

THE NATIONAL ARCHIVES  
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MANET  
1934  
OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME 29 NUMBER 244

Washington, Wednesday, December 16, 1964

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Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402



**FEDERAL REGISTER**  
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

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# Rules and Regulations

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Docket No. 6256; Amdt. 39-14]

#### PART 39—AIRWORTHINESS DIRECTIVES [NEW]

##### Hartzell Model HC-12X20 Propellers

A proposal to amend Part 507 of the Regulations of the Administrator to include an airworthiness directive requiring inspection and modification of Hartzell Models HC-12X20-1, -2, -3, -5, and -7B propellers equipped with C-49-2B and C-49-2C hub spiders was published in 29 F.R. 14444. Since the publication of that proposal, Part 507 has been recodified into Part 39 [New], effective November 20, 1964, therefore this amendment is being made to Part 39 [New].

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 [New] (14 CFR Part 39 [New]), is hereby amended by adding the following new airworthiness directive:

**HARTZELL.** Applies to Models MC-12X20-1, -2, -3, -5, and -7B propellers equipped with C-49-2B and C-49-2C hub spiders having Serial Numbers between 4200 and 5200 installed on Downer (Republic) RC-2; Navion, Navion A; and Grumman G-44 Series aircraft.

Compliance required as indicated.

As a result of loss of propeller blade due to failure of a hub spider, accomplish the following:

(a) Visually inspect propeller hub spiders for cracks in accordance with Hartzell Service Bulletin No. 32 amended August 11, 1964, within 10 hours' time in service after the effective date of this AD, and at intervals thereafter not to exceed 25 hours' time in service from the last inspection until modification in accordance with Hartzell Service Bulletin No. 32 amended August 11, 1964, is accomplished. Replace cracked parts before further flight.

(b) Modify propeller hub spiders having accumulated less than 400 hours' time in service since new or last overhaul in accordance with Hartzell Service Bulletin No. 32 amended August 11, 1964, prior to the accumulation of 500 hours' total time in service since new or last overhaul.

(c) Modify propeller hub spiders having accumulated 400 or more hours' time in service since new or last overhaul in accordance with Hartzell Service Bulletin No. 32 amended August 11, 1964, prior to the accumulation of 100 hours' time in service after the effective date of this AD.

(Hartzell Service Bulletin No. 32 dated March 9, 1955, amended August 11, 1964, covers this subject.)

This amendment shall become effective January 15, 1965.

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

Issued in Washington, D.C., on December 9, 1964.

G. S. MOORE,  
Director,

Flight Standards Service.

[F.R. Doc. 64-12854; Filed, Dec. 15, 1964; 8:45 a.m.]

[Airspace Docket No. 63-SW-91]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

##### Alteration of Control Zone, Designation of Transition Area and Revocation of Control Area Extension

On October 8, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 13904) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Wichita Falls, Tex., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective 0001 e.s.t. April 1, 1965, as hereinafter set forth.

1. In § 71.171 (29 F.R. 1158), the Wichita Falls, Tex., control zone is amended to read as follows:

WICHITA FALLS, TEX.

That airspace within a 5-mile radius of Sheppard AFB/Municipal Airport, Wichita Falls, Tex., (latitude 33°58'55" N., longitude 98°29'35" W.); within 2 miles each side of the Wichita Falls VORTAC 092° radial extending from the 5-mile radius zone to the VORTAC; within 2 miles each side of the ILS localizer SE course extending from the 5-mile radius zone to the OM; within 2 miles each side of the Sheppard TACAN 333° radial extending from the 5-mile radius zone to 7.5 miles N of the TACAN, and within 2 miles each side of the Sheppard TACAN 163° radial extending from the 5-mile radius zone to 7 miles S of the TACAN.

2. In § 71.165 (29 F.R. 1100) the Wichita Falls, Tex., control area extension is revoked.

3. In § 71.181 (29 F.R. 1160) the following transition area is added:

WICHITA FALLS, TEX.

That airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at latitude 34°11'30" N., longitude 98°38'00" W.; to latitude 34°07'30" N., longitude 98°25'30" W.; to latitude 33°50'30" N., longitude 98°11'30" W.; to latitude 33°46'00" N., longitude 98°14'00" W.; to latitude 33°43'00" N., longitude 98°27'30" W.; to latitude 33°52'00" N., longitude 98°33'00" W.; to latitude 33°51'00" N., longitude 98°39'00" W.; to latitude 33°57'30" N., longitude 98°48'30" W.; to latitude 34°09'00" N., longitude 98°45'30" W.; to point of beginning; and that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 34°10'00" N., longitude 97°49'00" W.; thence E via latitude 34°10'00" N., to and counterclockwise along the arc of a 25-mile radius circle centered at the Ardmore Airport, Ardmore, Okla. (latitude 34°18'00" N., longi-

tude 97°00'50" W.) to longitude 97°18'00" W.; thence S via longitude 97°18'00" W.; to latitude 33°56'00" N., longitude 97°18'00" W.; to latitude 33°48'00" N., longitude 97°44'00" W.; to latitude 33°34'00" N., longitude 97°44'00" W.; to latitude 33°22'00" N., longitude 97°55'00" W.; to latitude 33°16'00" N., longitude 98°30'00" W.; to latitude 33°16'00" N., longitude 98°51'00" W.; to latitude 33°02'00" N., longitude 98°51'00" W.; to latitude 32°52'00" N., longitude 99°02'00" W.; to latitude 32°52'00" N., longitude 99°14'00" W.; to latitude 33°31'00" N., longitude 99°14'00" W.; to latitude 33°31'00" N., longitude 99°49'00" W.; to latitude 33°56'00" N., longitude 99°42'30" W.; to latitude 34°15'00" N., longitude 99°30'00" W.; to latitude 34°08'00" N., longitude 99°05'00" W.; to latitude 34°21'00" N., longitude 98°46'00" W.; to point of beginning.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on December 8, 1961.

ARCHIE W. LEAGUE,  
Director, Southwest Region.

[F.R. Doc. 64-12855; Filed, Dec. 15, 1964; 8:45 a.m.]

[Airspace Docket No. 64-SW-22]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

##### Alteration of Transition Area

On October 9, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 13975) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Farmington, New Mexico, terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective 0001 e.s.t. March 4, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 5456) the Farmington, N. Mex., transition area is amended to read:

FARMINGTON, N. MEX.

That airspace extending upward from 700 feet above the surface within an 11-mile radius of Farmington Municipal Airport (latitude 36°44'35" N., longitude 108°13'46" W.), within 2 miles each side of the Farmington VORTAC 094° radial extending from the 11-mile radius area to 8 miles E of the VORTAC, and within 2 miles each side of the Farmington VORTAC 086° radial extending from the 11-mile radius area to 12 miles E of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of the Farmington VORTAC excluding the portion within the Durango, Colo., transition area.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on December 8, 1961.

ARCHIE W. LEAGUE,  
Director, Southwest Region.

[F.R. Doc. 64-12856; Filed, Dec. 15, 1964; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES [NEW]

[Reg. Docket 6314; Amdt. 403]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES [NEW]

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 [New] (14 CFR Part 97 [New]) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELLED, EFFECTIVE DEC. 10, 1964, OR UPON DECOMMISSIONING OF ADF.

City, Fayetteville; State, N.C.; Airport Name, Grannis Field; Elev., 189'; Fac. Class., MHW; Ident., FAY; Procedure No. 1, Amdt. 4; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 3; Dated, 4 Feb. 61

FAY VOR.....	LOM.....	219° 5.4 miles.....	1900	T-dn.....	300-1	300-1	200-½
				C-dn.....	400-1	500-1	500-1½
				S-dn-3.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar terminal area transition altitude: 2500' within 15-mile radius of Grannis Field.

Procedure turn S side of crs, 214° Outbnd, 034° Inbnd, 1900' within 15 miles.

Minimum altitude over facility on final approach crs, 1900'.

Crs and distance, facility to airport 034°—5.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing LOM, make right turn, intercepting 080° crs from LOM, climbing to 1900' within 15 miles or, when directed by ATC, turn right, climb to 1900' on R-090 of FAY VOR within 15 miles.

MSA within 25 miles of facility: 000°-270°—1500'; 270°-360°—1700'.

City, Fayetteville; State, N.C.; Airport Name, Grannis Field; Elev., 189'; Fac. Class., LOM; Ident., GR; Procedure No. 1, Amdt. Orig.; Eff. Date, 10 Dec. 64

Harris Neck Int.....	HIN RBn.....	Direct.....	1600	T-dn.....	300-1	300-1	200-½
Marlow Int.....	HIN RBn.....	Direct.....	2200	C-dn.....	500-1	500-1	500-1½
Midway Int.....	HIN RBn.....	Direct.....	1600	S-dn-5.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn W side of crs, 230° Outbnd, 050° Inbnd, 1600' within 10 miles.

Minimum altitude over facility on final approach crs, 800'.

Crs and distance, facility to airport, 050°—2.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.5 miles after passing HIN RBn, turn right, climb to 1600' returning direct to HIN RBn.

NOTE: Authorized for military use only except by prior arrangement.

CAUTION: Final approach crs is 1.1 miles from boundary of R-3005A.

MSA within 25 miles of facility: 000°-090°—1500'; 090°-180°—1400'; 180°-270°—1600'; 270°-360°—2200'.

City, Fort Stewart; State, Ga.; Airport Name, Liberty AAF; Elev., 46'; Fac. Class., MHW; Ident., HIN; Procedure No. 1, Amdt. 2; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 1; Dated, 14 Nov. 64

				T-dn.....	300-1	300-1	300-1
				C-dn.....	900-1	900-1	900-1½
				S-dn-9.....	900-1	900-1	900-1
				A-dn.....	NA	NA	NA

Procedure turn S side of crs, 275° Outbnd, 095° Inbnd, 1900' within 10 miles.

Minimum altitude over facility on final approach crs 1500'.

Crs and distance, facility to airport 095°—2.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing Manistee "H", make climbing right turn and return to Manistee "H" at 1900'.

NOTES: 1. 900-1½ alternate minimums authorized for air carrier with approved weather service. 2. No weather available. 3. Close flight plan by radio with Traverse City FSS or if unable, via public telephone immediately upon landing.

MSA within 25 miles of facility: 000°-180°—3100'; 180°-360°—1900'.

City, Manistee; State, Mich.; Airport Name, Manistee County-Blacker; Elev., 613'; Fac. Class., HW; Ident., MBL; Procedure No. 1, Amdt. Orig.; Eff. Date., 10 Dec. 64

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Monroe VOR	LOM	Direct	1400	T-dn C-dn S-dn-4 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1 1/2 400-1 800-2

Procedure turn S side of crs, 218° Outbnd, 038° Inbnd, 1400' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over facility on final approach crs, 1200'.

Crs and distance, facility to airport, 038°—4.2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing ML LOM, climb to 1600' on bearing 038° from the LOM within 20 miles.

CAUTION: 2049' TV antenna located 20 miles S of airport; 850' TV antenna located 3.7 miles WNW of airport.

MSA within 25 miles of facility: 050°-140°-1900'; 140°-230°-3100'; 230°-320°-1900'; 320°-050°-1900'.

City, Monroe; State, La.; Airport Name, Selman Field; Elev., 79'; Fac. Class., LOM; Ident., ML; Procedure No. 1, Amdt. 4; Eff. Date, 12 Dec. 1964; Sup. Amdt. No. 3; dated 2 Nov. 63

Washoe Int	Sparks RBN	Direct	11000	T-dn#	1000-2	1000-2	1000-2
Wadsworth Int	Sparks RBN	Direct	10000	C-dn	2000-2	2000-2	2000-2
Verdi Int	Sparks RBN	Direct	10000	A-dn	2500-3	2500-3	2500-3
Steamboat Int	Sparks RBN	Direct	9000				
Reno VOR	Sparks RBN	Direct	9000				
Mustang Int	Sparks RBN	Direct	9000				
Pyramid Int	Sparks RBN (final)	Direct	9000				

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 9000' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over Sparks RBN on final approach crs, 8000'; over Reno RBN, 7000'.

Crs and distance, Sparks RBN to airport, 161°—11.1 miles; RNO RBN to airport, 161°—2.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 11.1 miles after passing Sparks RBN (2.3 miles after RNO RBN), turn right direct to Sparks RBN climbing to 10,000'. Hold N Sparks RBN 1-minute pattern, 162° Inbnd, right turns.

AIR CARRIER NOTE: Reduction in visibility by sliding scale or local condition not authorized for takeoff or landing.

#IFR departures must comply with published Reno SIDs.

MSA within 25 miles of facility: 000-090°-9400'; 090°-180°-11800'; 180°-270°-11800'; 270°-360°-9800'.

City, Reno; State, Nev.; Airport Name, Reno Municipal; Elev., 4411'; Fac. Class., MHW; Ident., SPK; Procedure No. 2, Amdt. Orig.; Eff. Date, 12 Dec. 64

Cardinal Int	LOM	Direct	2000	T-dn	300-1	300-1	200-1/2
St. Paul Int	LOM (final)	Direct	2000	C-dn	500-1	500-1	500-1 1/2
STL VOR	LOM	Direct	2000	S-dn-12R	400-1	400-1	400-1
Lake RBN	LOM	Direct	2000	A-dn	800-2	800-2	800-2
ST LOM	LOM	Direct	2000				
Academy Int	LOM	Direct	2000				
Godfrey Int	LOM	Direct	2200				
Maryland Heights VOR	LOM	Direct	2200				
LeMay Int	LOM	Direct	2600				
Park Int	LOM	Direct	2000				

Radar vectoring to final approach crs authorized in accordance with approved patterns.

Procedure turn N side of crs, 297° Outbnd, 117° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 117°—5.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, climb to 2000' on 117° bearing from LM LOM within 10 miles, turn right, return to LM LOM, or when directed by ATC, climb to 2400' on 117° bearing from LM LOM within 10 miles, turn right, proceed to Lake RBN.

NOTE: Aircraft executing missed approach may be radar controlled after radar identification.

MSA within 25 miles of facility: 000°-090°-2000'; 090°-180°-2600'; 180°-270°-2100'; 270°-360°-2200'.

City, St. Louis; State, Mo.; Airport Name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., LOM; Ident., LMR; Procedure No. 3, Amdt. Orig.; Eff. Date, 14 Dec. 64 or upon commissioning of facility

SCK-VOR	LOM	Direct	1700	T-dn	300-1	300-1	200-1/2
Woodward Int	LOM	Direct	2000	C-dn	500-1	500-1	500-1 1/2
Tracy Int	LOM	Direct	2000	S-dn-20R	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 111° Outbnd, 291° Inbnd, 1700' within 10 miles of LOM.

Minimum altitude over facility on final approach crs, 1700'.

Crs and distance, facility to airport, 291°—5.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing LOM, turn left, climb to 2000' on 233° crs from LOM within 15 miles.

MSA within 25 miles of facility: 000°-090°-3200'; 090°-180°-3500'; 180°-270°-4400'; 270°-360°-2000'.

City, Stockton; State, Calif.; Airport Name, Stockton Metropolitan; Elev., 27'; Fac. Class., LOM; Ident., SC; Procedure No. 1, Amdt. 2; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 1; Dated, 10 Mar. 62

PROCEDURE CANCELLED, EFFECTIVE 12 DEC. 1964.

City, Tallahassee; State, Fla.; Airport Name, Municipal; Elev., 82'; Fac. Class., BH; Ident., TLH; Procedure No. 2, Amdt. 3; Eff. Date, 8 June 63; Sup. Amdt. No. 2; Dated, 2 Feb. 63

TLH-VOR	LOM	Direct	1800	T-dn	300-1	300-1	200-1/2
Jackson Int	LOM	Direct	1800	C-dn	400-1	500-1	500-1 1/2
Camp Int	LOM	Direct	1800	S-dn-36	400-1	400-1	400-1
Creek Int	LOM	Direct	1800	A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 178° Outbnd, 358° Inbnd, 1300' within 10 miles.

Minimum altitude over facility on final approach crs, 1200'.

Crs and distance, facility to airport, 358°—4.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing LOM, climb straight ahead to 1800' on a crs of 358° from LOM within 15 miles or, turn right, climbing to 1800' and proceed to the TLH-VOR via R-243.

Other change: Deletes transition from TLH RBN.

MSA within 25 miles of facility: 000°-090°-2300'; 090°-180°-1200'; 180°-270°-1400'; 270°-360°-1900'.

City, Tallahassee; State, Fla.; Airport Name, Tallahassee Municipal; Elev., 81'; Fac. Class., LOM; Ident., TL; Procedure No. 1, Amdt. 5; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 4; Dated, 4 Jan. 64

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Int R-255 INK and R-145 CNM	CNM VOR	Direct	5000	T-dn C-d C-n S-dn-32L A-dn	300-1 500-1 500-2 400-1 800-2	300-1 500-1 500-2 400-1 800-2	300-1 500-1½ 500-2 400-1 800-2

Procedure turn E side of crs, 145° Outbnd, 325° Inbnd, 5000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 4300'.  
 Crs and distance, facility to airport, 325°—4.7 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing CNM-VOR, turn right, climb to 5000' on R-053 within 20 miles.  
**AIR CARRIER NOTE:** Runways 3-21 and 14R-32L only authorized for night operation.  
**CAUTION:** Unlighted hill 200' above airport elevation approximately 2½ miles NW of airport.  
 MSA within 25 miles of facility: 000°-090°—4700'; 090°-180°—5000'; 180°-270°—7200'; 270°-360°—5800'.

City, Carlsbad; State, N. Mex.; Airport Name, Carlsbad Municipal; Elev., 3276'; Fac. Class., BVOR; Ident., CNM; Procedure No. 1, Amdt. 5; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 4; Dated, 29 June 63

				T-dn C-dn A-dn	300-1 900-2 900-2	300-1 900-2 900-2	200-½ 900-2 900-2
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Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn S side of crs, 264° Outbnd, 084° Inbnd, 3000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 3000'.  
 Crs and distance, facility to airport, 084°—8.1 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.1 miles after passing CRW-VOR, climb to 3000' direct to CRW LOM. Hold NE, 1-minute right turns, 230° Inbnd.  
 MSA within 25 miles of facility: 000°-360°—3100'.

City, Charleston; State, W. Va.; Airport Name, Kanawha; Elev., 982'; Fac. Class., BVORTAC; Ident., CRW; Procedure No. 1, Amdt. 3; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 2; Dated, 31 Aug. 63

EKN VOR	Lost Creek Int	Direct	4000	T-dn	300-1	300-1	200-½
Lost Creek Int	CKB VOR (final)	Direct	2600	C-dn	700-1	700-1	700-1½
				A-dn*	NA	NA	NA

Procedure turn W side of crs, 220° Outbnd, 040° Inbnd, 3300' within 10 miles. Nonstandard due to terrain.  
 Minimum altitude over facility on final approach crs, 2600'.  
 Crs and distance, facility to airport, 040°—2.9 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.9 miles after passing CKB VOR, climb to 3300' on R-040 CKB VOR within 10 miles and return to CKB VOR. Hold SW on R-220 at 3300', 1-minute left turns, 040° Inbnd.  
**AIR CARRIER NOTE:** Sliding scale not authorized.  
**CAUTION:** 2049' antenna 3.5 miles NW of CKB-VOR.  
 Other change: Deletes note regarding takeoffs Runway 16-34.  
 \*Alternate weather minimums of 1000'—2 miles authorized for those who have approved arrangement for weather service at the airport.  
 MSA within 25 miles of facility: 000°-090°—4000'; 090°-180°—5200'; 180°-270°—4000'; 270°-360°—3000'.

City, Clarksburg; State, W. Va.; Airport Name, Benedum; Elev., 1209'; Fac. Class., BVOR; Ident., CKB; Procedure No. 1, Amdt 2; Eff. Date, 12 Dec 64; Sup. Amdt. No. 1; Dated, 7 Sept. 63

				T-dn	300-1	300-1	NA
				C-d	500-1	500-1½	NA
				C-n	500-2	500-2	NA
				S-d-32	500-1	500-1	NA
				S-n-32	500-2	500-2	NA
				A-dn*	NA	NA	NA

Radar vectoring to final approach crs authorized in accordance with approved patterns.  
 Procedure turn E side of crs, 154° Outbnd, 334° Inbnd, 2200' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2200'.  
 Crs and distance, facility to airport, 334°—6.3 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing CVA VOR, make left climbing turn and return to the CVA VOR at 2200'.  
**NOTE:** Aircraft executing missed approach may be radar controlled after radar identification.  
 Minimum radar altitudes from CVA VOR: 0 to 20 miles CW 050° to 125°—2500'; 0 to 25 miles CW 125° to 290°—2800'; 0 to 15 miles CW 290° to 340°—2500'; 0 to 10 miles CW 340° to 050°—2500'.  
 \*Alternate minimums of 800-2 authorized for air carriers having weather reporting service at the airport.  
 MSA within 25 miles of facility: 045°-135°—2100'; 135°-225°—2800'; 225°-315°—2600'; 315°-045°—2100'.

City, Clinton; State, Iowa; Airport Name, Clinton Municipal; Elev., 701'; Fac. Class., BVOR; Ident., CVA; Procedure No. 1, Amdt. 6; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 5; Dated, 28 Nov. 64

				T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-4%	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 215° Outbnd, 035° Inbnd, 1400' within 10 miles. Beyond 10 miles not authorized.  
 Minimum altitude over facility on final approach crs, 1200'.  
 Crs and distance, facility to airport, 035°—4.2 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing MLU-VOR, turn right, climb to 2000' on R-066 within 20 miles.  
**CAUTION:** 2049' TV antenna located 20 miles S of airport; 850' TV antenna located 3.7 miles WNW of airport.  
 \* 400-½ authorized, except for turbojet aircraft, with operative ALS and high-intensity runway lights.  
 \* 400-¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.  
 MSA within 25 miles of facility: 050°-140°—1900'; 140°-230°—3100'; 230°-320°—1900'; 320°-050°—1900'.

