made through January 31, 1962 and will mature on September 1, 1962 or such earlier date as may be specified by CCC: *Provided however*, That CCC may extend the maturity date beyond September 1, 1962.

§ 423.3 Method of price support.

The price of 1961 crop "surplus" almonds grown in the State of California will be supported by means of nonrecourse loans to almond handlers made pursuant to loan agreements which will require the handler to distribute promptly in cash the entire amount of the loan to the growers who have retained a beneficial interest in the surplus almonds.

§ 423.4 Support prices.

The support price for 1961 crop surplus almonds shall be 20 cents per pound edible kernel weight.

§ 423.5 Loan agreement.

The loan agreement set forth in this section provides the terms and conditions pursuant to which the loan will be made.

ALMOND HANDLER LOAN AGREEMENT

This agreement made and entered into by the Commodity Credit Corporation, Washington, D.C., a corporate agency of the United States (hereinafter referred to as "CCC") and _____ (hereinafter referred to as the "handler"), with its principal place of business located at _____

WITNESSETH

Whereas, CCC has authorized nonrecourse loans on eligible almonds to handlers for the benefit of growers, and

Whereas, the handler represents that he has or will have eligible almonds and desires to obtain a loan on behalf of growers who have retained the beneficial interest in the almonds.

Now therefore, in consideration of these premises, the parties hereto agree as follows:

1. *Loan.* CCC agrees to make a loan to the handler on eligible almonds, secured as set forth in paragraph 3 hereof. Such loan shall consist of amounts, advanced upon request of the handler, computed on the basis of 20 cents per pound, edible kernel weight, on a quantity not to exceed the handler's surplus obligation which the Control Board certifies has accrued under the marketing order. Requests for loan advances must be made on or before January 31, 1962.

2. *Interest rate.* Amounts advanced under the loan shall bear interest at the rate of 3½ percent per annum from respective dates of disbursement by CCC of the advances, except that where there has been a fraudulent representation in obtaining a loan advance interest shall accrue thereon at the rate of 6 percent per annum from the date of disbursement of such loan advance.

2. **Security.** Prior to any loan advance the handler, at his option shall (1) furnish as security for the loan, warehouse receipts covering a quantity of eligible almonds equal to the kernel weight upon which the loan advance is to be made or (2) furnish, as security for the repayment of the loan or its satisfaction by delivery of eligible almonds, a bond or letter of credit, in form approved by CCC, for 103.5 percent of each loan advance request. The handler may substitute for a bond or letter of credit previously furnished to CCC, warehouse receipts covering a quantity of eligible shelled almonds, in cold storage, equal to the unpaid balance of the loan computed at the rate of 20 cents per pound edible kernel weight.

A. If warehouse receipts are furnished as security for the loan such receipts must be in a form acceptable to CCC and must (1) specify whether the almonds are in shell or shelled, and (2) effect a valid pledge of almonds to CCC free and clear of all liens and be accompanied by or contain the warehouseman's waiver of his lien for storage through September 1, 1962. The handler will pay or provide for the storage of the almonds without cost to CCC for the period of the loan and will on or before May 31, 1962, tender to CCC, in substitution of the originally tendered collateral, warehouse receipts for shelled almonds in cold storage to the extent of the quantity of edible kernels which remain unredeemed.

B. If bonds are used as security for the loan, such bonds shall assure performance by the handler of his obligation under this agreement of (1) repaying the loan plus interest on or before maturity or (2) upon maturity and nonpayment of the loan, delivering to the Almond Control Board, on behalf of CCC and in satisfaction of his surplus obligation, a quantity of eligible shelled almonds, free and clear of all liens and charges, not less than that quantity which, at 20 cents per pound, would equal the unpaid principal of the loan. If a letter of credit is used, its terms shall permit CCC to draw against it for any sum CCC determines due as a result of a handler's failure to repay the loan or properly deliver almonds representing the unpaid portion of the loan.

C. As additional security for the loan, the handler agrees to assign to CCC any amounts the Handler is entitled to receive with respect to the quantity of almonds which are delivered or should have been delivered to the Board pursuant to paragraph 8 of this agreement for credit against the handler's surplus obligation to the extent of the quantity representing the unpaid portion of the loan. No other assignments will be permitted without the prior written approval of CCC and any such assignment shall be in such form as may be approved or prescribed by CCC.

4. **Payments to growers.** The handlers shall distribute promptly in cash the full amount of the loan advances to the eligible growers on the basis of their interest in the eligible almonds on which the loan is obtained.

5. **Maturity date.** The loan shall mature on September 1, 1962 unless called by CCC on an earlier date or unless the maturity date is extended by CCC. In the event of any increase in the 1961 salable percentage, the amount of the loan representing that quantity of almonds thereby released from surplus and returned to the salable percentage shall become immediately due and payable. In the event the handler exports almonds pursuant to Board requirements for surplus disposition, that portion of the loan represented by such almonds, if not previously repaid by the handler, shall become due and payable on or before 30 days after such exportation. CCC may mature the loan by calling for payment thereof upon 15 days' notice to the handler, or, in the event CCC determines that the handler has breached

any of his obligations under this agreement, promptly upon notice to the handler.

6. **Insurance.** If warehouse receipts are pledged as security for the loan, the handler shall insure, or require that the warehouseman insure, the almonds represented by the warehouse receipt for not less than the full loan value against loss by fire, lightning, windstorm, cyclone, tornado, and other hazards normally insured against by the handler. The handler shall not be responsible for repayment of the loan advances made with respect to surplus almonds pledged to CCC which are damaged or destroyed by external physical causes for which insurance coverage is not required.

7. **Repayment of loan.** On or before maturity, the handler agrees to repay the loan with accrued interest. The handler may repay all or part of the loan at any time prior to maturity by remitting all or part of the loan principal plus the related accrued interest as determined by CCC. CCC will notify the Control Board of the release from the handler's assignment of the quantity of almonds equivalent to loan repayments and will release loan collateral or will authorize a reduction of the letter of credit as the case may be to the extent of the loan repayment.

8. **Rights at maturity.** If the loan is not repaid in full on or before maturity—

(a) The handler shall, if he has not delivered warehouse receipts for shelled almonds to CCC pursuant to paragraph 3, deliver promptly upon maturity of the loan to the Control Board, for disposition pursuant to the marketing order and subject to the assignment of proceeds, a quantity of eligible shelled almonds which at 20 cents per pound, edible kernel weight basis, will equal the unpaid principal of the loan.

(b) CCC shall, if it holds warehouse receipts as loan collateral, (i) deliver warehouse receipts, representing surplus almonds under the order, to the Control Board for disposal of the almonds under the provisions of the marketing order and subject to the assignment of proceeds or (ii) sell almonds covered by such warehouse receipts, which do not represent surplus almonds under the order, at public or private sale, and upon such sale CCC may become the purchaser of the almonds.

(c) CCC shall, if a letter of credit or bond was given and the handler has not delivered sufficient almonds to the Control Board to satisfy the delivery requirements of subparagraph (a) of this paragraph 8, draw on the letter of credit or require payment under the bond for an amount equal to the unpaid principal balance plus related accrued interest.

(d) CCC shall have no obligation to pay the handler any amount, received from sale of almonds made directly by it or under the assignment of proceeds, which exceeds the loan indebtedness plus accrued interest on the quantity of eligible almonds with respect to which such proceeds are received.

(e) Notwithstanding the provisions of paragraph 7 hereof, the handler shall not be personally liable for any amount by which the loan indebtedness, at the rate of 20 cents per kernel pound net weight plus accrued interest, on the quantity of eligible almonds delivered to the Board under subparagraph (a) of this paragraph 8 or delivered to CCC exceeds the proceeds received with respect thereto by CCC under the handler's assignment or under any sale made by CCC: *Provided*, That if there has been a fraudulent representation in obtaining a loan advance the handler shall be personally liable for the amount of the loan plus accrued interest thereon at the rate of 6 percent per annum.

9. **Records and reports.** Each handler shall keep records which will accurately show the details of his receipts of almonds and the distribution of the loan advance to eligible growers. Such records shall be retained by the handler for 3 years after the end of the

crop year for which they apply. The handler's premises shall be accessible to authorized representatives of CCC for examination and audit of the aforesaid records and for inspection and observation of almonds. CCC may examine and audit the accounts and records of the handler and may require the handler to make all of his records available at the main office at any time audit is made.

10. **Definitions.** As used in this agreement and in instructions and documents in connection therewith, the words and phrases defined in this paragraph shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) **Marketing order** means the Almond Marketing Order, Order No. 9, 7 CFR Part 909.

(b) **Eligible almonds** means 1961 crop almonds, either in shell or shelled of "eligible weight" as determined in accordance with 7 CFR § 909.453(b), which have been certified by the Control Board as being within the handler's surplus obligation under the order after making allowance for creditable exports and surplus credits under 7 CFR § 909.467(c), and which represent surplus almonds in which the growers have retained the beneficial interest.

(c) **Beneficial interest** means the right in the grower to receive any net proceeds derived from disposition of almonds notwithstanding the fact legal title or power to pledge the almonds may have been passed by the grower to the handler.

(d) **Handler** means any person handling almonds, as defined in the Marketing Order during the 1961-62 crop year except that such terms shall not include a grower who sells only almonds of his own production at retail at a roadside stand operated by him.

(e) **Edible kernel** means a kernel, piece, or particle of almond kernel which is free from serious damage as defined in the effective United States Standards for Shelled Almonds.

(f) **Grower** is synonymous with "producer" and means any person engaging, in a proprietary capacity, in the production of almonds.

(g) **Control Board** is synonymous with "Board" and means the Almond Control Board established pursuant to the marketing order.

11. **Termination of agreement.** Notwithstanding any other provisions hereunder CCC may at any time by written notice to the handler revoke or limit the handler's right to obtain a loan on almonds under this agreement. Notwithstanding termination of the agreement, or revocation, or limitation of the handler's right to obtain a loan on almonds under this agreement, the provisions under this agreement shall continue in full force and effect with respect to any loan made to the handler prior to such termination, revocation, or limitation.

12. **Officials not to benefit.** No Member of or Delegate to the Congress of the United States shall be admitted to any share or part of this agreement or to any benefit to arise herefrom; but this provision shall not be construed to extend to benefits arising from this agreement if accruing to a corporation, nor shall this provision be construed to prevent any such Member or Delegate from obtaining any benefit hereunder in his capacity as a farmer.

13. **Contingent fees.** The handler warrants that he has not employed any person to solicit or secure this agreement upon any stipulation for such commission, percentage, brokerage, or contingent fees and that no such consideration or payment has been or will be made. Breach of this warranty shall give CCC the right to annul the agreement or in its discretion to charge to the account

of the handler the amount of such commission, percentage, brokerage, or contingent fees.

Signatures:

Handler -----
By -----
Title -----
Signed at ----- this ----- day of ----- 196---

COMMODITY CREDIT CORPORATION

By -----
(Contracting officer)
Signed at ----- this ----- day of ----- 196---

Effective date. Date of signature.

Signed at Washington, D.C., on November 9, 1961.

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

[F.R. Doc. 61-10881; Filed, Nov. 14, 1961; 8:50 a.m.]

Title 7—AGRICULTURE

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

PART 984—WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

Expenses of the Walnut Control Board and Rates of Assessment for 1961-62 Marketing Year

Notice was published in the FEDERAL REGISTER on October 21, 1961 (26 F.R. 9911), that there was under consideration a proposal regarding expenses of the Walnut Control Board and rates of assessment for walnuts during the 1961-62 marketing year which began August 1, 1961. The proposal was based on the recommendation of the Walnut Control Board and other available information in accordance with applicable provisions of Marketing Agreement No. 105, as amended, and Order No. 84, as amended (7 CFR Part 984), regulating the handling of walnuts grown in California, Oregon, and Washington. Said amended marketing agreement and order are effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments pertaining thereto with the Department for consideration prior to approval of the expenses and rates of assessment. The prescribed time has expired and no such communication has been received.

After consideration of all relevant matters presented, including those in the notice, it is hereby found that expenses of the Walnut Control Board in the amount of \$100,300 are reasonable and likely to be incurred by the Board during the 1961-62 marketing year. Rates of assessment of 0.10 cent per pound of merchantable unshelled walnuts, and 0.20 cent per pound of mer-

chantable shelled walnuts should assure the availability of sufficient funds to meet the estimated total expenses of the Board for said marketing year.

Therefore, the expenses of the Walnut Control Board and rates of assessment for the marketing year beginning August 1, 1961, are authorized and established as follows:

§ 984.313 Expenses of the Walnut Control Board and rates of assessment for the 1961-62 marketing year.

(a) *Expenses.* The expenses of the Walnut Control Board for the marketing year beginning August 1, 1961, are authorized in the total amount of \$100,300, such amount being reasonable and likely to be incurred for maintenance and functioning of the Board, and for such purposes as the Secretary may, pursuant to the provisions of the amended marketing agreement and this part, determine to be appropriate.

(b) *Rates of assessment.* In accordance with § 984.66 the rates of assessment for said marketing year are fixed at 0.10 cent per pound of merchantable unshelled walnuts handled or certified for handling, and 0.20 cent per pound of merchantable shelled walnuts handled or declared for handling, and each handler shall pay to the Walnut Control Board on demand, assessments on all assessable walnuts at such rates.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that: (1) The relevant provisions of said amended marketing agreement and this part require that rates of assessment fixed for a particular marketing year shall be applicable to all assessable walnuts from the beginning of such year; and (2) the current marketing year began on August 1, 1961, and the rates of assessment herein fixed will automatically apply to all assessable walnuts beginning with such date.

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

Dated: November 9, 1961.

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

[F.R. Doc. 61-10879; Filed, Nov. 14, 1961; 8:50 a.m.]

PART 997—FILBERTS GROWN IN OREGON AND WASHINGTON

Expenses of Filbert Control Board and Assessment Rate for 1961-62 Fiscal Year

Notice was published in the FEDERAL REGISTER on October 21, 1961 (26 F.R. 9911), that there was under consideration a proposal regarding expenses of the Filbert Control Board and an assessment rate for the 1961-62 fiscal year which began August 1, 1961. The proposal was based on the recommendation of the Filbert Control Board and other available information, in accordance with the applicable provisions of Market-

ing Agreement No. 115, as amended, and Order No. 97, as amended (7 CFR Part 997), regulating the handling of filberts grown in Oregon and Washington. Said amended marketing agreement and order are effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments pertaining thereto with the Department for consideration prior to approval of the expenses and the assessment rate. The prescribed time has expired and no such communication has been received.

After consideration of all relevant matters presented, including those in the notice, it is hereby found that expenses of the Filbert Control Board in the amount of \$24,465 are reasonable and likely to be incurred by the Board during the 1961-62 fiscal year. An assessment rate of 0.16 cent per pound of filberts is necessary to provide funds to meet authorized Board expenses and such rate shall represent each handler's pro rata share of such expenses.

Therefore, the expenses of the Filbert Control Board and the assessment rate for the fiscal year beginning August 1, 1961, are as follows:

§ 997.306 Expenses of the Filbert Control Board and assessment rate for the 1961-62 fiscal year.

(a) *Expenses.* The expenses of the Filbert Control Board for the fiscal year beginning August 1, 1961, are authorized in the total amount of \$24,465, such amount being reasonable and likely to be incurred for the maintenance and functioning of the Board, and for such purposes as the Secretary may, pursuant to the provisions of the amended marketing agreement and this part, determine to be appropriate.

(b) *Assessment rate.* In accordance with § 997.61, the assessment rate for said fiscal year is fixed at 0.16 cent per pound of assessable filberts, and each handler shall pay to the Board on demand, assessments on all assessable filberts at such rate.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that: (1) The relevant provisions of said amended marketing agreement and this part require that an assessment rate fixed for a particular fiscal year shall be applicable to all assessable filberts from the beginning of such year; and (2) the current fiscal year began on August 1, 1961, and the assessment rate herein fixed will automatically apply to all assessable filberts beginning with such date.

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

Dated: November 9, 1961.

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

[F.R. Doc. 61-10878; Filed, Nov. 14, 1961; 8:50 a.m.]

PART 1073—DATES

Regulation Governing Importation

Notice was published in the FEDERAL REGISTER (26 F.R. 8397, 8455) that, pursuant to requirements of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and as amended by the Agricultural Act of 1961 (Pub. Law 87-128), approved August 8, 1961, hereinafter referred to as the "act", that the Department had under consideration the proposed grade, size, quality, maturity, and other requirements that will govern the importation into the United States of dates other than dates for processing and dates prepared and preserved. The notice afforded interested persons opportunity to submit written data, views, or arguments pertaining to the proposal.

Marketing Order No. 103, as amended (7 CFR Part 1003), effective pursuant to the act, contains terms and conditions regulating the grade, size, quality, and maturity of Deglet Noor, Zahidi, and Khadrawy dates produced or packed in a designated area of California and sold or otherwise handled as dates, whether whole or pitted.

After consideration of all relevant matters presented, including data, views, and arguments submitted pursuant to the notice and other available information: *It is ordered*, That the importation of dates into the United States shall be subject to, and in accordance with, the requirements of this part.

The provisions of this part are as follows:

§ 1073.1 Regulation governing the importation of dates.

(a) **Definitions.** (1) "Dates in retail package" means whole or pitted dates other than dates prepared or preserved, wrapped or packaged for sale at retail.

(2) "Dates for packaging" means whole or pitted dates in bulk containers which are to be repacked, in whole or part, in the United States as dates in retail packages.

(3) "Bulk container" means any container of dates which, together with the dates therein, weighs more than 10 pounds.

(4) "Dates for processing" means any dates intended for use in a bakery, confectionery, or other product and includes dates coated with a substance materially altering their color.

(5) "Dates prepared or preserved" means dates processed into a confection or other product, dates coated with a substance materially altering their color, or dates prepared for incorporation into a product by chopping, slicing, or other processing which materially alters their form.

(6) "Person" means any individual, partnership, corporation, association, or other business unit.

(7) "Registered Repacker" means any person who is designated as such by the United States Department of Agriculture, in accordance with paragraph (h) of this section, to receive the dates for packaging.

(8) "Fruit and Vegetable Division" means the Fruit and Vegetable Division of the Agricultural Marketing Service,

United States Department of Agriculture.

(9) "USDA inspector" means an inspector of the Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division.

(10) "Importation" means release from custody of United States Bureau of Customs.

(b) **Grade requirements.** (1) Except as provided in paragraphs (d) and (e) (2) of this section, dates for packaging and dates in retail packages, other than dates prepared and preserved, shall not be imported into the United States unless they meet the following grade requirements which requirements are determined to be comparable to those imposed upon domestic dates handled pursuant to Order Number 103, as amended (7 CFR Part 1003): The whole or pitted dates shall be of one variety, possess a fairly good color, be fairly uniform in size, be fairly free from defects, possess a fairly good character and score not less than 70 points when scored in accordance with the scoring system applicable to U.S. Grade C dates, *Provided*, That, in determining such grade the dates shall not be scored as damaged because of the longitudinal slit caused in removing the pit or the mashing resulting therefrom unless the flesh is seriously torn or mangled, and the dates shall be wholesome and unadulterated.

(2) Compliance with the grade requirements shall be determined on the basis of an inspection and certification by a USDA inspector.

(c) **Inspection and Certification requirements—**(1) *Inspection.* All inspections of dates shall be made by USDA inspectors in accordance with the regulations governing the inspection of processed fruits and vegetables, processed products thereof, and certain other processed food products (7 CFR Part 52). Applications for inspection at the port of entry shall be made at least 10 days in advance and be accompanied either by an onboard bill of lading with the lots to be inspected designated thereon or by a list of such lots and their identifying marks. Applications for inspection at a Registered Repacker's premises shall be made at least 3 days in advance if on a lot basis or 30 days in advance if on an in-plant inspection basis. The cost of each such inspection and related certification shall be borne by the applicant therefor.

(2) *Certification.* Each inspection certificate issued by a USDA inspector shall set forth, among other things, the following:

- (i) The date and place of inspection.
- (ii) The name of the applicant.
- (iii) If applicant is a Registered Repacker, the name of the importer.

(iv) The variety and quantity and the identifying marks of the lot inspected.

(v) The statement, if applicable: "Meets U.S. import requirements under Section 8e of the A.M.A. Act of 1937".

(d) **Minimum quantity.** Notwithstanding any other provision of this part, any lot of dates for importation which, in the aggregate, does not exceed 70 pounds is exempt from the provisions of this part.

(e) **Entry.** No person shall import any dates into the United States unless

he first files with the Collector of Customs at the port at which the customs entry is filed, as a condition of each such entry, either an inspection certificate issued by a USDA inspector which includes the statement in paragraph (c) (2) (v) of this section or an executed "Dates—Section 8e Entry Declaration" substantially as follows:

Dates—Section 8e Entry Declaration

I hereby certify to the U.S. Department of Agriculture and the Bureau of Customs that the dates covered by this certification are not accompanied by inspection certificates issued by USDA inspectors but are being entered as indicated:

1. Date of entry: _____
2. Place of entry: _____
3. Quantity of dates in each lot: _____
 - (a) Entered as dates for packaging _____ lbs.
 - (b) Entered as dates for processing _____ lbs.
 - (c) Entered as dates prepared or preserved _____ lbs.

I agree to obtain from each person to whom any of the dates covered by 3(a) or 3(b) are delivered, an executed "Dates for Packaging or Processing—Section 8e Certification of Repacker, Processor, or Reseller" and to file the same with the Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than the fifth day of the month following the month in which the dates were delivered.

Dated: _____
 Name of firm _____
 Address _____
 Signature _____
 Title _____

(1) **Dates in retail packages.** No person shall import any lot of dates in retail packages unless such dates are covered by an inspection certificate, issued by a USDA inspector, containing the statement in paragraph (c) (2) (v) of this section.

(2) **Dates for packaging.** (i) No person shall import any lot of dates for packaging unless such dates are covered by either (a) an inspection certificate, issued by a USDA inspector, containing the statement in paragraph (c) (2) (v) of this section or, if such dates are to be imported and delivered by the importer to a Registered Repacker, (b) an executed "Dates—Section 8e Entry Declaration". Whenever dates are so imported and delivered to a Registered Repacker, the importer shall obtain from him, upon delivery of such dates, an executed "Dates for Packaging or Processing—Section 8e Certification of Repacker, Processor, or Reseller" substantially as follows:

Dates for Packaging or Processing—Section 8e Certification of Repacker, Processor, or Reseller

I hereby certify to the U.S. Department of Agriculture that I have accepted delivery of the dates covered by this certification; that I will use or sell them only in accordance with the Regulation Governing Importation of Dates (7 CFR Part 1073); and that I am: (check applicable) _____ Registered Repacker, _____ processor (user of dates for processing), or _____ reseller (dealer in dates for processing).

1. Date of purchase _____
2. Place of purchase _____
3. Name and address of importer or seller _____

4. Quantity of dates in each import lot:
 (a) As dates for packaging ----- lbs.
 (b) As dates for processing ----- lbs.
 Dated: -----
 Name of firm -----
 Address -----
 Signature -----
 Title -----

The importer shall file such certification with the Fruit and Vegetable Division.

(ii) The inspection and certification required under paragraph (b) of this section shall be obtained by such Registered Repacker.

(iii) Dates for packaging which fail to meet the grade requirements specified in paragraph (b) of this section shall not be disposed of as dates in retail packages or as dates for packaging.

(3) *Dates for processing.* Any lot of dates for processing may be imported into the United States exempt from the grade, inspection, and certification requirements of this part upon the importer filing at the time of entry an executed "Dates—Section 8e Entry Declaration". No importer or other person may import, sell, or use any dates for processing other than for use as set forth in paragraph (a)(4) of this section. Each importer of dates for processing shall obtain from each purchaser, no later than the time of delivery to such purchaser of dates for processing, and file with the Fruit and Vegetable Division, an executed "Dates for Packaging or Processing—Section 8e Certification of Repacker, Processor, or Reseller" as provided in this part.