City, Monroe; State, La.; Airport Name, Selman Field; Elev., 79'; Fac. Class., BVORTAC; Ident., MLU; Procedure No. 1, Amdt. 7; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 6; Dated, 19 Sept. 64

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Table with columns: Transition (From, To), Course and distance, Minimum altitude (feet), Ceiling and visibility minimums (Condition, 2-engine or less, More than 2-engine, more than 65 knots).

Procedure turn S side of crs, 060° Outbnd, 240° Inbnd, 2000' within 10 miles. Beyond 10 miles not authorized. Minimum altitude over facility on final approach crs, 1700'. Crs and distance, facility to airport 240°—4.3 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing OKM VOR, turn left, climb to 2200' on R-236 within 20 miles. CAUTION: Tower 1701' 11 miles NNE of airport; tower 933' 3 miles S of airport. NOTE: Weather service not available. Pilots using this procedure are directed to close their IFR flight plans immediately upon completion of approach with Tulsa radio. If unable, flight plan must be closed by commercial facilities as soon as practicable after landing. MSA within 25 miles of facility: 350°-080°—2800'; 080°-170°—2000'; 170°-260°—2200'; 260°-350°—2000'. City, Okmulgee; State, Okla.; Airport Name, Okmulgee Municipal; Elev., 715'; Fac. Class., BVOR; Ident., OKM; Procedure No. 1, Amdt. 2; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 1; Dated, 20 Sept. 58

Table with columns: RAP R.Bn., RAP-VOR, Direct, 4600, T-dn, C-dn, S-dn, A-dn, 300-1, 600-1, 400-1, 800-2, 300-1, 600-1, 400-1, 800-2, 200-1/2, 600-1 1/2, 400-1, 800-2.

Radar vectoring to final approach crs authorized in accordance with approved patterns. When authorized by ATC, RAP DME may be used to position aircraft for straight-in approach at 5500' between R-070 clockwise to R-240 via 6-mile DME arc with the elimination of procedure turn. Procedure turn E side of crs, 142° Outbnd, 322° Inbnd, 4600' within 10 miles. Minimum altitude over facility on final approach crs, 4300'. Crs and distance, facility to airport, 322°—4.0 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing RAP-VOR, make a left climbing turn to 4600' on R-142 within 10 miles of RAP-VOR. Aircraft on missed approach may be radar controlled after radar identification. Other change: Deletes caution note. MSA within 25 miles of the facility: 000°-090°—4300'; 090°-180°—4500'; 180°-270°—8300'; 270°-360°—6600'. City, Rapid City; State, S. Dak.; Airport Name, Rapid City Municipal; Elev., 3181'; Fac. Class., BVORTAC; Ident., RAP; Procedure No. 1, Amdt. 8; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 7; Dated, 27 Oct. 62

Table with columns: T-dn, C-d, C-n, A-dn, 300-1, 600-1, 600-2, 800-2, 300-1, 600-1, 600-2, 800-2, 200-1/2, 600-1 1/2, 600-2, 800-2.

Procedure turn N side of crs, 249° Outbnd, 069° Inbnd, 6500' within 10 miles. Beyond 10 miles not authorized due terrain. Minimum altitude over facility on final approach crs, 5100'. Crs and distance, facility to airport, 069°—6.6 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.6 miles after passing RDM VOR, turn right, climb to 6500' on crs 210° to intercept R-142 RDM VOR, thence direct to RDM VOR. CAUTION: High terrain all quadrants. NOTE: Final approach from holding pattern at RDM VOR not authorized, procedure turn required. MSA within 25 miles of facility: 000°-090°—6500'; 090°-180°—8000'; 180°-270°—11400'; 270°-360°—8300'. %Takeoffs all runways: Climb on crs 210° magnetic from Redmond airport to intercept R-142 RDM VOR, thence direct RDM VOR climbing to cross VOR at or above 6000'. Aircraft departing via V263 northwestbound continue climb in a 1-minute right turn holding pattern to 8000' on R-169 RDM VOR. LFR equipped aircraft: Climb on crs 210° magnetic from Redmond airport to intercept S crs RM LFR, thence direct to RM LFR climbing to cross LFR at or above 8000'. Aircraft requiring higher MEA for direction of flight continue climb in a left turn 1-minute holding pattern on NW crs RM LFR to required MEA. City, Redmond; State, Oreg.; Airport Name, Roberts Field; Elev., 3077'; Fac. Class., L-BVORTAC; Ident., RDM; Procedure No. 1, Amdt. 2; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 1; Dated, 14 Dec. 63

Table with columns: T-dn, C-d, C-n, A-dn, 300-1, 500-1 1/2, 500-2, 800-2, 300-1, 500-2, 500-2, 800-2, 300-1, 500-2, 500-1 1/2, 800-2.

Radar terminal area transition altitude: 3500' within 10 miles of Rocky Mount Airport. Procedure turn N side of crs, 088° Outbnd, 268° Inbnd, 1600' within 10 miles. Minimum altitude over facility on final approach crs, 1200'. Crs and distance, facility to airport, 268°—4.3 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing RMT-VOR, climb to 1600' on R-268 within 20 miles. AIR CARRIER NOTE: Sliding scale for takeoff or landing not authorized. MSA within 25 miles of facility: 000°-090°—1500'; 090°-180°—1900'; 180°-360°—1600'. City, Rocky Mount; State, N.C.; Airport Name Rocky Mount Municipal; Elev., 97'; Fac. Class., BVOR; Ident., RMT; Procedure No. 1, Amdt. 3; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 2; Dated, 4 Feb. 61

Table with columns: Linden VOR, Orange Int, Woodward Int, Stockton VOR, Direct, 2000, T-dn, C-dn, S-dn-29R, A-dn, 300-1, 500-1, 400-1, 800-2, 300-1, 500-1, 400-1, 800-2, 200-1/2, 500-1 1/2, 400-1, 800-2.

Procedure turn S side of crs, 123° Outbnd, 303° Inbnd, 2000' within 10 miles. Minimum altitude over facility on final approach crs, 1200'. Crs and distance, facility to airport, 304°—4.0 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing VOR, turn left, climb to 2000' on SCK VOR R-229 within 15 miles. \*400-1/2 authorized, except for turbojet aircraft, with operative high-intensity runway lights. MSA within 25 miles of facility: 000°-090°—3200'; 090°-180°—3700'; 180°-270°—4400'; 270°-360°—2000'. City, Stockton; State, Calif.; Airport Name, Stockton Metropolitan; Elev., 27'; Fac. Class., BVORTAC; Ident., SCK; Procedure No. 1, Amdt. 5; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 4; Dated, 10 Mar. 62

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
10-mile DME fix RAD 357.....	VOR (final).....	Direct.....	2800	T-dn..... C-dn..... S-dn-17..... A-dn.....	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1 1/2 400-1 800-2

Procedure turn W side of crs, 357° Outbnd, 177° Inbnd, 3000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2800'.  
 Crs and distance, facility to airport, 177°—3.6 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing ATY-VOR, climb to 3000' on R-175 within 15 miles. Return to the VOR and hold on R-357.  
 NOTES: 1. When authorized by ATC, DME may be used to position aircraft on final approach crs at 3000' between R-285 clockwise to R-080 via 6-mile DME arc with the elimination of procedure turn. 2. No lower minimums for lights—runways not properly marked.  
 Other changes: Deletes caution note. Deletes note regarding REIL Runway 17.  
 MSAs within 25 miles of the facility: 000°-180°-3100'; 180°-270°-4400'; 270°-360°-3700'.  
 City, Watertown; State, S. Dak.; Airport Name, Watertown Municipal; Elev., 1747'; Fac. Class., BVORTAC; Ident., ATY; Procedure No. 1, Amdt. 4; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 3; Dated, 6 May 61

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.  
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn..... C-dn..... S-dn-3..... A-dn.....	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1/2 500-1 1/2 500-1 800-2
				If Hope Int received			minimums are:
				C-dn..... S-dn-3.....	400-1 400-1	500-1 400-1	500-1 1/2 400-1

Radar terminal transition altitude 2500' within 15-mile radius of Grannis Field (Raleigh Approach Control).  
 Procedure turn S side of crs, 236° Outbnd, 056° Inbnd, 1700' within 10 miles.  
 Facility on airport.  
 Minimum altitude over FAY VOR, 700'.  
 Crs and distance, Hope Int to VOR, 056°—4.9 miles.  
 Crs and distance, Hope Int to Runway 3, 056°—4.5 miles.  
 Crs and distance, breakoff point to approach end of Runway 3, 034°—0.9 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of FAY VOR, turn right, climb to 1700' on R-090 within 15 miles.  
 MSA within 25 miles of facility: 000°-090°-1500'; 090°-180°-1500'; 180°-270°-1500'; 270°-360°-1800'.  
 City, Fayetteville; State, N.C.; Airport Name, Grannis Field; Elev., 189'; Fac. Class., L-BVOR; Ident., FAY; Procedure No. TerVOR-3, Amdt. 3; Eff. Date, 10 Dec. 64; Sup. Amdt. No. 2; Dated, 8 Aug. 64

HIB VOR.....	GPZ VOR.....	Direct.....	3200	T-dn..... C-dn..... S-dn-34..... A-dn.....	300-1 700-1 700-1 NA	300-1 700-1 700-1 NA	NA NA NA NA
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Procedure turn E side of crs, 163° Outbnd, 343° Inbnd, 2700' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2000'.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing VOR, make right climbing turn to 2700' on R-163 within 10 miles. Return to VOR and hold S on R-163.  
 Night takeoffs and landings not authorized. Runways 4-22 and 10-28.  
 MSAs within 25 miles of facility: 000°-360°-2900'.  
 City, Grand Rapids; State, Minn.; Airport Name, Grand Rapids Municipal; Elev., 1320'; Fac. Class., L-BVOR; Ident., GPZ; Procedure No. TerVOR-34, Amdt. Orig.; Eff. Date, 10 Dec. 64



4. By amending the following very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
10-mile DME fix R-264.....	CRW VOR.....	Direct.....	3000	T-dn..... C-dn..... A-dn.....	300-1 600-1 800-2	300-1 600-1 800-2	200-½ 600-1½ 800-2

Radar vectoring authorized in accordance with approved patterns. Procedure turn S side of crs, 264° Outbnd, 064° Inbnd, 3000' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over facility on final approach crs, 3000'; over 6-mile DME fix R-084, 1900'.

Crs and distance, facility to airport 064°—8.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.1 miles after passing CRW VOR, climb to 3000' direct to CRW-LOM. Hold NE, 1-minute right turns, 230° Inbnd.

NOTES: 1. This approach authorized only for aircraft with installed operational VOR and DME equipment. 2. When authorized by ATC, DME may be used within 10 miles at 3500' to position aircraft for approach with elimination of procedure turn.

MSA within 25 miles of facility: 000°-360°—3100'.

City, Charleston; State, W. Va.; Airport Name, Kanawha; Elev., 962'; Fac. Class., BVORTAC; Ident., CRW; Procedure No. VOR/DME, Amdt. 1; Eff. Date, 12 Dec 64; Sup. Amdt. No. Orig.; Dated, 4 Apr. 65

12-mile DME fix R-244 (Draper Int).....	12-mile DME fix R-211.....	Via 12-mile DME counterclockwise ARC.	5100	T-dn..... C-dn..... A-dn.....	*500-1 600-1 NA	*500-1 600-1 NA	*500-1 600-1½ NA
Sawmill Int.....	18-mile DME fix R-211.....	Via 18-mile DME clockwise ARC.	5100				

When authorized by ATC, DME may be used from R-244 counterclockwise to R-211 at 12 miles and from R-188 clockwise to R-211 at 18 miles to position aircraft on final approach R-211 with elimination of procedure turn.

Procedure turn E side of crs, 211° Outbnd, 031° Inbnd, 5100' between 2.5 and 12.5 miles.

Minimum altitude over 2.5-mile DME fix R-211, 3900'. Descend to authorized minimums after passing 2.5-mile DME fix R-211.

Crs and distance, facility to airport, 031°—3.2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing PSK VOR, make right climbing turn to 5100' on R-080 within 20 miles.

Reverse crs to PSK VOR, hold SW on PSK VOR R-211, 031° Inbnd, 1-minute right turns.

MSA within 25 miles of the facility: 000°-090°—5400'; 090°-180°—4600'; 180°-270°—5000'; 270°-360°—5100'.

\*CAUTION: Mountainous terrain 1500' higher than airport elevation S, W, and N at 5 to 8 miles. Higher terrain at greater distances.

City, Dublin; State, Va.; Airport Name, New River Valley; Elev., 2105'; Fac. Class., BVORTAC; Ident., PSK; Procedure No. 1, Amdt. 1; Eff. Date, 12 Dec. 64; Sup. Amdt. No. Orig.; Dated, 21 Nov. 64

10.0-mile DME fix PRC-R-289.....	PRC-VOR (final).....	Direct.....	6600	T-dn*..... C-dn%..... A-dn.....	800-2 800-2 1,000-2	800-2 800-2 1,000-2	800-2 800-2 1,000-2
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Procedure turn Teardrop, 309° Outbnd, turn left, 109° Inbnd, 7500' within 10 miles.

Minimum altitude over facility on final approach crse, 6600'.

Crs and distance, facility to airport, 112°—4.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 4.0 miles after passing PRC VOR, make immediate left climbing turn and return to PRC VOR, climb to 8000' on R-289 within 15 miles or, when directed by ATC, make immediate left turn and climb to 9000' on R-080 within 15 miles. Not authorized beyond 15 miles.

MCA: PRC VOR-R-060 to R-180 and 055° to 180° bearing from PRC RBn—5800', PRC VOR R-181 to R-258 and 181° to 255° bearing from PRC RBn—7200'.

Northbound (259° through 049°) on crs climb authorized.

When authorized by ATC, DME may be used at 10 miles at 9100' altitude from PRC R-237 to R-258 and at 8000' altitude between PRC R-258 and R-348 to position aircraft for a straight-in approach with the elimination of the procedure turn.

MSA within 25 miles of facility: 000°-090°—8800'; 090°-180°—9000'; 180°-270°—8600'; 270°-360°—8300'.

\*600-2 authorized for takeoff on Runways 3 and 21.

%Circling W and S not authorized.

%Takeoffs all runways: Runways 3 and 30 climb direct to PRC VOR/RBn, Runway 12 turn left, Runway 21 turn right, climb direct to PRC VOR/RBn, then climb NW via PRC VOR R-289/319° bearing from PRC RBn to recross PRC VOR/RBn at minimum crossing altitudes for direction of flight.

City, Prescott; State, Ariz.; Airport Name, Prescott Municipal; Elev., 5042'; Fac. Class., H-BVORTAC; Ident., PRC; Procedure No. 1, Amdt. Orig.; Eff. Date, 12 Dec. 64

RAP VOR.....	10-mile DME fix R-321.....	Direct.....	4900	T-dn..... C-dn..... S-dn-14..... A-dn.....	300-1 600-1 600-1 800-2	300-1 600-1 600-1 800-2	200-½ 600-1½ 600-1 800-2
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Radar vectoring to final approach crs authorized in accordance with approved patterns. When authorized by ATC, DME may be used to position aircraft for straight-in approach at 4900' between R-320 CW to R-075 via 16-mile DME arc with the elimination of procedure turn.

Procedure turn N side of crs, 321° Outbnd, 141° Inbnd, 4900' between 10- and 20-mile DME fix R-321.

Nonstandard due to rising terrain to the W.

Minimum altitude over 10-mile DME fix R-321 on final approach crs, 4600'.

Crs and distance, 10-mile DME fix R-321 to airport, 141°—5.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 5.0-mile DME fix R-321, climb to 4600' on R-142 within 10 miles of RAP VOR.

NOTE: Aircraft on missed approach may be radar controlled after radar identification.

MSA within 25 miles of the facility: 000°-090°—4300'; 090°-180°—4500'; 180°-270°—8300'; 270°-360°—6600'.

City, Rapid City; State, S. Dak.; Airport Name, Rapid City Municipal; Elev., 3181'; Fac. Class., BVORTAC; Ident., RAP; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. Date, 12 Dec. 64

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
20-mile DME fix R-293	10-mile DME fix R-293	Direct	8500	T-dn	800-1	300-1	200-1/2
10-mile DME fix R-293	0-mile DME fix R-293	Direct	6500	C-d	600-1	600-1	600-1 1/2
15-mile DME fix R-169	0-mile DME fix R-169	Direct	6500	C-n	600-2	600-2	600-2
15-mile DME fix R-142	0-mile DME fix R-142	Direct	6500	A-dn	800-2	800-2	800-2
15-mile DME fix R-028	0-mile DME fix R-028	Direct	6500				

Procedure turn N side of crs, 249° Outbnd, 069° Inbnd, 6500' within 10 miles. Beyond 10 miles not authorized—terrain.

Minimum altitude over facility on final approach crs, 5100'.

Crs and distance, facility to airport, 069°—6.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.6 miles after passing RDM VOR or at 6.6 miles

DME fix R-069, turn right, climb to 6500' on crs 210° to intercept R-142 RDM VOR, thence direct to RDM VOR.

NOTE: Final approach from holding pattern at RDM VOR not authorized; procedure turn required.

CAUTION: High terrain all quadrants.

MSA within 25 miles of facility: 000°-090°—6500'; 090°-180°—8000'; 180°-270°—11400'; 270°-360°—8300'.

%Takeoffs all runways: Climb on crs 210° magnetic from Redmond airport to intercept R-142 RDM VOR, thence direct RDM VOR climbing to cross VOR at or above 5000'. Aircraft departing via V283 northwestbound continue climb in a 1-minute right turn holding pattern to 8000' on R-169 RDM VOR.

LFR equipped aircraft: Climb on crs 210° magnetic from Redmond airport to intercept S crs RM LFR, thence direct to RM LFR, climbing to cross LFR at or above 5000'.

Aircraft requiring higher MEA for direction of flight continue climb in a left turn 1-minute holding pattern on NW crs RM LFR to required MEA.

City, Redmond; State, Oreg.; Airport Name, Roberts Field; Elev., 3077'; Fac. Class., L-BVORTAC; Ident., RDM; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. Date, 12 Dec. 64

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
ATY VOR	10-mile DME fix R-176	Direct	3400	T-dn	300-1	300-1	200-1/2
				C-dn	500-1	500-1	500-1 1/2
				S-dn-35	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 176° Outbnd, 356° Inbnd, 3400' between 10- and 20-mile DME fix R-176.

Minimum altitude over 10-mile DME fix R-176 on final approach crs, 3300'.

Crs and distance, 10-mile DME fix R-176 to airport 356°—5.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 4.7-mile DME fix R-176, climb to 3000' on R-357 ATY VOR. Return to VOR and hold on R-357.

NOTE: When authorized by ATC, DME may be used to position aircraft on final approach crs at 3400' between R-160 clockwise to 230° via 16-mile DME arc with the elimination of procedure turn.

MSAs within 25 miles of the facility: 000°-180°—3100'; 180°-270°—4400'; 270°-360°—3700'.

City, Watertown; State, S. Dak.; Airport Name, Watertown Municipal; Elev., 1747'; Fac. Class., BVORTAC; Ident., ATY; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. Date, 12 Dec. 64

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Monroe VOR	LOM	Direct	1400	T-dn	300-1	300-1	200-1/2
				C-dn	400-1	500-1	500-1 1/2
				S-dn-4	200-1/2	200-1/2	200-1/2
				A-dn	600-2	600-2	600-2

Procedure turn S side of crs, 218° Outbnd, 038° Inbnd, 1400' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude at glide slope interception Inbnd, 1200'.

Altitude of glide slope and distance to approach end of runway at OM 1187°—4.2 miles; at MM 256°—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1600' on NE crs ILS within 20 miles.

CAUTION: 2049' TV antenna located 20 miles S of airport; 850' TV antenna located 3.7 miles WNW of airport.

NOTE: 7-mile DME arc 1800' authorized radially 066° clockwise through 291° from the Monroe VOR to intercept final approach crs eliminating procedure turn.

City, Monroe; State, La.; Airport Name, Selman Field; Elev., 79'; Fac. Class., ILS; Ident., I-MLU; Procedure No. ILS-4, Amdt. 5; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 4; Dated, 14 Mar. 64

Cardinal Int.	LOM	Direct	2000	T-dn	300-1	300-1	200-1/2
St. Paul Int.	LOM (final)	Via STL R-276 and NW crs LMR ILS.	2000	C-dn	500-1	500-1	500-1 1/2
				S-dn-12R#	400-1	400-1	400-1
				A-dn	600-2	600-2	600-2
STL VOR	LOM	Direct	2000				
Lake Rbn	LOM	Direct	2000				
ST LOM	LOM	Direct	2000				
Academy Int.	LOM	Direct	2000				
Godfrey Int.	LOM	Direct	2200				
Maryland Heights VOR	LOM	Direct	2200				
LeMay Int.	LOM	Direct	2600				
Park Int.	LOM	Direct	2000				

Radar vectoring to final approach crs authorized in accordance with approved patterns.

Procedure turn N side of crs, 297° Outbnd, 117° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 117°—5.3 miles.

No glide slope.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' on 117° bearing from LM LOM within 10 miles, turn right, return to LM LOM or, when directed by ATC, climb to 2400' on 117° bearing from LM LOM within 10 miles, turn right, proceed to Lake Rbn.

NOTE: Aircraft executing missed approach may be radar controlled after radar identification.

#400-1/2 authorized, except for turbojet aircraft, with operative high-intensity runway lights.

#400-1/2 authorized, except for turbojet aircraft, with operative ALS and high-intensity runway lights.

City, St. Louis; State, Mo.; Airport Name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., ILS; Ident., LM; Procedure No. ILS-12R, Amdt. Orig.; Eff. Date, 14 Dec. 64 or upon commissioning of facility

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
TOY VOR.....	Cardinal Int (final).....	Via TOY R-230 and SE Crs LMR ILS.	2000	T-dn..... C-dn..... S-dn-30L..... A-dn.....	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-½ 500-1½ 500-1 800-2

Procedure turn not authorized. Radar vector to final approach crs required. Final approach crs, 297° Inbnd.

Minimum altitude over Cardinal Int on final approach crs, 2000'.

Crs and distance, Cardinal Int to airport, 297°—5.0 miles.

No glide slope—no markers.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.0 miles after passing Cardinal Int, climb to 2000' direct to LM LOM and hold on 297° bearing from LM LOM or when directed by ATC, make right turn climb to 1900', proceed to ST LOM.

Note: Aircraft executing missed approach may be radar controlled after radar identification.

Radar identification of Cardinal Int authorized.

City, St. Louis; State, Mo.; Airport Name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., ILS; Ident., I-LMR; Procedure No. ILS-30L (back crs), Amdt. Orig.; Eff. Date, 14 Dec. 64, or upon commissioning of facility

Linden VOR.....	LOM.....	Direct.....	2000	T-dn.....	300-1	300-1	200-½
Woodward Int.....	LOM.....	Direct.....	2000	C-dn.....	500-1	500-1	500-1½
SCK-VOR.....	LOM.....	Direct.....	1700	S-dn-29R*	400-¾	400-¾	400-¾
Orange Int.....	LOM.....	Direct.....	1700	A-dn.....	600-2	600-2	600-2

Procedure turn S side of crs, 111° Outbnd, 291° Inbnd, 1700' within 10 miles of OM.

Minimum altitude at glide slope interception Inbnd, 1700'.

Altitude of glide slope and distance to approach end of runway at OM, 1528'—5.4 miles; at MM, 248'—0.6 mfl.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn left, climb to 2000' on SCK VOR R-229 or SCK LOM bearing 233° within 15 miles.

Note: No approach lights.

\*400-1 required when glide slope inoperative.

City, Stockton; State, Calif.; Airport Name, Stockton Metropolitan; Elev., 27'; Fac. Class., ILS; Ident., I-SCK; Procedure No. ILS-29R, Amdt. 3; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 2; Dated, 10 Mar 62

TLH LOM.....	Hedstrom Int.....	Direct.....	1800	T-dn.....	300-1	300-1	200-½
TLH VOR.....	Hedstrom Int.....	Direct.....	1800	C-dn.....	400-1	500-1	500-1½
Havana Int.....	Hedstrom Int. (final).....	Direct.....	1300	S-dn-18#	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn W side of crs, 358° Outbnd, 178° Inbnd, 1800' within 10 miles of Hedstrom Int.

Minimum altitude over Hedstrom Int on final approach crs, 1300'.

Crs and distance, Hedstrom Int to airport, 178°—4.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing Hedstrom Int, climb straight ahead to 1800' on the S crs of the ILS within 20 miles or turn left, climbing to 1800' on R-248 TLH-VOR and proceed to the VOR.

Other changes: Deletes transition from TLH RBn.

#400-¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.

City, Tallahassee; State, Fla.; Airport Name, Tallahassee Municipal; Elev., 81'; Fac. Class., ILS; Ident., I-TLH; Procedure No. ILS-18 (back crs), Amdt. 2; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 1; Dated, 15 Aug. 64

TLH-VOR.....	LOM.....	Direct.....	1800	T-dn.....	300-1	300-1	200-½
Jackson Int.....	LOM.....	Direct.....	1800	C-dn.....	400-1	500-1	500-1½
Camp Int.....	LOM.....	Direct.....	1800	S-dn-36#	200-½	200-½	200-½
Creek Int.....	LOM.....	Direct.....	1800	A-dn.....	600-2	600-2	600-2

Procedure turn E side of crs, 178° Outbnd, 358° Inbnd, 1300' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1200'.

Altitude of glide slope and distance to approach end of runway at OM, 1200'—4.1 miles; at MM, 255'—0.6 mfl.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1800' on N crs of ILS and proceed to Havana Int, or right turn climbing to 1800' and proceed to the TLH VOR via R-243.

Other changes: Deletes transition from TLH RBn.

#400-¾ required when glide slope not utilized.

City, Tallahassee; State, Fla.; Airport Name, Tallahassee Municipal; Elev., 81'; Fac. Class., ILS; Ident., I-TLH; Procedure No. ILS-36, Amdt. 5; Eff. Date, 12 Dec. 64; Sup. Amdt. No. 4; Dated, 4 Jan. 64

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums			
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	2-engine or less		More than 2-engine, more than 65 knots
															65 knots or less	More than 65 knots	
Instrument approach to be conducted in accordance with USN Radar Standard Instrument Approach Procedure.														Precision radar			
														T-dn.....	300-1	300-1	300-1
														C-dn.....	600-2	600-2	600-2
														S-dn-24R.....	400-1	400-1	400-1
														A-dn.....	600-2	600-2	600-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2500' on a heading of 280°, intercept LIF-VOR R-340 and proceed to Rancho Int.

CAUTION: High terrain N, NE, and E of airport.  
NOTE: Military authority required.

City, San Diego; State, Calif.; Airport Name, Miramar NAS; Elev., 475'; Fac. Class. and Ident., Miramar Radar; Procedure No. 1, Amdt. Orig.; Eff. Date, 12 Dec. 64

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354 (a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on November 9, 1964.

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

[F.R. Doc. 64-11658; Filed, Dec. 15, 1964; 8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service,  
Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6777]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Repeal of Credit for Dividends Received by Individuals and Doubling of Dividend Exclusion for Individuals

On October 15, 1964, notice of proposed rule making with respect to the amendments of the Income Tax Regulations (26 CFR Part 1) under sections 34, 116, and various other sections of the Internal Revenue Code of 1954 to conform the regulations to changes made by section 201 of the Revenue Act of 1964 (78 Stat. 31) was published in the FEDERAL REGISTER (29 F.R. 14181). No objection of the rules proposed having been received during the 30-day period prescribed in the notice, the regulations as proposed are hereby adopted.

[SEAL] BERTRAND M. HARDING,  
Acting Commissioner  
of Internal Revenue.

Approved: December 10, 1964.

STANLEY S. SURREY,  
Assistant Secretary of the  
Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 34, 116, and various other sections of the Internal Revenue Code of 1954 to section 201 of the Revenue Act of 1964 (78 Stat. 31), such regulations are amended as follows:

PARAGRAPH 1. Section 1.34 is amended by revising section 34(a) and paragraph (2) of section 34(b) and by revising the historical note. These amended provisions read as follows:

§ 1.34 Statutory provisions; dividends received by individuals.

Sec. 34. Dividends received by individuals—  
(a) General rule. Effective with respect to taxable years ending after July 31, 1954, there shall be allowed to an individual, as a credit against the tax imposed by this subtitle for the taxable year, an amount equal to the following percentage of the dividends which are received from domestic corporations and are included in gross income:

(1) 4 percent of the amount of such dividends which are received before January 1, 1964, and

(2) 2 percent of the amount of such dividends which are received during the calendar year 1964.

(b) Limitation on amount of credit. \* \* \*

(2) The following percent of the taxable income for the taxable year:

(A) 2 percent, in the case of a taxable year ending before January 1, 1955, or beginning after December 31, 1963.

(B) 4 percent, in the case of a taxable year ending after December 31, 1954, and beginning before January 1, 1964.

[Sec. 34 as amended by sec. 3(a), Life Insurance Company Income Tax Act 1959 (73 Stat. 139); sec. 10(e), Act of Sept. 14, 1960 (Pub.

Law 86-779, 74 Stat. 1009); sec. 201(a), Rev. Act 1964 (78 Stat. 31); repealed by sec. 201(b), Rev. Act 1964 (78 Stat. 31)]

PAR. 2. Paragraph (a) of § 1.34-1 is amended by revising subparagraph (1). The amended provision reads as follows:

§ 1.34-1 Credit against tax and exclusion from gross income in case of dividends received by individuals.

(a) In general. (1) Section 34 provides a credit against the income tax of an individual for certain dividends received after July 31, 1954, and on or before December 31, 1964. The credit, subject to the limitations provided in section 34(b), is equal to 4 percent of the dividends received before January 1, 1964, and 2 percent of the dividends received during the calendar year 1964. The credit is allowable with respect to dividends received in any taxable year ending after July 31, 1954, but applies only to dividends received on or before December 31, 1964. The credit applies only to dividends which are received from domestic corporations and which are included in the gross income of the taxpayer. Section 116 provides for the exclusion from gross income of the first \$100 (\$50 for dividends received in taxable years beginning before January 1, 1964) of certain dividends received by an individual. See § 1.116-1. In determining which dividends are entitled to the credit against income tax provided by section 34, the exclusion from gross income provided in section 116 is applied to the first dividends received in the taxable year. Since the exclusion ap-

plies to dividends received at any time during a taxable year ending after July 31, 1954, dividends received before August 1, 1954, may be taken into account in determining the exclusion from gross income under section 116 but do not constitute dividends for which a credit is allowed.

PAR. 3. Paragraph (a) of § 1.34-2 is amended to read as follows:

**§ 1.34-2 Limitations on amount of credit.**

(a) Under section 34(b) the credit may not exceed the lesser of either—

(1) The amount of the tax imposed by chapter 1 of the Code for the taxable year reduced by the foreign tax credit allowable under section 33, or

(2) Whichever of the following is applicable:

(i) In the case of a taxable year ending before January 1, 1955, or beginning after December 31, 1963, 2 percent of the taxable income for such taxable year;

(ii) In the case of a taxable year ending after December 31, 1954, and beginning before January 1, 1964, 4 percent of the taxable income for such taxable year.

In the case of a taxpayer who computes his tax under section 3 or who uses the standard deduction provided by section 141, the taxable income for the taxable year is the adjusted gross income for the taxable year reduced by the standard deduction prescribed in section 141 and the deductions for personal exemptions provided in section 151. Where the alternative tax on capital gains is imposed under section 1201(b), the taxable income for such taxable year is the taxable income as defined in section 63, which includes 50 percent of the excess of net long-term capital gain over net short-term capital loss.

PAR. 4. There is added immediately after § 1.34-5 the following new section:

**§ 1.34-6 Dividends received after December 31, 1964.**

In the case of dividends received after December 31, 1964, section 34 and the regulations issued thereunder do not apply.

PAR. 5. Section 1.35 is amended by revising section 35(b)(1) and the historical note. The amended provisions read as follows:

**§ 1.35 Statutory provisions; partially tax-exempt interest received by individuals.**

Sec. 35. *Partially tax-exempt interest received by individuals.* \* \* \*

(b) *Limitation on amount of credit.* The credit allowed by subsection (a) shall not exceed whichever of the following is the lesser:

(1) The amount of the tax imposed by this chapter for the taxable year, reduced by the credit allowable under section 33, or

[Sec. 35 as amended by sec. 41(b), Technical Amendments Act 1958 (72 Stat. 1639); sec. 201(d)(2) Rev. Act 1964 (78 Stat. 32)]

PAR. 6. Paragraph (a) of § 1.61-9 is amended to read as follows:

**§ 1.61-9 Dividends.**

(a) *In general.* Except as otherwise specifically provided, dividends are in-

cluded in gross income under sections 61 and 301. For the principal rules with respect to dividends includible in gross income, see section 316 and the regulations thereunder. As to distributions made or deemed to be made by regulated investment companies, see sections 851 through 855, and the regulations thereunder. As to distributions made by real estate investment trusts, see sections 856 through 858, and the regulations thereunder. See section 116 for the exclusion from gross income of \$100 (\$50 for dividends received in taxable years beginning before January 1, 1964) of dividends received by an individual, except those from certain corporations. Furthermore, dividends may give rise to a credit against tax under section 34, relating to dividends received by individuals (for dividends received on or before December 31, 1964), and under section 37, relating to retirement income.

PAR. 7. Section 1.116 is amended by revising section 116(a), by adding a new paragraph (3) to section 116(c) and by revising the historical note. The amended and added provisions read as follows:

**§ 1.116 Statutory provisions; partial exclusion of dividends received by individuals.**

Sec. 116. *Partial exclusion of dividends received by individuals.*—(a) *Exclusion from gross income.* Effective with respect to any taxable year ending after July 31, 1954, gross income does not include amounts received by an individual as dividends from domestic corporations, to the extent that the dividends do not exceed \$100. If the dividends received in a taxable year exceed \$100, the exclusion provided by the preceding sentence shall apply to the dividends first received in such year.

(c) *Special rules for certain distributions.* For purposes of subsection (a)—

(3) The amount of dividends properly allocable to a beneficiary under section 652 or 662 shall be deemed to have been received by the beneficiary ratably on the same date that the dividends were received by the estate or trust.

[Sec. 116 as amended by sec. 3(a), Life Insurance Company Income Tax Act 1959 (73 Stat. 139); sec. 10(f), Act of Sept. 14, 1960 (Pub. Law 86-779, 74 Stat. 1009); secs. 201(c) and (d)(6)(C), Rev. Act 1964 (78 Stat. 32)]

PAR. 8. Section 1.116-1 is amended to read as follows:

**§ 1.116-1 Partial exclusion of dividends.**

(a) *In general.* Section 116 excludes from gross income the first \$100 (\$50 for dividends received in a taxable year which ends after July 31, 1954 and begins before January 1, 1964, whether or not the dividend is received after July 31, 1954) of dividends from domestic corporations received by an individual in a taxable year beginning after December 31, 1963.

(b) *Joint returns of husband and wife.* In the case of a joint return of husband and wife, each spouse is entitled to the exclusion in an amount not in excess of \$100 (\$50 for dividends received in taxable years beginning before January 1,

1964), with respect to the dividends received by such spouse. Thus, if in the calendar year 1955, a husband receives \$200 of dividends and his wife \$100, the amount to be included in gross income is \$200 (\$150 of the husband's dividends and \$50 of the wife's dividends). If the amounts are received in a taxable year beginning after December 31, 1963, the amount to be included in gross income is \$100 (\$100 of the husband's dividends and none of the wife's dividends). If the wife receives only \$30 of dividends, the entire \$30 is excludable, and there is included in gross income in the joint return in the case of a taxable year beginning before January 1, 1964, only \$150 (\$200 less his \$50 exclusion) or in the case of a taxable year beginning after December 31, 1963, only \$100 (\$200 less his \$100 exclusion) consisting of the dividends received by the husband.

(c) *Individuals receiving dividends.* Where two or more persons hold stock as tenants in common, as joint tenants, or as tenants by the entirety, the dividends received with respect to such stock shall be considered as being received by each tenant to the extent that he is entitled under local law to a share of such dividends. Where dividends constitute community property under local law each spouse shall be considered as receiving one-half of such dividends.

(d) *Dividends to which the exclusion applies.*—(1) *General rule.* The exclusion under section 116 applies only to distributions of property defined as dividends by section 316. Thus, the exclusion is not allowed with respect to patronage dividends paid by either exempt or taxable farm cooperatives. Nor is it allowed for distributions to non-stockholding policy holders by an insurance company having shares of stock or for any distribution by a mutual insurance company. See subparagraph (2) (i) of this paragraph for an additional restriction with respect to stock life insurance companies. The exclusion is, however, allowed with respect to dividends paid on capital stock by nonexempt cooperatives and with respect to dividends paid on capital stock by building and loan associations. However, see subparagraph (2) (ii) of this paragraph with respect to so-called dividends paid by building and loan associations ineligible for the exclusion. The exclusion is allowed with respect to distributions from any organization taxed as a corporation if the distribution falls within the definition of a dividend in section 316.

(2) *Dividends from certain corporations.* (i) Section 116 (b) and (c) contains further restrictions on the type of distributions which are treated as dividends for purposes of the exclusion. Thus, no exclusion is applicable with respect to dividends received from a corporation organized under the China Trade Act, 1922; from stock life insurance companies before January 1, 1959, in taxable years ending before such date; from corporations which during their taxable year of the distribution or their preceding taxable year were corporations to which section 931 applies (relating to income from sources within possessions of the United States); from corporations which during the taxable year of the dis-

tribution or the preceding taxable year are corporations exempt from tax either under section 501, relating to charitable, etc., organizations, or under section 521, relating to farmers' cooperative associations.

(ii) So-called dividends paid by mutual savings banks, cooperative banks, and building and loan associations which are allowed as a deduction under section 591 are ineligible for the exclusion.

(iii) For special rules as to the limitation on the amount of dividends for which an exclusion is allowable in the case of dividends paid by a regulated investment company, see section 854 and the regulations thereunder.

(iv) See section 857(c) and paragraph (d) of § 1.857-4 for special rules which deny an exclusion under section 116 in the case of dividends received from a real estate investment trust with respect to a taxable year for which such trust is taxable under part II, subchapter M, chapter 1 of the Code.

(e) *Taxpayers not entitled to exclusion.* (1) The exclusion is not available to nonresident aliens with respect to whom a tax is imposed for the taxable year under section 871(a). However, if the taxpayer elects under section 6014 to have the Government compute his tax, the taxpayer is allowed the exclusion under section 116.

(2) For additional rules for the treatment of dividends received by estates or trusts, and the allocation of such dividends between an estate or trust and the beneficiary thereof, see sections 652 and 662 and the regulations thereunder.

(3) For treatment of dividends received by a partnership, see section 702 and the regulations thereunder.

(4) For treatment of dividends received by a common trust fund, see section 584 and the regulations thereunder.

(f) *Time dividends are received.* In cases where it is necessary to determine the time of receipt of dividends the rules established to determine in which taxable year dividends must be included in gross income apply, including the rules relating to constructive receipt. See section 451 and regulations thereunder.

(g) *Special rule relating to receipt of dividends by beneficiary of an estate or trust.* In general, dividends are deemed received by a beneficiary in the taxable year in which they are includible in his gross income under section 652 or 662. However, solely for purposes of determining the amount of the exclusion applicable to dividends received by a beneficiary from an estate or trust, the time of receipt of such dividends by the estate or trust is also considered the time of receipt by the beneficiary.

PAR. 9. Paragraph (b) (1) (vi) of § 1.443-1 is amended to read as follows:

§ 1.443-1 Returns for periods of less than 12 months.

(b) *Computation of tax for short period on change of annual accounting period—(1) General rule.*

(vi) If the amount of a credit against the tax (for example, the credits allowable under section 34 (for dividends re-

ceived on or before December 31, 1964), and 35 (for partially tax-exempt interest)) is dependent upon the amount of any item of income or deduction, such credit shall be computed upon the amount of the item annualized separately in accordance with the foregoing rules. The credit so computed shall be treated as a credit against the tax computed on the basis of the annualized taxable income. In any case in which a limitation on the amount of a credit is based upon taxable income, taxable income shall mean the taxable income computed on the annualized basis.

PAR. 10. Paragraph (a) of § 1.565-3 is amended to read as follows:

§ 1.565-3 Effect of consent.

(a) The amount of the consent dividend shall be considered, for all purposes of the Code, as if it were distributed in money by the corporation to the shareholder on the last day of the taxable year of the corporation, received by the shareholder on such day, and immediately contributed by the shareholder as paid-in capital to the corporation on such day. Thus, the amount of the consent dividend will be treated by the shareholder as a dividend. The shareholder will be entitled to the dividends received credit under section 34 (for dividends received on or before December 31, 1964) and the exclusion under section 116, or to the dividends received deduction under section 243, with respect to such consent dividend. The basis of the shareholder's consent stock in a corporation will be increased by the amount thus treated in his hands as a dividend which he is considered as having contributed to the corporation as paid-in capital. The amount of the consent dividend will also be treated as a dividend received from sources within the United States in the same manner as if the dividend had been paid in money to the shareholders. Among other effects of the consent dividend, the earnings and profits of the corporation will be decreased by the amount of the consent dividends. Moreover, if the shareholder is a corporation, its accumulated earnings and profits will be increased by the amount of the consent dividend with respect to which it makes a consent.

PAR. 11. Section 1.584 is amended by revising section 584(c) (2) and the historical note. The amended provisions read as follows:

§ 1.584 Statutory provisions; common trust funds.

Sec. 584. *Common trust funds.* \* \* \*

(c) *Income of participants in fund.* \* \* \*

(2) *Dividends and partially tax exempt interest.* The proportionate share of each participant in the amount of dividends to which section 116 applies, and in the amount of partially tax exempt interest on obligations described in section 35 or section 242, received by the common trust fund shall be considered for purposes of such sections as having been received by such participant. If the common trust fund elects under section 171 (relating to amortizable bond premium) to amortize the premium on such obligations, for purposes of the preceding sentence the proportionate share of the participant of such interest received by the

common trust fund shall be his proportionate share of such interest (determined without regard to this sentence) reduced by so much of the deduction under section 171 as is attributable to such share.

[Sec. 584 as amended by sec. 4, Act of Sept. 28, 1962 (Pub. Law 87-772, 76 Stat. 668, 670); sec. 201(d) (5), Rev. Act 1964 (78 Stat. 32)]

PAR. 12. Section 1.584-2 is amended by revising paragraph (b) (1). The amended provision reads as follows:

§ 1.584-2 Income of participants in common trust fund.

(b) (1) Each participant's proportionate share in the amount of dividends to which section 34 (for dividends received on or before December 31, 1964) or section 116 applies received by the common trust fund shall be deemed to have been received by such participant as such dividends.

PAR. 13. Section 1.642(a) (3) is amended by adding a historical note to read as follows:

[Sec. 642(a) (3) repealed by sec. 201(d) (6) (A), Rev. Act. 1964 (78 Stat. 32)]

PAR. 14. Section 1.642(a) (3)-1 is amended to read as follows:

§ 1.642(a) (3)-1 Dividends received by an estate or trust.