(4) *Dates prepared or preserved.* Dates prepared or preserved may be imported into the United States exempt from grading, inspection, and certification requirements of this part upon the filing by the importer at time of entry an executed "Dates—Section 8e Entry Declaration".

(f) *Filing and retention of certificates.* The certification "Dates for Packaging or Processing—Section 8e Certification of Repacker, Processor, or Reseller" required to be filed pursuant to paragraph (e) (2) or (3) of this section shall be executed in not less than 3 copies, of which one shall be filed with the Fruit and Vegetable Division not later than the fifth day of the month immediately following the month of delivery of the dates covered thereby, one shall be retained by the importer for not less than two years after the date of delivery, and one similarly shall be retained by the person accepting delivery.

(g) *Other restrictions.* The provisions of this part do not supersede any restrictions or prohibitions on the importation of dates under the Plant Quarantine Act of 1912 or any other applicable laws or regulations, or the need to comply with applicable food and sanitary regulations of city, county, State, or Federal agencies.

(h) *Registered repacker.* Any person with facilities for receiving dates for packaging and wrapping or packaging them as dates in retail packages, who desires to be designated by the United States Department of Agriculture as a Registered Repacker, and who certifies in writing that he will comply with the provisions of this part, including having such dates inspected and certified by a

USDA inspector as to whether such dates meet the grade requirements specified in paragraph (b) may file an application therefore, with the Fruit and Vegetable Division, substantially as follows:

Application to be Designated as Registered Repacker

In accordance with § 1073.1(h) of the Regulation Governing Importation of Dates (7 CFR Part 1073; 26 F.R. 10689), issued pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), I hereby apply to be designated by the U.S. Department of Agriculture as a Registered Repacker. I hereby certify that I have facilities for receiving imported dates for packaging and for wrapping or packaging such dates in retail packages, that I will comply with said regulation, that I will have such dates for packaging inspected and certified by USDA inspectors as to whether such dates meet the requirements specified in paragraph (b) of the regulation, and that I will not dispose of any such dates in retail packages unless the inspection certificates covering such dates contain the statement in (c) (2) (v) of the regulation.

Dated: -----
 Name of repacker -----
 Address -----
 Signature -----

The designation of any such person as a Registered Repacker shall continue so long as the person complies with the terms and conditions of his application.

(i) *Compliance.* Any person who violates any provision of this regulation shall be subject to a forfeiture in the amount prescribed in section 8a(5) of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), or, upon conviction, a penalty in the amount prescribed in section 8c(14) of said act, or to both such forfeiture and penalty. False representations in any matter within the jurisdiction of any agency of the United States, knowing it to be false, is a violation of 18 U.S.C. 1001 which provides for a fine or imprisonment or both.

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

Dated November 8, 1961, to become effective January 3, 1962.

FLOYD F. HEDLUND,
 Director, Fruit and Vegetable
 Division, Agricultural Market-
 ing Service.

[F.R. Doc. 61-10877; Filed, Nov. 14, 1961;
 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission [Docket 8389 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Larry Levine, Inc. and Lawrence Levine

Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements: § 13.1212-90 Wool Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composi-*

tion: § 13.1845-80 Wool Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements: § 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Larry Levine, Inc., et al., New York, N.Y., Docket 8389, Sept. 6, 1961]

In the Matter of Larry Levine, Inc., a Corporation, and Lawrence Levine, Individually and as an Officer of Said Corporation

Consent order requiring a manufacturer in New York City to cease violating the Wool Products Labeling Act by failing to label ladies' and junior misses' wool coats as required; by setting forth required information on labels in abbreviated form; and by failing to set forth separately on labels the character and amount of constituent fibers contained in interlinings.

The order to cease and desist is as follows:

It is ordered, That respondent Larry Levine, Inc., a corporation, and its officers, and Lawrence Levine, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the manufacture for introduction or the introduction, into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, and in the Wool Products Labeling Act of 1939, of coats or other "wool products", as such products are defined in and subject to the Wool Products Labeling Act, do forthwith cease and desist from misbranding such products by:

1. Failing to affix labels to wool products showing each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

2. Setting forth information required under section 4(a)(2) of the Wool Products Labeling Act of 1939 in abbreviated form.

3. Failing to separately set forth on the required stamp, tag, label, or other means of identification, the character and amount of the constituent fibers contained in the interlinings of said wool products.

By "Amended Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That respondents Larry Levine, Inc., a corporation, and Lawrence Levine individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: September 19, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
 Secretary.

[F.R. Doc. 61-10844; Filed, Nov. 14, 1961;
 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

[7 CFR Part 813]

1962 SUGAR QUOTA FOR THE DOMESTIC BEET SUGAR AREA

Notice of Hearing on Proposed Allotment

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922, as amended) and in accordance with the applicable rules of practice and procedure (7 CFR 801.1 et seq.) and on the basis of information available to me, I do hereby find that the allotment of the quantities of sugar that may be established as the sugar quota for the Domestic Beet Sugar Area for the period January 1, 1962, through June 30, 1962, or for the calendar year 1962 or a part thereof, is necessary to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market sugar, and hereby give notice that a public hearing will convene at 10:00 a.m., e.s.t., November 28, 1961, in Room 239-E Administration Building, U.S. Department of Agriculture, Washington, D.C. After the submission of appropriate testimony and evidence, as prescribed hereafter in this notice, such hearing will be adjourned and reconvened at 10:00 a.m., e.s.t., February 8, 1962, at the same location.

The finding relating to the need for allotments is in the nature of a preliminary finding based on the best information now available. Under the proposed determination of sugar requirements for the continental United States for 1962 and proposed quotas for the six-month period ending June 30, 1962 (26 F.R. 9051), a quantity of 1,032,931 short tons, raw value, of sugar has been proposed as the quota for the Domestic Beet Sugar Area for the six-month period ending June 30, 1962. However, the quota that will be established for the Domestic Beet Sugar Area for the calendar year 1962 or a part thereof is still unknown. The ability of the beet sugar processors to market sugar exceeds the quantities of such sugar which may be marketed within probable quotas for the Domestic Beet Sugar Area for the period January 1, 1962, through June 30, 1962, and that may be established for the calendar year or a part thereof. Under such circumstances provision should be made for the allotment of such quotas to avoid disorderly marketing and to provide all beet sugar processors an equitable opportunity to market sugar.

At the hearing it will be appropriate to present evidence on the basis of which the Secretary may affirm, modify, or revoke such preliminary findings and, in accordance therewith, make or with-

hold allotment of the quota for the period January 1, 1962, through June 30, 1962, or of the quota for the calendar year 1962 or a part thereof.

The purpose of the hearing convening on November 28, 1961, will be to receive evidence that will enable the Secretary to establish fair, efficient and equitable allotments of a portion of the Domestic Beet Sugar Area quota for the six-month period ending June 30, 1962, which will enable persons who process sugar and liquid sugar from sugar beets to market such sugar and liquid sugar in an orderly manner during the period January 1, 1962, to the date the Secretary prescribes a method for allotting the entire quota for the six-month period ending June 30, 1962, on the basis of the record of the hearing after it is reconvened.

To avoid disorderly marketing by any allottee who might market early in 1962 a quantity of sugar larger than its allotment of the entire quota, it is necessary to make allotments effective on January 1, 1962. Part of the evidence necessary to provide an adequate basis for establishing allotments of the quota for the six-month period ending June 30, 1962, or for the calendar year 1962 or a part thereof, cannot be adduced on November 28, the date on which the hearing is called. Therefore, the testimony on November 28 will be limited to data, views and arguments regarding the identity of the allottees and consideration of the factors cited in section 205(a) of the Act pertinent to establishing allotments of a portion of the quota to be in effect from January 1, 1962, until an order establishing the method for allotting the entire quota for the six-month period ending June 30, 1962, is made effective. Testimony on November 28 also may be received in regard to the manner in which allotments should apply to sugar or liquid sugar processed under contracts providing for molasses or sugar beets to be sold to and processed for the account of one allottee by another.

The hearing to be reconvened on February 8, 1962, will be for the purpose of receiving evidence that will enable the Secretary to establish fair, efficient and equitable allotments of the entire quota for the six-month period ending June 30, 1962, or for the calendar year 1962, or a part thereof. In addition, the subjects and issues of the reconvened hearing include (1) the manner in which consideration should be given to the statutory factors as provided in section 205(a) of the Act, and (2) the manner in which allotments should apply to sugar or liquid sugar processed under contracts providing for sugar beets or molasses to be sold to and processed for the account of one allottee by another.

Notice is also given hereby that it will be appropriate at the reconvened hearing to present evidence on the basis of which the Secretary may revise or amend

the allotment of the quota for the Domestic Beet Sugar Area for the period January 1, 1962, through June 30, 1962, or for the calendar year 1962 or a part thereof for the purposes of (1) allotting any increase or decrease in the quota resulting from a change in United States sugar requirements or from the proration of a deficit of any area quota; (2) prorating any deficit in the allotment for any allottee; and (3) substituting revised estimates or final actual data for estimates of such data wherever estimates are used in the formulation of an allotment of the quota.

Issued this 8th day of November 1961.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 61-10856; Filed, Nov. 14, 1961;
8:47 a.m.]

[7 CFR Part 1138]

[Docket No. AO-335]

MILK IN RIO GRANDE VALLEY MARKETING AREA

Notice of Hearing on Proposed Mar- keting Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Federal Building, Room 608, 517 Gold, SW., Albuquerque, New Mexico, beginning at 10:00 a.m., local time, on December 11, 1961, with respect to a proposed marketing agreement and order, regulating the handling of milk in the Rio Grande Valley marketing area.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the proposed marketing agreement and order, hereinafter set forth, and any appropriate modifications thereof; and for the purpose of determining (1) whether the handling of milk in the area proposed for regulation is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects interstate or foreign commerce, (2) whether there is need for a marketing agreement or order regulating the handling of milk in the area, and (3) whether provisions specified in the proposals or some other provisions appropriate to the terms of the Agricultural Marketing Agreement Act of 1937, as amended, will tend to effectuate the declared policy of the Act.

The proposals, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Dairy Farmers' Association:

Proposal No. 1.

DEFINITIONS

§ 1138.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 1138.2 Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the United States authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§ 1138.3 Department.

"Department" means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in this order.

§ 1138.4 Person.

"Person" means any individual, partnership, corporation, association, or other business unit.

§ 1138.5 Cooperative association.

"Cooperative association" means any cooperative marketing association which the Secretary determines, after application by the association:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or marketing milk or its products for its members.

§ 1138.6 Rio Grande marketing area.

"Rio Grande Marketing Area," hereinafter called the "marketing area," means all the territory within the boundaries of the counties of Bernalillo, Chavez, Colfax, Curry, De Baca, Dona Ana, Eddy, Grant, Guadalupe, Harding, Lea, Lincoln, Los Alamos, Luna, McKinley, Mora, Otero, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Sierra, Socorro, Taos, Torrance, Valencia, all in the State of New Mexico; El Paso in the State of Texas; and Archuleta, La Plata, Montezuma, and San Juan in the State of Colorado.

§ 1138.7 Producer.

"Producer" means any person other than a producer-handler who produces milk in compliance with fluid milk product requirements of a duly constituted health authority having jurisdiction within the marketing area and whose milk is:

(a) Received at a pool plant in an amount representing 16 or more days' production during the month; or

(b) Diverted to a nonpool plant for the account of a handler in an amount not to exceed 15 days' production. Milk so diverted shall be deemed to have been received by the diverting handler at the plant to which it was diverted.

§ 1138.8 Producer-handler.

"Producer-handler" means any person who processes and packages milk from

his own farm production, who distributes any portion of such milk on routes within the marketing area, and who receives no milk from other dairy farmers or from any source other than a pool plant: *Provided*, That any person who desires to qualify as a producer-handler shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence that the care and management of all the dairy animals and other resources necessary to produce the entire amount of fluid milk products handled (excluding receipts from pool plants) is the personal enterprise of and at the personal risk of such person; and the operation of the processing and distribution business is the personal enterprise of and at the personal risk of the same person.

§ 1138.9 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of a pool plant or of a nonpool plant from which Class I milk is disposed of on a route(s) in the marketing area;

(b) A cooperative association with respect to the milk of any producer which such cooperative association causes to be diverted from a pool plant to a nonpool plant for the account of such cooperative association; or

(c) A cooperative association with respect to the milk of its member producers received from the farm for delivery to the pool plant of another handler in a tank truck owned and operated by, or under contract to, such cooperative association, if the cooperative association notifies the market administrator and the handler to whom the milk is delivered in writing prior to the first day of the month in which the milk is delivered, that it elects to be the handler for such milk.

§ 1138.10 Pool plant.

"Pool plant" means any plant meeting the conditions of paragraph (a) or (b) of this section except the plant of a handler exempted in § 1138.60 or § 1138.61.

(a) Any plant hereinafter referred to as a "distributing pool plant" in which fluid milk products are pasteurized or packaged and from which 15 percent or more of the total Class I sales are made on routes in the marketing area: *Provided*, That the total quantity of Class I milk disposed from such plant during the month is not less than 50 percent of such plant's receipts of Grade A milk, which receipts shall include all milk diverted from such pool plant to a nonpool plant by the handler operating such pool plant;

(b) Any plant hereinafter referred to as a "supply pool plant" from which during the month not less than 50 percent of its dairy farm supply of Grade A milk is moved to a distributing pool plant: *Provided*, That any supply plant which has qualified as a pool plant for each of the months of September through February in any year shall be a pool plant for each of the months of March through August unless written request for nonpool status is furnished in advance to the market administrator.

§ 1138.11 Nonpool plant.

"Nonpool plant" means any milk receiving, manufacturing, or processing plant other than a pool plant.

§ 1138.12 Producer milk.

"Producer milk" means all skim milk and butterfat in milk produced by a producer and received at a pool plant directly from producers or diverted pursuant to § 1138.7.

§ 1138.13 Other source milk.

"Other source milk" means all skim milk and butterfat contained in:

(a) Receipts during the month of fluid milk products except: (1) Receipts from other pool plants or (2) producer milk; and

(b) Products, other than fluid milk products, from any source (including those produced at the plant) which are reprocessed or converted to another product in the plant during the month.

§ 1138.14 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream (sweet or sour, including any mixture of cream and milk or skim milk); and concentrated (fresh or frozen) milk, flavored milk or flavored milk drinks which are neither sterilized nor in hermetically sealed cans.

§ 1138.15 Route.

"Route" means any delivery to retail or wholesale outlets (including delivery by a vendor or a sale from a plant or plant store) of any fluid milk product, other than a delivery to a pool plant or nonpool plant.

§ 1138.16 Butter price.

"Butter price" means the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the mid-point of any price range as one price) per pound of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department during the month.

§ 1138.17 Nonfat dry milk price.

"Nonfat dry milk price" means the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound of nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published by the Department for the period from the 26th day of the immediately preceding month through the 25th day of the current month.

MARKET ADMINISTRATOR

§ 1138.20 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at, the discretion of the Secretary.

§ 1138.21 Powers.

The market administrator shall have the following powers with respect to this part:

- (a) To administer its terms and provisions;
- (b) To receive, investigate, and report to the Secretary complaints of violations;
- (c) To make rules and regulations to effectuate its terms and provisions; and
- (d) To recommend amendments to the Secretary.

§ 1138.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including but not limited to the following:

(a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this part;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds received by § 1138.88 the cost of his bond and those of his employees, his own compensation, and all other expenses (except those incurred under § 1138.87) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(g) Verify all reports and payments of each handler, by audit of such handler's records and the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends; and by such other means as are necessary;

(h) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not made (1) reports pursuant to §§ 1138.30 to 1138.32 or (2) payments pursuant to §§ 1138.80 to 1138.88;

(i) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate, and mail to each handler at his last known address, the prices determined for each month as follows:

(1) On or before the 5th day of each month, the Class I price and butterfat differential for the month computed pursuant to §§ 1138.51(a) and 1138.53(a), respectively;

(2) On or before the 5th day of each month, the Class II price and butterfat differential for the preceding month, computed pursuant to §§ 1138.51(b) and 1138.53(b), respectively;

(3) On or before the 12th day of each month, the uniform prices for producer milk computed pursuant to § 1138.71, the location differential computed pursuant to § 1138.81, and the butterfat differential computed pursuant to § 1138.82, all for the preceding month;

(j) On or before the 12th day after the end of each month, report to each cooperative association which so requests the amount and class utilization of producer milk delivered by members of such cooperative association to each handler receiving such milk. For the purpose of this report the milk so received shall be prorated to each class in accordance with the total utilization of producer milk by such handler; and

(k) Prepare and make available for the benefit of producers, consumers, and handlers, such general statistics and such information concerning the operations hereof as are appropriate to the purpose and functioning of this part and which do not reveal confidential information.

REPORTS, RECORDS AND FACILITIES

§ 1138.30 Reports of receipts and utilization.

On or before the 7th day after the end of each month each handler, except a producer-handler or handler making payments pursuant to § 1138.62(a) shall report to the market administrator in the detail and on forms prescribed by the market administrator as follows:

(a) The receipts at each plant of milk from each producer, the average butterfat test, and the pounds of butterfat contained therein;

(b) The quantities of skim milk and butterfat contained in (or used in the production of) fluid milk products received from other handlers;

(c) The quantities of skim milk and butterfat contained in receipts of other source milk;

(d) The pounds of skim milk and butterfat contained in all fluid milk products on hand at the beginning and at the end of the month;

(e) The utilization of all skim milk and butterfat required to be reported pursuant to this section; and

(f) Such other information with respect to receipts and utilization as the market administrator may prescribe.

§ 1138.31 Payroll reports.

On or before the 20th day of each month, each handler except a producer-handler or a handler making payments pursuant to § 1138.62(a) shall submit to the market administrator his payroll for receipts during the preceding month which shall show:

(a) The total pounds of milk, the average butterfat test thereof, and the pounds of butterfat received from each producer and cooperative association.

(b) The amount of payment to each producer and cooperative association; and

(c) The nature and amount of any deduction or charges involved in such payments.

§ 1138.32 Other reports.

Each producer-handler and each handler making payments pursuant to § 1138.62(a) shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

§ 1138.33 Records and facilities.

Each handler shall maintain and make available to the market administrator during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(a) The receipt and utilization of all skim milk and butterfat handled in any form;

(b) The weights and tests for butterfat and other content of all products handled;

(c) The pounds of skim milk and butterfat contained in or represented by all items of products on hand at the beginning and end of each month; and

(d) Payments to producers, including any deductions, and the disbursement of money so deducted.

§ 1138.34 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided*, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(a) of the Act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 1138.40 Skim milk and butterfat to be classified.

All skim milk and butterfat at pool plants which is required to be reported pursuant to § 1138.30 shall be classified by the market administrator, pursuant to the provisions of §§ 1138.41 to 1138.46.

§ 1138.41 Classes of utilization.

Subject to the conditions set forth in §§ 1138.42 to 1138.46, the classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat (1) disposed of in the form of fluid milk products except those classified pursuant to paragraph (b) (2) and (3) of this section, or (2) not specifically accounted for as Class II utilization;

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other than a fluid milk product;

(2) In inventory of fluid milk products on hand at the end of the month;

(3) In shrinkage allocated to receipts of producer milk but not in excess of 2 percent of receipts of skim milk and butterfat directly from producers, plus 1.5 percent of receipts of skim milk and butterfat, respectively, transferred in bulk from pool plants to other handlers, less 1.5 percent of skim milk and butterfat, respectively, disposed of in bulk lots to the pool plants of other handlers; and

(4) In shrinkage allocated to receipts of other source milk.

§ 1138.42 Shrinkage.

The market administrator shall allocate shrinkage over a handler's receipts as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively; and

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat (1) in the quantity of milk from producers and in bulk tanks from pool plants of other handlers, and (2) in other source milk.

§ 1138.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 1138.44 Transfers.

Skim milk or butterfat disposed of from a pool plant shall be classified:

(a) As Class I milk if transferred or diverted in the form of a fluid milk product to the pool plant of another handler unless utilization in Class II is mutually indicated in writing to the market administrator by the operators of both plants on or before the 7th day after the end of the delivery period within which such transfer occurred: *Provided*, That the skim milk or butterfat so assigned to Class II shall be limited to the amount thereof remaining in Class II in the plant of the transferee-handler after the subtraction of other source milk pursuant to § 1138.46, and any additional amount of such skim milk or butterfat shall be assigned to Class I: *And provided further*, That if either or both plants have received other source milk, the skim milk or butterfat so transferred shall be classified at both plants so as to allocate the greatest possible Class I utilization to producer milk;

(b) As Class I milk if transferred in the form of a fluid milk product to a producer-handler;

(c) As Class I milk if transferred or diverted in the form of a fluid milk product to a nonpool plant located more than 200 miles from the El Paso, Texas,

Albuquerque, New Mexico, or Santa Fe, New Mexico, county courthouse, whichever is closer, by shortest highway distance as determined by the market administrator;

(d) As Class I milk if transferred to a nonpool plant in the form of a fluid milk product in consumer packages; and

(e) (1) As Class I milk, if transferred or diverted in the form of a fluid milk product, in bulk, to a nonpool plant located not more than 200 miles from the El Paso, Albuquerque, New Mexico, or Santa Fe, New Mexico, county courthouse, whichever is closer by shortest highway distance as determined by the market administrator, unless the following conditions are met.

(i) The transferring handler claims Class II utilization in his report submitted pursuant to § 1138.30;

(ii) The operator of the nonpool plant keeps adequate books and records showing the utilization of all skim milk and butterfat received at such plant and the market administrator is permitted to examine such books and records for the purpose of verification; and

(iii) The skim milk and butterfat so transferred or diverted is allocated to the highest use classification remaining after subtracting in series beginning with the highest use classification, the skim milk and butterfat in milk received at the nonpool plant directly from dairy farmers who the market administrator determines constitutes its regular source of supply for Class I milk;

(2) If any skim milk or butterfat is transferred to a second nonpool plant under this paragraph, the same conditions of audit, classification, and allocation shall apply.

§ 1138.45 Computation of skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and other obvious errors, the report submitted by each handler pursuant to § 1138.30 and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk at all of the pool plants of such handler: *Provided*, That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk disposed of in such product shall be considered to be a quantity equivalent to the nonfat milk solids contained in such product, plus all of the water originally associated with such solids.

§ 1138.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1138.45 the market administrator shall determine the classification of milk received from producers at the pool plant(s) of each handler as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim in Class II the pounds of skim milk allocated to shrinkage in skim milk received from producers pursuant to § 1138.41(b) (3);

(2) Subtract from the pounds of skim milk remaining in each class, in series

beginning with Class II, the pounds of skim milk in other source milk other than that to be subtracted pursuant to subparagraph (3) of this paragraph;

(3) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in other source milk received from a plant at which the handling of milk is fully subject to the pricing and payment provisions of another marketing agreement or order issued pursuant to the Act;

(4) Subtract from the pounds of skim milk remaining in each class the skim milk received from other pool plants according to its classifications as determined pursuant to § 1138.44(a).

(5) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II the pounds of skim milk contained in inventory of fluid milk products on hand at the beginning of the month;

(6) Add to the pounds of skim milk remaining in Class II the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; and

(7) Subtract from the pounds of skim milk remaining in each class any amount by which the pounds of skim milk remaining in both classes exceed the pounds of skim milk in milk received from producers in series beginning with Class II. Such excess shall be called "overage".

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content of the Class I milk and of the Class II milk computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 1138.50 Basic formula price.

The basic formula price shall be the higher of the prices computed pursuant to paragraphs (a) and (b) of this section, rounded to the nearest cent.