An estate or trust is allowed a credit against the tax for dividends received on or before December 31, 1964 (see section 34), only for so much of the dividends as are not properly allocable to any beneficiary under section 652 or 662. Section 642(a) (3), and this section do not apply to amounts received as dividends after December 31, 1964. For treatment of the credit in the hands of the beneficiary see § 1.652(b)-1.

PAR. 15. Section 1.642(a) (3)-2 is amended to read as follows:

§ 1.642(a) (3)-2 Time of receipt of dividends by beneficiary.

In general, dividends are deemed received by a beneficiary in the taxable year in which they are includible in his gross income under section 652 or 662. For example, a simple trust, reporting on the basis of a fiscal year ending October 30, receives quarterly dividends on November 3, 1954, and February 3, May 3, and August 3, 1955. These dividends are all allocable to beneficiary A, reporting on a calendar year basis, under section 652 and are deemed received by A in 1955. See section 652(c). Accordingly, A may take all these dividends into account in determining his credit for dividends received under section 34 and his dividends exclusion under section 116. However, solely for purposes of determining whether dividends deemed received by individuals from trusts or estates qualify under the time limitations of section 34(a) or section 116(a), section 642(a) (3) provides that the time of receipt of the dividends by the trust or estate is also considered the time of receipt by the beneficiary. For example, a simple trust reporting on the basis of a fiscal year ending October 30 receives quarterly dividends on December 3, 1953,

and March 3, June 3, and September 3, 1954. These dividends are all allocable to beneficiary A, reporting on the calendar year basis, under section 652 and are includible in his income for 1954. However, for purposes of section 34(a) or section 116(a), these dividends are deemed received by A on the same dates that the trust received them. Accordingly, A may take into account in determining the credit under section 34 only those dividends received by the trust on September 3, 1954, since the dividend received credit is not allowed under section 34 for dividends received before August 1, 1954 (or after December 31, 1964). Section 642(a)(3) and this section do not apply to amounts received by an estate or trust as dividends after December 31, 1964. However, the rules in this section relating to time of receipt of dividends by a beneficiary are applicable to dividends received by an estate or trust prior to January 1, 1965, and accordingly, such dividends are deemed to be received by the beneficiary (even though received after December 31, 1964) on the same dates that the estate or trust received them for purposes of determining the credit under section 34 or the exclusion under section 116.

PAR. 16. Section 1.642(i) is amended by revising section 642(i), and by adding a historical note. The amended and added provisions reads as follows:

**§ 1.642(i) Statutory provisions; estates and trusts; special rules for credits and deductions; cross references.**

Sec. 642. *Special rules for credits and deductions.* \* \* \*

(1) *Cross references.* (1) For disallowance of standard deduction in case of estates and trusts, see section 142(b)(4).

(2) For special rule for determining the time of receipt of dividends by a beneficiary under section 652 or 662, see section 116(c)(3).

[Sec. 642(1) as amended by sec. 201(d)(6) (B), Rev. Act 1964 (78 Stat. 32)]

PAR. 17. Section 1.642(i)-1 is amended to read as follows:

**§ 1.642(i)-1 Cross references.**

(a) The standard deduction is not allowed to estates and trusts (see section 142(b)(4)).

(b) The amount of dividends properly allocable to a beneficiary under section 652 or 662 shall be deemed to have been received by the beneficiary ratably on the same date that the dividends were received by the estate or trust (see section 116(c)(3)).

PAR. 18. Section 1.652(b)-1 is amended to read as follows:

**§ 1.652(b)-1 Character of amounts.**

In determining the gross income of a beneficiary, the amounts includible under § 1.652(a)-1 have the same character in the hands of the beneficiary as in the hands of the trust. For example, to the extent that the amounts specified in § 1.652(a)-1 consist of income exempt from tax under section 103, such amounts are not included in the beneficiary's gross income. Similarly, dividends distributed to a beneficiary retain their

original character in the beneficiary's hands for purposes of determining the availability to the beneficiary of the dividends received credit under section 34 (for dividends received on or before December 31, 1964) and the dividend exclusion under section 116. The tax treatment of amounts determined under § 1.652(a)-1 depends upon the beneficiary's status with respect to them, not upon the status of the trust. Thus, if a beneficiary is deemed to have received foreign income of a foreign trust, the includibility of such income in his gross income depends upon his taxable status with respect to that income.

PAR. 19. Section 1.661(c)-1 is amended to read as follows:

**§ 1.661(c)-1 Limitation on deduction.**

An estate or trust is not allowed a deduction under section 661(a) for any amount which is treated under section 661(b) as consisting of any item of distributable net income which is not included in the gross income of the estate or trust. For example, if in 1962, a trust, which reports on the calendar year basis, has distributable net income of \$20,000, which is deemed to consist of \$10,000 of dividends and \$10,000 of tax-exempt interest, and distributes \$10,000 to beneficiary A, the deduction allowable under section 661(a) (computed without regard to section 661(c)) would amount to \$10,000 consisting of \$5,000 of dividends and \$5,000 of tax-exempt interest. The deduction actually allowable under section 661(a) as limited by section 661(c) is \$4,975, since no deduction is allowable for the \$5,000 of tax-exempt interest and the \$25 deemed distributed out of the \$50 of dividends excluded under section 116, items of distributable net income which are not included in the gross income of the estate or trust.

PAR. 20. Paragraph (b) of § 1.683-2 is amended to read as follows:

**§ 1.683-2 Exceptions.**

(b) For purposes of determining the time of receipt of dividends under sections 34 (for purposes of the credit for dividends received on or before December 31, 1964) and 116, the dividends paid, credited, or to be distributed to a beneficiary are deemed to have been received by the beneficiary ratably on the same dates that the dividends were received by the estate or trust.

PAR. 21. Section 1.702 is amended by revising section 702(a)(5) and by adding a historical note. The amended and added provisions read as follows:

**§ 1.702 Statutory provisions; income and credits of partner.**

Sec. 702. *Income and credits of partner—*  
(a) *General rule.* In determining his income tax, each partner shall take into account separately his distributive share of the partnership's—

(5) Dividends with respect to which there is provided an exclusion under section 116 or a deduction under part VIII of subchapter B.

[Sec. 702 as amended by sec. 201(d)(7), Rev. Act 1964 (78 Stat. 32)]

PAR. 22. Section 1.702-1 is amended by revising paragraph (a)(5) to read as follows:

**§ 1.702-1 Income and credits of partners.**

(a) *General rule.* \* \* \*

(5) Each partner shall take into account, as part of the dividends received by him from domestic corporations, his distributive share of dividends received by the partnership, with respect to which the partner is entitled to a credit under section 34 (for dividends received on or before December 31, 1964), an exclusion under section 116, or a deduction under part VIII, subchapter B, chapter 1 of the Code.

PAR. 23. Paragraph (a)(2) of § 1.852-4 is amended to read as follows:

**§ 1.852-4 Method of taxation of shareholders of regulated investment companies.**

(a) *Ordinary income.* \* \* \*

(2) See section 853 (b)(2) and (c) and paragraph (b) of § 1.853-2 and § 1.853-3 for the treatment by shareholders of dividends received from a regulated investment company which has made an election under section 853(a) with respect to the foreign tax credit. See section 854 and §§ 1.854-1 through 1.854-3 for limitations applicable to dividends received from regulated investment companies for the purpose of the credit under section 34 (for dividends received on or before December 31, 1964), the exclusion from gross income under section 116, and the deduction under section 243. See section 855 (b) and (d) and paragraphs (c) and (f) of § 1.855-1 for treatment by shareholders of dividends paid by a regulated investment company after the close of the taxable year in the case of an election under section 855(a).

PAR. 24. Section 1.857 is amended by revising section 857(c) and the historical note. The amended provisions read as follows:

**§ 1.857 Statutory provisions; taxation of real estate investment trusts and their beneficiaries.**

Sec. 857. *Taxation of real estate investment trusts and their beneficiaries.* \* \* \*

(c) *Restrictions applicable to dividends received from real estate investment trusts.* For purposes of section 116 (relating to an exclusion for dividends received by individuals) and section 243 (relating to deductions for dividends received by corporations), a dividend received from a real estate investment trust which meets the requirements of this part shall not be considered as a dividend.

[Sec. 857 as added by sec. 10(a), Act of Sept. 14, 1960 (Pub. Law 86-779, 74 Stat. 1006); as amended by sec. 201(d)(11), Rev. Act 1964 (78 Stat. 32)]

PAR. 25. Paragraph (d) of § 1.857-4 is amended to read as follows:

**§ 1.857-4 Method of taxation of shareholders of real estate investment trusts.**

(d) *Dividend received credit, exclusion, and deduction not allowed.* Any dividend received from a real estate investment trust which, for the taxable year to which the dividend relates, is a qualified real estate investment trust, shall not be eligible for the dividend received credit (for dividends received on or before December 31, 1964) under section 34(a), the dividend received exclusion under section 116, or the dividend received deduction under section 243.

PAR. 26. Paragraph (c) of § 1.876-1 is amended to read as follows:

§ 1.876-1 Alien residents of Puerto Rico.

(c) *Credits against tax.* The credits allowed by section 31 (relating to tax withheld on wages), section 32 (relating to tax withheld at source on nonresident aliens), section 33 (relating to taxes of foreign countries), section 34 (relating to dividends received by individuals) for dividends received on or before December 31, 1964, and section 35 (relating to partially tax-exempt interest) shall be allowed against the tax computed in accordance with this section. No credit shall be allowed under section 37 in respect of retirement income.

PAR. 27. Paragraph (b) of § 1.1201-1 is amended to read as follows:

§ 1.1201-1 Alternative tax.

(b) *Other taxpayers.* In case the net long-term capital gain of a taxpayer (other than a corporation) exceeds the net short-term capital loss, section 1201(b) imposes an alternative tax in lieu of the tax imposed by sections 1 and 511, if and only if such alternative tax is less than the tax imposed by sections 1 and 511. The alternative tax is not in lieu of any other tax not specifically set forth in section 1201(b). The alternative tax is the sum of—

(1) A partial tax, computed at the rates provided by sections 1 and 511 on the taxable income reduced by an amount equal to 50 percent of the excess of the net long-term capital gain over the net short-term capital loss, plus

(2) 25 percent of the excess of the net long-term capital gain over the net short-term capital loss.

See § 1.1-3 for rule relating to the computation of the limitation on tax under section 1(c) in cases where the alternative tax is imposed. See § 1.34-2(a) for rule relating to the computation of the dividend received credit under section 34 (for dividends received on or before December 31, 1964), and § 1.35-1(a) for rule relating to the computation of credit for partially tax-exempt interest under section 35 in cases where the alternative tax is imposed.

PAR. 28. Section 1.1375 is amended by revising subsection (b) of section 1375 and the historical note. The amended provisions read as follows:

§ 1.1375 Statutory provisions; special rules applicable to distributions of electing small business corporations.

Sec. 1375. *Special rules applicable to distributions of electing small business corporations.* . . .

(b) *Dividends received credit not allowed.* The amount includible in the gross income of a shareholder as dividends from an electing small business corporation during any taxable year of the corporation (including any amount treated as a dividend under section 1373(b)) shall not be considered a dividend for purposes of section 37 or section 116 to the extent that such amount is a distribution of property out of earnings and profits of the taxable year as specified in section 316(a)(2). For purposes of this subsection, the earnings and profits of the taxable year shall be deemed not to exceed the corporation's taxable income (computed as provided in section 1373(d)) for the taxable year.

[Sec. 1375 as added by sec. 64(a), Technical Amendments Act 1958 (72 Stat. 1654); as amended by sec. 201(d)(13), Rev. Act 1964 (78 Stat. 32)]

PAR. 29. Section 1.1375-2 is amended to read as follows:

§ 1.1375-2 Dividends received exclusion and credit not allowed.

(a) *In general.* Under section 1375 (b), the amounts includible in the gross income of a shareholder as dividends from an electing small business corporation (including amounts treated as dividends under section 1373(b)) are not considered dividends for purposes of section 34 (dividends received credit for dividends received on or before December 31, 1964), section 37 (retirement income credit), and section 116 (partial dividend exclusion) to the extent that such amounts are distributions out of the earnings and profits of the taxable year. For purposes of the preceding sentence, the earnings and profits of the taxable year are deemed not to exceed the corporation's taxable income (as defined in section 1373(d)). For rules as to the allocation of earnings and profits of the taxable year to distributions made during the year, see paragraphs (d) and (e) of § 1.1373-1.

(b) *Examples.* The following examples illustrate the application of section 1375 (b) and paragraph (a) of this section:

*Example (1).* An electing small business corporation during the taxable year 1962 has taxable income (as defined in section 1373 (d)) and earnings and profits of \$10,000 for the taxable year and accumulated earnings and profits of \$20,000 at the beginning of the taxable year. During the taxable year, the corporation distributes a dividend of \$15,000 in money. Of the amount distributed, \$10,000 is not entitled to the dividends received exclusion under section 116 or the credits under section 34 or 37, since it is paid out of the earnings and profits of the corporation's taxable year. The \$5,000 paid out of accumulated earnings and profits is considered a dividend for purposes of the exclusion and credits.

PAR. 30. Paragraph (b) (1) of § 1.1441-3 is amended to read as follows:

§ 1.1441-3 Exceptions and rules of special application.

(b) *Corporate distributions*—(1) *Non-taxable portion.* The tax shall be withheld at the source under § 1.1441-1 on the gross amount of any distribution made by a corporation other than—

(i) A nontaxable distribution payable in stock or stock rights, and

(ii) A distribution which is treated as a distribution in part or full payment in exchange for stock.

This rule shall apply without regard to any claim that all or a portion of the distribution is not taxable under section 871 or 881. The tax shall be withheld on the gross amount of the distribution even though the payee may be entitled to the benefits of section 34, relating to the credit for dividends received by individuals (for dividends received on or before December 31, 1964), or section 116, relating to partial exclusion of dividends received by individuals. Appropriate adjustment, if any, will be made upon the payee's filing of a claim for refund, together with appropriate supporting evidence, in accordance with paragraph (h) of this section.

PAR. 31. Section 1.6012-1 is amended by revising paragraph (a) (7) (iii) (c) to read as follows:

§ 1.6012-1 Individuals required to make returns of income.

(a) *Individual citizen or resident.* . . .

(7) *Use of form 1040A by certain taxpayers with gross income less than \$10,000.* . . .

(iii) *Credits not allowable.* . . .

(c) The credit provided by section 34 (for dividends received on or before December 31, 1964);

PAR. 32. Section 1.6014 is amended by revising subsection (a) of section 6014 and by adding a historical note. The amended and added provisions read as follows:

§ 1.6014 Statutory provisions; income tax return—tax not computed by taxpayer.

Sec. 6014. *Income tax return—tax not computed by taxpayer*—(a) *Election by taxpayer.* An individual entitled to elect to pay the tax imposed by section 3 whose gross income is less than \$5,000 and includes no income other than remuneration for services performed by him as an employee, dividends or interest, and whose gross income other than wages, as defined in section 3401(a), does not exceed \$100, shall at his election not be required to show on the return the tax imposed by section 1. Such election shall be made by using the form prescribed for purposes of this section and shall constitute an election to pay the tax imposed by section 3. In such case the tax shall be computed by the Secretary or his delegate who shall mail to the taxpayer a notice stating the amount determined as payable. In determining the amount payable, the credit against such tax provided for by section 37 shall not be allowed. In the case of a head of household (as defined in section 1(b) or a surviving spouse (as defined in section 2(b)) electing the benefits of this subsection, the tax shall be computed by the Secretary or his delegate without regard to the taxpayer's status as a head of household or as a surviving spouse.

[Sec. 6014 as amended by sec. 201(d)(14), Rev. Act 1964 (78 Stat. 32)]

PAR. 33. Section 1.6015(c)-1 is amended to read as follows:

§ 1.6015(c)-1 Definition of estimated tax.

In the case of an individual, the term "estimated tax" means the amount which



**Title 29—LABOR**

**Chapter V—Wage and Hour Division,  
Department of Labor**

**SUBCHAPTER A—REGULATIONS**

**PART 608—HANDKERCHIEF, SCARF,  
AND ART LINEN INDUSTRY IN  
PUERTO RICO**

**Wage Rates**

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 585 (29 F.R. 13117), the Secretary of Labor appointed and convened Industry Committee No. 68-B. Administrative Order No. 585 referred to Industry Committee No. 68-B the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the handkerchief, scarf, and art linen industry in Puerto Rico and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 68-B are hereinafter published in this revision of 29 CFR 608.2.

Effective January 1, 1965, 29 CFR 608.2 is hereby revised to read as follows:

**§ 608.2 Wage rates.**

The handkerchief, scarf, and art linen industry in Puerto Rico is divided into five separate classifications. Wages at rates not less than those prescribed in this section shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce as those terms are defined in section 3 of the Act.

(a) *Previously covered classifications.* The classifications in this paragraph (a) apply to all activities of employees in the industry to whom section 6 of the Act applies without reference to the Fair Labor Standards Amendments of 1961.

(1) *Hand-sewing classification.* (i) The minimum wage for this classification is 33 cents an hour.

(ii) This classification is defined as the operations of hand-sewing as well as hand-embroidering, hand-embellishing, ornamental stitching, and similar operations involving decorative effects on all products except oblong scarves: *Provided, however, That mending, repairing, sew-*

ing of labels, tacking, and similar operations on articles which are otherwise wholly machine sewn shall not be included.

(2) *Other operations classification.*

(i) The minimum wage for this classification is 59 cents an hour.

(ii) This classification is defined as all operations in the handkerchief, scarf, and art linen industry in Puerto Rico, other than operations described in the other classifications of this industry.

(3) *Hand-sewing on oblong scarves classification.* (i) The minimum wage for this classification is 77 cents an hour.

(ii) This classification is defined as the operations of hand-sewing as well as hand-embroidering, hand-embellishing, ornamental stitching, and similar operations involving decorative effects on oblong scarves: *Provided, however, That mending, repairing, sewing of labels, tacking, and similar operations on articles which are otherwise wholly machine sewn shall not be included.*

(4) *Other operations on oblong scarves classification.* (i) The minimum wage for this classification is 93 cents an hour.

(ii) This classification is defined as all operations on oblong scarves except those included in the hand-sewing on oblong scarves classification.

(b) *New coverage classification.* (1) The minimum wage for this classification is 77 cents an hour between January 1, 1965 and September 2, 1965, and 93 cents an hour thereafter.

(2) This classification is defined as all activities of employees covered by section 6 of the Act, only by reason of the Fair Labor Standards Amendments of 1961.

(Sec. 8, 52 Stat. 1064 as amended; 29 U.S.C. 208)

Signed at Washington, D.C., this 10th day of December 1964.

CLARENCE T. LUNDQUIST,  
*Administrator.*

[F.R. Doc. 64-12908; Filed, Dec. 15, 1964; 8:49 a.m.]

**PART 609—WOMEN'S AND CHILDREN'S UNDERWEAR AND WOMEN'S BLOUSE INDUSTRY IN PUERTO RICO**

**Wage Rates**

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), and by means of Administrative Order No. 585 (29 F.R. 13117), the Secretary of Labor appointed and convened Industry Committee No. 68-A. Administrative Order No. 68-A referred to Industry Committee No. 68-A the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the women's and children's underwear and women's blouse industry in Puerto Rico and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a

the individual estimates as the amount of the income tax imposed by chapter 1 of the Code for the taxable year, minus the amount which he estimates as the sum of the credits against tax provided by part IV, subchapter A of such chapter. These credits are those provided by section 31 (relating to tax withheld on wages), section 32 (relating to tax withheld at source on nonresident aliens and foreign corporations and on tax-free covenant bonds), section 33 (relating to foreign taxes), section 34 (relating to the credit for dividends received on or before December 31, 1964), section 35 (relating to partially tax-exempt interest), and section 37 (relating to retirement income). An individual who expects to elect to pay the optional tax imposed by section 3, or one who expects to elect to take the standard deduction allowed by section 144, should disregard any credits otherwise allowable under sections 32, 33, and 35 in computing his estimated tax since, if he so elects, these credits are not allowed in computing his tax liability. See section 36.

PAR. 34. Paragraph (b) (2) of § 1.6654-2 is amended to read as follows:

§ 1.6654-2 Exceptions to imposition of the addition to the tax in the case of individuals.

(b) *Meaning of terms.* \* \* \*

(2) The credits against tax allowed by part IV, subchapter A, chapter 1 of the Code, are—

(i) In the case of the exception described in paragraph (a) (1) of this section, the credits shown on the return for the preceding taxable year,

(ii) In the case of the exception described in paragraph (a) (2) of this section, the credits shown on the return for the preceding taxable year, except that if the amount of any such credit would be affected by any change in rates or status with respect to personal exemptions, the credits shall be determined by reference to the rates and status applicable to the current taxable year, and

(iii) In the case of the exceptions described in paragraph (a) (3) and (4) of this section, the credits computed under the law and rates applicable to the current taxable year.

A change in rate may be either a change in the rate of tax, such as a change in the rate of the tax imposed by section 1, or a change in any percentage affecting the computation of the credit, such as a change in the rate of withholding under chapter 3 of the Code or a change in the percentage of dividends received specified in section 34(a) (for dividends received on or before December 31, 1964). The application of the preceding sentence may be illustrated by the following examples:

(Sec. 7805 of the Internal Revenue Code of 1954; 68 Stat. 917; 26 U.S.C. 7805)

[F.R. Doc. 64-12899; Filed, Dec. 15, 1964; 8:48 a.m.]

hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 68-A are hereinafter published in these amendments to 29 CFR Part 609.

Effective January 1, 1965, 29 CFR 609.2(a)(1)(i), (a)(2)(i), and (b)(1) are amended to read as follows:

#### § 609.2 Wage rates.

##### (a) Previously covered classifications.

(1) *Hand-sewing classification.* (i) The minimum wage for this classification is 85 cents an hour.

(2) *Other operations classification.* (i) The minimum wage for this classification is \$1.00 an hour.

(b) *New coverage classification.* (1) The minimum wage for this classification is 85 cents an hour between January 1, 1965 and September 2, 1965 and \$1.00 an hour thereafter.

(Sec. 8, 52 Stat. 1064 as amended; 29 U.S.C. 208)

Signed at Washington, D.C., this 10th day of December 1964.

CLARENCE T. LUNDQUIST,  
Administrator.

[F.R. Doc. 64-12909; Filed, Dec. 15, 1964;  
8:49 a.m.]

## PART 611—SWEATER AND KNIT SWIMWEAR INDUSTRY IN PUERTO RICO

### Wage Rates

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), and by means of Administrative Order No. 585 (29 F.R. 13117), the Secretary of Labor appointed and convened Industry Committee No. 68-C. Administrative Order No. 585 referred to Industry Committee No. 68-C the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the sweater and knit swimwear industry in Puerto Rico and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of

Labor (15 F.R. 3290), the recommendations of Industry Committee No. 68-C are hereinafter published in this revision of 29 CFR 611.2.

Effective January 1, 1965, 29 CFR 611.2 is revised to read as follows:

#### § 611.2 Wage rates.

The sweater and knit swimwear industry in Puerto Rico is divided into two classifications. Wages at rates not less than those prescribed in this section shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce as those terms are defined in section 3 of the Act.

(a) *General classification.* (1) The minimum wage for this classification is \$1.17 an hour.

(2) This classification is defined as all activities in the industry except those covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

(b) *New coverage classification.* (1) The minimum wage for this classification is \$1.10 an hour between January 1, 1965, and September 2, 1965, and \$1.17 an hour thereafter.

(2) This classification is defined as all activities in the industry covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

(Sec. 8, 52 Stat. 1064 as amended; 29 U.S.C. 208)

Signed at Washington, D.C., this 10th day of December 1964.

CLARENCE T. LUNDQUIST,  
Administrator.

[F.R. Doc. 64-12910; Filed, Dec. 15, 1964;  
8:49 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter VI—Department of the Navy

#### SUBCHAPTER C—PERSONNEL

### PART 721—STANDARDS OF CONDUCT

*Scope and purpose.* New Part 721 implements Part 137 of this title, as amended (29 F.R. 13803), for the Department of the Navy. Part 721 conforms to Secretary of the Navy Instruction 5370.2C of December 1, 1964, which is being distributed to Navy and Marine Corps commands in due course.

Subchapter C is amended by adding the following new part:

Sec.	
721.1	Purpose.
721.2	Definition.
721.3	Policy—general.
721.4	Gratuities.
721.5	Transportation and accommodations on official business.
721.6	Action.

AUTHORITY: The provisions of this Part 721 issued under R.S. 161, sec. 5031, 70A

Stat. 278, as amended, sec. 133, 76 Stat. 517; 5 U.S.C. 22, 10 U.S.C. 133, 5031.

#### § 721.1 Purpose.

Part 721 implements the standards of conduct set forth in Part 137 of this title and governing all personnel in the Department of the Navy.

#### § 721.2 Definition.

The term "Naval personnel," as used in this part, includes all military and civilian personnel of the Department of the Navy, including nonappropriated-fund activities.

#### § 721.3 Policy—general.

(a) All persons in the Department of the Navy, military and civilian, are enjoined to adhere strictly to the requirements of Part 137 of this title. In some instances, that part imposes standards which require the exercise of personal judgment. It is imperative that Naval personnel consider each such instance carefully and be prepared to account for the manner in which that judgment is exercised. This is particularly true in situations which involve acceptance of hospitality or favors from persons who do, or seek to do, business with the Department of the Navy.

(b) Persons who represent the Government in business dealings with representatives of industry have positions of trust and grave responsibility which require them to observe the highest ethical standards. Practices which may be accepted in the private business world are not necessarily acceptable for Naval personnel. Acceptance of favors, gratuities, or entertainment (no matter how innocently tendered or received) from those who have or seek business dealings with the Department of the Navy may be a source of embarrassment to the Department and to the Naval personnel involved, may affect the objective judgment of the recipient, and may impair public confidence in the integrity of business relations between the Department and industry.

(c) No person shall allow himself to be placed in a position in which a conflict of interests might arise or might justifiably be suspected. Such a conflict of interests may arise or appear to arise by reason of the acceptance of favors, gratuities, or entertainment of any kind or by any other action which could influence or be reasonably interpreted as influencing the strict impartiality that must prevail in all business relationships in which the public interest is involved. Favors, gratuities, or entertainment bestowed upon the families of Naval personnel shall be considered in the same light as those bestowed upon Naval personnel.

(d) Where there is a reasonable doubt as to the propriety of accepting favors, gratuities, or entertainment or of attending functions or accepting other invitations of a hospitable nature, Naval personnel shall refrain therefrom.

(e) Special treatment shall not be accorded to particular individuals or firms unless equivalent treatment is also accorded to other individuals or firms justifiably entitled thereto.

**§ 721.4 Gratuities.**

(a) Section 137.5 of this title, relating to gratuities, is applicable to Naval personnel as defined in § 721.2.

(b) Gratuities, as dealt with in § 137.5 of this title, include tangible items, intangible benefits, discounts, tickets, passes, transportation, accommodations, or hospitality, given or extended to or on behalf of the recipient. The following are not considered to be gratuities within the meaning of that section:

(1) Specialty advertising items of trivial intrinsic value.

(2) Customary exchange of social amenities between personal friends and relatives when motivated by such relationship and extended on a personal basis.

(3) Things available impersonally to the general public, such as a free exhibition by a defense contractor at a World's Fair.

(4) Trophies, entertainment, rewards and prizes given to competitors in contests which are open to the public or which are officially approved for participation by Naval personnel.

(5) Transactions between and among relatives which are personal and consistent with the relationship.

(6) Social activities engaged in by officials of the Department and officers in command or their representatives with local civilian leaders as part of community relations programs.

(7) Contractor-provided local transportation while on official business and when alternative arrangements are clearly impractical.

(8) Civic and community relations activities of Naval personnel where the relationship with a defense contractor can reasonably be characterized as remote, for example, participation in a Little League or Community Chest report luncheon which is subsidized by a concern doing business with a Naval activity.

(c) Section 137.5(a)(1) of this title permits the participation of Naval personnel in widely attended lunches, dinners, and similar gatherings sponsored by industrial, technical, and professional associations, the memberships of which may include defense contractors or their representatives, for the discussion of matters of mutual interest to Government and industry where the interests of the Government would be served by such participation, and where the host is the association rather than any contractor. Such associations include defense-oriented associations such as the Navy League, together with service, fraternal and civic clubs and associations, whose membership may also embrace defense contractors or their representatives. Acceptance of entertainment or hospitality from private companies or their representatives in connection with such association activities is prohibited.

(d) Section 137.5(a)(2) of this title permits the participation of Naval personnel in certain activities at the expense of individual defense contractors where the interests of the Government will be served. In addition to the events there enumerated, permission for such participation also includes the dedica-

tion or opening of major buildings or facilities, the unveiling of new aircraft, and the like, and the customary related social activities.

(e) When, in the exercise of sound judgment, Naval personnel determines that the Government's interest would be served by participation in activities, other than those within the purview of § 137.5(a)(1) and (2) of this title as implemented by this part, such person may participate in such activity. However, if he accepts any favor, gratuity, or entertainment directly or indirectly from any person, firm, corporation or other entity which is engaged or is endeavoring to engage in business transactions with the Department of Defense, a report of such acceptance shall be made in writing within 48 hours to his commanding officer or the chief or head of his bureau or office, or their designee, for review and disposition. The report will identify the favor, gratuity or entertainment, when and where and from whom received, and will describe the circumstances. Each individual is expected to use sound judgment in determining initially whether his conduct in a given case falls within the contemplation of § 137.5(a)(1), (2), or (3) of this title as implemented by this part and to take personal responsibility for making a report when required.

**§ 721.5 Transportation and accommodations on official business.**

Naval personnel on official business may not, except as provided in § 721.4(b)(7), accept contractor-provided transportation or overnight accommodations in connection with such official business if Government transportation or quarters, or regular commercial transportation or commercial overnight accommodations, are reasonably available. Where, however, the over-all Government interest would be served by acceptance by Naval personnel of such transportation or accommodations in specific cases, the chief or head of a bureau or office or his principal assistant may authorize it.

**§ 721.6 Action.**

(a) The Under Secretary of the Navy is assigned responsibility for the coordination of action relating to standards of conduct of Naval personnel.

(b) With respect to the disqualification procedure set forth in § 137.12(a)(4) of this title, the official in the Department of the Navy authorized to make a determination pursuant to Title 18, United States Code, section 208(b), shall be the head of the bureau, office, or activity in which the officer or employee concerned is assigned for duty.

(c) The Comptroller of the Navy shall advise all Regular Navy retired officer personnel of the continuing requirement for submitting a Statement of Employment and provide DD Form 1357 for that purpose. The Commandant of the Marine Corps shall provide similar assistance to Regular Marine Corps retired officer personnel.

(d) The Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, shall provide all regular officer personnel retiring hereafter with instructions for filing DD Form 1357

within 30 days after retiring and as their employment status changes.

(e) The Comptroller of the Navy or the Commandant of the Marine Corps, as appropriate, shall review all Statements of Employment filed by retired officers of the Regular Navy and Marine Corps to ensure compliance with applicable laws and regulations.

(f) The Chief of Industrial Relations shall incorporate the provisions of Part 137 of this title concerning advisers and consultants in appropriate Navy Civilian Personnel Instructions. He is also designated the officer to coordinate the classification of employees as "full time" or "part time" as required by paragraph (d) of the President's Memorandum of May 2, 1963, 28 F.R. 4539 at page 4541 (3 CFR, 1959-1963 Comp. p. 834, at p. 837).

(g) The Judge Advocate General and the General Counsel of the Navy shall provide legal advice, within their respective areas of jurisdiction, with regard to any questions which may arise under this part. In addition, the Judge Advocate General and the General Counsel of the Navy are designated as the legal officers who shall review Statements of Employment and Financial Interests filed by advisers and consultants. The General Counsel shall review statements submitted by advisers and consultants employed in matters involving logistics and procurement, property disposition, and other matters under the assigned jurisdiction of the General Counsel. The Judge Advocate General shall review statements submitted by advisers and consultants employed in respect to all other matters.

(h) All Chiefs and heads of bureaus and offices and all commanding officers shall disseminate SECNAV Instruction 5370.2C (incorporated in this part) within their organizations or commands, shall ensure that Naval personnel within their organizations or commands are familiar with its provisions, and shall arrange for informing new personnel of its provisions. Periodically, they shall utilize the opportunity afforded by staff meetings to direct attention to the policies set forth in that Instruction, and they shall bring these policies to the attention of all personnel at least semi-annually. Individuals requiring advice on the application of that Instruction to a particular case should consult the legal office providing legal service to their command or organization.

(i) The Chief of Naval Material is directed to transmit a copy of SECNAV Instruction 5370.2C (incorporated in this part) to the principal officer of each contractor doing significant business with the Navy, together with a request that the policies stated therein be brought to the attention of the appropriate contractor personnel. Chiefs and heads of bureaus and offices, commanding officers, and other senior officials shall periodically utilize the opportunity afforded by conferences with representatives of industry to direct attention to the policies set forth in that Instruction.

(j) Corrective measures, including disciplinary action when appropriate, shall be taken whenever it is determined that there has been a violation of SECNAV

Instruction 5370.2C (incorporated in this part).

By direction of the Secretary of the Navy.

[SEAL] WILFRED HEARN,  
Rear Admiral, U.S. Navy, Judge  
Advocate General of the Navy.

DECEMBER 10, 1964.

[F.R. Doc. 64-12875; Filed, Dec. 15, 1964;  
8:47 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

### PART 33—SPORT FISHING

#### Rice Lake and Tamarac National Wildlife Refuges, Minnesota

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

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

#### MINNESOTA

##### RICE LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Rice Lake National Wildlife Refuge, Minnesota, is permitted only on the areas designated by signs as open to fishing. This posted area comprising 5,000 acres or 100 percent of the refuge water area is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from date of this publication through February 15, 1965, during daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally which are set forth in Title 50, Part 33, and are effective through February 15, 1965.

##### TAMARAC NATIONAL WILDLIFE REFUGE

Sport fishing on the Tamarac National Wildlife Refuge, Minnesota, is permitted only on the areas designated by signs as open to fishing. This posted area comprising 9,300 acres or 60 percent of the total refuge water area is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The open season for sport fishing on the refuge extends from date of this publication through February 15, 1965, during daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally which are set forth in Title 50, Part 33, and are effective through February 15, 1965.

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

DECEMBER 8, 1964.

[F.R. Doc. 64-12869; Filed, Dec. 15, 1964;  
8:46 a.m.]

### PART 33—SPORT FISHING

#### Horicon and Necedah National Wildlife Refuges, Wisconsin

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

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

#### WISCONSIN

##### HORICON NATIONAL WILDLIFE REFUGE

Sport fishing on the Horicon National Wildlife Refuge, Wisconsin, or an area comprising 250 acres or 1.2 percent of the total water area of this refuge is permitted only on the areas designated by signs as open to fishing. The open area is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following condition:

(1) Open season: Daylight hours December 15, 1964, through March 15, 1965.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through March 15, 1965.

##### NECEDAH NATIONAL WILDLIFE REFUGE

Sport fishing on the Necedah National Wildlife Refuge, Wisconsin, or an area comprising 500 acres or 10 percent of the total water area of this refuge is permitted only on the areas designated by signs as open to fishing. The open area is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following condition:

(1) Open season: Daylight hours December 15, 1964 through March 15, 1965.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through March 15, 1965.

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

DECEMBER 8, 1964.

[F.R. Doc. 64-12870; Filed, Dec. 15, 1964;  
8:46 a.m.]

### PART 33—SPORT FISHING

#### Union Slough National Wildlife Refuge, Iowa

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

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

#### IOWA

##### UNION SLOUGH NATIONAL WILDLIFE REFUGE

Sport fishing on the Union Slough National Wildlife Refuge, Iowa, is permitted only on the area designated by signs as open to fishing. This open area comprising 6 acres or one percent of the total water area of the refuge is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The open season for sport fishing on the refuge extends from January 2, 1965 through March 15, 1965 during daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 15, 1965.

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

DECEMBER 8, 1964.

[F.R. Doc. 64-12868; Filed, Dec. 15, 1964;  
8:46 a.m.]

## Title 7—AGRICULTURE

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

[Navel Orange Reg. 62, Amdt. 1]

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

#### Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907; 27 F.R. 10087), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges as hereinafter provided will tend to ef-

effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Navel oranges grown in Arizona and designated part of California.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (i) of § 907.362 (Navel Orange Regulation 62, 29 F.R. 16315) are hereby amended to read as follows:

§ 907.362 Navel Orange Regulation 62.

(b) \* \* \*

(1) \* \* \*

(i) District 1: 1,600,000 cartons.

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

Dated: December 11, 1964.

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

[F.R. Doc. 64-12877; Filed, Dec. 15, 1964; 8:47 a.m.]

**Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture**

[Milk Order No. 136]

**PART 1136—MILK IN GREAT BASIN MARKETING AREA**

**Order Suspending Certain Provisions**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Great Basin marketing area (7 CFR Part 1136), it is hereby found and determined that:

a. The following provisions of the order no longer tend to effectuate the declared policy of the Act for the period January 1, 1965, through July 31, 1965.

In § 1136.11(a) the following provisions:

1. "50 percent in the months of August through March and"

2. "in other months"

3. "producer milk diverted therefrom by the plant operator".

The suspension of these provisions will result in § 1136.11(a) reading as follows:

§ 1136.11 Pool plant.

(a) An approved plant, except the plant of a producer-handler as described in § 1136.8, from which during the month there is disposed of on routes fluid milk products equal to not less than 40 percent of the receipts during the month at such plant of producer milk and receipts at the plant of fluid milk products from plants described pursuant to paragraph (b) of this section, and there are disposed of on routes in the marketing area fluid milk products equal to not less than 15 percent of the total fluid milk product disposition from the plant on routes: *Provided*, That if a handler operates more than one approved plant, the combined receipts and disposition of any of such plants may be used as the basis for qualifying the respective plants pursuant to the preceding computations specified in this paragraph if the handler in writing so requests the market administrator: *And provided further*, That any approved plant from which the total route disposition of fluid milk products is to individuals or institutions for charitable purposes and is without remuneration from such individuals or institutions shall not qualify as a pool plant pursuant to this paragraph.

b. Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

1. This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

2. This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

3. The suspension order will reduce for the months of January through July 1965 requirements for pool plant qualification of distributing plants. The order provides that 50 percent of receipts of producer milk, including milk diverted by the plant operator, but excluding pool milk receipts for which another coopera-

tive association is the handler, must be disposed of on routes during August through March and 40 percent in all other months. This action reduces the percentage requirement to 40 percent for all months and eliminates producer milk diverted to nonpool plants from the computation.

Proponents state that the conditions which necessitated suspension of the same provisions during the calendar year 1964 continue to exist and will continue during the foreseeable future. The merger of two cooperative associations, Weber Central Dairy Association and Federated Milk Producers Association, on January 1, 1964, has made it difficult, if not impossible, for such association to meet the present requirements necessary to maintain pool plant status for all its plants which have been pool plants in the past. This is due to the fact that certain milk for which one of the associations comprising the merger had heretofore been the handler when such milk was delivered to or diverted from a plant operated by the other member of the merger has now become producer milk of the merged association. The present pool plant standards were based on these associations operating as separate units, but with the merger of the associations these provisions no longer achieve the results intended.

4. This suspension action is based on a request by Federated Dairy Farms, Inc., the merged association, and Hi-Land Dairyman's Association. Members of these two cooperative associations supply in excess of 90 percent of the fluid milk requirements of handlers in the Great Basin marketing area. The suspension will permit dairy farmers who have supplied the fluid requirements of the market to continue as producers under the order. These associations have also proposed amendments to the pool plant standards. The period of suspension will provide opportunity for consideration of amendment action based on a public hearing.

Therefore, good cause exists for making this order effective January 1, 1965.

*It is therefore ordered*, That the aforesaid provisions of the order are hereby suspended for the period January 1, 1965, through July 31, 1965.

Effective date: January 1, 1965.

Signed at Washington, D.C., on December 11, 1964.

GEORGE L. MEHREN,  
Assistant Secretary.

[F.R. Doc. 64-12878; Filed, Dec. 15, 1964; 8:47 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[ 7 CFR Part 26 ]

### WHEAT

#### Proposed Official Grain Standards

Pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), notice is hereby given that the United States Department of Agriculture has under consideration a proposed amendment of § 26.127(a) of the Official Grain Standards of the United States for Wheat (7 CFR 26.101 et seq.) promulgated under authority of the United States Grain Standards Act, 39 Stat. 482, as amended (7 U.S.C. 71 et seq.).

The United States Grain Standards Act requires that public notice be given of any amendment of the standards not less than 90 days in advance of the effective date of such amendment. If said § 26.127(a) is amended, it is the intent that the amendment will be made effective on or about June 1, 1965.

Public hearings will not be held, but all persons who desire to submit written data, views, or recommendations in connection with this proposal shall file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than January 15, 1965. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

**Statement of considerations.** The wheat standards were last revised to become effective June 1, 1964. Among the changes was the establishment of grade limits for contrasting classes. Shortly after the 1964-wheat harvest began in the Pacific Northwest, complaints on the downgrading of wheat because of contrasting classes were received. At the request of wheat growers and others, the Department conducted a series of meetings in Idaho, Oregon, and Washington during September to discuss the effect of the revised wheat standards. The problem was found to be acute in White Wheat in a few counties in Idaho, Oregon, and Washington, where both White Wheat and Hard Red Winter Wheat are grown on the same or adjacent farms.

Information from inspection records has been analyzed to appraise the effect of the contrasting classes limitation on the grades of White Wheat in the Pacific Northwest. Most of the inspections were on farmers' wheat at time of delivery to country elevators. The results of about 14,000 inspections performed between July 15 and August 27, 1964, were as follows:

17816

GRADE OF WHITE WHEAT BASED ONLY ON CONTRASTING CLASSES

Grade	Actual grade of 1964 crop			Adjusted grade of 1964 crop under proposed revision		
	Idaho	Oregon	Washington	Idaho	Oregon	Washington
	1	2	3	4	5	6
No. 1.....	Percent 92	Percent 92	Percent 93	Percent 94	Percent 94	Percent 95
No. 2.....	1	1	2	3	3	2
No. 3 or lower.....	7	7	5	3	3	3
Total.....	100	100	100	100	100	100

A recent survey of the flour milling industry indicates that the presence of contrasting classes in wheat up to about 1.0 percent cannot usually be detected in the quality of the final product made from the wheat. The experience of the milling industry in regard to contrasting classes is supported by experimental research by some State agricultural experiment stations, and the U.S. Department of Agriculture. The limited research that has been done by these agencies indicates that the quality of the end product from wheat is affected by contrasting classes only when present in quantities above about 1.0 percent.

Because of the above circumstances it was decided to propose that the percentage of contrasting classes in grades No.

1, No. 2, and No. 3 be changed from 0.5, 1.0, and 2.0 percent to 1.0, 2.0, and 3.0 percent, respectively.

The proposed amendment is as follows: In § 26.127(a) under the factor "contrasting classes" the percentages for grades No. 1, No. 2, and No. 3 would be changed from 0.5, 1.0, and 2.0 to 1.0, 2.0, and 3.0, respectively.