(a) The average of the basic of field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following milk plants for which prices have been reported to the market administrator or to the Department, divided by 3.5 and multiplied by 4.0:

PRESENT OPERATOR AND LOCATION

Pet Milk Co., Wayland, Mich.
 Pet Milk Co., Coopersville, Mich.
 Borden Co., Orfordville, Wis.
 White House Milk Co., Manitowoc, Wis.
 Borden Co., New London, Wis.
 Carnation Co., Richland Center, Wis.
 Pet Milk Co., New Glarus, Wis.
 Pet Milk Co., Belleville, Wis.
 White House Milk Co., West Bend, Wis.

(b) The price obtained by adding together the amounts calculated pursuant to subparagraphs (1) and (2) of this paragraph:

(1) Subtract 3 cents from the butter price and multiply the remainder by 4.8; and

(2) From the nonfat dry milk price deduct 5.5 cents, and multiply by 8.16.

§ 1138.51 Class prices.

Subject to the provisions of §§ 1138.52, 1138.53 and 1138.54, the class per hundredweight for the month shall be as follows:

(a) *Class I milk.* The Class I price f.o.b. pool plants located within an arc having a radius of twenty (20) airline miles from the courthouse in El Paso, Texas, shall be the basic formula price for the preceding month, plus \$2.60 during the months of July through February, and plus \$2.30 during all other months. The Class I price f.o.b. pool plants located within an arc having a radius of twenty (20) airline miles from the courthouse in Albuquerque or Santa Fe, New Mexico, shall be the basic formula price for the preceding month plus \$2.50 during the months of July through February, and plus \$2.20 during all other months.

(b) *Class II milk.* The Class II price shall be the basic formula price.

§ 1138.52 Location differentials to handlers.

For milk received from producers at a pool plant located more than twenty (20) miles airline distance, as determined by the market administrator, from the courthouse in El Paso, Texas, and more than twenty (20) miles airline distance, as determined by the market administrator, from the courthouse in Albuquerque or Santa Fe, New Mexico, and which is classified as Class I milk, the price computed pursuant to § 1138.51(a) shall be reduced by 1.5 cents for each ten (10) miles or fraction thereof that such distance exceeds twenty (20) miles from the courthouse in El Paso, Texas; *Provided*, That a similar adjustment shall be computed by using a corresponding rate applied to the Class I milk price f.o.b., Albuquerque or Santa Fe, New Mexico, such adjustment to be used in lieu of the adjustment computed from El Paso, Texas, if the resulting cost of milk to such plant is as great or greater than if computed from El Paso, Texas; *And provided further*, That for the purpose of calculating such differential, transfers between pool plants shall be assigned to Class I milk in a volume not in excess of that by which Class I utilization at the transferee plant exceeds the receipts from producers at such plant, such assignment to transferor plants to be made first to plants at which no location credit is applicable and then in the sequence beginning with the plant at which the lowest location differential credit is applicable.

§ 1138.53 Butterfat differentials to handlers.

For milk containing more or less than 4.0 percent butterfat, the class prices pursuant to § 1138.51 shall be increased or decreased, respectively, for each one-tenth of one percent of butterfat by the appropriate rate rounded in each class to the nearest one-tenth cent, determined as follows:

(a) *Class I milk.* Multiply the butter price for the preceding month by 1.20 and divide the result by 10, and

(b) *Class II milk.* Multiply the butter price by 1.20 and divide the result by 10.

§ 1138.54 Use of equivalent prices.

If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

APPLICATION OF PROVISIONS

§ 1138.60 Producer-handler.

Sections 1138.40 to 1138.46, 1138.50 to 1138.54, 1138.70 to 1138.72, and 1138.80 to 1138.88 shall not apply to a producer-handler.

§ 1138.61 Exempt plants.

The provisions of this part shall not apply to any distributing pool plant which would be subject to the classification and pricing provisions of another order issued pursuant to the Act unless:

(a) More Class I milk is disposed of from such plant on routes in the Rio Grande marketing area than in the marketing area regulated pursuant to such other order, or

(b) Such plant was qualified as a supply plant under the other order, except that the operator of such plant shall make such reports of receipts and utilization of milk as the market administrator may require and allow verification of such reports by the market administrator.

§ 1138.62 Handler operating a nonpool plant.

In lieu of the payments required pursuant to §§ 1138.80 to 1138.88, each handler, other than a producer-handler or one exempt pursuant to § 1138.61, who operates during the month a nonpool plant, shall pay to the market administrator on or before the 25th day after the end of the month the amounts calculated pursuant to paragraph (a) of this section unless the handler elects, at the time of reporting pursuant to § 1138.30 to pay the amounts computed pursuant to paragraph (b) of this section;

(a) The following amounts:

(1) To the producer-settlement fund, an amount equal to the value of all skim milk and butterfat disposed of as Class I milk on routes in the marketing area at the Class I price applicable at the location of such handler's plant, less the value of such skim milk and butterfat at the Class II price; and

(2) As his share of the expense of administration, the rate specified in § 1138.88 with respect to Class I milk so disposed of in the marketing area.

(b) The following amounts:

(1) To the producer-settlement fund, any plus amount remaining after deducting from the value that would have been computed pursuant to § 1138.70 if such handler had operated a pool plant the gross payments for milk received during the month from Grade A dairy farmers at such plant or at a plant which serves as a supply plant; and

(2) As his share of the expense of administration, an amount equal to that which would have been computed pursuant to § 1138.88 had such plant been a pool plant, except that if such plant is also a nonpool plant under another

order issued pursuant to the Act, and his Class I sales in such other marketing area exceed those made in the Rio Grande marketing area, the payments due under this subparagraph shall be reduced by the amount of any administrative expense payments under the other order.

DETERMINATION OF UNIFORM PRICE

§ 1138.70 Computation of the value of producer milk for each handler.

For each month, the market administrator shall compute the value of producer milk for each handler as follows:

(a) Multiply the quantity of producer milk in each class computed pursuant to § 1138.46 by the applicable class price and total the resulting amounts;

(b) Add an amount computed by multiplying the pounds of any overage deducted from any class pursuant to § 1138.46(a)(7) and, the corresponding step of § 1138.46(b) by the applicable class price;

(c) Add an amount computed by multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the hundredweight of skim milk and butterfat remaining in Class II milk after the calculations pursuant to § 1138.46(a)(5) and the corresponding step of § 1138.46(b) for the preceding month or the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1138.46(a)(5) and the corresponding step of § 1138.46(b) for the current month, whichever is less; and

(d) For any skim milk or butterfat subtracted from Class I milk pursuant to § 1138.46(a)(2) and the corresponding step of § 1138.46(b) which is in excess of the skim milk and butterfat applied pursuant to paragraph (c) of this section, add an amount equal to the differences between the values of such skim milk and butterfat at the Class I price and the Class II price; *Provided*, That such calculations shall not apply if the total receipts of producer milk at pool plants during the month are less than 110 percent of the total Class I utilization of such plants.

§ 1138.71 Computation of the uniform price.

The market administrator shall compute the uniform price per hundredweight of producer milk as follows:

(a) Combine into one total the values computed pursuant to § 1138.70 for the producer milk of all handlers who submitted reports prescribed in § 1138.30 and who are not in default of payments pursuant to § 1138.80 for the preceding month;

(b) Subtract, if the average butterfat content of producer milk included under paragraph (a) of this section is greater than 4.0 percent, or add, if multiplying the amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential pursuant to § 1138.82 and multiply the result by the total hundredweight of such milk;

(c) Add an amount equal to the sum of the deduction to be made from producer payments for location differentials

computed from El Paso, Texas, pursuant to § 1138.81;

(d) Add an amount equal to the sum of the deductions to be made from producer payments for location differentials computed from Albuquerque or Santa Fe, New Mexico, pursuant to § 1138.81;

(e) Add an amount computed by multiplying by 10 cents the volume of producer milk received at pool plants located within twenty (20) airline miles of Albuquerque or Santa Fe, New Mexico;

(f) Add an amount equal to one-half of the unobligated balance in the producer-settlement fund;

(g) Divide the resulting amount by the total hundredweight of producer milk included under paragraph (a) of this section;

(h) Subtract not less than 4 cents nor more than 5 cents. The resulting figure shall be the uniform price per hundredweight of producer milk of 4.0 percent butterfat content delivered to plants within the El Paso twenty (20) mile zone;

(i) Subtract 10 cents from the El Paso twenty (20) mile zone price as determined pursuant to (h) of this section. The resulting figure shall be the uniform price per hundredweight of producer milk of 4.0 percent butterfat content delivered to plants within the Albuquerque or Santa Fe twenty (20) mile zone.

§ 1138.72 Notification of handlers.

On or before the 12th day after the end of each month, the market administrator shall mail to each handler, at his last known address, a statement showing:

(a) The amount and value of his producer milk in each class and the total thereof;

(b) The uniform prices computed pursuant to § 1138.71 and the producer location and butterfat differentials computed pursuant to §§ 1138.81 and 1138.82; and

(c) The amounts to be paid by such handler pursuant to §§ 1138.84 through 1138.88 and the amount due such handler pursuant to § 1138.85.

PAYMENTS

§ 1138.80 Payment to producers.

Except as provided in paragraph (c) of this section, each handler shall make payment to each producer from whom milk is received as specified in paragraphs (a) and (b) of this section:

(a) On or before the last day of the month, to each producer who had not discontinued shipping milk to such handler before the 18th day of the month, an advance payment with respect to milk received during the first 15 days of the month at the Class II price for the preceding month;

(b) On or before the 16th day after the end of each month, for milk received during such month, an amount computed at not less than the applicable uniform price per hundredweight pursuant to § 1138.71, subject to the butterfat differential computed pursuant to § 1138.82 and location adjustment computed pursuant to § 1138.81, plus or minus adjustments for errors made in previous payments to such producers

and less (1) payments made pursuant to paragraph (a) of this section, (2) marketing service deductions pursuant to § 1138.87 and (3) proper deductions authorized in writing by such producer: *Provided*, That if by such date such handler has not received full payment for such delivery period pursuant to § 1138.85 he may reduce his total payment to all producers uniformly by not less than the amount of reduction in payment from the market administrator; the handler shall, however, complete such payments not later than the date for making such payments pursuant to this paragraph next following receipt of the balance from the market administrator.

(c) (1) Upon receipt of a written request from a cooperative association which the market administrator determines is authorized by its members to collect payment for their milk and receipt of a written promise to reimburse the handler the amount of any actual loss incurred by him because of any improper claim on the part of the cooperative association each handler shall pay to the cooperative association on or before the second day prior to the date of payment to producers in lieu of payments pursuant to paragraphs (a) and (b), respectively, of this section an amount equal to the sum of the individual payments otherwise payable to such producers. The foregoing payment shall be made with respect to milk of each producer whom the cooperative association certifies is a member effective on and after the first day of the calendar month next following receipt of such certification through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the cooperative association.

(2) A copy of each such request, promise to reimburse and certified list of members shall be filed simultaneously with the market administrator by the cooperative association and shall be subject to verification at his discretion, through audit of the records of the cooperative association pertaining thereto. Exceptions, if any, to the accuracy of such certification by a producer claimed to be a member, or by a handler, shall be made by written notice to the market administrator and shall be subject to his determination.

(d) In making payments to producers pursuant to paragraphs (b) and (c) of this section, each handler shall furnish each producer or cooperative association from whom he has received milk with a supporting statement which shall show for each month:

(1) The month and the identity of the handler and of the producer;

(2) The total pounds and the average butterfat content of milk received from such producer;

(3) The minimum rate or rates at which payment to such producer is required pursuant to this part;

(4) The rate which is used in making the payment if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight and nature of each deduction claimed by the handler; and

(6) The net amount of payment to such producer.

§ 1138.81 Location differential to producers.

For producer milk received at pool plants located more than twenty (20) airline miles, as determined by the market administrator from the courthouse in El Paso, Texas, Albuquerque, New Mexico, or Santa Fe, New Mexico, there shall be deducted an adjustment for each plant for all milk at rates comparable to those established pursuant to § 1138.52.

§ 1138.82 Butterfat differential to producers.

The applicable uniform price to be paid producers pursuant to § 1138.80 shall be increased or decreased for each one-tenth of one percent which the butterfat content of milk is above or below 4.0 percent, respectively, by a butterfat differential equal to the average of the butterfat differentials determined pursuant to paragraphs (a) and (b) of § 1138.53 weighted by the pounds of butterfat in producer milk in each class and the result rounded to the nearest tenth of a cent.

§ 1138.83 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 1138.62 and 1138.84 and out of which he shall make all payments pursuant to § 1138.85: *Provided*, That any payments due any handler shall be offset by any payments due from such handler.

§ 1138.84 Payments to the producer-settlement fund.

On or before the 14th day after the end of each month, each handler who operates a pool plant shall pay to the market administrator any amount by which the value of his producer milk as computed pursuant to § 1138.70 is greater than the amount owed by him for such milk at the appropriate uniform prices determined pursuant to § 1138.71.

§ 1138.85 Payments out of the producer-settlement fund.

On or before the 14th day after the end of each month, the market administrator shall pay to each handler any amount by which the total value of his producer milk, computed pursuant to § 1138.70 is less than the amount owed by him for such milk at the appropriate uniform price determined pursuant to § 1138.71. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the funds are available.

§ 1138.86 Adjustment of accounts.

Whenever audit by the market administrator of any handler's reports,

books, records, or accounts or other verification discloses errors resulting in moneys due a producer or the market administrator from such handler or due such handler from the market administrator, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments as set forth in the provisions under which such error occurred.

§ 1138.87 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler in making payments to producers for milk pursuant to § 1138.80, shall deduct 6 cents per hundredweight, or such lesser amount as may be prescribed by the Secretary, and shall pay such deductions to the market administrator on or before the 16th day after the end of the month. Such money shall be used by the market administrator to provide market information and to check the accuracy of the testing and weighing of milk for producers who are not receiving such services from a cooperative association;

(b) In the case of producers who are members of a cooperative association which the Secretary has determined is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deduction specified in paragraph (a) of this section, such deductions from the payments to be made to producers as may be authorized by the membership agreement or marketing contract between the cooperative association and its members, and on or before the 16th day after the end of each month, the handler shall pay the aggregate amount of such deductions to the cooperative association, furnishing a statement showing the amount of the deduction and the quantity of milk on which the deduction was computed from each producer.

§ 1138.88 Expense of administration.

As his pro rata share of the expense of the administration of this part, each handler shall pay the market administrator, on or before the 16th day after the end of each month, 4 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to (a) all milk received from producers during such month, including such handler's own farm production, (b) other source milk received at a pool plant and classified as Class I milk, and (c) the quantities of milk at the plants of handlers operating nonpool plants as specified in § 1138.62 (a) (2) or (b) (2).

§ 1138.89 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the month during which the market administrator received the handler's utilization report on the milk involved

in such obligation, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

- (1) The amount of the obligation;
- (2) the months during which the milk, with respect to which the obligation exists, was received or handled; and
- (3) If the obligation is payable to one or more producers or to a cooperative association, the names of such producers or cooperative associations, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator all books and records required by this order to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period, with respect to such obligation shall not begin to run until the first day of the month following the month during which all such books and records pertaining to such obligations are made available to the market administrator.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate 2 years after the end of the month during which the payment (including deduction or offset by the market administrator) was made by the handler, if a refund on such payment is claimed unless such handler, within the applicable period of time, files, pursuant to section 8c(15) (A) of the Act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 1138.90 Effective time.

The provisions of this part or any amendment thereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 1138.91 Suspension or termination.

The Secretary shall, whenever he finds that any or all provisions of this part, or any amendment thereto, obstruct or do not tend to effectuate the declared policy of the Act, terminate or suspend the operation of any or all provisions of this part or any amendment thereto. This part shall terminate in any event whenever the provisions of the Act authorizing it cease to be in effect.

§ 1138.92 Continuing obligations.

If upon suspension or termination of any or all provisions of this part, or any amendment thereto, there are any obligations thereunder, the final accrual or ascertainment of which requires further acts by any performed notwithstanding such suspension or termination.

§ 1138.93 Liquidation.

(a) Upon the suspension or termination of any or all provisions of this part, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition.

(b) If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidating and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 1138.100 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent and representative in connection with any of the provisions of this part.

§ 1138.101 Separability of provisions.

If any provisions of this part, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

Proposed by Beatrice Foods Company: *Proposal No. 2.* We propose that the distribution of the proceeds of the value of producer milk for each handler be distributed to such handler's producers on an individual handler pool basis.

Proposal No. 3. The production and sale of skim milk and butterfat contained in certified cow's milk and certified goat's milk in any form should be exempt from the provisions of this regulation with respect to classification, pricing, allocation, pooling, administrative or marketing service charges.

Copies of this notice of hearing may be procured from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on November 9, 1961.

RAPHAEL V. FITZGERALD,
Acting Deputy Administrator,
Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-10880; Filed, Nov. 14, 1961; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that an amendment to a petition (FAP 165) has been filed by American Cyanamid Company, P.O. Box 400, Princeton, New Jersey, proposing the issuance of a regulation amending § 121.1072 *Hydrogen cyanide*, to establish a tolerance of 200 parts per million (0.02 percent) for residues of hydrogen cyanide in cocoa, resulting from fumigation with the pesticide.

Dated: November 8, 1961.

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

[F.R. Doc. 61-10853; Filed, Nov. 14, 1961;
8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Ch. I, III]

AGENCY REGULATIONS

Proposed Recodification

The Federal Aviation Agency has previously announced the initiation of a project to recodify the Civil Air Regulations and related regulatory materials.

This notice is published to inform all interested parties of the format and content proposed to be followed and adopted, if satisfactory. The format and content have been prepared in the form outlined below.

This notice proposes no substantive changes in the regulations and is not a notice of proposed rule making subject to the Administrative Procedure Act. It is published to give interested parties the opportunity to submit written comments, criticisms and suggestions for improvement. Comments should be submitted by February 1, 1962, in duplicate, to the Director of Rules Codification, Federal Aviation Agency, Room B-714, 1711 New York Avenue NW., Washington 25, D.C.

As a foreword to the outline that follows, certain background material should be considered in any comments that may be submitted. The purpose of the recodification program is simply to combine and streamline the present Civil Air Regulations and related regulatory materials and arrange them in a simplified, accessible form. The program will not result in any new regulatory requirements. Nor will it change any of the regulatory requirements in the present system, with the exception that some obviously obsolete rules possibly can be eliminated.

Most of the current rules and regulatory materials have been inherited from

predecessor organizations and were promulgated by them over a period of more than twenty years. As a result, the present regulatory system, which embraces the Civil Air Regulations, Civil Aeronautics Manuals, Regulations of the Administrator, etc., does not reflect the consolidation of rule-making authority effected by the Federal Aviation Act of 1958. It is the purpose of the program to restate these rules and regulatory requirements, wherever they are found, in simple straightforward language, eliminating or clarifying, as required, ambiguous, contradictory, obscure, repetitive, obsolete or unnecessary provisions. The preparation of a common set of definitions is basic to the recodified structure.

Another of the inevitable results of a regulatory system that has been promulgated piecemeal by a number of agencies independent of each other over a long period of years is the extreme bulk and volume of the materials that must be consulted by users. In the field of aviation regulations, the bulk and volume has been complicated by the fact that the materials are found under a variety of titles which are not cross-indexed to each other. Apart from sheer duplication in terms of volume, the inherent confusion for the user is regrettable.

The recodification program is designed also to cure these difficulties. The agency expects that the approximately 6,000 pages of current printed regulatory materials will be reduced appreciably. The degree to which maximum reduction of these materials can be realized will depend in large measure on the acceptability and utility of the recodified structure. Thus, to a large extent the aviation community will, in its comments, have it partially in its power to determine how far this sheer bulk of regulatory materials now in use can be reduced.

The goal which the Agency has set is to effect a reduction, hopefully, of somewhat slightly in excess of 50 percent of the present number of pages. This goal will be kept constantly in mind as the project progresses. Every effort will be made to attain it within the limits permitted by the comments and recommendations received.

The recodified system will serve to assure consistency in style, format and approach in any substantive revision of the actual requirements of the regulations that may be undertaken after the recodification is completed. The program is based largely on recognition that the laws governing aviation, like aviation itself, cannot perpetually remain static. No regulatory authority can or should keep piling new rules on top of the old. To do so aggravates problems of interpretation that, because of the complexity of the present system, are serious enough today. The Federal Aviation Agency firmly believes that a new simplified format is needed to enable the rules clearly to say what they intend so that the people who must use them can readily and easily understand what they are required legally to do or not to do. Thus, the greater clarity and utility of the recodified structure of rules should prompt its ready and willing acceptance by the aviation community.

EXISTING REGULATORY MATERIALS

A further understanding of the benefits to be secured as a result of recodification can be obtained from the following list of existing regulatory materials. These are the materials which will be consolidated and superseded by the recodified body of rules. They include the following:

(1) Civil Air Regulations originally issued by the Civil Aeronautics Board and transferred to the Federal Aviation Agency by section 1501(a) of the Federal Aviation Act of 1958. They are currently issued under the authority of titles III and VI of that Act and are codified in Chapter I of Title 14 of the Code of Federal Regulations.

(2) Special Civil Air Regulations established as a "melting pot" for regulations which, because of reasons of short duration, limited applicability or otherwise, did not fit into the existing regulatory framework.

(3) Civil Aeronautics Manuals originally issued by the Civil Aeronautics Administration, they supplement the Civil Air Regulations. They consist primarily of policy declarations, interpretations, special exemptions and deviations (many of which are regulatory in nature), and rules originally prescribed under authority delegated by the Civil Aeronautics Board.

(4) Regulations of the Administrator inherited by the Federal Aviation Agency from the Civil Aeronautics Administration under section 1501(a) of the Federal Aviation Act of 1958. They are currently issued primarily under the authority of titles III and VI of that Act and are codified in Chapter III of Title 14 of the Code of Federal Regulations.

(5) Operations Specifications originally issued as a part of an air carrier operating certificate as special conditions to the granting and continued effectiveness of the certificate. Certain operations specifications have been standardized and are applied generally to a class of air carriers.

(6) Aircraft Flight Manuals prepared by individual manufacturers to explain the technical operation of particular products. They are regulatory in nature when adopted by the Administrator as standards under § 43.10 of the regulations.

(7) Air Carrier Operating Manuals, Training Manuals, and Maintenance Manuals required to be prepared by air carriers. When adopted by the Administrator as a mandatory standard, they have a regulatory effect.

In addition to the above, some material of a regulatory nature is contained in the Flight Information Manual and the Airman's Guide, describing procedures relating to lighting systems, operating practices, search and rescue, etc.

METHOD AND PURPOSE OF OUTLINED SYSTEM

The recodification project has been approached by adopting a straight subject matter arrangement. This arrangement will take the place of the present one which is based on the distribution of functions and interests within the FAA or the aviation industry. The reasons

underlying the selection of the straight subject matter arrangement include the following:

- (1) It produces a more convenient and logically arranged body of regulations.
- (2) It produces a more stable arrangement, since subject-matter groupings change less often and more slowly than organizational groupings.
- (3) It increases the chance that similar problems will be treated similarly.
- (4) It avoids the disadvantages that go with the need to repeat each relevant provision from Part to Part.
- (5) It avoids increasing the aggregate length of the regulations.
- (6) It avoids complicating the substantive and mechanical process of amending common provisions.

The rearrangement is based on subject-matter categories that are now in use or already familiar. Each is as mutually exhaustive and as readily severable as it can be made at this time.

The outline contemplates that all regulations will be placed in Chapter I of Title 14 of the Code of Federal Regulations. This will eliminate the corridor, consisting of Civil Aeronautics Board regulations, now separating the Civil Air Regulations and the Regulations of the Administrator. It must be emphasized that the assignment of particular part numbers in the outline is purely for illustration and is subject to whatever change is necessary for the final product.

Listed under each proposed new part in the outline are the present parts or pieces of parts that are allocated to the new part. However, the order in which material is listed under each new part, is not intended to describe the order in which material will ultimately appear in that part. The material must necessarily be rearranged, consolidated, rewritten, or eliminated as necessary. Regulatory materials not now appearing in a numbered Part will be included in the pertinent new Part.

With minor exceptions, the regulations included in the outline are those that were in effect January 1, 1961. Materials promulgated after that date will be incorporated as each Part is actually written. It must be emphasized that there can be no guarantee of absolute conformity with the outline during the course of the project. Experience on other codification projects has shown that only the actual writing of the code can definitely ascertain the ultimate disposition of each fragment. Great care will be taken, however, to follow the outline, as amended in the light of comments received, so far as possible. In addition, rewritten regulations will be published under notices of proposed rule making in the FEDERAL REGISTER and all interested persons will be invited to submit comments and recommendations on the form and manner of their inclusion in the recodified structure.

The outline includes all subjects now covered by FAA's general and permanent regulations. Except for Part 33, no attempt has been made to delete, at this stage, specific obsolete provisions. Additional regulatory materials (CAM materials, standardized operations specifications, etc.) will be fitted into the

framework of the outline under the appropriate heading.

Issued in Washington, D.C., on November 8, 1961.

N. E. HALABY,
Administrator.

OUTLINE AND ANALYSIS

PROPOSED RECODIFICATION OF FAA REGULATIONS IN CODE OF FEDERAL REGULATIONS

TITLE 14—AERONAUTICS AND SPACE

CHAPTER I—FEDERAL AVIATION AGENCY

SUBCHAPTER A—DEFINITIONS

Part 1—Definitions and abbreviations.

SUBCHAPTER B—PROCEDURAL RULES

Part 11—General rule-making procedures (Parts 405; 409).

Part 13—General certification procedures (Part 406).

Part 15—Enforcement (Part 408).

SUBCHAPTER C—AIRCRAFT

Part 21—Aircraft certification procedures.

(a) Type certification:

(1) General provisions (§§ 1.0-1.28, and SR 425B (less sections 4(f), 6, 8, 10, 12, 13, 14, and 15)).

(2) Normal, utility, and acrobatic category airplanes (§§ 3.10-3.16, 3.19, 3.62-3.65).

(3) Transport category airplanes (§§ 4b.10-4b.16, 4b.19, 4b.100 (d)-(g); SR 422 (less sections 4T.110-.123, 743; 40T.80-.84); SR 422A (less sections 4T.110-.123, 743; 40T.80-.84; and 43.11); SR 422B (less sections 4T.110-.123, 743; 40T.80-.84; and 43.11)).

(4) Gliders (Part 5 (less §§ 5.17 and 5.18)).

(5) Normal rotorcraft (§§ 6.10-6.16, 6.19, 6.100 (d)-(g)).

(6) Transport rotorcraft (§§ 7.10-7.16, 7.19-7.20, 7.100 (d)-(g)).

NOTES: (1) Numbers in parentheses refer to sections of present parts. (2) The order in which material is listed, and the titles used to describe the breakdown under each part, are not intended to describe the ultimate order or disposition, within the part, of that material.

(7) Restricted category (§§ 8.0-8.10).

(8) Limited category (Part 9 (less § 9.3)).

(9) Import aircraft (Part 10 (less §§ 10.20 and 10.30)).

(10) Aircraft engines (§§ 13.10-13.16 (a) and (b), 13.19, and 13.21).

(11) Propellers (§§ 14.10-14.16 (a) and (b), 14.19, and 14.21).

(b) Production certification:

(1) General provisions (§§ 1.30-1.46; 3.17; 4b.17; 5.17; 6.17; and 7.17).

(2) Aircraft engines (§ 13.17).

(3) Propellers (§ 14.17).

(c) Airworthiness certification:

(1) General provisions (§§ 1.60-1.65, 1.67, 1.69-1.77; 3.17; 4b.17; 5.17; 6.17; 7.17; 10.20; SR 425B (§§ 4(f), 8, 10, and 12)).

(2) Restricted category (§§ 8.20-8.21).

(3) Limited category (§ 9.3).

(d) Delegation options (Part 410).

(e) Production approval (§§ 1.55; 3.18; 4b.18; 5.18; 6.18; 7.18; 13.18; and 14.18).

Part 23—Airworthiness standards: normal, utility, and acrobatic category airplanes (Part 3 (less §§ 3.10-3.19, 3.62-3.65, and 3.791-3.792)).

Part 25—Airworthiness standards: transport category airplanes (Part 4b (less §§ 4b.10-4b.19, 4b.100 (d)-(g), and 4b.750-.751); SR 422 (§§ 4T.110-.123, 743); SR 422A (§§ 4T.110-.123); SR 422B (§§ 4T.110-.123, 743)).

Part 27—Airworthiness standards: normal rotorcraft (Part 6 (less §§ 6.10-6.19, 6.100 (d)-(g), and 6.750-6.751)).

Part 29—Airworthiness standards: transport rotorcraft (Part 7 (less §§ 7.10-7.20, 7.100 (d)-(g), 7.750-7.751)).

Part 33—Airworthiness standards: aircraft engines (Part 13 (less §§ 13.10-13.16 (a) and (b), and 13.17-13.21)).

Part 35—Airworthiness standards: propellers (Part 14 (less §§ 14.10-14.16 (a) and (b), and 14.17-14.21)).

Part 37—Technical Standard Orders for materials, parts, and appliances (Part 514).

Part 39—Airworthiness directives (Part 507).

Part 41—Airworthiness operating and equipment standards.

(1) General provisions (§ 43.30).

(2) Scheduled interstate air carriers (§§ 40.110-40.232).

(3) Scheduled air carriers operating outside U.S. (§§ 41.20-41.25).

(4) Supplemental air carriers (§§ 42.12-42.29).

(5) Foreign air carriers (§ 44.4).

(6) Scheduled air carrier helicopters (§§ 46.110-46.231).

(7) Emergency exits for airplanes carrying passengers for hire (SR 389B).

(8) Airborne weather radar equipment for airplanes carrying passengers (SR 436A).

(9) Carriage of persons other than crew members or passengers in cargo aircraft (SR 432).

Part 43—Maintenance and alteration (Part 18; SR 377A).

Part 45—Identification and registration marking.

(1) Identification marking (§§ 1.50; 3.791; 4b.750; 6.750; 7.750; 10.30; 13.20; and 14.20).

(2) Registration marking (§§ 1.100-1.110; 3.792; 4b.751, 6.751; and 7.751).

(3) Provisional certification marking (SR 425B (section 6)).

Part 47—Aircraft registration.

(1) Owners (Part 501).

(2) Dealers (Part 502).

Part 49—Recording of aircraft title and security documents.

(1) Ownership (Part 503).

(2) Encumbrances (Parts 504-505).

SUBCHAPTER D—AIRMEN

Part 61—Certification: pilots and instructors.

(1) General (Part 20; SR 428; SR 434).

(2) Airline transport pilots (Part 21).

(3) Lighter-than-air pilots (Part 22).

(4) Operating limitations (§§ 43.40-43.45, 43.52-43.63, 43.64 (b)-(d), 43.65, and 43.68).

Part 63—Certification: flight crew members other than pilots.

(1) General.

(2) Flight navigators (Part 34).

(3) Flight engineers (Part 35).

Part 65—Certification: airmen other than flight crew members.

- (1) General.
(2) Control tower operators (Part 26).
(3) Aircraft dispatchers (Part 27).
(4) Mechanics and repairmen (Part 24; §§ 40.241(b); 46.241(b); and 52.22 (c)).
(5) Parachute riggers (Part 25).

Part 67—Medical certification and standards (Part 29).

SUBCHAPTER E—AIRSPACE

Part 71—Designation of Federal airways (Part 600).

Part 73—Designation of control areas (Part 601).

Part 75—Special use airspace (Part 608).

Part 77—Establishment of jet routes (Part 602).

Part 79—Notice of construction or alteration affecting navigable airspace (Part 626).

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

Part 91—General operating provisions (§§ 1.66, 1.68; Part 8 (less §§ 8.0-8.21); Part 43 (less §§ 43.30, 43.40-43.45, 43.52-43.63, 43.64 (b)-(d), 43.65, 43.68); Part 190; SR 422A (§43T.11); SR 422B (§43T.11); SR 425B (sections 13, 14, and 15)).

Part 93—Air traffic rules (Parts 60; 603; SR 424C; SR 444; and SR 445).

Part 95—Special airport traffic patterns and rules (Part 619; SR 438; SR 442).

Part 97—Minimum en route IFR altitudes (Part 610).

Part 99—Standard instrument approach procedures (Part 609).

Part 101—Security control of air traffic (Part 620).

Part 103—Use of domestic non-Federal navigation facilities (Part 407).

Part 105—Moored balloons and large kites (Part 48).

Part 107—Transportation of dangerous articles (Part 49; SR 443).

Part 109—High density air traffic zones and airports (Part 618).

SUBCHAPTER G—AIR CARRIER AND COMMERCIAL OPERATOR CERTIFICATION AND OPERATIONS

Part 121—Certification of air carriers and commercial operators.

(1) Scheduled interstate air carriers (§§ 40.1, 40.10-40.53).

(2) Scheduled air carriers operating outside U.S. (§§ 41.0-41.14).

(3) Supplemental air carriers (§§ 42.0-42.11).

(4) Commercial operators of large aircraft (Part 45 (less §§ 45.1 and 45.4)).

(5) Scheduled air carrier helicopters (§§ 46.1, 46.10-46.52).

(6) Air taxis and commercial operators of small aircraft (SR 395A; SR 402; and SR 429).

(7) Scheduled cargo operations outside U.S. (SR 368B).

Part 123—Operations of scheduled interstate air carriers.

(1) Scheduled air carriers (§§ 40.2, 40.60-40.94, 40.240-40.241(a), 40.242-40.512; and SR 405).

(2) Scheduled air carrier helicopters (§§ 46.2, 46.60-46.71, 46.240-46.241(a), and 46.242-46.511).

(3) Occupancy of forward observer seat during en route inspection (SR 440).

(4) Turbine-powered transport category airplanes of current design (SR 422 (§§ 40T.80-.84); SR 422A (§§ 40T.80-.84); SR 422B (§§ 40T.80-.84)).

Part 125—Operations of scheduled air carriers outside U.S.

(1) Scheduled air carriers (§§ 41.26-41.137; SR 386E; SR 427B).

(2) Scheduled cargo operations outside U.S. (SR 368B).

(3) Occupancy of forward observer seat during en route inspection (SR 440).

(4) Turbine-powered transport category airplanes of current design (SR 422 (§§ 40T.80-.84); SR 422A (§§ 40T.80-.84); SR 422B (§§ 40T.80-.84)).

Part 127—Operations of supplemental air carriers and commercial operators.

(1) Supplemental air carriers and commercial operators (§§ 42.30-42.97; 45.1, 45.4; and SR 410).

(2) Occupancy of forward observer seat during en route inspection (SR 440).

(3) Turbine-powered transport category airplanes of current design (SR 422 (§§ 40T.80-.84); SR 422A (§§ 40T.80-.84); SR 422B (§§ 40T.80-.84)).

(4) Air taxis and commercial operators of small aircraft (SR 395A; SR 399C; SR 402; and SR 429).

Part 129—Operations of foreign air carriers (Part 44 (less § 44.4)).

SUBCHAPTER H—SCHOOLS AND OTHER CERTIFICATED AGENCIES

Part 141—Pilot schools (Part 50).

Part 143—Ground instructors (Part 51).

Part 145—Repair stations (Part 52).

Part 147—Mechanic schools (Part 53).

Part 149—Parachute lofts (Part 54).

SUBCHAPTER I—AIRPORTS

Part 151—Federal aid (Part 550).

Part 153—Acquisition of U.S. land for public airports (Part 555).

Part 155—Release of airport property from surplus property disposal restrictions (Part 565).

Part 157—Notice of construction or alteration affecting airports (Part 625).

Part 159—Airport technical standard orders (Part 551).

Part 161—Washington National Airport (Part 570).

Part 163—Cold Bay, Alaska, Airport (Part 574).

Part 165—Canton Island and Wake Island, airports (Parts 575; 576; and 577).

SUBCHAPTER J—ADMINISTRATIVE REGULATIONS

Part 171—Seal (Part 401).

Part 173—Aviation safety representatives (Part 418).

Part 175—Testimony by employees and production of records in legal proceedings (Part 415).

Part 177—Fees for copying (Part 414).

Part 179—Aeronautical fixed communications (Part 612).

Part 181—Inter-American aviation training grants (Part 450).

DISTRIBUTION TABLE

TITLE 14—CODE OF FEDERAL REGULATIONS

CHAPTER I—FEDERAL AVIATION AGENCY

This table shows the disposition of all provisions of Parts 1-635 of the FAA regulations that are affected by this codification.

Table with 2 columns: Present Part No. and New Part No. It lists various regulatory sections and their corresponding new part numbers, including references to Appendix and Obsolete sections.

Present Part No.	New Part No.
44.4	41
44 (less 44.4)	129
45.1	127
45.4	127
45 (less 45.1 and 45.4)	121
46.1	121
46.2	123
46.10-46.53	121
46.60-46.71	123
46.110-46.231	41
46.240-46.241(a)	123
46.241(b)	65
46.242-46.511	123
48	105
49	107
50	141
51	143
52.22(c)	65
53	145
53	147
54	149
60	93
190	91
401	171
406	11
406	13
407	103
408	15
409	11
410	21
414	177
415	175
418	173
490	181
501	47
502	47
508	49
504	49
505	49
506	Previously revoked
507	39
514	37
550	151
551	159
555	153
580	Expired Mar. 31, 1954
565	155
570	161
574	163
575	165
576	165
577	165
580	Obsolete
600	71
601	73
602	77
603	93
608	75
609	99
610	97
612	179
617	Previously revoked
618	109
619	95
620	101
625	157
626	79
635	Previously revoked

SPECIAL REGULATIONS—continued

Present Part No.	New Part No.
422B (less 4T.110-123, 4T.743, 40T.80-84, and 43.11)	21
422B (4T.110-123, .743)	25
422B (40T.80-84)	123, 125, 127
422B (43.11)	91
424C	93
425A	Expired
425B (less sections 6, 13, 14, and 15)	21
425B (section 6)	45
425B (sections 13, 14, 15)	91
427B	95
428	61
429	121, 127
430	Generally
431	Generally
432	41
433	Generally
434	61
436A	41
438	95
440	123, 125, 127
442	95
443	107
444	93
445	93

NOT TO BE CODIFIED

Present No.	Tentative disposition
330	Exemption.
364, 364A	Revoke.
392B	Leave as is.
397	Exemption.
403A	Exemption.
406C	Leave as is.
407	Leave as is.
411A	Leave as is.
412B	Probably dead—revoke.
415	Leave as is.
419	Leave as is.
420	Leave as is.
421	Is being revoked.
423	Leave as is.
426	Leave as is or make exemption.
435	Revoke.
437	Leave as is.
441	Exemption.

[F.R. Doc. 61-10868; Filed, Mar. 14, 1961; 8:48 a.m.]

[14 CFR Part 48]

[Reg. Docket No. 665; Draft Release No. 61-4]

OPERATION OF MOORED BALLOONS, KITES, UNMANNED FREE BALLOONS, ROCKETS AND MISSILES

Notice of Public Hearing

Draft Release No. 61-4, published as a notice of proposed rule making in the FEDERAL REGISTER on February 25, 1961 (26 F.R. 1666), gave notice that the Federal Aviation Agency proposed to amend Part 48 to include, among other things, regulations to govern the operation of unmanned free balloons.

As a result of the review of the written comments received in response to that portion of the draft release which addressed the operation of unmanned free balloons, it has been concluded that it is desirable for the Agency to obtain the oral views and comments of interested persons in regard to these proposed regulations.

Notice is hereby given that an informal hearing in accordance with section 4(b) of the Administrative Procedure Act will be held before a representative of the

Administrator, at 10:00 a.m., e.s.t., on December 7, 1961, at 1711 New York Avenue NW., Washington, D.C., for the purpose of receiving such views and comments. Although Draft Release No. 61-4 also contained proposed regulations regarding operation of moored balloons, kites, and rockets and missiles, these proposals will not be discussed at this hearing.

All parties who wish to present their views and comments at the hearing should send advance written notice of such intention, in duplicate, to the Docket Section, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. Such notice should include the name and number of persons expected to attend, the organization, if any, represented and an estimate of the amount of time required for the presentation of views and comments.

All comments presented at the hearing will be considered before action is taken on the proposed rule and the proposal may be changed in the light of comment received.

Issued in Washington, D.C., on November 13, 1961.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 61-10925; Filed, Nov. 14, 1961; 8:52 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 13928; FCC 61-1233]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

Further Notice of Proposed Rule Making

In the matter of amendment of Part 2, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations to align that Part with the Geneva (1959) Radio Regulations to the extent practicable, Docket No. 13928.

1. On January 25, 1961, the Commission adopted a notice of proposed rule making in this proceeding with the stated intention of making no amendment effective prior to ratification of the new international Radio Regulations (Geneva, 1959). Among the many proposals set forth therein was the retention of the status quo with respect to airborne doppler navigation aids centered on 8800 Mc/s. Under the terms of such an arrangement, the allocation status afforded these devices in the national Table of Frequency Allocations would be less advantageous to doppler aids than that contemplated under the Geneva Radio Regulations. Specifically, the Commission proposed to retain the existing allocation of the band 8500-9000 Mc/s for Government radiolocation devices with the following quoted footnote US120 [proposed to be renumbered US53]:

In the band 8750-8850 Mc/s, Government and non-Government airborne doppler radars

in the aeronautical radionavigation service may be authorized temporarily until moved to a frequency band allocated to the aeronautical radionavigation service, and meanwhile must accept any harmful interference that may be experienced from the radiolocation service.

2. Under the terms of the Geneva Radio Regulations, the bands 8500-8750 Mc/s and 8850-9000 Mc/s are allocated exclusively to the radiolocation service and the band 8750-8850 Mc/s is allocated equally to the radiolocation and aeronautical radionavigation services with a footnote limiting the latter to doppler navigation aids.

3. Comments directed to this disparity were filed by Air Transport Association of America (ATA), Aeronautical Radio, Inc. (ARINC), Collins Radio Company, Bendix Radio, and General Precision, Inc. (GPL). All requested that the provision for doppler aids at 8800 Mc/s be changed to parallel the Geneva treatment of the subject.

4. The Commission's action of April 16, 1958, wherein the present status of 8800 Mc/s doppler aids was established, was predicated in large measure upon national defense representations made by the Department of Defense and concurred in by the then Office of Defense Mobilization [later changed to the Office of Civil and Defense Mobilization (OCDM)]. Therefore, on April 3, 1961, the Commission directed a letter to the OCDM requesting that agency to review the matter to determine if conditions warranted or permitted a change in national policy. A copy of that letter and the OCDM reply thereto, dated June 12, 1961 were incorporated in these proceedings for the information of those concerned. In the opinion of the Department of Defense and the OCDM, as stated in that correspondence, existing world conditions were not such as to warrant or permit a change in the domestic allocation status of the frequency band 8500-9000 Mc/s.

5. Preparatory to Senate advice and consent to ratification of the Geneva (1959) Radio Regulations, initial hearings were held before the Senate Committee on Foreign Relations on May 2, 1961. Upon learning of the continued disparity between the Commission proposal and the desires of ATA and ARINC with respect to doppler aids at 8800 Mc/s, the Committee suspended further hearing and requested the parties concerned to attempt to reach a mutually acceptable understanding. Several months of negotiations ensued between representatives of the Department of Defense (DOD), the Commission, ATA, and ARINC.

6. These negotiations culminated in an exchange of correspondence on September 21, 1961 wherein it was agreed the Commission would institute rule-making to modify the wording of the controversial footnote as set forth later herein. This correspondence has been incorporated in these proceedings for information purposes.

7. Upon being advised that the controversy had been resolved, the Senate Committee on Foreign Relations reported out favorably on the Radio Regulations on September 22. Senate consent to

ratification was subsequently approved on September 25, 1961 by a vote of 66 to 0.

8. Accordingly, the Commission, while continuing to advocate the development of civil doppler navigational aids in the exclusive band 13250-13400 Mc/s, proposes herewith to amend the text of footnote US53 to the Table of Frequency Allocations contained in Part 2 of the Rules to read as follows:

US53 In view of the fact that the band 13250-13400 Mc/s is allocated exclusively to doppler navigation aids, government and nongovernment airborne doppler radars in the aeronautical radionavigation service are permitted in the band 8750-8850 Mc/s only on the condition that they must accept any interference which may be experienced from stations in the radiolocation service in the band 8500-10000 Mc/s.

9. The proposed amendment to the Commission's rules is issued pursuant to the authority contained in sections 303 (c), (f), and (r) of the Communications Act of 1934, as amended.

10. All interested persons are invited to file, on or before December 1, 1961, comments supporting or opposing the proposal set out in this notice or submitting any modifications or counterproposals the parties may wish to submit. Comments in reply thereto may be submitted on or before December 11, 1961. The Commission will consider all comments filed hereunder prior to taking final action in this matter provided that, notwithstanding the provisions of § 1.213 of the rules, the Commission will not be limited solely to the comments filed in this proceeding.

11. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, the original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: October 18, 1961.

Released: October 25, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-10340; Filed, Nov. 14, 1961;
8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 107]

SMALL BUSINESS INVESTMENT COMPANIES

Notice of Proposed Rule Making

Notice is hereby given that pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Pub. Law 85-699, 72 Stat. 694, as amended, it is proposed to amend, as set forth below, §§ 107.11, 107.104, 107.301, 107.402, 107.403, 107.704, 107.707, and 107.708 of Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations as revised in 26 F.R. 8232-8242. Prior to the final adoption of such amendment, consideration will be

given to any comments or suggestions pertaining thereto which are submitted in writing, in triplicate, to the Small Business Investment Division, Small Business Administration, Washington 25, D.C., within a period of twenty-one days of the date of this notice in the FEDERAL REGISTER.

Information. Public Law 87-341 amended the Small Business Investment Act of 1958 in several important respects. The amendments now under consideration make several technical changes as a result of the Small Business Investment Act Amendments of 1961 and, in addition, in keeping with the Congressional intent, make substantive changes designed to diversify financial aid to the small business community and to encourage the maximum use of private capital.

As proposed, the amendment to § 107.301 is designed to encourage the maximum use of private capital in the formation and growth of Licensees and sets forth the circumstances and conditions under which SEA may purchase subordinated debentures of a Licensee to be used as part of its paid-in capital and paid-in surplus; the amendment to § 107.402, designed to encourage the maximum use of private capital, would establish criteria to be used in determining the unavailability of private funds as operating loans to a Licensee; the amendment to § 107.704 would limit the use by Licensees of investment advisors; and the amendments to § 107.708, designed to diversify financial aid to small business concerns, would limit the amount of funds any one Licensee could invest in any single small business concern, and would limit the number of Licensees that may provide, through participation or otherwise, funds to any single small business concern.

It is proposed to amend the Small Business Investment Company Regulations as follows:

1. Deleting the period at the end of § 107.11(a) and substituting a comma in lieu thereof and by adding "and the Small Business Investment Act Amendments of 1961, which became effective October 3, 1961." As amended, § 107.11(a) reads as follows:

§ 107.11 Scope of part.

(a) The Small Business Investment Act of 1958 became law August 21, 1958. Such Act has been amended by the Small Business Investment Act Amendments of 1960, which became effective June 11, 1960, and the Small Business Investment Act Amendments of 1961, which became effective October 3, 1961.

2. Deleting the words "financial institutions" as they appear in § 107.104(g) and substituting in lieu thereof "investors or lenders, incorporated or unincorporated". As amended, § 107.104(g) reads as follows:

§ 107.104 Charter requirements.

* * * * *

(g) To undertake its operations in cooperation with banks or other investors or lenders, incorporated or unincorporated, as contemplated under section 308(a) of the Act;

3. By striking the word "Initial" from the heading of § 107.301; as amended, the heading reads as follows:

§ 107.301 Capital and surplus of Licensee.