Section 26.127(a) would then read as follows:

**§ 26.127 Numerical grades and sample grade and grade requirements.**

(a) Numerical grades and sample grade and grade requirements for all classes of wheat except mixed wheat. (See also § 26.128.)

Grade	Minimum test weight per bushel		Maximum limits of—						
			Defects						Wheat of other classes <sup>1</sup>
	Hard Red Spring Wheat	All other classes	Heat-damaged kernels	Damaged kernels (total)	Foreign material	Shrunken and broken kernels	Defects (total)	Contrasting classes	Wheat of other classes (total)
	Pounds	Pounds	Percent	Percent	Percent	Percent	Percent	Percent	Percent
1.....	58.0	60.0	0.1	2.0	0.5	3.0	3.0	1.0	3.0
2.....	57.0	58.0	0.2	4.0	1.0	5.0	5.0	2.0	5.0
3.....	55.0	56.0	0.5	7.0	2.0	8.0	8.0	3.0	10.0
4.....	53.0	54.0	1.0	10.0	3.0	12.0	12.0	10.0	10.0
5.....	50.0	51.0	3.0	15.0	5.0	20.0	20.0	10.0	10.0

<sup>1</sup> Red Durum Wheat of any grade may contain not more than 10.0 percent of wheat of other classes.

**Sample grade:** Sample grade shall be wheat which does not meet the requirements for any of the grades from No. 1 to No. 5 inclusive; or which contains stones; or which is musty, or sour, or heating; or which has any commercially objectionable foreign odor except of smut or garlic; or which contains a quantity of smut so great that any one or more of the grade requirements cannot be applied accurately; or which is otherwise of distinctly low quality.

Done at Washington, D.C., this 10th day of December 1964.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 64-12879; Filed, Dec. 15, 1964; 8:47 a.m.]

[ 7 CFR Parts 1047, 1049 ]

[Docket Nos. AO-319-A5, AO-33-A30]

## MILK IN INDIANAPOLIS, INDIANA, AND FORT WAYNE, INDIANA, MARKETING AREAS

### Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

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), a public hear-

ing was held at Indianapolis, Indiana, on September 24, 1964, pursuant to notice thereof issued on September 8, 1964 (29 F.R. 12875).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on November 17, 1964 (29 F.R. 15647; F.R. Doc. 64-11908) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (29 F.R. 15647; F.R. Doc. 64-11908) are hereby approved and adopted and are set forth in full herein subject to the following modifications:

Under the subheading 2, *Supply-demand adjustor to Class I prices*, the following changes are made:

1. In the eighth paragraph the schedule is revised and in the sentence immediately preceding the schedule the figure is changed from 73.5 to 73.25.

2. The nineteenth paragraph is deleted and three new paragraphs are added.

3. The twenty-fifth and twenty-sixth paragraphs are deleted and a new paragraph is added.

The material issues on the record of the hearing relate to the pricing of Class I milk in the two markets, as follows:

1. Levels and relationship of Class I price differentials;

2. Adoption of a common supply-demand "adjustor"; and

3. Modification of Class I butterfat differentials.

*Findings and conclusions.* The following findings and conclusions on the material issues are based on evidence presented at the joint hearing and the record thereof:

1. *Levels and relationship of Class I price differentials.* The stated Class I price differentials of the Indianapolis, Indiana, and Fort Wayne, Indiana, milk orders (\$1.27 and \$1.20 per hundred-weight, respectively, over the basic formula price for the preceding month) should be continued at present levels. A common supply-demand "adjustor" to the Class I price differentials of both orders should be provided.

An amendment to the Indianapolis order effective June 1, 1963, based upon a hearing held in Indianapolis, Indiana, January 30-February 1, 1962, provided for the present level of stated Class I differential. In rendering his decision in the matter of the appropriate level of Class I prices, the Assistant Secretary concluded (in part) at that time, as follows:

"In these circumstances it would not be appropriate to provide the Class I price increase proposed by producers. Nor in view of the extensive expansion of the marketing area herein recommended is it appropriate to reduce the present level. A reasonable period of time should be allowed to elapse under the new supply-demand conditions before considering any modification of the present Class I price. Deferring action on the Class I price for a period of 18 months

will allow sufficient time to accumulate data on supply-demand conditions in the expanded area on which to establish the Class I price level. Consideration could then be given to the need for automatically adjusting the Class I price as supplies vary in relation to demand as well as to the problem of intermarket price alignment. The Class I price herein recommended will provide appropriate price alignment in portions of the expanded market until appropriate review of the price structure can be considered at a subsequent hearing."

Similarly, in an amendment to the Fort Wayne, Indiana, order effective June 1, 1963, and based upon a hearing held at Fort Wayne, Indiana, March 5, 1963, it was concluded by the Secretary, in part, as follows:

"The present Class I price of \$1.20 over the basic formula price should be continued through December 31, 1964. This will insure proper alignment of the Fort Wayne Class I price with that of Indianapolis and other nearby markets until it can be reviewed at a future hearing." It was concluded further that: "The present Fort Wayne Class I price, therefore, should be extended for an additional 21-month period. Such an extension will permit review of the Fort Wayne Class I price at approximately the same time as that of the Indianapolis market in the third or fourth quarter of 1964."<sup>1</sup>

Producer cooperatives, representing a large majority of producers supplying both the Indianapolis, and Fort Wayne, Indiana, markets, join currently in proposing continuance of the present Class I price differentials (\$1.27 and \$1.20, respectively) under the two orders. The associations also suggest a formula for the supply-demand adjustment of prices under each of the orders based upon the Class I sales and producer receipts of the two markets in combination in the event of a determination that such automatic adjustment of future prices is appropriate.

Proponent producers testified that the respective stated differentials in the Indianapolis and Fort Wayne orders are reasonable minimums (over the basic formula price) both from the point of view of maintaining an adequate supply for the market and in recognition of the close competitive relationships which exist not only between handlers in the two markets but also between such handlers of both markets and handlers in the nearby Louisville-Lexington-Evansville, Dayton-Springfield, and Greater Cincinnati markets. Producers alleged that the 7-cent difference in stated Class I differentials of the two orders has had no disturbing influence in the markets, and that under such relationship of Class I prices producers under both orders had retained their Class I sales outlets. They contended further that the history of both markets justifies continuation of the present differentials since the supply of milk in each market is not excessive.

Handlers also generally supported continuation of the present levels and spread in the Class I stated differentials but

generally objected to any increase in such differentials by means of a supply-demand adjustor. Their testimony was offered primarily in support of the proposition that current supplies for these markets are adequate. However, one handler operating a plant located in Howard County, Indiana, one of the northern tier of counties in the Indianapolis marketing area, also proposed that: (1) The pricing structure in the Indianapolis order and Fort Wayne order be the same, and (2) the Class I price be such that it will help dairy farmers in this area maintain their own markets and be "competitive." He contended that several Indianapolis handlers located on the fringe of the Indianapolis marketing area adjacent to the boundary of the Fort Wayne marketing area are disadvantaged in their resale competition with Fort Wayne handlers because of the 7-cent difference in Class I prices under the two orders. He further contended that Chicago milk has started to move into the area and cited, as an example, the case of an operator of a small chain of grocery stores in north central Indiana who recently contracted to purchase packaged milk from a Chicago handler.

The production of milk for the two markets in combination is in reasonable balance with Class I sales. Class I sales and producer receipts both have increased in the Indianapolis and Fort Wayne markets in 1962 and 1963. The percentage of producer milk utilized as Class I milk, however, has remained about the same in the Indianapolis market over this two-year period, averaging on an annual basis, 75.38 percent and 75.53 percent, respectively.<sup>2</sup> With respect to the Fort Wayne market, for which market data are available for the three-year period, 1961-1963, the percentage of producer milk utilized as Class I has varied one year to the next over a wider range (71.4, 78.4 and 74.2 percent in 1961, 1962 and 1963, respectively) and has averaged 74.66 percent for the three-year period.

Both Indianapolis and Fort Wayne have operated, therefore, on an annual average reserve supply of about 25 percent of producer receipts which, as testified by both producers and handlers, does not indicate oversupply under present-day conditions particularly with respect to intraweek bottling and distribution patterns. Current supplies are utilized primarily to cover local needs since there are no substantial bulk fluid milk shipments from these markets to neighboring or more distant markets.

Moreover, there is no evidence on the record that fluid milk from the Chicago or any other market has come into the Indianapolis order market at a price f.o.b. market below the minimum Class I price which handlers under the latter order are required to pay. Several tank loads of milk were received in the Indianapolis market from a Chicago order plant during September this year. The indicated cost of such milk was well in excess of the September minimum Class I price of

<sup>1</sup> Official notice is taken of the respective decisions (28 F.R. 4901, F.R. Doc. 63-5247 and 28 F.R. 4305, F.R. Doc. 63-4603).

<sup>2</sup> The order became fully effective March 1961 which does not permit this comparison over a three-calendar-year period.

\$4.42 per hundredweight under the Indianapolis order. In this connection official notice is taken of the September 1964 market administrator's price report for the Indianapolis market.

The present stated Class I differentials of the two orders are presently at an appropriate level and are reasonably aligned one market with the other and with nearby markets. There was no evidence which would show that unstable marketing conditions have resulted from the difference of 7 cents in price which has prevailed. The Class I differentials in the two orders should not be changed, therefore, other than as may be appropriate because of significant future changes in supplies in relation to market requirements. The continuation of these differentials, together with the adoption of a supply-demand factor in the pricing mechanism (discussed later), in conjunction with Class II prices, should result in returns to producers in each market sufficient to maintain an adequate but not excessive supply of milk to meet the fluid requirements of the respective markets, including the necessary market reserve.

2. *Supply-demand adjuster to Class I prices.* A common supply-demand formula based upon the sales-receipts relationship of the two markets in combination should be employed as the method of adjusting Class I prices in both markets to changing conditions of supply and demand.

Producers suggested a type of supply-demand formula for common use in both markets in the event of a determination that such a method of adjusting prices should be adopted. They gave recognition to the validity of providing an automatic adjuster to the Class I price differential to maintain a proper balance between producer receipts and Class I requirements, but expressed concern that a supply-demand adjustment provision, if not carefully constructed, might result in erratic pricing and in an unwarranted disturbance of intermarket price alignment.

A handler witness speaking for seven handlers regulated under the Indianapolis order expressed opposition to the inclusion of a supply-demand factor in the Class I pricing provisions of such order. These handlers jointly proposed a separate supply-demand adjustment provision for consideration, however, in the event of a finding that such an adjuster should be adopted.

The purpose of a supply-demand adjustment provision is to adjust promptly the minimum Class I price upward or downward as the supply of producer milk changes in relation to Class I sales. This purpose is consistent with the criteria of the Agricultural Marketing Agreement Act, as amended, which provides that the prices to be fixed under the authority of such act shall be those which are reasonable in view of market supply and demand conditions and which will assure a sufficient quantity of pure and wholesome milk and be in the public interest. The automatic adjustment of Class I prices in response to changes in the relation between supplies and Class I sales

will assist to carry out in these markets the purposes of the act through stabilization of supplies at the levels required. Failure to adjust the Class I price promptly in response to market supply and demand conditions could produce price levels which would encourage either inadequate or excessive supplies of milk in relation to demand. Supply-demand formula provisions have not been employed previously in these markets because of lack of data on which such a pricing mechanism could be constructed. Adequate data regarding production and sales in each of the two markets are now available.

Producers proposed a supply-demand formula which would:

(1) Provide a formula for measuring changes in supply-demand relationships of the two markets which employs the Class I sales and producer receipts of both markets.

(2) Provide for identical Class I price adjustments based upon comparison of the ratio of combined sales to combined receipts for a period covering the second and third (or, alternatively, the second, third and fourth) months preceding the pricing month (current utilization percentage) with a standard utilization percentage (four-point range) or "norm" applicable for the pricing month. The individual monthly ranges of norms would reflect on an annual basis 70-74 percent Class I utilization.

(3) Provide for a price adjustment, upward or downward, at the rate of two cents for each percentage point of deviation of the current utilization percentage above or below the norm.

(4) Limit the maximum amount of adjustment to 20 cents per hundredweight.

In suggesting use of a common formula, producers stressed the importance of Class I price changes taking place at the same time and by the same amount in each market. They stated that this is necessary to avoid erratic pricing and to maintain proper Class I price alignment between the two markets and in relationship to adjacent markets. They contended that small changes in the relative prices of the two market orders could cause unwarranted shifting of milk supplies. In this connection, they pointed out that: (1) Bulk milk handling, together with recent improvements in highway systems, make such movements between the markets relatively easy; (2) The transfer of producers from one market to the other is not impeded by differences in health requirements of the markets; and (3) The procurement areas of handlers regulated under the two orders overlap in several counties.

The supply-demand formula suggested by handlers was generally the same as proposed by producer groups, the principal differences being in the level at which the norms were established and the maximum amount by which the adjuster may affect the Class I price. Although handlers proposed that consideration be given to the use of either a recent two or three-month period for computing the current utilization percentage (mover), they expressed a preference for the three-month mover in that it would minimize any erratic price

adjustments which might otherwise be brought about by the action of the adjuster.

The supply-demand formula adopted herein to be applicable under both orders provides for:

(1) The following schedule of standard utilization percentages (norms) which average 73.25 percent (midpoint of range) of producer milk in Class I to producer receipts on an annual basis:

Month for which pricing is being computed	Preceding months used in computation	Standard utilization percentages	
		Minimum	Maximum
Jan.....	Sept., Oct., Nov....	79	82
Feb.....	Oct., Nov., Dec....	78	81
Mar.....	Nov., Dec., Jan....	77	80
Apr.....	Dec., Jan., Feb....	76	79
May.....	Jan., Feb., Mar....	76	79
June.....	Feb., Mar., Apr....	73	76
July.....	Mar., Apr., May....	69	72
Aug.....	Apr., May, June....	64	67
Sept.....	May, June, July....	62	65
Oct.....	June, July, Aug....	64	67
Nov.....	July, Aug., Sept....	68	71
Dec.....	Aug., Sept., Oct....	75	78

(2) "Current utilization percentages" to be based upon aggregate producer receipts in the two markets and producer milk classified as Class I milk therein for a three-month period ending with the second month preceding the pricing month;

(3) Adjustments to the Class I price for each market at the rate of two cents for each full percentage point of deviation of the applicable current utilization percentage for the month from the norm (range) for such month;

(4) A maximum of plus or minus 38 cents on the amount of supply-demand adjustment.

These two markets are in close competition in both milk procurement and milk distribution. The procurement areas of handlers regulated under the two orders overlap in several counties. Transferring producers from one market to the other is not impeded by differences in health requirements of the markets. The high degree of bulk milk handling and good highway conditions make intermarket movements relatively easy. At the present time, however, available milk supplies are reasonably allocated in relation to the sales levels of the two markets.

Also, there is close competition for Class I sales between handlers under the two orders. At present there are five Indianapolis handlers who regularly sell milk on routes in the Fort Wayne marketing area and four Fort Wayne handlers who sell in the Indianapolis marketing area. The shift of a large account, such as a chain of food markets or dairy stores, from a handler in one market to a handler in the other, may cause the handler to be regulated by one order in a given month and by the other order the next month since the regulation applicable to him is determined on the basis of his relative proportion of Class I sales in each marketing area. Such shifts in suppliers can occur readily under today's distribution conditions. When shifts in suppliers are made across individual market lines or retail routes



are established in one market by a handler from the other, a significant change in the production-sales relationship of each market can be effected without any basic change in the aggregate supplies or sales associated with such markets.

In view of the foregoing, it is highly important, therefore, to avoid erratic price movements between these two markets. Relatively small changes in the prices of these markets if in opposite directions could cause unwarranted shifting of producer milk supplies or provide price advantage in sales competition. The adoption of a common supply-demand adjuster which will provide for identical monthly Class I price adjustments for the two markets will insure against diverse movements in prices in these markets and maintain an appropriate Class I price alignment between the two and in relationship to adjacent markets.

Under the formula proposed for adoption herein the respective Class I price differentials for the two markets would be adjusted for significant changes in the relationship of current utilization percentage outside the applicable monthly norms as shown in the above schedule. The norms, or individual monthly ranges, are derived from experience in both markets for the period of March 1961 (the fully effective date of the inception of the Indianapolis order) through August 1964. They vary seasonally in recognition of the seasonality in the relationship of milk production to Class I sales in the two markets.

The current utilization percentage would be constructed on the receipts and disposition of the three months preceding the pricing month. For example, the percentage applicable for the month of January would be based on the percentage of Class I utilization for the preceding September, October and November period. These months would be the latest for which data are available to permit announcement of the price adjustment early in the month for which it is effective.

Use of data for a three-month period, rather than for a two-month period will minimize sporadic changes in the Class I price which otherwise might be induced simply by variation in the number of heavy bottling days in the period used to compute the mover. The heaviest purchases of fluid milk by consumers in these markets tend to occur on Thursdays, Fridays and Saturdays. As a consequence, plants have their heaviest needs for raw milk supplies on Tuesday through Friday of each week. One handler regulated under the Indianapolis order, for example, bottles 80 percent of his weekly Class I sales during the four-day period Tuesday-Friday and 20 percent of the remaining weekly sales on Mondays and Saturdays based on March 1964 figures. No milk is bottled on Sundays at the plant of this handler. Using data for a three-month period reduces the effect of variations in the number of heavy bottling days from one month to the next on the utilization percentages in the formula as compared with data based on a two-month period. The three-month mover also will tend to minimize other unwarranted changes in

the Class I price resulting from such occurrences as holidays and abnormal weather conditions of a short-run nature.

The producers' formula would include fluid milk products disposed of in the respective marketing areas from all non-pool plants, except plants of producer-handlers. It would include also the pounds of Class I milk in inventory and "overages". The inclusion in the supply-demand formula of sales in these markets from nonpool plants would not contribute, however, to the accuracy with which the supply-demand adjuster reflects meaningful changes in the supply-demand situation at plants which utilize the milk which it is designed to price. Sales of nonpool milk in the market as Class I are not necessarily reflective of the regular demand for, or the regular supply of, producer milk associated with these two markets. Producers stated they had no important objection to the exclusion of "other source receipts" from the current utilization percentages provided the norms likewise were constructed on this basis. The considerable variation, month to month, which occurs in these markets with respect to inventory and overage also warrants the exclusion of these data from use in the formula at this time. The receipts of producer milk and the pounds of producer milk disposed of as Class I by handlers regulated in the two markets will provide a reasonable measure of changes in the supply-demand situation.

The use of a range in the monthly norms tends to act as a "dampener" on random price changes which, at times, might otherwise be possible. The four-point percentage range in the monthly norms suggested by both handlers and producers, together with a provision to compute a current utilization percentage to the nearest full percentage point, would provide a "corridor" of five percentage points within which no price adjustment would be called for.

Although it is desirable to avoid random movements to whatever extent practicable, it is not, however, appropriate in avoiding these movements to minimize the effectiveness of the adjuster in responding to real changes in the supply-demand situation. Provision is made in the schedule of standard utilization percentages for monthly ranges having a width of three percentage points. Price adjustments resulting from deviations of the current utilization percentage outside the monthly range would be computed on the basis of full percentage points of such deviation. The three-point range, therefore, together with provision for rounding the current utilization percentage to the nearest full percentage point, in effect provides a "corridor" of four percentage points by which the current utilization percentage may deviate from the norms without effecting a price adjustment. Such a range will permit adjustment of the Class I price more promptly and accurately in response to significant changes in the combined supply-demand relationship in the two markets.

Although Class I utilization in the two markets on an aggregate sales-receipts basis has averaged approximately 75

percent for the two-year period 1962-1963, the trend in recent months indicates some tendency toward an increase in supplies in relation to sales of fluid milk products. For example, during the first seven months of 1964 (January-July) Class I utilization on a combined market basis averaged 70.1 percent of producer receipts. During the same period in 1963 and 1962 the Class I utilization averaged 72.7 and 73.7, respectively. The importation of milk supplies into the two markets by one of the proponent producer associations during recent months, although not of substantial volume, would indicate, however, that irrespective of the slight increase in market reserves during recent months such markets are not oversupplied.

The formula adopted herein provides a seasonal schedule of norms which average, on an annual basis, 73.25 percent Class I utilization. The seasonality pattern of the norms in the recommended decision were designed to lessen the possibility of contraseasonal price adjustments which might occur as a result of sporadic changes in the relationship of receipts to Class I disposition not significant with respect to any real change in the supply-demand situation of the market.

In their exceptions to the recommended decision, producers alleged, however, that the norms for certain months would not prevent the possibility of unwarranted contraseasonal price adjustments. Producers pointed out, for example, that November, the month of lowest production in relation to Class I sales in the market, averaged approximately 83 percent Class I utilization in 1962 and 1963, representing a situation of relatively short supply not fully reflected in the norms set for such month.

In light of the exceptions filed, further refinements to the norms for certain months have been made to provide additional assurance against contraseasonal price adjustments. The schedule of individual monthly norms should be revised to reflect these further refinements. The resulting effect on the level of standard utilization percentages as set forth in the recommended decision is negligible, being a quarter of one percent lower (annual-basis) than the 73.5 percent (at midpoint of range) specified therein.

Adjustments in the Class I price resulting from the formula should be at the rate of two cents for each percentage point that the current utilization percentage deviates from the applicable norm. Thus, the Class I price would be increased two cents for each full percentage point that the current utilization percentage is above the maximum standard percentage range and would be decreased two cents for each full percentage point that the current utilization is below the minimum standard percentage range for the month. The rate of two cents per percentage point upward and downward is reasonable in relation to the general level of the Class I prices in this area and in relation to nearby market prices.

The maximum monthly adjustment should be limited to not more than 38

cents, plus or minus. In this connection producers proposed a maximum limit on any plus or minus adjustment of 20 cents per hundredweight. They suggested that a tie with Class I prices of a neighboring market also might provide a satisfactory basis for establishing such a limit.