4. By deleting in their entirety §§ 107.301 (a), (b), (c), and (d) and inserting in lieu thereof new §§ 107.301 (a), (b), (c), (d), (e), (f), (g), and (h) which read as follows:

(a) SBA, in considering whether to issue a License to a Proposed Operator, will, in addition to other criteria set forth in these regulations and the material submitted with SBA Forms 414 and 415, give preference to those proposals which contemplate the minimum use of Government funds.

(b) Each Licensee authorized to operate under the Act must have a paid-in capital and paid-in surplus equal to at least \$300,000 as required under § 107.202(c). The management of a Proposed Operator or Licensee shall encourage the maximum investment therein of private funds.

(c) In order to facilitate the formation of small business investment companies, SBA may, to the extent that the necessary funds are not available to the Proposed Operator from private sources on reasonable terms, upon request contained in the License Application, purchase or agree to purchase debentures of such Proposed Operator in an amount equal to such deficiency but not in excess of \$150,000.

(d) In order to facilitate the growth of small business investment companies, SBA may, to the extent that additional paid-in capital and paid-in surplus are not available to the Licensee from private sources on reasonable terms, upon request filed pursuant to § 107.709, purchase or agree to purchase debentures of a Licensee in an amount not to exceed the lesser of \$400,000 or the amount of paid-in capital and paid-in surplus of such Licensee, excluding therefrom any debentures previously purchased.

(e) The funds applied for pursuant to paragraphs (c) and (d) of this section shall be deemed to be available to a Proposed Operator or Licensee from private sources on reasonable terms, unless it is satisfactorily demonstrated that:

(1) The funds requested do not appear to be obtainable without undue hardship through utilization of the resources of the officers, directors (actual or proposed) or those persons who own, or propose to own, directly or indirectly, five percent or more of the voting stock of the Proposed Operator or Licensee.

(2) The funds requested do not appear to be obtainable on reasonable terms through the public offering or private placing of securities of the Proposed Operator or Licensee.

(f) Any request for funds pursuant to section 302(a) of the Act shall be accompanied by a signed personal balance sheet for each of those persons enumerated under paragraph (e)(1) of this section as of some day within thirty days:

(1) of the date of the Proposal (SBA Form 414) for funds requested pursuant to paragraph (c) of this section, or

(2) of the date of the application for funds requested pursuant to paragraph (d) of this section.

(g) Any request for funds under paragraph (d) of this section must be submitted to SBA by a Licensee within one year from the issuance of its License or October 3, 1961, whichever is later.

(h) Any debentures (which may be prepaid by a Licensee without penalty) so purchased by SBA under the provisions of section 302(a) of the Act shall be subordinate to any other debenture bonds, promissory notes, or other obligations which may be issued by a Licensee as determined by SBA, and while treated and accounted for as a debt transaction, shall be deemed a part of the paid-in capital and paid-in surplus of such Licensee for the statutory purposes of sections 302(a), 303(b), and 306 of the Act.

5. By relettering paragraphs (e), (f), and (g) of § 107.301 (i), (j), and (k), respectively.

6. By striking the words "to provide funds to satisfy the initial minimum capital and surplus requirements of a Licensee, under and in accordance with the provisions of section 302(a) of the Act," and by striking the words "initial minimum" as they appear in § 107.301 (j). As amended, § 107.301(j) reads as follows:

(j) The agreement of SBA to purchase any such subordinated debentures of a Licensee shall constitute the equivalent of cash in an amount equal to the amount of such SBA commitment, which amount shall thereupon be deemed to be paid in as a part of the capital and surplus of such Licensee for the statutory purposes of sections 302(a), 303(b), and 306 of the Act. A commitment charge at the rate of one-twelfth of one percent of the principal amount of the commitment outstanding for each thirty-day period shall be paid to SBA by such Licensee beginning with the first day after the first thirty days following such commitment. Disbursement of such commitment shall be requested by the Licensee at any time prior to the end of one year but such commitment shall be reduced to the extent private equity funds are acquired for such purpose prior to any disbursement by SBA on account of such commitment.

7. By striking the words "gross income" as they appear in § 107.301(k) and substituting in lieu thereof "net sales". As amended, § 107.301(k) reads as follows:

(k) The proceeds derived from the sale of any such subordinated debentures of a Licensee under section 302(a) of the Act shall be used to provide Equity Capital and make long-term loans to small business concerns: *Provided, however,* That Licensee cannot use such proceeds for investments and loans involving enterprises which derive a substantial portion of their net sales from the sale of alcoholic beverages, and, accordingly, within thirty days after the disbursement of any funds to Licensee under authority of section 302(a) of the Act, and

thereafter during period in which any such subordinated debentures remain unpaid, the Licensee shall maintain assets consisting of cash, eligible Government obligations, and portfolio investments and loans involving enterprises which do not derive a substantial portion of their net sales from the sale of alcoholic beverages (exclusive of all investments and loans already in the Licensee's portfolio at the time that the proceeds of such subordinated debentures were disbursed), equal in face value to no less than the unpaid principal of such subordinated debentures.

8. By inserting the phrase "on reasonable terms," following the words "from private sources" in § 107.402(a) and by deleting the period at the end of § 107.402(a) and inserting a comma in lieu thereof and by adding thereafter "or \$4,000,000, whichever is less." As amended, § 107.402(a) reads as follows:

§ 107.402 SBA operating loans to Licensees under section 303 of the Act.

(a) To the extent that a Licensee is unable to borrow or otherwise secure operating funds from private sources, on reasonable terms, SBA may lend or agree to lend to such Licensee funds for such purpose up to a total amount outstanding at any one time not in excess of fifty percent of the paid-in capital and paid-in surplus of such Licensee, including as a part of such capital and surplus any outstanding balance due SBA under subordinated debentures purchased by SBA under the provisions of section 302(a) of the Act, or \$4,000,000, whichever is less.

9. By deleting in its entirety § 107.402(b) and substituting in lieu thereof a new § 107.402(b) which reads as follows:

(b) The funds applied for shall be deemed to be available from private sources on reasonable terms, unless it is satisfactorily demonstrated that:

(1) Proof of refusal of the required funds has been obtained from:

(i) The Licensee's bank of account, or

(ii) If the amount of the loan applied for is in excess of the legal lending limit of the Licensee's bank or in excess of the amount that the bank normally lends to any one borrower, then a refusal from a correspondent bank or from any other lending institution whose lending capacity is adequate to cover the loan applied for, or

(iii) Not less than two banks in cities where the population exceeds 200,000.

Proof of refusal must contain the date, amount, and terms requested, and the reasons for not granting the desired credit.

(2) The funds required do not appear to be obtainable on reasonable terms through the public offering or private placing of securities of the Licensee.

10. By striking the words "gross income" as they appear in § 107.403(b) and substituting in lieu thereof "net sales". As amended, § 107.403(b) reads as follows:

PROPOSED RULE MAKING

§ 107.403 Purpose and loan requirements.

(b) The proceeds of any loan obtained by Licensee under the provisions of section 303(b) of the Act shall be used to provide Equity Capital and make long-term loans to small business concerns: *Provided, however,* That Licensee cannot use such proceeds for investments and loans involving enterprises which derive a substantial portion of their net sales from the sale of alcoholic beverages, and, accordingly, within thirty days after the disbursement of any loan funds to Licensee under authority of section 303 (b) of the Act, and thereafter during the period in which any such loan, or any part thereof, remains unpaid, the Licensee shall maintain assets consisting of cash, eligible Government obligations, and portfolio investments and loans involving enterprises which do not derive a substantial portion of their net sales from the sale of alcoholic beverages (exclusive of all investments and loans already in the Licensee's portfolio at the time that the proceeds of such loans were disbursed), equal in face value to no less than the unpaid principal of such loan.

11. By deleting the phrase "and such written contract shall specifically:" as it appears at the end of the opening paragraph of § 107.704(d) and by inserting a semicolon after the word "services" and thereafter the following: "*Provided, however,* That no Licensee may contract for such services with any person or other entity which renders the same

or similar services to any other Licensee. The contract shall specifically:" As amended, the opening paragraph of § 107.704(d) reads as follows:

§ 107.704 Activities of Licensee.

(d) Every Licensee which obtains investment advisory services or management services on a continuing basis, performed for, or supplied to such Licensee by any person or other entity other than the directors, officers or employees in their capacities as such shall contract in writing for such services: *Provided, however,* That no Licensee may contract for such services with any person or other entity which renders the same or similar services to any other Licensee. The contract shall specifically:

12. By striking the words "financial institutions" as they appear in § 107.707 and substituting in lieu thereof "investors or lenders, incorporated, or unincorporated." As amended, § 107.707 reads as follows:

§ 107.707 Services to banks or other financial institutions.

A Licensee may render services for and receive compensation from banks or other investors or lenders, incorporated or unincorporated, only in connection with the financing of, or the providing of consulting and advisory services to, a small business concern by the Licensee in participation or cooperation with such bank or other investors or lenders.

13. By deleting § 107.708 in its entirety and substituting a new § 107.708 which reads as follows:

§ 107.708 Aggregate limitation on investments and loans.

(a) Without the prior written approval of SBA, the aggregate amount of funds loaned to, or invested in Equity Securities of, any single small business concern, or for which commitments may be made, shall not exceed twenty percent of the combined paid-in capital and paid-in surplus of any Licensee (including in such Licensee's capital and surplus the outstanding amount of any SBA loans under section 302(a) of the Act) or \$500,000, whichever is the lesser. Such \$500,000 limitation shall apply only with respect to loans made to and Equity Securities acquired from a small business concern by a Licensee on or after October 3, 1961, but shall not apply with respect to any loans made, or Equity Securities acquired, pursuant to a commitment issued before such date. Furthermore, the \$500,000 limitation shall not apply so long as fifty percent (amount invested, disbursed or committed) of the Equity Securities acquired and loans made by a Licensee after October 3, 1961, meet such \$500,000 limitation.

(b) Subject to the provisions of paragraph (a) of this section, and without the prior written approval of SBA, no more than five Licensees may, by participation or otherwise, provide Equity Capital or long-term loans to any single small business concern.

Dated: November 9, 1961.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 61-10882; Filed, Nov. 14, 1961; 8:50 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management UTAH

Notice of Filing of Utah Protraction Diagrams

NOVEMBER 7, 1961.

Notice is hereby given that the following protraction diagrams have been placed in the open files of this office and are available to the public for information only; and not until officially filed as indicated herein will they become the basic record for description of land and authorized use. These diagrams will be officially filed on December 15, 1961, in the Utah Land Office, Darling Building, Salt Lake City, Utah. In accordance with 43 CFR 192.42a(c) (24 F.R. 4140, May 22, 1959) these protraction diagrams will become the basic record for the description of oil and gas lease offers, and other authorized use, filed at or subsequent to 10:00 a.m. on December 15, 1961.

UTAH PROTRACTION DIAGRAMS NOS. 14 TO 23,
INCLUSIVE

SALT LAKE MERIDIAN

Unsurveyed sections in—

Nos. 14, 14 A, B, and C

Ts. 9 S., Rs. 6, 7, and 8 W.,
Ts. 10 S., Rs. 6 and 8 W.,
Ts. 11 S., Rs. 4 and 8 W.,
Ts. 12 S., Rs. 5, 6, and 7 W.,
Ts. 13 S., Rs. 3, 4, and 5 W.

Nos. 15 and 15A

Ts. 7 S., Rs. 5 and 6 E.
Ts. 10 S., Rs. 2½ and 3 E.,
Ts. 11 S., Rs. 1, 1½, and 2 E.,
Ts. 12 and 13 S., Rs. 1 and 2 E.,
T. 14 S., R. 2 E.

Nos. 16 and 16A

Ts. 10 and 11 S., R. 18 E.,
Ts. 12 and 13 S., Rs. 16, 17, and 18 E.,
Ts. 14 S., Rs. 14, 16, 17, and 18 E.,
Ts. 15 S., Rs. 16 and 17 E.

Nos. 17 and 17A

Ts. 15½, 16, 17, 18, 19, and 20 S., Rs. 15, 16,
and 17 W.,
T. 18 S., Rs. 18 and 20 W.,
T. 19 S., R. 18 W.

No. 18

Ts. 15½, 16, 17, 18, 19, and 20 S., Rs. 13 and
14 W.,
Ts. 16 and 17 S., R. 12 W.,
Ts. 20 S., Rs. 11 and 12 W.

Nos. 19, 19 A, B, and C

T. 15 S., R. 2 W.,
T. 16 S., Rs. 3 and 4 W.,
T. 18 S., R. 4 W.,
Ts. 19 and 20 S., R. 2 W.,
T. 21 S., Rs. 2, 2½, and 3 W.,
T. 21 S., R. 2 E.

No. 20

Ts. 18, 19, 20, and 20½ S., R. 13 E.,
T. 20 S., R. 10 E.,
Ts. 21 S., Rs. 9, 10, 11, 12, 13, and 14 E.

Nos. 21 and 21A

Ts. 16 S., Rs. 13, 16, 17, and 18 E.,
Ts. 17 and 20 S., Rs. 15, 16, and 17 E.,
Ts. 18 S., Rs. 14 and 15 E.,
Ts. 19 S., Rs. 14, 15, 16, and 17 E.

Nos. 22, 22 A and B

Ts. 17 and 18 S., Rs. 18, 22, and 23 E.,
T. 19 S., Rs. 18 and 19 E.,
T. 20 S., Rs. 18 and 20 E.,
T. 21 S., R. 21 E.

Nos. 23, 23 A, B, and C

T. 20 S., R. 10 W.,
Ts. 21, 22, 23, and 24 S., Rs. 10, 11, and 12 W.,
T. 24 S., R. 8 W.,
Ts. 25 S., Rs. 11 and 12 W.,
T. 28 S., R. 16 W.

Copies of these diagrams are for sale at one dollar (\$1.00) each by the Utah Land Office, Bureau of Land Management, Darling Building, Salt Lake City, Utah.

F. S. KIRK,
Operations Manager,
Utah Land Office.

[F.R. Doc. 61-10845; Filed, Nov. 14, 1961;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 11620; Order No. E-17675]

TOOLCO-NORTHEAST CONTROL CASE

Order on Request for Relief

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of November 1961.

On November 1, 1961, Northeast Airlines, Inc. (Northeast) and Hughes Tool Co. (Toolco) filed a letter dated October 30, 1961, requesting the Board to "take appropriate action so as to permit Northeast to negotiate and obtain from Toolco funds urgently and immediately required by Northeast." The letter recites that Toolco has been discussing with Atlas Corporation (Atlas) the acquisition from Atlas of its controlling interest in Northeast,¹ and states the parties' understanding that such acquisition will require Board proceedings under section 408 of the Federal Aviation Act (Act), and that Board decision thereon will require a substantial period of time. It notes that Northeast has asked Toolco for emergency funds so that the carrier can maintain operations pending the filing of an application for, and approval of, the proposed acquisition of control.

The parties state that they cannot determine the full amount of emergency funds which may be required by Northeast or the specific terms upon which

¹Atlas owns approximately 56 percent of Northeast's common stock and about \$16.5 million worth of the carrier's subordinated promissory notes.

such funds may be provided.² They report that Toolco, on October 19, 1961, guaranteed to a supplier payment by Northeast for fuel and oil purchased subsequent to October 20. This guarantee is subject to cancellation by Toolco upon four-days' notice. In a letter dated October 31, 1961 and filed November 2, 1961, Toolco reported that, pursuant to this guarantee, it paid the supplier approximately \$40,000 for fuel deliveries to Northeast for the period October 20-27.

The applicants' point out that, in Order E-12925, dated August 29, 1958, the Board directed, among other things, that Howard R. Hughes, controlling stockholder of Toolco, "cease and desist from acquiring control, in any manner whatsoever" of any air carrier unless prior Board approval therefor is obtained. Their letter does not discuss the extent to which this provision may preclude advance of funds by Toolco to Northeast without prior Board approval. It merely notes the existence of the cease and desist provision and asks for such Board action as may be deemed appropriate.³

In support of their request, the applicants allege that Northeast is today providing needed service but that the benefits of its efforts may be lost unless Northeast is successful in establishing a financing program, including provision for immediate funds to sustain it into the peak traffic period of 1961-62 on its Florida routes.

Answers have been filed by Eastern Air Lines, Inc. (Eastern) and National Airlines, Inc. (National). In brief, they allege that Toolco is now in control of Northeast and that Toolco may not legally be exempted from the provisions of section 408, nor should the Board waive the Sherman Doctrine. They assert that Hughes' conduct of airline management in the past has been contrary to the public interest and that his attempts to gain control of another air carrier should therefore be prevented. The objecting carriers request that the Board institute an investigation into the acquisition of control of Northeast by Toolco, which allegedly has already taken place, and that the Board deny the relief requested by the applicants.

²An application filed in Docket C-29, which was later withdrawn, contained an exhibit which was made public by Toolco. In it, Toolco proposed to loan Northeast \$5 million before the end of the year. To our knowledge, this proposal was never implemented, and we cite it merely to give some indication of the possible extent of the financial commitment which may be involved.

³Specifically, the letter asks that the Board "permit Toolco to provide Northeast with funds * * * without subjecting Toolco or Northeast to any penalties or other action prejudicial to their respective rights or interests and without prejudice, by reason of the so-called Sherman Doctrine or otherwise, to any determination by the Board in connection with an application for the acquisition of a controlling interest in Northeast by Toolco from Atlas."

A review of the pleadings and the attendant circumstances strongly suggests that Toolco already has the power to exercise substantial influence over the affairs of Northeast and thus controls the carrier today; that the financial arrangements of the type contemplated would probably result in the further consolidation of control of Northeast by Toolco, apart from any formal agreement transferring to Toolco Atlas' interest in the air carrier; and that effectuation of such arrangements without prior Board approval, therefore, probably violates both the cited provision of Order E-12925 and section 408 of the Act.⁴

It is our established administrative practice, under normal circumstances in situations of this type, to defer processing of a formal application for Board approval of control under section 408 of the Act until appropriate steps have been taken to restore to the extent feasible the status quo ante.⁵ Recognizing this policy, the parties have sought to obtain from us a waiver thereof in order to assure that the Board will consider on the merits the application for Board approval, under section 408, of an agreement whereby Toolco would become the controlling shareholder in Northeast. This we are constrained to do. There can be no question of the extraordinary nature of the circumstances here present insofar as they affect the applicability of this administrative policy. The Board has, on other occasions of no greater need, granted relief from the strictures of this policy which requires no statutory finding of public interest.

In addition, the request for relief may be construed as seeking a more affirmative approval of the transfer of funds to Northeast. To the extent that this is sought, it should be clear that we are without power or inclination to do so. As heretofore pointed out, the known circumstances strongly suggest that Toolco is in the process of acquiring or consolidating its control over Northeast. Thus, a request for approval, albeit interim in nature, of transfers of funds to Northeast is clearly a request for approval of a transaction subject to section 408 of the Act. Section 408, in these circumstances, necessitates a hearing before the Board can legally act. Moreover, since the applicants are not air carriers, the Board could not utilize its section 416 exemption powers. To the extent that the applicants seek a waiver

⁴ Toolco owns voting trust certificates representing approximately 78 percent of the voting stock of Trans World Airlines, Inc. (TWA). It also owns almost \$81 million worth of TWA debentures and warrants to purchase more than two million additional shares of TWA stock. The company also engages in other aeronautical activities such as the purchase, lease and sale of aircraft. Toolco has contended that, because of the voting trust, it has no control over TWA. We need not determine the accuracy of this claim, for we conclude that Toolco's interests constitute it a person engaged in a phase of aeronautics, within the meaning of section 408. Thus, its acquisition of control of an air carrier would be unlawful if carried out prior to Board approval.

⁵ Sherman, Control and Interlocking Relationships, 15 C.A.B. 876 (1952).

from the prohibitions of the cease and desist order, we will also deny relief. Apart from the fact that the order was designed to effectuate our power under section 408 and should, therefore, be treated in pari materia with it, it is plain that we would be unable to make necessary public interest findings sufficient to offset those which led to issuance of the order.

Although the parties allege that the public interest would be served by insuring continued operations by Northeast, their letter is silent as to the basic statutory test—whether the control of Northeast by Toolco would serve the public interest. Toolco has for many years been the controlling shareholder of TWA. Although Toolco has made a major financial contribution to TWA's development, the merit of its management of the carrier has been publicly challenged. Less than a year ago we had occasion to comment on some of the factors which were causes of concern in this regard. See Order E-16195, dated December 29, 1960. In that order, we allowed to go into effect a new TWA financing program, one condition of which was that Toolco would place its TWA stock in a voting trust for which Toolco has the right to designate but one of three voting trustees—an arrangement insisted upon by the carrier's lenders. We also stated therein that we would anticipate the obtaining of the approval of the Board before Toolco could resume control over TWA.

Subsequent to this action, the new management of TWA filed a suit against Hughes, Toolco, and an associate of Hughes. The complaint alleges various acts on the part of the Toolco management in derogation of their managerial responsibilities, and antitrust violations of the Sherman and Clayton Acts. Atlas is named as a coconspirator. We must take notice of these allegations even though they have not been proven or established. It is reasonable to anticipate that efforts will be made to thoroughly explore them at the hearing.

One other matter remains to be discussed. In order to keep the Board and affected parties fully informed of developments in this matter, we will require that Northeast and Toolco file with the Board's Docket Section continuing reports of all transactions between them and that Toolco report any obligations, financial or otherwise, which it incurs on behalf of Northeast or Atlas. We will also require that the agreement for the acquisition by Toolco of Atlas' interest in Northeast be reduced to writing, and filed with the Docket Section within 15 days of the date of this order.

Accordingly, it is ordered:

1. That Toolco and Northeast shall file with the Board, within ten days of the date of service hereof, a complete report of all agreements, understandings, and transactions between them, and of all obligations incurred by Hughes or Toolco on behalf of Northeast or Atlas, which have not heretofore been reported. This report shall include a detailed description of each such occurrence, together with the amount of each such transaction;

2. That Northeast and Toolco shall continue to file such reports, as required by Order E-15532;

3. That any agreement for the acquisition by Toolco of the interest of Atlas in Northeast shall be reduced to writing and filed with the Board within 15 days of the date of service of this order;

4. That upon the filing of an application for approval of such agreement, the matter shall proceed to an expedited hearing;⁶

5. That, to the extent not granted herein, the relief sought by Northeast, Toolco, Eastern and National be and it hereby is denied; and

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

By the Civil Aeronautics Board.⁷

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61-10869; Filed, Nov. 14, 1961;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14320; FCC 61M-1747
(Corrected)]

CERACCHE & CO., INC. Order Scheduling Hearing

In re application of Ceracche & Company, Incorporated, Connecticut Hill, New York, Docket No. 14320, File No. 1676-C1-R-61; for renewal of the license for Station KEG51, a facility in the Domestic Public Point-to-Point Microwave Radio Service.

It is ordered, This 6th day of November 1961, that Asher H. Ende will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 18, 1962, in Washington, D.C.; and: It is further ordered, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, December 15, 1961.

Released: November 8, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-10870; Filed, Nov. 14, 1961;
8:49 a.m.]

[Docket No. 14085 etc.; FCC 61M-1762]

COMMUNITY SERVICE BROADCASTERS, INC.

Order Scheduling Hearing

In re applications of Community Service Broadcasters, Incorporated, Ypsilanti, Michigan, Docket No. 14085, File No. BP-13846; et al., Group I-14286, 14287, 14296, 14302; Group II-

⁶ Order E-15532, which established Docket 11620, included an investigation of whether TWA had acquired control of Northeast. In view of developments subsequent to that order, we are hereby dismissing the investigation as to TWA.

⁷ Members Gurney and Gilliland dissented.

14085, 14288, 14289, 14290, 14291, 14292, 14293, 14294, 14295, 14297, 14299, 14300, 14303, 14304, 14306; Group III—14298, 14301, 14305; for construction permits.