Handlers, on the other hand, proposed a limitation on the adjustor which would allow no plus adjustment to the price during any month in which other factors of the Class I price (basic formula and stated differential) would provide for a Class I price of 35 cents or more over the Chicago order Class I price. Handlers cited as their reason for a ceiling of 35 cents over the Chicago Class I price the availability of milk which can move into the Indianapolis and Fort Wayne markets from the Chicago area at an alleged 35-cents per hundredweight transportation cost.

Although, as noted earlier, several shipments of milk were imported into the Indianapolis market from the Chicago market area in months just preceding the hearing because of temporary shortage, there is no evidence that the levels of price in the Indianapolis and Fort Wayne orders have encouraged regular, or significant, movements of milk into the two markets from this alternative source.

Some limit, however, should be placed on the price movements to result from the supply-demand adjustor in order that the basis for any tendency of prices to make unusually wide swings may be given further consideration in hearing. It would not be reasonable to permit the Indianapolis and Fort Wayne prices to decrease below the level of the South Bend-LaPorte-Elkhart market which serves, to some extent, as an alternative outlet for milk associated with the Indianapolis and Fort Wayne markets. A pricing range of 38 cents minus to 38 cents plus will provide for flexibility in pricing under the formula but will tend to maintain Indianapolis and Fort Wayne prices in reasonable alignment with the South Bend-LaPorte-Elkhart and other markets.

The supply-demand adjustor adopted herein would have increased the Class I price in both markets by only three-fourths of a cent per hundredweight, on the average, during the 22-month period of January 1963 through October 1964. This compares with the producers' formula for the comparable period which would have increased such prices by two and one-half cents per hundredweight on the average. The handlers' formula with a three-month mover, on the other hand, would have provided no adjustment to the Class I price for any month of the period November 1963 through October 1964, the period for which they provided data in the record.

It is concluded that the supply-demand adjustor formula herein adopted will provide an appropriate basis for adjustments of the Class I price in the two markets as supply and demand conditions change in such markets.

3: *Class I butterfat differential.* The butterfat differential used in adjusting Class I prices under the Fort Wayne order should be reduced. The Indianap-

olis Class I butterfat differential should remain unchanged.

At present the Class I price in the Fort Wayne market is adjusted for the butterfat content of Class I milk by a butterfat differential per point ( $\frac{1}{10}$  percent of butterfat) determined by multiplying the monthly Chicago 92-score butter price by 0.125. It was proposed by a cooperative association, representing a substantial number of producers in the Fort Wayne market, that the Class I butterfat differential be reduced to 0.120 times the price of Chicago butter, the same as the Class I butterfat differential under the Indianapolis order. No opposition to this proposal was expressed by handlers or by other producers regulated under the Fort Wayne order.

The average butterfat test of Class I milk in the Fort Wayne market has declined from 3.57 percent in 1961 to 3.49 percent in 1963. The average test of producer milk, on the other hand, has not changed appreciably during the three-year period, averaging 3.75, 3.77 and 3.74 percent, respectively, for these years.

The Class I butterfat differential in the Fort Wayne market averaged \$0.073 and \$0.072 in 1962 and 1963, respectively. For the Indianapolis market the Class I differential averaged \$0.071 and \$0.070 for the comparable periods. The proposed reduction in the Class I butterfat differential for Fort Wayne will contribute to the general alignment of Class I prices between the Fort Wayne and Indianapolis markets consistent with the other terms of the Class I pricing provisions of both orders and will tend to place butterfat in fluid milk products in the Fort Wayne market on a more competitive basis with other nearby markets. Indianapolis handlers and producers testified in support of the current butterfat differential under the Indianapolis order stating that it was in reasonable alignment with other nearby markets. In view of this testimony and because there was no testimony to support a revision, it is, therefore, left unchanged.

The Fort Wayne Class I butterfat differential should be placed on the same basis as that in the Indianapolis order. In view of the prevailing butterfat test of Class I milk at close to 3.5 percent, overall returns to producers for Class I milk should be little affected by this change.

*Rulings on proposed findings and conclusions.* Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

*General findings.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously

issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreements and the orders, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreements and the orders, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreements and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in marketing agreements upon which a hearing has been held.

*Rulings on exceptions.* In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

*Marketing agreements and orders.* Annexed hereto and made a part hereof are four documents entitled respectively, "Marketing agreement regulating the handling of milk in the Indianapolis, Indiana, marketing area", and "Order amending the order regulating the handling of milk in the Indianapolis, Indiana, marketing area", "Marketing agreement regulating the handling of milk in the Fort Wayne, Indiana, marketing area", and "Order amending the order regulating the handling of milk in the Fort Wayne, Indiana, marketing area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreements, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreements are identical with those contained in the orders as hereby proposed to be amended by the attached orders which will be published with this decision.

*Determination of representative period.* The month of September 1964 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached orders, as amended and as hereby proposed to be amended, regulating the han-

dling of milk in the Indianapolis, Indiana, marketing area and the Fort Wayne, Indiana, marketing area, respectively, are approved or favored by producers, as defined under the terms of the respective order as amended and as hereby proposed to be amended, and who, during such representative period were engaged in the production of milk for sale within the respective aforesaid marketing area.

Signed at Washington, D.C., on December 11, 1964.

GEORGE L. MEHREN,  
Assistant Secretary.

*Order Amending the Order Regulating the Handling of Milk in the Indianapolis, Indiana, Marketing Area*

**§ 1049.0 Findings and determinations.**

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Indianapolis, Indiana, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

*Order relative to handling*—It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Indianapolis, Indiana, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator on November 17, 1964, and published in the FEDERAL REGISTER on November 21, 1964 (29 F.R. 15647; F.R. Doc. 64-11908), shall be and are the terms and provisions of this order, and are set forth in full herein subject to a revision of the schedule of standard utilization percentages in § 1049.51 (a) (2).

In § 1049.51, the introductory text and paragraph (a) are revised to read as follows:

**§ 1049.51 Class prices.**

Subject to the provisions of §§ 1049.52 and 1049.53, the minimum class prices per hundredweight of milk for the month shall be as follows:

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.27, and plus or minus a "supply-demand adjustment" of not more than 38 cents computed as follows:

(1) Divide the aggregate pounds of producer milk in Class I (excluding inventory and "overage" and adjusted to eliminate duplications due to interhandler and intermarket plant transfers) under this part and under Part 1047 of this chapter (Fort Wayne, Indiana, order) for the second, third and fourth months preceding by the aggregate pounds of producer milk receipts under such parts for the same months, multiplying the result by 100 and round to the nearest whole number. The result shall be known as the "current utilization percentage";

(2) For each full percentage point that the current utilization percentage is above the applicable maximum standard utilization percentage listed below increase the Class I price differential by two cents; and for each full percentage point that the current utilization percentage is below the applicable minimum standard utilization percentage listed below decrease such differential by two cents.

Month for which pricing is being computed	Preceding months used in computation	Standard utilization percentages	
		Minimum	Maximum
Jan.....	Sept., Oct., Nov.....	79	82
Feb.....	Oct., Nov., Dec.....	78	81
Mar.....	Nov., Dec., Jan.....	77	80
Apr.....	Dec., Jan., Feb.....	76	79
May.....	Jan., Feb., Mar.....	76	79
June.....	Feb., Mar., Apr.....	73	76
July.....	Mar., Apr., May.....	69	72
Aug.....	Apr., May, June.....	64	67
Sept.....	May, June, July.....	62	65
Oct.....	June, July, Aug.....	64	67
Nov.....	July, Aug., Sept.....	68	71
Dec.....	Aug., Sept., Oct.....	75	78

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

*Order Amending the Order Regulating the Handling of Milk in the Fort Wayne, Indiana, Marketing Area*

**§ 1047.0 Findings and determinations.**

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Fort Wayne, Indiana, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

*Order relative to handling*—It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Fort Wayne, Indiana, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator on November 17, 1964, and published in the FEDERAL REGISTER on November 21, 1964 (29 F.R. 15647; F.R. Doc. 64-11908), shall be and are the terms and provisions of this order, and are set

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

forth in full herein subject to a revision of the schedule of standard utilization percents in § 1047.51(a)(2).

1. In § 1047.51; the introductory text and paragraph (a) are revised to read as follows:

**§ 1047.51 Class prices.**

Subject to the provisions of §§ 1047.52 and 1047.53, the minimum class prices per hundredweight of milk for the month shall be as follows:

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.20, and plus or minus a "supply-demand adjustment" of not more than 38 cents computed as follows:

(1) Divide the aggregate pounds of producer milk in Class I milk (excluding inventory and "overage" and adjusted to eliminate duplications due to interhandler and intermarket plant transfers) under this part and under Part 1049 of this chapter (Indianapolis, Indiana, order) for the second, third and fourth months preceding by the aggregate pounds of producer milk receipts under such parts for the same months, multiplying the result by 100 and round to the nearest whole number. The result shall be known as the "current utilization percentage";

(2) For each full percentage point that the current utilization percentage is above the applicable maximum standard utilization percentage listed below increase the Class I price differential by two cents; and for each full percentage point that the current utilization percentage is below the applicable minimum standard utilization percentage listed below decrease such differential by two cents.

Month for which pricing is being computed	Preceding months used in computation	Standard utilization percentages	
		Minimum	Maximum
Jan.....	Sept., Oct., Nov.....	79	82
Feb.....	Oct., Nov., Dec.....	78	81
Mar.....	Nov., Dec., Jan.....	77	80
Apr.....	Dec., Jan., Feb.....	76	79
May.....	Jan., Feb., Mar.....	76	79
June.....	Feb., Mar., Apr.....	73	76
July.....	Mar., Apr., May.....	69	72
Aug.....	Apr., May, June.....	64	67
Sept.....	May, June, July.....	62	65
Oct.....	June, July, Aug.....	64	67
Nov.....	July, Aug., Sept.....	68	71
Dec.....	Aug., Sept., Oct.....	75	78

**§ 1047.52 [Amended]**

2. In section 1047.52(a) the figure "0.125" is changed to "0.120".

[F.R. Doc. 64-12880; Filed, Dec. 15, 1964; 8:47 a.m.]

**[ 7 CFR Part 1050 ]**

[Docket Nos. AO-339, AO-339-RO1]

**MILK IN CENTRAL ILLINOIS MARKETING AREA**

**Findings and Determinations on Results of Referendum on Proposed Marketing Order and Termination of Proceedings Therein**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U.S.C. 601 et seq.), and of the applicable rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Part 900), a public hearing was held at Effingham and Peoria, Illinois, on January 3-12, 1962, pursuant to notice thereof issued on December 14, 1961 (26 F.R. 12132).

The recommended decision of the Assistant Secretary was issued November 13, 1962 (27 F.R. 11369).

The hearing was reopened at a joint hearing held in St. Louis, Missouri, on January 8-11, 1963, pursuant to notice thereof issued December 20, 1962 (27 F.R. 12773).

A revised recommended decision (January 1962 hearing issues) was issued January 20, 1964 (29 F.R. 1529, Part II) and a recommended decision (January 1963 hearing issues) was issued January 23, 1964 (29 F.R. 2101, Part III).

The final decision of the Assistant Secretary was issued on November 5, 1964 (29 F.R. 15153; F.R. Doc. 64-11452) setting forth a proposed marketing agreement and a proposed order as the appropriate and determined means for effectuating the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended. Annexed to, and made a part of, the final decision was an order directing that a referendum be conducted among producers to determine whether the required percentage of producers favored the issuance of the proposed order.

It is hereby found and determined on the basis of the results of the referendum conducted pursuant to the aforesaid referendum order that the issuance of the proposed order regulating the handling of milk in the Central Illinois marketing area as set forth in the aforesaid decision is not favored by the required percentage of producers who voted in the referendum.

It is hereby found and determined that the proposed order set forth in the decision of the Assistant Secretary of November 5, 1964 (29 F.R. 15153) will not be issued or made effective because of the failure of the required percentage of producers voting in the referendum to approve or favor its issuance. Accordingly, proceedings on the proposed marketing order are hereby terminated.

Signed at Washington, D.C., on December 11, 1964.

GEORGE L. MEHREN,  
Assistant Secretary.

[F.R. Doc. 64-12919; Filed, Dec. 15, 1964; 8:50 a.m.]

**[ 7 CFR Part 1131 ]**

[Docket No. AO 271-A8]

**MILK IN CENTRAL ARIZONA MARKETING AREA**

**Amendment to Notice of Hearing on Proposed Amendments to Tentative Marketing 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 that the notice of hearing on proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Central Arizona marketing area which was issued December 4, 1964, and published in the FEDERAL REGISTER on December 9, 1964 (29 F.R. 16866) is hereby amended by changing the date on which such hearing is to be held from December 17, 1964, to January 7, 1965. The hearing will begin at 9:30 a.m., local time, at the Ramada Inn, 3801 East Van Buren, Phoenix, Ariz.

Signed at Washington, D.C., on December 11, 1964.

CLARENCE H. GIRARD,  
Deputy Administrator.

[F.R. Doc. 64-12920; Filed, Dec. 15, 1964; 8:50 a.m.]

**DEPARTMENT OF LABOR**

**Wage and Hour Division**

[ 29 CFR Parts 673, 677, 678 ]

[Administrative Order 588]

**INDUSTRY COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO**

**Appointment To Investigate Conditions and Recommend Minimum Wages; Notice of Hearings**

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby appoint Industry Committee No. 71-A for the food and related products industry in Puerto Rico (as defined in 29 CFR 673.1); Industry Committee No. 71-B for the paper, paper products, printing, and publishing industry in Puerto Rico (as defined in 29 CFR 677.1); and Industry Committee No. 71-C for the stone, clay, glass, cement, and related products industry in Puerto Rico (as defined in 29 CFR 678.1).

Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby:

(a) Convene each of the above-appointed industry committees;

(b) Refer to each of these industry committees the following: (1) The question of the minimum rate or rates of wages to be fixed for the industry with which it is concerned for employees who are engaged in commerce or in the production of goods for commerce (except those industries and parts thereof described in 29 CFR 673.2(a), 677.2(a), 677.2(b), 678.2(a), 678.2(b), and 678.2(c)), and (2) the question of the minimum rate or rates of wages to be fixed for any employees covered by the Act by reason of the Fair Labor Standards Amendments of 1961;

(c) Give notice of the hearing to be held by each of them at the times and places indicated below. Each industry committee shall investigate conditions in its industry, and each industry commit-

tee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned Act.

Industry Committee No. 71-A shall meet in executive session to commence its investigation at 10:00 a.m. on February 8, 1965, in the office of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, seventh floor, Condominio San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, Puerto Rico, and shall commence its hearing at 1:30 p.m. on the same date at the same place. Following this hearing Industry Committees Nos. 71-B and 71-C shall meet seriatim at the same place at hours designated by the committee chairmen to conduct their investigations and to hold their hearings.

Each industry committee shall recommend to the Administrator of the Wage and Hour and Public Contracts Divisions of this Department the highest minimum wage rates (in the case of question (1) referred to the committee, not exceeding the minimum wage rate of \$1.25 per hour, and in the case of question (2) referred to the committee, not exceeding the minimum wage rate of \$1.15 per hour for immediate effect and \$1.25 per hour for effect on and after September 3, 1965, and in no case less than the currently effective rate) which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands and American Samoa.

Whenever any industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in an industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within that industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, each industry committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare economic reports for the industry committee containing such data as he is able to assemble pertinent to the matters referred to them. Copies of each such report may be obtained at the Washington, D.C., and Puerto Rican offices of the Wage and Hour and Public Contracts Divisions as soon as they are completed and prior to the hearings. Each industry committee shall take official notice of the facts stated in the economic reports to the extent that they are not refuted at the hearings.

The procedure of industry committees shall be governed by 29 CFR Part 511. As a prerequisite to participation in the hearings, interested persons shall file prehearing statements containing the data specified in 29 CFR 511.8 not later than January 29, 1965.

Signed at Washington, D.C., this 9th day of December 1964.

W. WILLARD WIRTZ,  
Secretary of Labor.

[F.R. Doc. 64-12811; Filed, Dec. 15, 1964; 8:49 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 [New] ]

[ Airspace Docket No. 64-AL-11 ]

### CONTROL ZONE

#### Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations which would alter the control zone at King Salmon, Alaska.

The King Salmon, Alaska, Control Zone is presently described as that area within a 5-mile radius of the King Salmon Airport (latitude 58°41' N., longitude 156°39' W.); within 2 miles either side of the King Salmon VOR 132° and 312° radials extending from the 5-mile radius zone to 12 miles NW of the VOR and within 2 miles either side of the King Salmon TACAN 301° radial extending from the 5-mile radius zone to 11 miles NW of the TACAN.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the King Salmon, Alaska, terminal area, including studies relevant to the implementation of the provisions of CAR Amendment 60-21/60-29, proposes the following airspace action:

In § 71.171 the King Salmon, Alaska, Control Zone would be redescribed as that area within a 5-mile radius of the King Salmon Airport (latitude 58°41' N., longitude 156°39' W.); within 2 miles each side of the King Salmon VOR 312° radial extending from the 5-mile radius zone to 7 miles NW of the VOR; and within 2 miles each side of the King Salmon TACAN 301° and 141° radials extending from the 5-mile radius zone to 9 miles NW and 7 miles SE of the TACAN.

The King Salmon control zone is required to provide protective airspace for aircraft executing instrument approaches. The extension to the north-

west, which is based on the King Salmon VOR 312° radial, is for the VOR approach to runway 11; the additional extensions to the northwest and southeast provide protective airspace for TACAN approaches to runway 11 and 29. These extensions would also encompass the airspace required for the radio range approach and the ILS approaches to runway 11 and 29.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons at the office of the Regional Counsel, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on December 4, 1964.

JAMES G. ROGERS,  
Director, Alaskan Region.

[F.R. Doc. 64-12857; Filed, Dec. 15, 1964; 8:45 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 1 ]

[ Docket No. 11239; FCC 64-1142 ]

### APPLICATION FOR NEW BROADCAST STATION LICENSE

#### Revision of FCC Form 302

*Report and order.* 1. The Commission has before it for consideration the notice of proposed rule making in the above-captioned matter, which proposed certain revisions of Form 302 (Application for New Broadcast Station Licenses).

2. The revisions proposed in this rule making are concurrently under consideration by the Commission as part of a general program to make overall revisions in many of the application forms. Under the circumstances there appears to be no reason to continue the docket as a separate proceeding.

3. Accordingly, it is ordered, That effective December 18, 1964, this proceeding is terminated.

Adopted: December 9, 1964.

Released: December 10, 1964.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 64-12871; Filed, Dec. 15, 1964;  
8:46 a.m.]

[ 47 CFR Part 2 ]

[Docket No. 15722; FCC 64-1109]

FREQUENCY ALLOCATIONS AND  
RADIO TREATY MATTERS

Notice of Proposed Rule Making

In the matter of amendment of Part 2 of the Commission's rules to conform, to the extent practicable, with the Geneva (1959) Radio Regulations, as revised by the Space EARC, Geneva, 1963.

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. Pursuant to Recommendation No. 36 of the Ordinary Administrative Radio Conference, Geneva, 1959, the International Telecommunication Union (ITU) convened an Extraordinary Administrative Radio Conference (EARC) in Geneva, Switzerland, on October 7, 1963, to allocate frequency bands for space radio-communication purposes and for the radio astronomy service. The Final Acts of the EARC, signed at Geneva on November 8, 1963, and scheduled to enter into force internationally on January 1, 1965, constitute a partial revision of the international Radio Regulations, Geneva, 1959.

3. The United States Senate gave its advice and consent to ratification without reservation on February 25, 1964, and on March 16, 1964, the President signed the instrument of ratification. That document was deposited with the Secretary-General of the ITU, in Geneva, on April 3, 1964. The purpose of the rule-making proceeding initiated herein is to align, to the extent practicable, Part 2 of the Rules with the Geneva (1959) Radio Regulations, as revised by the Space EARC, Geneva, 1963.

4. The proposals made by the United States for consideration at the Space EARC were those contained in the Commission's Report and Order of June 19, 1963, terminating the proceedings in Docket Nos. 13522 and 14477, published in the FEDERAL REGISTER on July 2, 1963 (28 F.R. 6812). A comparison of the U.S. proposals with the Final Acts of the Space EARC will show that our proposals were well received and were generally adopted.

5. *Definitions.* The Space EARC allocated frequency bands to the following space services: Communication-satellite service, meteorological-satellite service, radionavigation-satellite service, space research service, and space service. These terms, as well as the stations operating in those services and functions

to be performed, have been defined as reflected in the proposed changes to § 2.1 of Part 2 contained below. Also modified were the definitions of "aeronautical station" and "aircraft station" to permit the aviation industry to take advantage of space communication techniques within the framework of the existing aeronautical mobile (R) and aeronautical radionavigation services.

6. *Communication-Satellite Service.* The U.S. proposed that a total of 2725 Mc/s of spectrum space be allocated to this service on a co-equal shared basis with presently allocated fixed and mobile services, except for two 50 Mc/s bands at 7250-7300 Mc/s and 7975-8025 Mc/s which were proposed exclusively for the communication-satellite service. The U.S. abandoned its proposal insofar as the band 6425-7125 Mc/s was concerned but was successful in having the remainder of its proposal adopted without change, as shown below and as set forth in greater detail in the Appendix hereto.

Satellite-to-earth	Earth-to-satellite
3700-4200 Mc/s	5925-6425 Mc/s
7250-7750 Mc/s	7900-8400 Mc/s

It will be noted in footnote US91 to the Table of Frequency Allocations that a determination has not yet been made as to the division of these bands between Government and non-Government users in the United States, insofar as the communication-satellite service is concerned.