The Hearing Examiner has under consideration the above-entitled proceeding and agreements reached by the parties at the conference held herein on November 7, 1961;

It is ordered, This 7th day of November 1961, that hearings are scheduled herein as follows:

Group I—February 27, 1962, at 10:00 a.m.
Group II—March 5, 1962, at 10:00 a.m.
Group III—February 6, 1962, at 10:00 a.m.

Released: November 8, 1961.

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

[F.R. Doc. 61-10871; Filed, Nov. 14, 1961;
8:49 a.m.]

[Docket Nos. 14357, 14358; FCC 61M-1765]

HIGSON-FRANK RADIO ENTERPRISES AND SBB CORP.

Order Scheduling Hearing

In re applications of James D. Higson and Peter Frank d/b as Higson-Frank Radio Enterprises, Houston, Texas, Docket No. 14357, File No. BP-13809; SBB Corporation, Houston, Texas, Docket No. 14358, File No. BP-14632; for construction permits.

It is ordered, This 8th day of November 1961, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 17, 1962, in Washington, D.C.; and: *It is further ordered*, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Thursday, December 14, 1961.

Released: November 8, 1961.

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

[F.R. Doc. 61-10872; Filed, Nov. 14, 1961;
8:49 a.m.]

[Docket Nos. 14360-14363; FCC 61M-1767]

M & M TELECASTERS ET AL.

Order Scheduling Hearing

In re applications of L. E. Manseau and Daniel E. Molina d/b as M & M Telecasters, Santa Maria, California, Docket No. 14360, File No. BPCT-2891; Mill Acquistapace, James H. Ranger, Burns Rick, Marion A. Smith, and Ed J. Zuchelli d/b as Central Coast Television, Santa Maria, California, Docket No. 14361, File No. BPCT-2903; Thomas B. Friedman, tr/as Elson Electronics Company, Santa Maria, California, Docket No. 14362, File No. BPCT-2904; Santa Maria Telecasting Corporation, Santa Maria, California, Docket No. 14363, File No. BPCT-2919; for construction permits for new Television Broadcast Stations.

It is ordered, This 8th day of November 1961, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 15, 1962, in Washington, D.C.; and: *It is further ordered*, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Thursday, December 14, 1961.

Released: November 8, 1961.

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

[F.R. Doc. 61-10873; Filed, Nov. 14, 1961;
8:49 a.m.]

[Docket No. 14076 etc; FCC 61M-1761]

KENT-RAVENNA BROADCASTING CO.

Order Scheduling Hearing

In re applications of Kent-Ravenna Broadcasting Co., Kent, Ohio, Docket No. 14076, File No. BP-13749; et al., Docket Nos. 14079, 14080, 14081, 14082, 14083, 14084, 14087, 14088; for construction permits.

The Hearing Examiner has under consideration the above-entitled proceeding and agreements reached by the parties at the conference held herein on November 7, 1961;

It is ordered, This 7th day of November 1961, that hearings are scheduled herein as follows:

Group I—March 20, 1962, at 10:00 a.m.
Group III—March 26, 1962, at 10:00 a.m.

Released: November 8, 1961.

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

[F.R. Doc. 61-10874; Filed, Nov. 14, 1961;
8:49 a.m.]

[Docket No. 14359; FCC 61M-1766]

ROUNSAVILLE OF MIAMI BEACH, INC. (WFUN)

Order Scheduling Hearing

In re application of Rounsville of Miami Beach, Inc. (WFUN), South Miami, Florida, Docket No. 14359, File No. BML-1941; for modification of license.

It is ordered, This 8th day of November 1961, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 15, 1962, in Washington, D.C.; and: *It is further ordered*, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Tuesday, December 12, 1961.

Released: November 8, 1961.

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

[F.R. Doc. 61-10875; Filed, Nov. 14, 1961;
8:49 a.m.]

[Docket Nos. 14152, 14153; FCC 61M-1764]

YBOR CITY BROADCASTING CO. AND JOHNSON BROADCASTING CORP.

Order Continuing Hearing

In re applications of Ybor City Broadcasting Company, Ybor City, Florida, Docket No. 14152, File No. BP-13663; Johnson Broadcasting Corporation, Indian Rocks Beach, Florida, Docket No. 14153, File No. BP-13859; for construction permits.

The Hearing Examiner having under consideration oral requests of counsel for the Commission's Broadcast Bureau for continuance of the hearing herein;

It appearing that counsel for all other parties have consented to immediate consideration and grant of the request;

It is ordered, This 8th day of November 1961, that the above request is granted; and the hearing now scheduled for November 8, 1961, is continued without date, pending action upon joint request for approval of agreement and dismissal of application, filed by applicants on November 2, 1961.

Released: November 8, 1961.

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

[F.R. Doc. 61-10876; Filed, Nov. 14, 1961;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP61-269]

IOWA SOUTHERN UTILITIES CO.

Notice of Application

NOVEMBER 7, 1961.

Take notice that Iowa Southern Utilities Company (Applicant) a Delaware corporation with its principal place of business in the City of Centerville, Iowa, filed an application on April 13, 1961, for an order pursuant to section 7(a) of the Natural Gas Act, directing Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) to install a gas measuring station and related facilities to provide city gate delivery of natural gas to Applicant for delivery in Danville, Iowa, all as more fully described in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate a natural gas distribution system in Danville, Iowa. The third year estimated cost will be \$69,355. Applicant indicates that it will be unnecessary to construct lateral facilities to connect with Michigan Wisconsin.

Applicant proposes to finance the cost of construction of these facilities as part of its construction budget which will be financed by interim bank loans and internally generated funds. The permanent type of financing has not yet been determined.

Applicant estimates the requirements of Danville, Iowa, as follows:

Year of operation	Volumes in Mcf	
	Peak day	Annual
1.-----	133	15,132
2.-----	215	23,841
3.-----	252	28,471

Applicant indicates that the proposed gas supply would be provided by the present maximum daily quantity and annual contract quantity available from Michigan Wisconsin.

Applicant states that it has already received a franchise for service in Danville, Iowa.

Protests or petitions to intervene may be filed with the Federal Power Commission in accordance with the rules of practice and procedure 18 (CFR 1.8 or 1.10) on or before December 11, 1961.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-10840; Filed, Nov. 14, 1961;
8:45 a.m.]

[Docket Nos. G-9146, G-9498]

SHAMROCK OIL AND GAS CORP.

Order Granting Recess of Hearing In Excess of Thirty Days

NOVEMBER 7, 1961.

The Presiding Examiner's referral of a request from the parties herein for a recess in excess of 30 days was submitted October 24, 1961, pursuant to § 1.13(e) of the Commission's rules of practice and procedure.

This is a section 4 producer rate case involving proposed rates of 9 cents and 10 cents per Mcf, which went into effect in 1955 and 1956, subject to refund. The case was originally tried in July 1956, and the presiding examiner thereafter issued an initial decision holding the evidence inadequate to satisfy the burden of proof under Section 4 of the Act. The Commission reversed the examiner's decision by order issued August 6, 1959. Subsequently, the Court of Appeals reversed the Commission and granted discretionary authority to reopen the proceedings.

By order issued May 15, 1961, the Commission reopened the proceedings for the purpose of affording all parties an opportunity to submit evidence on the question whether the proposed rates were just and reasonable. Thereafter, at a hearing session on August 8, 1961, Shamrock presented a substantial volume of testimony and exhibits, including a full rate base cost-of-service for a test year ending November 30, 1960. On this basis it claimed a total jurisdictional unit cost of gas sales amounting to 17.17 cents per Mcf. The Shamrock cost-of-service presentation departed in numerous respects from the cost-of-service methods adopted by the Commission in its Phillips decision (Op. No. 338).

The hearing session held on October 23, 1961, was scheduled for the purpose of full cross-examination of the Shamrock case, to be conducted by the Staff and by intervenor Minneapolis Gas

Company. At the opening of this session, Staff indicated that it was making its own study of Shamrock's cost data, and that this study could not be completed until the middle of December; that on the basis of such study it intended to later present cost-of-service evidence of its own for two purposes: (1) To determine just and reasonable rates prospectively for the future, and (2) to determine just and reasonable rates for each of the years 1956-59, as a basis for determining possible refunds which might be due for each of those years.

A long period has elapsed since this case was originally tried in 1956. The rates involved are relatively low. Consequently, the presiding examiner questioned and explored the necessity for a full cost-of-service trial. In the course of this discussion the Staff indicated that on the basis of a preliminary rough check which it has already made of Shamrock cost data, it was conceivable that it might ultimately find a cost-of-service for Shamrock, using the Commission's Phillips methods, which might be at the same level or higher than the revenues collected by the company subject to refund at its proposed 9- and 10-cent levels during the period 1956 to date. Under such circumstances, all parties agreed that no purpose would be served by conducting a lengthy cross-examination of the Shamrock case at this time—since this might turn out ultimately to be a purely academic exercise. The parties agreed that it would be wiser to defer further trial of this case until the Staff had completed its cost-of-service study, based upon Phillips methods; that the Staff would then promptly distribute this material, and the parties thereafter would explore informally the possibility of disposing of the entire case by settlement.

In order to carry out this objective, and by agreement of all parties, the hearing was recessed to January 22, 1962, subject to the following conditions:

(1) The Staff's prepared testimony and exhibits are to be distributed by December 20, 1961.

(2) In the event intervenor Minneapolis Gas Company desires to offer evidence, such evidence will be distributed by January 5, 1962.

(3) If the case is not then disposed of by settlement, the January 22, 1962, hearing session will be devoted to full cross-examination of all evidence presented by Shamrock, the Staff, and intervenor, Minneapolis Gas Company.

The Commission finds: Good cause has been shown herein for the extension of the recess beyond a period of thirty days.

The Commission orders: The recess ordered to begin herein on October 23, 1961, is hereby extended and the hearing ordered to reconvene in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., at 10:00 a.m., e.s.t., on January 22, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-10841; Filed, Nov. 14, 1961;
8:45 a.m.]

[Docket No. RP61-15]

TEXAS GAS TRANSMISSION CORP. Order Permitting Filing of Revised Tariff Sheets Decreasing Rates and Making Substitute Decreased Rates Effective Subject to Refund and Or- dering Refunds

NOVEMBER 7, 1961.

On October 2, 1961, Texas Gas Transmission Corporation (Texas Gas) tendered for filing 52 revised tariff sheets¹ proposing decreased rates and charges for its jurisdictional sales of natural gas, including four sheets² pertaining to Texas Gas sales of natural gas for resale for industrial use only. The decrease amounts to \$1,227,191 or 1.0 percent annually, based upon sales for the calendar year 1960, as adjusted.

Texas Gas' present rates were made effective subject to refund by order issued May 22, 1961, in the above proceeding, except Rate Schedule TS (First Original Sheet No. 79-K) which became effective subject to refund on March 1, 1961, by order issued February 28, 1961, in Docket No. RP61-15. The total proposed increase was in the amount of \$4,742,199 annually.

The proposed decreases are based primarily on a reduction in the cost of purchased gas resulting from reductions in volumes purchased from suppliers and from the filing of reduced rates and refunds by various suppliers.

Texas Gas has asked that the 30-day notice requirement provided for in the Commission's Regulations under the Natural Gas Act be waived to permit the rates to take effect as of May 6, 1961, the effective date of the present rates, except the aforementioned Rate Schedule TS. Texas Gas states that upon acceptance of the filings, refunds will be made to its customers, together with interest at 7 percent per annum to the date of payment.

The changed rates and charges provided for in the revised tariff sheets tendered by Texas Gas on October 2, 1961, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The proceeding instituted for the purpose of determining the lawfulness of the proposed changed rates and charges has not been concluded, nor a decision rendered therein.

Texas Gas also requests that the Commission waive the necessity of monthly data filings as required under § 154.63 (b)(2) of the regulations under the

¹ First Revised Sheet No. 79-K; Fourth Revised Sheet No. 68-I; Fifth Revised Sheet Nos. 68-BB, 68-G, 68-H, 68-K, 68-L and 70-A; Sixth Revised Sheet Nos. 13, 15 and 68-C; Seventh Revised Sheet Nos. 7, 9, 19, 21, 25, 27, and 71; Eighth Revised Sheet Nos. 68-A, 68-B, 68-E and 68-F; Ninth Revised Sheet Nos. 45, 47, 51, 79-I and 79-J; Tenth Revised Sheet Nos. 5, 11, 23, 29, 33, 41, 49, 53, 55, 59, 61, 63, 67, 69, 70, 73 and 74; Eleventh Revised Sheet Nos. 17, 31, 35, 37, 43, 57 and 65; and Twelfth Revised Sheet No. 39 to FPC Gas Tariff, Second Revised Volume No. 1.

² Ninth Revised Sheet Nos. 45, 47, and 51, and Tenth Revised Sheet No. 49.

Natural Gas Act and accept in lieu thereof the annual data concerning sales, revenue, and rate reduction, based on adjusted sales volumes for the year 1960, which said data were submitted concurrently with the tendered revised tariff sheets.

The Commission finds: Good cause exists for permitting the substitution of the revised tariff sheets as filed by Texas Gas on October 2, 1961, subject to the proceedings herein, to allow the sheets to become effective retroactive as of May 6, 1961, and to waive the 30-day notice and monthly data filing requirements of the Regulations under the Natural Gas Act.

The Commission orders:

(A) The 30-day notice requirement provided in the Commission's Regulations under the Natural Gas Act is hereby waived with respect to the aforementioned revised tariff sheets filed by Texas Gas on October 2, 1961, and the rates contained in First Revised Sheet No. 79-K; Fourth Revised Sheet No. 68-I; Fifth Revised Sheet Nos. 68-BB, 68-G, 68-H, 68-K, 68-L and 70-A; Sixth Revised Sheet Nos. 13, 15 and 68-C; Seventh Revised Sheet Nos. 7, 9, 19, 21, 25, 27 and 71; Eighth Revised Sheet Nos. 68-A, 68-B, 68-E, and 68-F; Ninth Revised Sheet Nos. 79-I and 79-J; Tenth Revised Sheet Nos. 5, 11, 23, 29, 33, 41, 53, 55, 59, 61, 63, 67, 69, 70, 73, and 74; Eleventh Revised Sheet Nos. 17, 31, 35, 37, 43, 57, and 65; and Twelfth Revised Sheet No. 39 to Texas Gas' FPC Gas Tariff, Second Revised Volume No. 1 are hereby allowed to become effective subject to refund as of May 6, 1961, and the rates contained in Ninth Revised Sheet Nos. 45, 47 and 51, and Tenth Revised Sheet No. 49 to Texas Gas' FPC Gas Tariff, Second Revised Volume No. 1 are hereby allowed to become effective retroactively as of May 6, 1961.

(B) The tariff sheets listed in Paragraph (A) above are made subject to the proceeding in Docket No. RP61-15.

(C) Texas Gas shall refund to its purchasers, the difference between the revenues collected under the tariff sheets made effective on May 6, 1961, pursuant to our order of May 22, 1961 and the tariff sheets to be made effective on May 6, 1961 pursuant to Paragraph (A) hereof, except First Revised Sheet No. 79-K. Texas Gas shall pay interest at the rate of 7 percent per annum on such refunds from the date of collection of the revenues under the rates superseded herein to the date of payment of such refunds.

(D) Texas Gas shall similarly refund with interest at 7 percent per annum the difference in revenues collected under Original Sheet No. 79-K and First Revised Sheet No. 79-K (Rate Schedule TS) from May 6, 1961 to date of payment of refund.

(E) Texas Gas shall submit, within 30 days, statements under oath showing details of the calculations resulting in the refunding of all monies collected subject to refund as provided in paragraphs (C) and (D) together with copies of releases from all purchasers acknowledging receipt of all amounts due.

(F) The filings required by paragraph (E) shall be considered as satisfactory upon notification of the Secretary that such filings have been accepted.

(G) The request of Texas Gas that the requirement of § 154.63(b) (2) of the regulations under the Natural Gas Act be waived is hereby granted and Texas Gas may submit annual data covering sales, revenue, and rate reduction, based on adjusted sales volume for year 1960.

(H) The issuance of this order shall constitute full notice of the filing and publication of the tariff sheets in question insofar as their effective date is concerned.

(I) Nothing contained in this order shall be construed as a waiver of the requirements of section 7 of the Natural Gas Act, nor shall it be construed as constituting approval by this Commission of any service, rate, charge, classification, or any rule, regulation, or practice affecting such service or rate; nor shall this order be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate.

(J) This order is without prejudice to any findings or orders which have been or may hereafter be made by this Commission in any proceeding now pending, or hereafter instituted by or against Texas Gas.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-10842; Filed, Nov. 14, 1961; 8:45 a.m.]

[Docket No. CP61-346]

VILLAGE OF LOUISVILLE, ILLINOIS

Notice of Application

NOVEMBER 6, 1961.

Take notice that the Village of Louisville, Illinois (Applicant), Clay County, Illinois, filed an application on June 30, 1961, for an order pursuant to section 7(a) of the Natural Gas Act directing Trunkline Gas Company (Trunkline) to establish physical connection of its transmission facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant its natural gas requirements as hereinafter described, all as more fully described in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate a natural gas distributing system and a lateral gas line extending from the village border to an interconnection with the Trunkline main transmission line approximately 1½ miles distant.

Applicant estimates the cost of constructing its facilities will not exceed \$250,000. Applicant proposes to finance this cost by the issuance of Municipal Natural Gas Revenue Bonds in the amount of \$250,000, payable solely through the revenues of its natural gas system.

Applicant estimates the requirements of the Village of Louisville as follows:

Year of operation	Volumes in Mcf	
	Peak day	Annual
1.....	404	45,000
2.....	453	50,200
3.....	506	55,700

On October 10, 1961, Trunkline filed a response to the application indicating that it did not object to the granting of the application for the third year peak day volume set forth therein.

Protests or petitions to intervene may be filed with the Federal Power Commission in accordance with the rules of practice and procedure 18 (CFR 1.8 or 1.10) on or before November 30, 1961.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-10843; Filed, Nov. 14, 1961; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

MARINE CORP.

Notice of Application for Approval of Acquisition of Shares of a Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) (2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842), by The Marine Corporation, which is a bank holding company located in Milwaukee, Wisconsin, for the prior approval of the Board of the acquisition by applicant of 80 percent or more of the voting shares of Security State Bank, Madison, Wisconsin.

In determining whether to approve this application submitted pursuant to section 3(a) (2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the bank concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington 25, D.C.

Dated at Washington, D.C., this 8th day of November 1961.

By order of the Board of Governors.
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 61-10864; Filed, Nov. 14, 1961; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-792]

MULTNOMAH CANADIAN FUND, LTD.

Notice of Filing of Application for Order Declaring That Company Has Ceased to be Investment Company

NOVEMBER 7, 1961.

Notice is hereby given that Multnomah Canadian Fund, Ltd. ("Applicant"), Vancouver, British Columbia, Dominion of Canada, a Canadian corporation and an open-end, non-diversified, management investment company registered under the Investment Company Act of 1940 ("Act") has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company.

The applicant states that its outstanding securities are beneficially owned by not more than 100 persons and it is not making and does not presently propose to make a public offering of its securities. In addition, on August 17, 1961, at a meeting of the stockholders in Vancouver, British Columbia, the stockholders of the Applicant voted to liquidate and dissolve the corporation, to terminate the terms of office of the Directors, and for the appointment of a Liquidator for the purpose of winding up the affairs of the corporation and effecting its dissolution. The assets of the company will be held by its Custodian and by the liquidator solely for purposes of distribution in liquidation.

Section 8(f) of the Act provides, in relevant part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is hereby given that any interested person may, not later than November 22, 1961, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.[F.R. Doc. 61-10865; Filed, Nov. 14, 1961;
8:48 a.m.]

[File No. 812-1449]

OHIO FRANKLIN FUND, INC.

Notice of Filing of Application for an Order Exempting Proposed Transactions From Certain Provisions

NOVEMBER 7, 1961.

Notice is hereby given that Ohio Franklin Fund, Inc. (Columbus, Ohio), an Ohio corporation and a management open-end investment company registered under the Investment Company Act of 1940 ("Act") has filed an application pursuant to sections 6(c) and 17(b) of the Act for an order of the Commission exempting from the provisions of section 17(a) of the Act the proposed transactions hereinafter described.

Applicant, a newly formed company, has filed a registration statement under the Securities Act of 1933, under which it has offered to interested persons referred to as "Depositors" an opportunity to participate in a simultaneous tax-free exchange of securities owned by them having a market value of not less than \$10,000 for shares of Applicant. During the period prior to the exchange, deposits will be held by the Ohio National Bank of Columbus, hereinafter referred to as the Escrow Agent, for the individual accounts of the Depositors. Solicitations terminated on November 1, 1961. If securities having a market value of at least \$5,000,000 are deposited and accepted, then within fifteen days after the conclusion of the offering period, the Fund will send a special report to all Depositors which will list all securities then on deposit, together with their current fair market values at that time and their estimated Federal tax basis to the Fund. Any depositor will have the right to withdraw his deposited securities in whole or in part (subject to \$10,000 minimum deposit requirement) at any time prior to the mailing of the report referred to above and also during the two weeks after such mailing. The Fund will have the right to reject, in whole or in part, securities offered for deposit or on deposit with the Escrow Agent at any time prior to and for a period up to ten

days after the end of the period during which the depositor may withdraw. Upon the expiration of the above-described periods for withdrawal, and provided that the market value of the remaining deposited securities aggregates at least \$5,000,000, the exchange of shares of the Applicant for the deposited securities will be consummated within ten days thereafter or such date as the Applicant may determine without further action by the Depositors.

All Depositors are required to represent in writing that at the time of the receipt of the shares of Applicant, they will be acquiring such shares without any intention of distributing them in a public offering. The deposited securities will be valued at current market value as of the close of business on the last business day prior to the exchange, and shares of the Applicant will be issued to each Depositor on the basis of a per share valuation of \$20 for Applicant's shares, after deducting from the value of the deposited securities a sales charge varying from 4 to 1.5 percent depending on the value thereof.

Since it appears the exchange will be tax-free to the Depositors, Applicant will have the same tax basis as the Depositors had for the securities acquired from them. Applicant has undertaken not to make subsequent public offerings of its stock for cash.

Section 17(a) of the Act, with certain exceptions not here relevant, prohibits the sale of securities or other property to a registered investment company by promoters or affiliated persons of such company, or by affiliated persons of such promoters or affiliated persons. Section 2(a)(3) of the Act, among other things, states that an affiliated person of another person means any officer or director of such other person.

Applicant intends to accept for inclusion in its portfolio, subject to the granting by the Commission of the order requested, certain securities deposited by two of its directors and the wife of one of its directors. The names of such Depositors and the amounts, issuers, Federal tax basis and market values of their deposited securities are as follows:

Name of director	Number of shares deposited	Issuer	Federal tax basis ¹	Estimated ² market value
Preston Davis.....	287 shares common stock..	Stauffer Chemical Co., Inc.	\$5,152.75	\$14,350.00
Robert G. Landers.....	371 shares common stock..	Interehemical Corp.....	3,680.32	14,932.75
Ruth Landers wife of Robert G. Landers.	695 shares common stock..do.....	6,866.60	27,973.75

¹ As furnished by depositor.² As of the close of business October 17, 1961.

The proposed transactions described above involving the two directors and the wife of one of the two directors of Applicant who have deposited securities would be prohibited by said section 17(a) unless the Commission issues an order exempting such transactions from the provisions thereof. Under section 17(b) of the Act, the Commission shall grant an exemption from the prohibitions of section 17(a) if it finds that the terms of the proposed transactions are reasonable and fair and do not involve overreaching on the part of any person con-

cerned; that the proposed transactions are consistent with the policy of the registered investment company concerned, as recited in the registration statement and reports filed under the Act, and with the general purposes of the Act.

In support of its application, Applicant states that:

1. Neither of said directors is an "underwriter" with respect to the securities he desires to deposit nor in a "control" relationship with respect to the issuer thereof, as these terms are defined in the Securities Act of 1933, as amended, and the rules and

regulations thereunder. Likewise the wife of Robert G. Landers is stated to be neither an "underwriter" nor in a "control" relationship.

2. The total current market value of securities proposed to be deposited by the above-mentioned persons amounted to \$57,256.00 . . . or approximately 1 percent of the \$5,295,700 securities deposited as of its close of business on October 17, 1961. * * *

Notice is further given that any interested person may, not later than November 22, 1961, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 61-10866; Filed, Nov. 14, 1961;
8:48 a.m.]

[File No. 812-398]

SAVINGS BANK INVESTMENT FUND

Notice of Application for Supplementary Order

NOVEMBER 7, 1961.

Notice is hereby given that Savings Bank Investment Fund (Boston, Mass.) (hereinafter referred to as "SBIF"), a corporation duly organized pursuant to a special act of the Massachusetts legislature, effective August 8, 1945, has filed an application pursuant to sections 6(c), 18(i) and 22(e) of the Investment Company Act of 1940 ("Act") requesting an order supplementing the Commission's exemptive order of December 17, 1946 (Investment Company Act Release No. 968) declaring that the proposed amendment of the SBIF Charter has no effect upon the validity of the exemptions granted by the December 17, 1946 exemptive order.

SBIF is an investment fund created by the State of Massachusetts, the securities of which may be sold only to savings banks of Massachusetts, the investment policies of which are prescribed by statute, and which is subject to control of the Commissioner of Banks of the Commonwealth of Massachusetts.

Savings Banks Employees Retirement Association (hereinafter referred to as "SBERA") is an incorporated association duly organized on February 3, 1944 pursuant to a special act of the Massachusetts legislature, which act has been subsequently amended from time to time.

The purpose of SBERA is to provide a medium through which funds may be collected, invested, accumulated and paid out for pensions or annuities to eligible employees of participating banks who retire on account of age or disability. Savings banks organized under the laws of the Commonwealth of Massachusetts and certain other named Massachusetts savings banks organizations (called "participating banks") are eligible for membership in SBERA and persons regularly employed by participating banks are also eligible for membership (called "member employees"). As of October 31, 1960, 177 Massachusetts savings banks and related organizations and 2828 employees were members of SBERA. Both participating banks and member employees make periodic contributions to SBERA as prescribed by its by-laws and the funds are invested, and pensions are paid therefrom to retired employees or are paid as death or disability benefits. SBERA is managed by a board of sixteen Trustees, two elected by votes of the participating banks located in each of eight geographical areas and an executive committee of five Trustees and the Secretary. The enabling statute provides that the by-laws of SBERA shall prescribe the manner in which the association may be conducted and its funds invested and paid out, that the by-laws shall be approved by the Commissioner of Banks of the Commonwealth of Massachusetts, and that SBERA shall make annual reports to the Commissioner of Banks.

On December 5, 1956, the by-laws of SBERA were amended to provide that not over 10 percent of the funds of SBERA shall be invested in shares of SBIF.

It is proposed that the Charter of SBIF be changed by act of the Massachusetts legislature to include SBERA within the definition of a "savings bank" to permit SBERA to subscribe to the securities of SBIF.

Since the December 17, 1946, order contemplated that securities of SBIF would be held only by savings banks established under the laws of the Commonwealth of Massachusetts, applicant seeks the instant supplementary order so that the acquisition of SBIF's securities by SBERA which is not such a savings bank, may be permitted.

Notice is hereby given that any interested person may, not later than November 27, 1961, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for a hearing upon said application shall be issued

upon request or the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 61-10867; Filed, Nov. 14, 1961;
8:48 a.m.]

**INTERSTATE COMMERCE
COMMISSION**

[Notice 185]

**MOTOR CARRIER ALTERNATE ROUTE
DEVIATION NOTICES**

NOVEMBER 9, 1961.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with service at no intermediate points 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 239 (Deviation No. 1), ECKLAR-MOORE EXPRESS, INC., Forbes Road, Extended, Lexington, Ky., filed October 30, 1961. Attorney Harry McChesney, Jr., P.O. Box 127, Frankfort, Ky. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From junction Interstate Highway 64 and U.S. Highway 60, east of Middletown (Jefferson Co.) Ky., to junction Frankfort Interchange, thence over U.S. Highway 127, approximately 1 mile north to junction U.S. Highway 60 west of Frankfort, Ky., and (B) from junction Interstate Highway 64 and U.S. Highway 60, west of Winchester, Ky., to junction U.S. Highway 60 east of Mount Sterling, Ky., and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Louisville, Ky., over U.S. Highway 60 to Frankfort, thence over U.S. Highway 60 to Versailles, Ky.; from Frankfort over U.S. Highway 421 to Lexington, Ky.; from Frankfort over U.S. Highway 460 to Georgetown, Ky., thence over U.S. Highway 460 to Paris, Ky., thence over U.S.

Highway 227 to Winchester; and from Winchester over U.S. Highway 60 to Mount Sterling, Ky., thence over U.S. Highway 60 to Owingsville, Ky., and return over the same routes.

No. MC 239 (Deviation No. 2), ECKLAR-MOORE EXPRESS, INC., Forbes Road, Extended, Lexington, Ky., filed October 30, 1961. Attorney Harry McChesney, Jr., P.O. Box 127, Frankfort, Ky. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Covington, Ky., over Interstate Highway 75 to junction Kentucky Highway 22 southwest of Dry Ridge, Ky., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Covington over U.S. Highway 25 to Dry Ridge, thence over Kentucky Highway 22 to Owenton, Ky., thence over U.S. Highway 127 (old Kentucky Highway 35) to Frankfort, Ky., and return over the same route.

No. MC 29988 (Deviation No. 10), DENVER-CHICAGO TRUCKING COMPANY, INC., 45th and Jackson Streets, Denver, Colo., filed November 1, 1961. Attorneys Axelrod, Goodman and Steiner, 39 South La Salle Street, Chicago 3, Ill. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Denver, Colo., over Interstate Highway 80S to junction Interstate Highway 80, thence over Interstate Highway 80 to Chicago, Ill., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Denver over U.S. Highway 85 to Greeley, Colo., thence over U.S. Highway 34 to junction U.S. Highway 6, thence over U.S. Highway 6 to Sterling, Colo. (also from Denver over U.S. Highway 6 to Sterling), thence over U.S. Highway 138 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Alternate U.S. Highway 30, and thence over Alternate U.S. Highway 30 to Chicago; from Denver over U.S. Highway 40 to Limon, Colo., thence over U.S. Highway 24 to Halford, Kans., thence over U.S. Highway 83 to Oakley, Kans., thence over U.S. Highway 40 to Topeka, Kans., thence over U.S. Highway 24 to Kansas City, Mo. (also from Topeka over U.S. Highway 40 to Kansas City), and thence over U.S. Highway 40 to St. Louis, Mo., and return over the same routes.

No. MC 32474 (Deviation No. 3), KEESHIN TRANSPORT SYSTEM, INC., 321 Wabash Street, Toledo 2, Ohio, filed October 30, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route between Ypsilanti and Detroit,

Mich., over Interstate Highway 94, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Ypsilanti, over U.S. Highway 112 to junction Michigan Highway 17, thence over Michigan Highway 17 to Detroit, and return over the same route.

No. MC 60066 (Deviation No. 1), BEE LINE MOTOR FREIGHT, 1302 IZARD Street, Omaha 2, Nebr., filed October 31, 1961. Attorney Samuel V. Cooper, 837 Omaha National Bank Building, Omaha 2, Nebr. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route between Lincoln and Omaha, Nebr., over Interstate Highway 80, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Bridgeport, Nebr., over U.S. Highway 26 to Ogallala, Nebr., thence over U.S. Highway 30 to Grand Island, Nebr., thence over U.S. Highway 281 to junction U.S. Highway 34, thence over U.S. Highway 34 to Lincoln, and thence over U.S. Highway 6 to Omaha, and return over the same route.

No. MC 95265 (Deviation No. 1), ROBERTSON TRANSPORTATION CO., INC., Box 3158, 1000 Robertson Place, Madison 4, Wis., filed November 3, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 12 and Interstate Highways 90 and 94, north of Wisconsin Dells, Wis., over Interstate Highways 90 and 94 to junction U.S. Highway 51 north of Madison, Wis., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Madison over U.S. Highway 12 to the junction of Interstate Highways 90 and 94 north of Wisconsin Dells, Wis., and return over the same route.

No. MC 111231 (Deviation No. 12), JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark., filed October 30, 1961. Carrier's representative B. J. Wiseman, same address. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Perryville, Mo., over Missouri Highway 51 to junction Missouri Highway 91, thence over Missouri Highway 91 to Advance, Mo., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 61 to Jackson, Mo., thence over Missouri Highway 25 to the

Missouri-Arkansas State Line, and return over the same route.

By the Commission.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 61-10860; Filed, Nov. 14, 1961;
8:47 a.m.]

[Notice 406]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 9, 1961.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 o'clock a.m., United States standard time (or 9:30 o'clock a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 28573 (Sub-No. 17) (SECOND CLARIFICATION), filed July 24, 1961, published issue of October 4, 1961, amended October 10, 1961, clarified November 8, 1961, and republished as clarified this issue. Applicant: GREAT NORTHERN RAILWAY COMPANY, a corporation, 175 East Fourth Street, St. Paul 1, Minn. Applicant's attorney: R. W. Cronon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over numbered and unnumbered highways, transporting: *General commodities*, between all Great Northern Railway Company stations in North Dakota and all Intercontinental Ballistic Missile launching sites in North Dakota, as off-route points in connection with applicant's presently-authorized regular-route operations, limited to service which is auxiliary to, or supplemental of, its rail service.

NOTE: Applicant states tacking is proposed with authority contained in lead Docket MC 28573 and Subs 3, 5A, and 11. The purpose of this republication is to set forth that operations will be conducted over specified highways (to be identified at the hearing) as well as certain unnumbered highways.

HEARING: Remains as assigned December 18, 1961, at the U.S. Court Rooms, Fargo, N. Dak., before Joint Board No. 300, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 101075 (Sub-No. 71), filed October 2, 1961. Applicant: TRANSPORT, INC., P.O. Box 396, 1215 Center Avenue, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum*

products, in bulk, in tank vehicles, from Jamestown, Mandan, and Minot, N. Dak., and points within 15 miles of each, to Ports of Entry on the International Boundary Line between North Dakota and Canada, and empty containers or other such incidental facilities (not specified) used in transporting the above-specified commodities, on return.

NOTE: Applicant states its president, R. O. Pitsenbarger is also president and principal stockholder of Interstate Transport, Inc.

HEARING: January 22, 1962, at the North Dakota Public Service Commission, Bismarck, N. Dak., before Joint Board No. 274.

No. MC 105813 (Sub-No. 50), filed November 1, 1961. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami, Fla. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Candy and confectionery, advertising, promotional and display materials, and premiums, from Hershey, Pa., to points in Florida.

HEARING: December 13, 1961, at the Dupont Plaza Hotel, 300 Biscayne Boulevard Way, Miami, Fla., before Examiner William R. Tyers.

No. MC 105813 (Sub-No. 51), filed November 1, 1961. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami, Fla. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from St. Joseph, Marshall, Macon, Carrollton, Milan, and Moberly, Mo., to points in Tennessee (except Memphis), Kentucky, Georgia, Florida, North Carolina, South Carolina, Alabama, and Louisiana.

HEARING: December 6, 1961, at the Mark Twain Hotel, St. Louis, Mo., before Examiner Garland E. Taylor.

No. MC 108449 (Sub-No. 134), filed October 23, 1961. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from points in that portion of North Dakota located in an area bounded by a line beginning at the intersection of the North Dakota-Montana and Canada boundary lines and extending southerly along the North Dakota-Montana State line to the Missouri River, thence easterly along the Missouri River to U.S. Highway 83, thence northerly along U.S. Highway 83 to the International Boundary line between the United States and Canada, thence westerly along the International Boundary line between the United States and Canada to point of beginning to points in North Dakota, South Dakota, and Montana, and returned and rejected shipments of the above-specified commodities, on return.

NOTE: Applicant states it is in temporary control through management of Moore Motor Freight Lines, Inc., MC 17481 and Subs by authority of I.C.C. in Docket MC-F-7553 210a(b) temporary control through management.

HEARING: January 24, 1962, at the North Dakota Public Service Commission, Bismarck, N. Dak., before Joint Board No. 124.

No. MC 108449 (Sub-No. 135), filed October 24, 1961. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from Grand Forks, N. Dak., and points within ten (10) miles thereof, to points in Meade and Pennington Counties, S. Dak., and returned and rejected shipments of the above-specified commodities, on return.

NOTE: Applicant states it is in temporary control through management of Moore Motor Freight Lines, Inc., MC 17481 and Subs by authority of I.C.C. in Docket MC-F 7553 210a(b) temporary control through management.

HEARING: January 17, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 143.

No. MC 110698 (Sub-No. 190), filed November 1, 1961. Applicant: RYDER TANK LINE, INC., P.O. Box 457, Greensboro, N.C. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Acids and chemicals, in bulk, (1) from Baton Rouge, La., and points within twenty-five (25) miles thereof, to points in Alabama, Arkansas, Colorado, Georgia, Indiana, Kansas, Michigan, Missouri, New Mexico, Ohio, South Carolina, and Texas, Arizona, California, Florida, Illinois, Iowa, Kentucky, Mississippi, Nebraska, North Carolina, Oklahoma, Tennessee, and Wisconsin and (2) from Alabama, California, Georgia, Indiana, Michigan, Missouri, Oklahoma, Tennessee, Arkansas, Florida, Illinois, Kentucky, Mississippi, Ohio, South Carolina, Texas, to Baton Rouge, La., and points within twenty-five (25) miles thereof.

NOTE: Applicant states "The capital stock of Ryder Tank Line, Inc., is owned by the Ryder System of Miami, Fla., which also controls Ryder Truck Line and other motor carriers subject to part II of the Interstate Commerce Act. See also MC-F-7196 Ryder Tank Line, Inc. Purchase York Interstate Trucking."

HEARING: December 7, 1961, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Charles J. Murphy.

No. MC 112750 (Sub-No. 71), filed September 28, 1961. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, Long Island, N.Y. Applicant's attorney: Leonard E. Lindquist, 1010 Midland

Bank Building, Minneapolis 1, Minn. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Eye glasses, including frames, lenses, and other parts thereof; audit media, punch cards, and other business papers, documents and records (excluding plant removals); and exposed and processed film, microfilm and prints, complimentary replacement film, incidental dealer handling supplies, and advertising literature moving therewith (excluding motion picture film used primarily for commercial theatre and television exhibitions); between Minneapolis and Duluth, Minn., and points in Wisconsin lying in and west of Ashland, Sawyer, Rusk, Chippewa, Eau Claire, Trempealeau, and La Crosse Counties, Wis.

HEARING: January 18, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 114042 (Sub-No. 1), filed August 14, 1961. Applicant: ROBERT A. ANDERSON AND HENRY W. KIVI, a partnership, doing business as ANDERSON & KIVI TRUCKING CO., 9415 Clyde Avenue, Duluth, Minn. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Concrete pipe, manhole concrete joist, and concrete products; from the site of the Elk River Concrete Products Plant at Duluth, Minn., to points in Douglas, Bayfield, Washburn, Sawyer, and Ashland Counties, Wis.

NOTE: Applicant presently holds common carrier authority under MC 112395, therefore dual operations may be involved.

HEARING: January 19, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 114211 (Sub-No. 32), filed November 6, 1961. Applicant: WARREN TRANSPORT, INC., 224 Witry Street, Waterloo, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago 2, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Agricultural machinery and agricultural implements, and parts thereof, when moving incidental to and in the same vehicle with said commodities, from Moline and East Moline, Ill., to points in Baraga, Goegbic, Houghton, Iron, Keweenaw, and Ontonagon Counties, Mich., and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, on return.

HEARING: November 27, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Lucy W. Hinely.

No. MC 114457 (Sub-No. 5), filed September 25, 1961. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul 4, Minn. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a common carrier, by motor vehicle,

over irregular routes, transporting: (1) *Dairy products and materials, equipment and supplies* used in the production and distribution of dairy products, from Emma and Concordia, Mo., to St. Paul, Minn., and (2) *materials, equipment, and supplies* used in the production and distribution of dairy products, and *damaged, rejected, and returned shipments* of dairy products, from St. Paul, Minn., to Emma and Concordia, Mo.

HEARING: January 16, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., Joint Board No. 201.

No. MC 114835 (Sub-No. 8), filed July 13, 1961. Applicant: SOO LINE RAILROAD COMPANY, a corporation, 800 Soo Line Building, Minneapolis 40, Minn. Applicant's attorney: C. Harold Peterson, Soo Line Railroad, Law Department, 1427 Soo Line Building, P.O. Box 530, Minneapolis 40, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, in substituted motor for rail service which is auxiliary to or supplemental of applicant's rail service, between Chicago, Ill., and Fond du Lac, Wis., from Chicago over Illinois Highway 19 to junction with U.S. Highway 45, thence over U.S. Highway 45 to its junction with Illinois Highway 21, thence over Illinois Highway 21 to Grays Lake, Ill., thence over combined Illinois Highways 21 and 83 to the Illinois-Wisconsin State line, thence over Wisconsin Highway 83 to its junction with County Trunk Highway X (near Genesee, Wis.), thence over County Trunk Highway X to its junction with Wisconsin Highway 59, thence over Wisconsin Highway 59 to Waukesha, Wis., thence over Wisconsin Highway 164 to its junction with Wisconsin Highway 74, thence over Wisconsin Highway 74 to its junction with County Trunk Highway J, thence over County Trunk Highway J to its junction with Wisconsin Highway 175, thence over Wisconsin Highway 175 to Fond du Lac, and return over the same route, serving the intermediate points of Schiller Park, Des Plaines, Wheeling, Prairie View, Mundelein, Grays Lake, Lake Villa, and Antioch, Ill., and Burlington, Mukwonago, Waukesha, Sussex, Theresa, Lomira, and Byron, Wis., and the off-route points of Leighton, Ill., and Trevor, Silverlake, Honey Creek, Slinger, and Allenton, Wis.; (2) between junction U.S. Highway 45 and Illinois Highway 21 and Union Grove, Wis., over U.S. Highway 45, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (3) Illinois Highways 132 and 173 between their respective junctions with U.S. Highway 45 and combined Illinois Highway 21 and 83, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (4) Wisconsin County Trunk Highway C and Wisconsin Highway 50 between their respective junctions with U.S. Highway 45 and Wisconsin Highway 83, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (5) between Union

Grove, Wis., and Elkhorn, Wis., over Wisconsin Highway 11, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (6) between Elkhorn, Wis., and Mukwonago, Wis., over Wisconsin Highway 15, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (7) between junction Wisconsin Highways 59 and 83 near Genesee, Wis., and junction County Trunk Highway X and Wisconsin Highway 59, over Wisconsin Highway 59, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (8) Wisconsin Highway 59 between its junction with Wisconsin Highway 83 and County Trunk Highway X, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (9) U.S. Highway 18 between Waukesha, Wis., and its junction with U.S. Highway 45, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (10) between junction U.S. Highways 45 and 18 and junction U.S. Highways 45 and 41, over U.S. Highway 45, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; (11) between the southerly junction of U.S. Highways 45 and 41 and junction U.S. Highway 45 and Wisconsin Highway 175 near Fond du Lac, Wis., over U.S. Highway 41, serving no intermediate points, as an alternate route for operating convenience only and serving no point not a station on its line of railroad; and (12) Wisconsin Highways 74, 60, 33, 28, and 49 between the junctions of those highways with U.S. Highway 41 and Wisconsin Highway 175, serving no intermediate points, as alternate routes for operating convenience only and serving no point not a station on its line of railroad.

HEARING: January 10, 1962, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 17.

No. MC 114835 (Sub-No. 10), filed October 16, 1961. Applicant: SOO LINE RAILROAD COMPANY, a corporation, 800 Soo Line Building, Minneapolis 40, Minn. Applicant's attorney: C. Harold Peterson, Soo Line Railroad, Law Department, 1427 Soo Line Building, P.O. Box 530, Minneapolis 40, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, in substituted motor-for-rail service which is auxiliary to or supplemental of applicant's rail service: (1) Between Shawano, Wis., and Gladstone, Mich., from Shawano over Wisconsin Highway 47 to Junction County Trunk Highway A, thence over County Trunk Highway A to Junction County Trunk Highway G, thence over County Trunk Highway G to junction with Wisconsin Highway 47 southeast of Neopit, Wis., thence over Wisconsin Highway 47 to junction with Wisconsin Highway 55 near Keshena, Wis., thence over Wisconsin Highway 55

to Argonne, Wis., thence over U.S. Highway 8 from its junction with Wisconsin Highway 55 near Crandon, Wis. to Junction U.S. Highway 2 at Norway, Mich., thence over U.S. Highways 2 and 41 to Gladstone, and return over the same route, serving the intermediate and off-route points of Gresham, Neopit, White Lake, Lily, Crandon, Argonne, Laona Junction, Armstrong Creek, Goodman and Pembine, Wis., and Hermansville and North Escanaba, Mich.; (2) between Shawano, Wis. and Laona, Wis., from Shawano over Wisconsin Highway 47 to Antigo, Wis., thence over Wisconsin Highway 52 to junction with Wisconsin Highway 32, thence over Wisconsin Highway 32 to Laona, and return over the same route, as an alternate route, serving no points not a station on its line of railroad; (3) between Junction Wisconsin Highway 64 and Wisconsin Highway 52 near Antigo, Wis. and Junction Wisconsin Highway 64 and Wisconsin Highway 55 near Langlade, Wis., from Junction Wisconsin Highway 64 and Wisconsin Highway 52, over Wisconsin Highway 64 to Junction Wisconsin Highway 55, and return over the same route, as an alternate route, serving no point not a station on its line of railroad; (4) between Junction County Trunk Highway M and Wisconsin Highway 55 at Markton, Wis. and Junction County Trunk Highway M and Wisconsin Highway 64 near Langlade, Wis., from Junction County Trunk Highway M and Wisconsin Highway 55, over County Trunk Highway M to Junction Wisconsin Highway 64, and return over the same route, as an alternate route, serving no point not a station on its line of railroad; (5) between Junction County Trunk Highway G and Wisconsin Highway 55 at Argonne, Wis. and Junction County Trunk Highway G and Wisconsin Highway 8 near Laona Junction, Wis., from Junction County Trunk Highway G and Wisconsin Highway 55, over County Trunk Highway G to Junction Wisconsin Highway 8, and return over the same route, as an alternate route, serving no point not a station on its line of railroad; and (6) between Pembine, Wis. and Powers, Mich., from Pembine over U.S. Highway 141 to Junction County Trunk Highway Z, thence over County Trunk Highway Z to the Wisconsin-Michigan State line, thence over Menominee County (Michigan) Highway 577 to Junction U.S. Highway 41, thence over U.S. Highway 41 to Powers, and return over the same route, as an alternate route, serving no point not a station on its line of railroad.

NOTE: In connection with (1) through (6) above, applicant states it shall not serve any point not a station on its line of railroad.

HEARING: January 9, 1962, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 95.

No. MC 123845, filed July 31, 1961. Applicant: FRANK D. PENNEY AND JOSEPH L. PENNEY, doing business as TWIN PORTS AUTO PARTS COMPANY, 216 Winter Street, Superior, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled motor vehicles* by use of wrecker

equipment only, and replacement of truck tractors for wrecks and disabled truck tractors, in secondary movements by the truck-away method between Superior, Wis., on the one hand, and, on the other, points in the Upper Peninsula of Michigan and points in that part of Minnesota on, and north, of a line commencing at the Minnesota-South Dakota State line at 7 miles west of Lake Benton, Minn., and extending east along Minnesota Highway 14 to the Minnesota-Wisconsin border at Winona, Minn.

HEARING: January 19, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 282.

No. MC 123961, filed October 3, 1961. Applicant: DONALD F. VAN HANDEL, doing business as VAN HANDEL TRUCKING COMPANY, 3403 West Spencer Street, Appleton, Wis. Applicant's attorney: Hugh F. Nelson, 111 South Memorial Drive, Appleton, Wis. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Chicago, Ill., to Appleton, Wis., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

HEARING: January 11, 1962, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 17.

No. MC 119427 (Sub-No. 1), filed July 31, 1961. Applicant: PAUL GILBERT, Kiester, Minn. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (1) *Commercial fertilizer*, dry, in bags, and (2) *agricultural chemicals*; from Mason City, Iowa to Kiester, Minn., from Mason City west to U.S. Highway 65, thence north over U.S. Highway 65 to its junction with U.S. Highway 18, thence west over U.S. Highway 18 to its junction with U.S. Highway 69, thence north over U.S. Highway 69 to its junction with unnumbered county road, thence northwest over unnumbered county road to the Iowa-Minnesota State line, thence north over Minnesota Highway 22 to Kiester, serving no intermediate points.

Note: Applicant indicates the proposed operation will be seasonal, between January 1st and June 1st; and August 15 to October 15.

HEARING: December 15, 1961, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 146.

MOTOR CARRIERS OF PASSENGERS

No. MC 123950, filed September 25, 1961. Applicant: NEAL O'LEARY, doing business as EXECUTIVE TRANSPORT, 1423 East Milwaukee Street, Janesville, Wis. Authority sought to operate as a contract carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Janesville, Wis., and O'Hare International Airport (Cook County, Ill.); from Janesville south on County Trunk G to Beloit, Wis., east on Wisconsin Highway 15 to Interstate

Highway 90, south on Interstate Highway 90, exiting at O'Hare International Airport, and return over the same route, serving no intermediate points.

HEARING: January 11, 1962, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13.

No. MC 123983, filed October 12, 1961. Applicant: WARREN LASHLEY, doing business as LASHLEY TRANSIT LINES, South Gate Street, New Martinsville, W. Va. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* in the same vehicle with passengers, between Sistersville, W. Va., and Omal, Ohio (near Hannibal); from Sistersville over West Virginia Highway 2 to New Martinsville, W. Va., thence across the New Martinsville Bridge over Ohio Highway 7 to Omal, and return over the same route, serving all intermediate points between Sistersville and New Martinsville, W. Va., including New Martinsville.

HEARING: December 12, 1961, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 61.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 117), filed November 2, 1961. Applicant: YOUNGER BROTHERS, INC., P.O. Box 14287, Houston, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Propylene*, in bulk, in tank vehicles, from Freeport, Tex., to Plaquemine, La.

Note: Applicant states "Younger Bros.-J. M. English Truck Lines, Inc., is an affiliated motor carrier engaged in transporting oil field commodities under the Mercer case commodity description as authorized in Docket No. MC 106509 and subs."

No. MC 42261 (Sub-No. 59), filed November 1, 1961. Applicant: LANGER TRANSPORT CORP., Route 1, Foot of Danforth Avenue, Jersey City, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Refining catalyst* (dry), in bulk, in hopper-type vehicles, from Paulsboro, N.J., to East St. Louis, Ill., and returned or rejected shipments of the above material on return.

No. MC 107403 (Sub-No. 366), filed November 2, 1961. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Shertz, Barnes & Shertz, Suite 601, 226 South 16th Street, Philadelphia 2, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank and hopper-type vehicles, from Niagara Falls, N.Y., to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, and West Virginia. Applicant states that it is authorized to control Reader Brothers, Inc. (MC-F-6886), and to temporarily lease the operating properties of Homer Hemick, doing business as Harlow Transportation Co. (MC-F-7839), and

Edwin E. Clarke, doing business as Clarke Bulk Transfer (MC-F-7909).

No. MC 112520 (Sub-No. 69), filed November 2, 1961. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous hydrogen chloride*, in bulk, in tank vehicles, from Midland, Mich., to Jacksonville, Fla.

No. MC 112750 (Sub-No. 76), filed November 1, 1961. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside 61, N.Y. Applicant's attorney: John Kevin Murphy (same as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Used punch cards and business papers and records*, used or useful in the preparation of such punch cards and other business papers and records involving information obtained from the punch cards or pertaining to the use thereof (excluding plant removals and supplies), under continuing contracts with The Service Bureau Corp. between Boston, Mass., on the one hand, and, on the other, points in Maine, New Hampshire, and Rhode Island.

No. MC 113777 (Sub-No. 1), filed November 2, 1961. Applicant: JAMES MESSINA doing business as MESSINA HAULAGE, 3351 Woodward Avenue, Wantagh, Long Island, N. Y. Applicant's attorney: L. Agnew Myers, Jr., Warner Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank type vehicles, ex rail cars at origin, from Brooklyn, N.Y., to points in Nassau and Suffolk Counties, N.Y., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

No. MC 116886 (Sub-No. 12), filed October 31, 1961. Applicant: HOWELL'S MOTOR FREIGHT, INCORPORATED, 2210 Winston Avenue SW., Roanoke, Va. Applicant's attorney: R. Roy Rush, Boxley Building, Roanoke, Va. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat and meat products* as defined by the Commission in Description in Motor Carrier Certificate 61 M.C.C. 209, 766, in vehicles equipped with temperature controlled devices, in pool-car and pool-truck distribution service, from Charlotte and Fayetteville, N.C., to points in North Carolina; or and east of a line beginning at the North Carolina-Virginia State line and extending along U.S. Highway 220 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction U.S. Highway 1, and thence along U.S. Highway 1 to the North Carolina-South Carolina State line.

MOTOR CARRIERS OF PASSENGERS

No. MC 56914 (Sub-No. 4), filed November 1, 1961. Applicant: ARIZONA BUS LINES, INC., 8220 East Sixth Street, Tucson, Ariz. Applicant's attorney: John A. McGuinn, 1120 Con-

necticut Avenue NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express shipments weighing 100 pounds more or less, and newspapers*, in the same vehicle with passengers, between Gila Bend, Ariz., and Lukeville, Ariz.; from Gila Bend over Arizona Highway 85 to Ajo, Ariz., thence over Arizona Highway 85 to Lukeville and return over the same route serving all intermediate points.

No. MC 102189 (Sub-No. 5), filed October 30, 1961. Applicant: SARNIA TRANSIT COMPANY LIMITED, a corporation, 708 Eddings Street, Sarnia, Ontario, Canada. Applicant's attorney: S. Harrison Kahn, 1110-14 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip special and charter operations, beginning and ending at ports of entry on the International Boundary line between the United States and Canada located in Michigan, and extending to points in Ohio, Pennsylvania, New York, Indiana, and Illinois.

NOTE: Applicant states that the proposed operation will be restricted to round trip international charter operations on traffic originating and terminating in Canada.

NOTICE OF FILING OF PETITION

No. MC 19227 (Sub Nos. 44 and 54) (PETITION FOR CLARIFICATION OR CORRECTION OF CERTIFICATES), dated October 12, 1961. Petitioner: LEONARD BROS. TRANSFER & STORAGE CO., INC., Miami, Fla. Petitioner's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington 6, D.C. By petition dated October 12, 1961, petitioner seeks clarification or correction of its Certificates MC 19227 (Subs 44 and 54), (1) The commodity description in petitioner's Sub 44 certificate reads as follows: "Unrated airplane parts, supplies, machinery, and equipment, used in the maintenance, servicing, repair, and operation of airplanes, the transportation of which because of their size or weight, require special equipment or special handling or rigging, over irregular routes." (2) The commodity description in petitioner's Sub 54 certificate reads as follows: "Airplane parts, and supplies, materials, parts and components used in the construction of aircraft, and supplies, machinery and equipment used in the maintenance, servicing, repair and operation of aircraft except those which because of their size or weight require the use of special equipment and handling, or rigging." Petitioner seeks modification of the above-described commodity description so as to authorize the transportation of missile parts and supplies, materials, parts and components used in the construction of missiles and supplies, machinery and equipment used in the maintenance, servicing, repair and operation of missiles. Any person or persons desiring to participate in this proceeding may file a reply to this petition, or other appropriate pleading within 30 days from the date of this 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 section 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-7462. (J. M. BLYTHE—PURCHASE—SEABOARD FOOD EXPRESS, INC.), published in the March 9, 1960, issue of the FEDERAL REGISTER on pages 2034 and 2035. Application filed November 8, 1961, for temporary authority under section 210a(b).

No. MC-F-7990. Authority sought for purchase by NATIONAL TRANSPORTATION COMPANY, 251 State Street Extension, Bridgeport, Conn., of a portion of the operating rights of HARTFORD TRANSPORTATION CO., INCORPORATED, 251 State Street Extension, Bridgeport, Conn., and for acquisition by DAVID C. GOLD, RAYMOND PULVER, and THEODORE KRAMER, all of Bridgeport, Conn., of control of such rights through the purchase. Applicants' attorneys: Joseloff, Murrett & Throwe, 410 Asylum Street, Hartford 3, Conn. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between New York, N.Y., Philadelphia, Pa., and Camden, N.J., on the one hand, and, on the other, certain points in New Jersey, and between Newark, N.J., on the one hand, and, on the other, points in Middlesex County, N.J.; *household goods*, as defined by the Commission, and *general commodities*, except those of unusual value, and except dangerous explosives, livestock, commodities requiring special equipment, and those injurious or contaminating to other lading, between points in Middlesex, Somerset, and Union Counties, N.J., on the one hand, and, on the other, certain points in New York, Connecticut, and Pennsylvania. Vendee is authorized to operate as a *common carrier* in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, and Maryland. Application has been filed for temporary authority under section 210a(b).

No. MC-F-7991. Authority sought for purchase by EAZOR EXPRESS, INC., 15 26th Street, Pittsburgh, Pa., of a portion of the operating rights of HARTFORD TRANSPORTATION CO., INCORPORATED, 2434 Berlin Turnpike, Newington, Conn., and for acquisition by THOMAS EAZOR, 15 26th Street, Pittsburgh, Pa., of control of such rights through the purchase. Applicants' attorneys: Zely and Burstein, 160 Broadway, New York, N.Y., and Joseloff, Murrett & Throwe, 410 Asylum Street, Hartford 3, Conn. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular

routes, between Boston, Mass., and Hartford, Conn., between junction U.S. Highway 20 and Massachusetts Highway 9 east of Worcester, Mass., and junction Massachusetts Highway 12 and U.S. Highway 20 south of Worcester, between Berlin, Conn., and New York, N.Y., between Boston, Mass., and junction U.S. Highway 6 and Connecticut Highway 91, between East Hartford, Conn., and junction U.S. Highway 6 and alternate U.S. Highway 6, between Portland, Conn., and Waterbury, Conn., between Portland, Conn., and Putnam, Conn., between Portland, Conn., and Jewett City and New London, Conn., and between the junction of U.S. Highway 5 and U.S. Highway 5A south of Berlin, Conn., and Hartford, Conn., serving certain intermediate and off-route points; alternate route for operating convenience only between Newington, Conn., and junction Massachusetts Highway 15 and U.S. Highway 20; *scrap materials, wire rope, paper and paper products, fertilizer, burlap bags, and such merchandise as is dealt in by wholesale and retail chain grocery and food business houses*, between Berlin, Conn., and Greenfield, Mass., serving certain intermediate and off-route points; *household goods* as defined by the Commission, over irregular routes, between Springfield, Mass., and points in Massachusetts within 25-miles of Springfield, on the one hand, and, on the other, points in New York; *fertilizer, scrap materials, wire rope, bananas, paper, paper products, pottery, apples, apple products, chemicals, machinery, fertilizer materials, canned goods, groceries, fruit, vegetables, and materials, machinery, machine parts, and supplies*, used in the manufacture of paper and paper products, from, to or between points and areas, varying with the commodity transported, in New Jersey, Connecticut, Massachusetts, New York, and Rhode Island. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New York, Illinois, Ohio, and West Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-7992. Authority sought for purchase by TEXAS-OKLAHOMA EXPRESS, INC., 1017 South Akard Street, Dallas, Tex., of the operating rights of HRNCIAR TRANSPORTS CO., a corporation, doing business as HRNCIAR TRANSPORTS (R. E. MOON, TRUSTEE in Bankruptcy), 411 NW. 22d Street, Oklahoma City, Okla., and for acquisition by LEONARD B. BROWN, P. L. CASE AND GEORGE C. JOHNSTON, all of 1017 South Akard Street, Dallas, Tex., of control of such rights through the purchase. Applicants' attorneys: Reagan Sayers, Century Life Building, Fort Worth 2, Tex., and Robert L. Cox, Hales Building, Oklahoma City, Okla. Operating rights sought to be transferred: *General commodities*, excepting, among others, commodities in bulk, but not excepting household goods, as a *common carrier*, over a regular route between Shamrock, Tex., and Oklahoma City, Okla., serving intermediate and off-route points within 15 miles of Shamrock, Tex. Vendee is authorized to operate as a *common carrier* in Oklahoma, Texas, Missouri, and Kansas. Applica-

tion has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61-10861; Filed, Nov. 14, 1961;
8:47 a.m.]

[Notice 565]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 9, 1961.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), 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 64394. By order of November 6, 1961, the Transfer Board approved the transfer to Best Way Frozen Express, Inc., Kansas City, Mo., of Certificate No. MC 117799, issued September 22, 1961, to Joe Robinson, Springdale, Ark., authorizing the transportation of frozen fruits, frozen berries, and frozen vegetables, over irregular routes, from points in California, to points in Iowa, points in the Minneapolis-St. Paul, Minn., Commercial Zone as defined by the Commission, Kansas City and St. Louis, Mo., Topeka and Wichita, Kans., Oklahoma City, Okla., Birmingham, Ala., Louisville, Ky., Phoenix, Ariz., Chicago and Rockford, Ill., and Indianapolis, Ind. James F. Miller, 500 Board of Trade Building, Kansas City 5, Mo., attorney for applicants.

No. MC-FC 64541. By order of November 6, 1961, the Transfer Board approved the transfer to Winecoff Motor Lines, Inc., Concord, N.C., of Certificate No. MC 111658, issued November 3, 1959, to Bamb, Incorporated, Bristol, Tenn., authorizing the transportation, over irregular routes, of ice cream, milk, cream, and milk products (except butter and cheese), in other than hermetically sealed containers, between points in Alabama, Florida, Georgia, Kentucky, Maryland, North Carolina, South Carolina, Tennessee (except Fayetteville), Virginia, West Virginia, and the District of Columbia; between points in Indiana and Ohio, on the one hand, and, on the other, points in territory specified immediately above; from points in Alabama, Florida, Georgia, Indiana, Kentucky, Maryland, Ohio, North Carolina, South Carolina, Tennessee (except Fayetteville), Virginia, West Virginia, and the District of Columbia, to Fayetteville,

Tenn.; empty containers used in the prior movement and equipment used in the production of the commodities specified above, between points in Alabama, Florida, Georgia, Indiana, Kentucky, Maryland, Ohio, North Carolina, South Carolina, Tennessee (except Fayetteville), Virginia, West Virginia, and the District of Columbia; mining cars, from Bristol, Tenn.-Va., to points in Kentucky, Tennessee, Virginia, and West Virginia within 150 miles of Bristol; wrecked mining cars, from points in Kentucky, Tennessee, Virginia, and West Virginia within 150 miles of Bristol, Tenn.-Va., to Bristol; and lubricating oil and grease, in containers, from Bayonne, N.J., and St. Marys, W. Va., to Bristol, Tenn.-Va. Frank A. Graham, Jr., 707 Security Federal Building, Columbia 1, S.C., attorney for applicants.

No. MC-FC 64500. By order of November 6, 1961, the Transfer Board approved the transfer to Harold A. Henry, doing business as Hank's Transfer, Des Moines, Iowa, of Permit No. MC 117576, issued March 26, 1959, to Myrtle I. Gurwell, doing business as Gurwell Transfer, Des Moines, Iowa, authorizing the transportation of: New furniture in shipper-owned trailers, from Des Moines, Iowa, to points in Nebraska; and damaged new furniture in shipper-owned trailers, or returned empty shipper-owned trailers, from points in Nebraska, to Des Moines, Iowa. Robert H. Rydell, 1020 Savings and Loan Building, Des Moines, Iowa, attorney for applicants.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61-10862; Filed, Nov. 14, 1961;
8:47 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

NOVEMBER 9, 1961.

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

LONG-AND-SHORT HAUL

FSA No. 37434: *Glazing compounds from Baltimore, Md., to Texas points.* Filed by Southwestern Freight Bureau, Agent (No. B-8100), for interested rail carriers. Rates on frit (glazing compound), in carloads, from Baltimore, Md., to McGregor, Palestine, San Antonio, and Tyler, Tex.

Grounds for relief: Motor-water-motor competition.
Tariff: Supplement 55 to Southwestern Freight Bureau tariff I.C.C. 4400.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61-10863; Filed, Nov. 14, 1961;
8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-X-19, Rev. 1]

DEPUTY REGIONAL DIRECTOR, DALLAS, TEXAS

Delegation Relating to Financial Assistance, Investment, Procurement and Technical Assistance, and Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706, 7418; 26 F.R. 177, 1456), there is hereby redelegated to the Deputy Regional Director, Dallas Regional Office, Small Business Administration, the authority:

A. *Financial assistance.* 1. To approve or decline direct and participation business and disaster loans.

2. To approve or decline Limited Loan Participation loans.

3. To disburse approved loans.

4. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.
By _____
(Name)
Deputy Regional Director.

6. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.

10. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased, and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to be done for the purpose of effectuating the granted powers, including without limiting the generality of the foregoing:

(a) The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property

of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

(b) The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

B. Investment program. 1. To disburse section 502 loans.

2. To extend the disbursement period on section 502 loan authorization or undischursed portions of section 502 loans.

3. To cancel wholly or in part undischursed balances of partially disbursed section 502 loans.

4. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

C. Procurement and technical assistance. 1. To: (a) Determine joint set-asides for Government procurements and sales; (b) to determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.

D. Administration. 1. To administer oaths of office.

2. To approve (a) annual and sick leave except advanced annual and sick leave and (b) leave without pay, not to exceed 30 days.

3. To (a) make emergency purchases chargeable to the Administrative expense fund, not in excess of \$50 in any one object class in any one instance but not more than \$100 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance.

4. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

5. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or service rendered.

6. To (a) authorize or approve official travel within the Region and (b) administratively approve travel reimbursement claims.

7. To procure from General Services Administration all standard forms and

all supply items listed in Part I of the SBA Index of Standard Supply Items.

8. To rent motor vehicles from the General Service Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

9. To establish and classify all non-technical positions subject to the Classification Act of 1949, as amended, in grades GS-1 through GS-7.

E. Eligibility. 1. To determine, for the purpose of the programs for which they are responsible, the concerns which are small businesses within the meaning of this agency's Small Business Size Standards Regulation, provided, however, that no determinations shall be made which involve protests of the size status of apparently successful bidders; requests for Small Business Certificates; requests for reconsideration of size determinations made in the Washington office, and appeals.

2. To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

II. All authority delegated herein may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Deputy Regional Director.

IV. All previous authority delegated by the Regional Director to the Deputy Regional Director, is hereby rescinded without prejudice to actions taken under all such delegation of authority prior to the date hereof.

Effective date: October 13, 1961.

C. W. FERGUSON,
Regional Director, Region X,
Small Business Administration.

[F.R. Doc. 61-10846; Filed, Nov. 14, 1961;
8:46 a.m.]

[Delegation of Authority 30-X-1 (Rev. 3)]

CHIEF, FINANCIAL ASSISTANCE DIVISION

Delegation Relating to Financial Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19, Revision 1, dated October 13, 1961, there is hereby redelegated to the Chief, Financial Assistance Division, Dallas Regional Office, Small Business Administration, the authority:

A. Financial assistance. 1. To approve direct and participation business loans, and to approve or decline disaster loans.

2. To approve or decline Limited Loan Participation loans.

3. To disburse approved loans.

4. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for

loans approved under delegated authority, said execution to read as follows:

(Name). Administrator,
By _____

(Name)
Chief, Financial Assistance Division.

6. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

7. To extend the disbursement period on all loan authorizations or undischursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.

10. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased, and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to be done for the purpose of effectuating the granted powers, including without limiting the generality of the foregoing:

(a) The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

(b) The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

B. Administration. To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

II. All authority delegated herein may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previous authority delegated by the Deputy Regional Director to the Chief, Financial Assistance Division is hereby rescinded without prejudice to

actions taken under all such delegations of authority prior to the date hereof.
Effective date: October 23, 1961.

JAMES R. WOODALL,
Deputy Regional Director,
Dallas Regional Office.

[F.R. Doc. 61-10847; Filed, Nov. 14, 1961;
8:46 a.m.]

[Delegation of Authority No. 30-X-25]

**MANAGER, DISASTER FIELD OFFICE,
LAFAYETTE, LOUISIANA**

Rescission of Delegation of Authority

Notice is hereby given that this delegation is rescinded in its entirety.

(Disaster Field Office closed effective October 20, 1961.)

Effective date: October 20, 1961.

JAMES R. WOODALL,
Deputy Regional Director,
Dallas Regional Office.

[F.R. Doc. 61-10848; Filed Nov. 14, 1961;
8:46 a.m.]

[Delegation of Authority No. 30-X-26]

**MANAGER, DISASTER FIELD OFFICE,
CAMERON, LOUISIANA**

Rescission of Delegation of Authority

Notice is hereby given that this delegation is rescinded in its entirety.

(Disaster Field Office closed effective October 27, 1961.)

Effective date: October 27, 1961.

JAMES R. WOODALL,
Deputy Regional Director,
Dallas Regional Office.

[F.R. Doc. 61-10849; Filed, Nov. 14, 1961;
8:46 a.m.]

[Delegation of Authority No. 30-X-34]

**MANAGER, DISASTER FIELD OFFICE,
TEXAS CITY, TEXAS**

Delegation Relating to Financial Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19 (Revision 1), dated October 13, 1961, there is hereby redelegated to the Manager, Disaster Field Office, Small Business Administration, Texas City, Texas, the authority:

A. *Financial assistance.* 1. To approve or decline direct and participation disaster loans in the amount not to exceed \$20,000.

2. To disburse approved loans.

3. To execute disaster loan authorizations for Washington approved disaster loans and for disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____,

(Name)

Manager, Disaster Field Office.

4. To cancel, reinstate, modify, and amend authorizations or undisbursed portions of disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

B. *Administration.* 1. To administer oaths of office.

2. To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

3. To administratively approve all types of vouchers, invoices and bills sub-

mitted by public creditors of the Agency for articles or services rendered.

II. The authority delegated in I.A. and I.B. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager, Disaster Field Office.

Effective date: October 25, 1961.

JAMES R. WOODALL,
Deputy Regional Director,
Dallas Regional Office.

[F.R. Doc. 61-10850; Filed, Nov. 14, 1961;
8:46 a.m.]

[Delegation of Authority No. 30-IV-34]

**BRANCH COUNSEL, BALTIMORE,
MARYLAND**

Delegation Relating to Legal Functions

I. Pursuant to the authority delegated to the Branch Manager by Delegation of Authority No. 30-IV-5, Revision 4, as amended (25 F.R. 6548 and 8588; 26 F.R. 4129), there is hereby redelegated to the Branch Counsel, Baltimore Branch Office, the authority to disburse approved loans.

II. The authority delegated herein may not be redelegated.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Branch Counsel.

Effective date: October 16, 1961.

MEREDITH R. HOFFMASTER,
Branch Manager,
Baltimore Branch Office.

[F.R. Doc. 61-10851; Filed, Nov. 14, 1961;
8:46 a.m.]

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