7. Also allocated by the Conference to the communication-satellite service on a world-wide basis were the bands 3400-3700 Mc/s (satellite-to-earth) and 4400-4700 Mc/s (earth-to-satellite) on a shared basis with various other services. Additionally, 5725-5850 Mc/s (earth-to-satellite) was allocated for use in ITU Region 1 (Europe-Africa area) on a shared basis and 5850-5925 Mc/s (earth-to-satellite) was allocated for use in Regions 1 and 3 (world-wide except for the Americas) on a shared basis. All allocations referred to in this paragraph resulted from proposals originating with the Soviet bloc and are not proposed for inclusion in our national Table because sharing would not be feasible with U.S. services now in those bands. These allocations are likewise not excepted to be employed in Western Europe. This exclusion will not preclude satellite communication between bloc countries and the western world inasmuch as there was appreciable overlap between the proposals of the bloc countries and those of the other countries, within the frequency bands referred to in paragraph 6.

8. Since, for the most part, the frequency bands in paragraph 6 will be shared on a co-equal basis by the communication-satellite service, the fixed service, and the mobile service, it is necessary that specific technical criteria be observed by the sharing services to minimize the possibility of mutual interference. These criteria, as set forth in separate proceedings dealing with proposed amendments to Parts 21 and 25 of

the Rules, are consistent with sharing criteria adopted by the Space EARC.

9. *Meteorological-Satellite Service.* For this service, the U.S. proposed 137-138 Mc/s for low data-readout, 1660-1670 and 1690-1700 Mc/s for broad-band video transmissions and 7650-7750 Mc/s for high-resolution video data, all to be transmitted from meteorological satellites to earth stations. Additionally, 9900-10,000 Mc/s and 33.4-33.5 Gc/s were proposed for use by weather radars aboard meteorological satellites for precipitation and cloud detection, respectively. All basic objectives were achieved in this regard even though the bands adopted by the Conference do not, in all cases, coincide with our proposals. The bands adopted for the above purposes and herein proposed for inclusion in the national table are shown below and in the Appendix hereto.

137-138 Mc/s	7300-7750 Mc/s (any 100 Mc/s segment)
1660-1670 Mc/s	9975-10025 Mc/s
1690-1700 Mc/s	34.4-34.5 Gc/s

10. Additional bands proposed by other countries and allocated for the meteorological-satellite service are 400.05-401 Mc/s, 460-470 Mc/s (as a secondary service), 1770-1790 Mc/s (as a secondary service) and 7200-7250 Mc/s. Again, none of these bands is proposed for the meteorological-satellite service in our Table because of the impracticability of general sharing with existing services. However, should there be a requirement for a cooperative joint international effort in the meteorological-satellite service in one or more of these bands it is quite possible that they can be treated on a case-by-case basis and accommodated at specific locations.

11. *Radionavigation-Satellite Service.* Only the U.S. introduced allocation proposals for this service. The Conference adopted the U.S. proposals for exclusive, world-wide allocations in the frequency bands shown below and in the Appendix hereto.

149.9-150.05 Mc/s
399.9-400.05 Mc/s
14.3-14.4 Gc/s

12. *Space Research Service.* The U.S. proposed world-wide exclusive status for this service in the bands 136-137, 1700-1710, 2290-2300 and 8400-8500 Mc/s and 15.25-15.35 and 31.5-31.8 Gc/s. While the Conference adopted all of the bands, it afforded world-wide exclusivity only in the band 15.25-15.35 Gc/s. In the remaining five bands exclusivity was limited to ITU Region 2 (the Americas) and the space research service will be required to share with the fixed and mobile services, generally on a coequal basis, in Regions 1 and 3.

13. While a number of additional bands were allocated to the space research service by the Conference in response to the proposals of other countries, only the following bands are proposed for inclusion in the national table or associated footnotes. The details of their availability are set forth below.

<sup>1</sup> Commissioners Lee and Cox absent.

10003-10005 kc/s	1700-1710 Mc/s.
20000-20010 kc/s	2110-2120 Mc/s.
30.005-30.015 Mc/s	2290-2300 Mc/s.
39.986-40.02 Mc/s	8400-8500 Mc/s.
136-137 Mc/s	15.25-15.35 Gc/s.
400.05-401 Mc/s	31.5 -31.8 Gc/s.

14. *Space Service.* This term is generic, in that frequencies allocated to this service are available to all space radiocommunication services. It is within the context of this service that the functions of telecommand, tracking and some telemetering are accommodated. All U.S. proposals in this area were adopted by the Conference, resulting in the following provisions either by footnote or specific allocations in the Table:

137-138 Mc/s-----	Telemetering and tracking.
148.25 Mc/s-----	Telecommand.
154.20 Mc/s-----	Telecommand.
401-402 Mc/s-----	Telemetering (315A also permits tracking).
450 Mc/s-----	Telecommand.
1427-1429 Mc/s-----	Telecommand.
1525-1540 Mc/s-----	Telemetering (350A also permits tracking).

Additionally, in bands allocated to the communication-satellite service, footnote (374A) provides for the transmission of telemetering and tracking signals by earth stations operating in the earth-to-satellite bands. All of the above frequencies or bands of frequencies are set forth in detail in the Appendix hereto. Also adopted by the Conference, but not proposed for inclusion in the national Table, at this time, is footnote (393A) to allow the use of the band 7120-7130 Mc/s for general telecommand purposes.

15. *Radio Astronomy.* Little or no change is necessary in our national Table to align with the international allocations for this service. This results from the fact that the U.S. has had exclusive allocations to the service for a number of years and had proposed to the Conference that exclusivity be expanded internationally. Virtually all U.S. proposals in this area were adopted by the Conference, enhancing greatly the international status of the radio astronomy service in the following bands:

37.75-38.25 Mc/s	2690-2700 Mc/s
73.0-74.6 Mc/s	4990-5000 Mc/s
404-406 Mc/s	10.68-10.7 Gc/s
1400-1427 Mc/s	19.3-19.4 Gc/s
1664.4-1668.4 Mc/s	31.3-31.5 Gc/s

The details of allocation will be found in the Appendix hereto where it should be noted, among other things, that US21 as applied to the band 73.0-74.6 Mc/s would require existing operational fixed stations in that band to protect radio astronomy observatories of other countries from harmful interference. Attention is also invited to footnote US81 which limits radio astronomy in the band 37.75-38.25 Mc/s to that portion between 38.0-38.16 Mc/s.

16. Also proposed by the U.S. and adopted by the Conference was a new numbered paragraph in the Radio Reg-

ulations, No. 116A, to clarify the status of the radio astronomy service in the resolution of cases of harmful interference to that service. Harmful interference is defined (No. 93) as

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 these Regulations.

As defined (Nos. 74 and 75) the radio astronomy service is not a radiocommunication service. No. 116A states, in part, " \* \* \* For the purpose of resolving cases of harmful interference, the radio astronomy service shall be treated as a radiocommunication service \* \* \* " Although it is not proposed to incorporate this expression in our rules, it will be given due cognizance in the resolution of interference cases.

17. *Aviation Services.* As mentioned in paragraph 5, by virtue of changes in definitions and the addition of footnotes (352A) and (352B), the use of space techniques can now be exploited by the aeronautical mobile and aeronautical radionavigation services in a number of bands already allocated to those services. Attention is invited to the frequency bands 117.975-136 Mc/s, 1540-1660 Mc/s, 4200-4400 Mc/s, 5000-5250 Mc/s and 15.4-15.7 Gc/s in the Appendix hereto.

18. In addition to the proposed changes mentioned specifically in the preceding paragraphs, the attached Appendix contains a number of changes which are editorial in nature. To conform with the international Table of Frequency Allocations, the term "gigacycles per second" (Gc/s) has been introduced in our national Table for frequencies above 10,500 Mc/s. As a consequence, editorial changes are required in various NG or US footnotes to the Table.

19. As noted earlier, the partial revision of the Radio Regulations by the Final Acts of the Space EARC is scheduled to enter into force internationally on January 1, 1965.

20. This proposal to amend the Commission's rules is issued under the authority of sections 4(l) and 303(r) of the Communications Act of 1934, as amended.

21. Comments in support of or in opposition to the proposed amendments may be filed on or before January 15, 1965. Reply comments may be filed on or before January 25, 1965. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

22. In accordance with the provisions of § 1.215(b) of the Commission's rules, an original and 14 copies of all statements, briefs, or comments filed shall be

furnished the Federal Communications Commission.

Adopted: December 2, 1964.

Released: December 4, 1964.

FEDERAL COMMUNICATIONS COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE, Secretary.

Part 2 is amended as follows:

§ 2.1 [Amended]

1. Section 2.1 is amended as follows:

a. The definition of "Earth-space service" is deleted.

b. The following definitions are amended to read as set forth below:

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

*Aircraft station.* A mobile station in the aeronautical mobile service on board an aircraft or an air-space vehicle.

*Earth station.* A station in the space service located either on the earth's surface, including on board a ship, or on board an aircraft.

*Space service.* A radiocommunication service:

- between earth stations and space stations,
- or between space stations,
- or between earth stations when the signals are re-transmitted by space stations, or transmitted by reflection from objects in space, excluding reflection or scattering by the ionosphere or within the earth's atmosphere.

*Space station.* A station in the space service located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the earth's atmosphere.

c. The following new definitions are added in proper alphabetical sequence:

*Active satellite.* An earth satellite carrying a station intended to transmit or re-transmit radiocommunication signals.

*Communication-satellite earth station.* An earth station in the communication-satellite service.

*Communication-satellite service.* A space service:

- between earth stations, when using active or passive satellites for the exchange of communications of the fixed or mobile service, or
- between an earth station and stations on active satellites for the exchange of communications of the mobile service, with a view to their re-transmission to or from stations in the mobile service.

*Communication-satellite space station.* A space station in the communication-satellite service, on an earth satellite.

<sup>1</sup> Commissioners Hyde, Bartley and Loevinger absent.

**Deep space.** Space at distances from the earth equal to or greater than the distance between the earth and the moon.

**Fixed earth station.** An earth station intended to be used at a specified fixed point.

**Meteorological-satellite earth station.** An earth station in the meteorological-satellite service.

**Meteorological-satellite service.** A space service in which the results of meteorological observations, made by instruments on earth satellites, are transmitted to earth stations by space stations on these satellites.

**Meteorological-satellite space station.** A space station in the meteorological-satellite service, on an earth satellite.

**Mobile earth station.** An earth station intended to be used while in motion or during halts at unspecified points.

**Passive satellite.** An earth satellite intended to transmit radiocommunication signals by reflection.

**Radio astronomy station.** A station in the radio astronomy service.

**Radionavigation-satellite earth station.** An earth station in the radionavigation-satellite service.

**Radionavigation-satellite service.** A service using space stations on earth satellites for the purpose of radionavigation, including, in certain cases, transmission or re-transmission of supplementary information necessary for the operation of the radionavigation system.

**Radionavigation-satellite space station.** A space station in the radionavigation-satellite service, on an earth satellite.

**Spacecraft.** Any type of space vehicle including an earth satellite or a deep-space probe, whether manned or unmanned.

**Space research earth station.** An earth station in the space research service.

**Space research service.** A space service in which spacecraft or other objects in space are used for scientific or technological research purposes.

**Space research space station.** A space station in the space research service.

**Space telecommand.** The use of radiocommunication for the transmission of signals to a space station to initiate, modify or terminate functions of the equipment on a space object, including the space station.

**Space telemetering.** The use of telemetering for the transmission from a space station of results of measurements made in a spacecraft, including those relating to the functioning of the spacecraft.

**Space tracking.** Determination of the orbit, velocity or instantaneous position of an object in space by means of radio-determination, excluding primary radar, for the purpose of following the movement of the object.

**Stationary satellite.** A satellite, the circular orbit of which lies in the plane of the earth's equator and which turns

about the polar axis of the earth in the same direction and with the same period as those of the earth's rotation.

**Terrestrial service.** Any radio service defined in this Part, other than a space service or the radio astronomy service.

**Terrestrial station.** A station in a terrestrial service.

2. Section 2.100 is amended to read as follows:

#### § 2.100 International regulations in force.

The Radio Regulations (Geneva, 1959), which became effective internationally on May 1, 1961, were incorporated to the extent practicable in Subparts A and B of this part and became effective nationally on December 1, 1961. The Radio Regulations were subsequently revised, in part, by the Extraordinary Administrative Radio Conference (Geneva, 1963) which specified January 1, 1965 as the effective date of the revision. The partial revision has also been incorporated to the extent practicable in Subparts A and B of this Part and is applicable nationally, effective -----, 19--.

3. In § 2.102, paragraphs (a), (b) (4), (5), and (6) are amended to read:

#### § 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 90 Gc/s, and the actual use of such frequencies for radiocommunication 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) \* \* \*

(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 or frequencies not allocated, on an exclusive or shared basis, to the radio astronomy service.

(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 which is not in a band allocated, on an exclusive or shared basis, to the radio astronomy service.

(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 or the radio astronomy service.

\* \* \*

4. Section 2.104 is revised to read as follows:

#### § 2.104 Radio astronomy station notification.

(a) Pursuant to No. 639AC, Article 9A and Section F of Appendix 1A to the international Radio Regulations (as revised, Geneva, 1963), operators of radio astronomy stations desiring international recognition of their use of specific radio astronomy frequencies or bands of frequencies for reception, should file the following information with the Commission for inclusion in the Master International Frequency Register:

(1) The center of the frequency band observed, in kc/s up to 30,000 kc/s inclusive, and in Mc/s above 30,000 kc/s.

(2) Date of putting into use (actual or foreseen, as appropriate).

(3) Name and location of the station, including geographical co-ordinates in degrees and minutes.

(4) Width of frequency band observed by the station.

(5) Antenna type and dimensions, effective area and angular coverage in azimuth and elevation.

(6) Maximum hours of reception (G.M.T.) of the frequency band shown in subparagraph (1) of this paragraph.

(7) Overall receiving system noise temperature (°K).

(8) Class of observations to be taken on the frequency band shown in subparagraph (1) of this paragraph. Class A observations are those in which the sensitivity of the equipment is not a primary factor. Class B observations are those of such a nature that they can be made only with advanced low-noise receivers using the best techniques.

(b) Observations being conducted on frequencies or frequency bands not allocated to the radio astronomy service should be reported as in paragraph (a) of this section for information purposes. Information in this category will not be submitted for entry in the Master International Frequency Register and protection from interference will not be afforded such operations by stations in other services.

5. In § 2.105, paragraph (h) (1) is amended to read as follows:

#### § 2.105 Application and format of the Table of Frequency Allocations.

\* \* \*

(h) \* \* \*

(1) Any footnote consisting of three digits or three digits and a one or two letter suffix, e.g., (170) or (215A), denotes a paragraph in the Geneva (1959) Radio Regulations as amended by the Space Conference (Geneva, 1963). 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.

\* \* \*

#### § 2.106 [Amended]

6. Section 2.106 is amended as follows:  
a. The table is amended, in part, to read as follows:



Federal Communications Commission

Worldwide		Region 2		United States		Class of station	Frequency (Kc/s)	Nature (of stations)
Band (kc/s)	Service	Band (kc/s)	Service	Band (kc/s)	Allocation			
1	2	3	4	5	6	9	10	11
2495-2505	STANDARD FREQUENCY. (204) (215)	2495-2605 (204)	STANDARD FREQUENCY. (204)			STANDARD FREQUENCY. Radio astronomy. (US74)	2500	RADIO ASTRONOMY. Standard frequency.
4995-5005	STANDARD FREQUENCY. (204) (210)					STANDARD FREQUENCY. Radio astronomy. (US74)	5000	RADIO ASTRONOMY. Standard frequency.
9995-10005	STANDARD FREQUENCY. (204) (214) (215)					STANDARD FREQUENCY. Radio astronomy. (US74)	10000	RADIO ASTRONOMY. Standard frequency.
14990-15010	STANDARD FREQUENCY. (204) (219)					STANDARD FREQUENCY. Radio astronomy. (US74)	15000	RADIO ASTRONOMY. Standard frequency.
15450-15703	FIXED.					FIXED.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUB. LIC.
15702-15708	FIXED. Space Research. (215A).				(US100)			
15708-16460	FIXED.							
18030-18036	FIXED. Space Research. (215A).				(US100)	FIXED.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUB. LIC.
18035-19990	FIXED.							
19990-20010	STANDARD FREQUENCY. (204) (220) (221) (221A)					STANDARD FREQUENCY. Radio astronomy. (US74)	20000	Standard frequency.
						STANDARD FREQUENCY. Space research. (US84)		Earth. Space. Standard frequency.

PROPOSED RULE MAKING

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	
29.7-30.005	FIXED, (228) (229) (231) (232) MOBILE.	29.7-29.89	NG.	29.7-29.89	NG.	29.7-29.8	LAND MOBILE.	Base, Land mobile.	29.81-29.88 (NG31)	INDUSTRIAL.	
30.005-30.01	FIXED, (228) (229) (231) MOBILE. SPACE RESEARCH. SPACE (Satellite identification).	29.89-29.91 (232)	G.			29.8-29.89	FIXED, (232)	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.	
30.01-37.75	FIXED, (228) (229) (230) (231) MOBILE.	29.91-30	NG.	29.91-30	NG.	29.91-30	FIXED, (232)	Fixed.	29.92-29.99 (NG31)	AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.	
		30-30.56	G. (US94)								
		30.56-32	NG.	30.56-32	NG.	30.56-32	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL. LAND TRANSPORTATION. PUBLIC SAFETY.	
		32-33 (231)	G.								
		33-34	NG.	33-34	NG.	33-33.01	LAND MOBILE.	Base, Land mobile.		LAND TRANSPORTATION.	
						33.01-33.11	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.	
						33.11-33.4	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.	
						33.4-34	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.	
		34-35 (231)	G.								
		35-36	NG.	35-35.2	NG.	35-35.2	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.	
						35.2-35.66	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC.	
						35.66-36	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.	
		36-37 (231)	G.								
		37-38	NG.	37-37.01	NG.	37-37.01	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.	
37.75-38.25	FIXED, (228) (229) (231) MOBILE. Radio astronomy.			37.01-37.42	NG.	37.01-37.42	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.	
				37.42-37.88		37.42-37.88	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.	
38.25-41 (235) (236)	FIXED, (228) (229) (231) MOBILE.	38-39	G. (USS1)	37.88-38		37.88-38	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.	

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	
				39-40	NG. (US94)	39-40	LAND MOBILE.	Base Land mobile.		PUBLIC SAFETY.	
				40-42 (236)	G. (US94)				40.68	Industrial, scientific and medical equipment.	
69-73.0		69-73.0	FIXED MOBILE BROADCASTING.								
		73-74.6	RADIO ASTRONOMY. (233A) (233B)	73-74.6	G, N.G. (US21) (US100)	73-74.6	RADIO ASTRONOMY. (UE74)	Radio astronomy.	72.02-72.98 (NG33)	Operational fixed. RADIO ASTRONOMY.	
117.975-132	AERONAUTICAL MOBILE (R). (273) (273A)			117.975-121.975 (US26) (US27) (US28) (US85)	G, N.G.	117.975-121.975	AERONAUTICAL MOBILE (R).	Aeronautical Aircraft.	118-121.4 (NG34)	Airborne control. AERONAUTICAL MOBILE.	
				121.975-123.075 (US29) (US30) (US31) (US90) (US85)	NG.	121.975-123.075	AERONAUTICAL MOBILE.	Aeronautical Aircraft.	121.5	Aeronautical search and rescue mobile; aeronautical utility land; aeronautical utility mobile.	
				123.075-123.575 (US32) (US33)	G, N.G.	123.075-123.575	AERONAUTICAL MOBILE.	Aeronautical Aircraft.	121.6	Aeronautical search and rescue mobile; aeronautical utility land; aeronautical utility mobile.	
				123.575-128.825 (US26) (US85)	G, N.G.	123.575-128.825	AERONAUTICAL MOBILE (R).	Aeronautical Aircraft.	121.0-123.05 (NG34)	Aeronautical utility land; aeronautical utility mobile.	
				128.825-132 (US2) (US85)	NG.	128.825-132	AERONAUTICAL MOBILE (R).	Aeronautical Aircraft.	122.0-123.05 (NG34)	Private aircraft.	
132-136		132-136	FIXED MOBILE. (273A) (276)	132-136 (US2) (US26) (US85)	G, N.G. (US8)	132-136	AERONAUTICAL MOBILE (R).	Aeronautical Aircraft.	123.1	Flight test; flying school.	
									123.15	Flight test.	
									123.2	Do.	
									123.25	Do.	
									123.3	Flight test; flying school.	
									123.35	Flight test.	
									123.4	Do.	
									123.45	Do.	
									123.5	Flight test; flying school.	
									123.55	Flight test.	
									123.6-123.8 (NG34)	AERONAUTICAL MOBILE.	
									123.85-132 (NG34)	AERONAUTICAL MOBILE.	
136-137		136-137	SPACE RESEARCH (Telemetering and tracking).	136-137 (US1A) (US1B) (US86)	G, N.G. (US100)	136-137	SPACE RESEARCH.	Space.	133.05-135.95 (NG34)	AERONAUTICAL MOBILE.	
										Telemetering; tracking.	



Federal Communications Commission

Worldwide		Region 2		United States		Service	Class of station	Frequency (Mcs)	Nature of services of stations
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation				
1	2	3	4	5	6	8	9	10	11
273-328.6 (310)	FIXED MOBILE.								
335.4-399.9	FIXED MOBILE.			335.4-399.9	G.				
399.9-400.05	RADIONAVIGATION-SATELLITE (311A)			399.9-400.05	G, NG. (US100)	RADIONAVIGATION-SATELLITE.	Space.		RADIONAVIGATION-SATELLITE.
400.05-401	METEOROLOGICAL AIDS. METEOROLOGICAL SATELLITE. (Maintenance telemetering). SPACE RESEARCH (Telemetering and tracking).			400.05-401	G, NG.	METEOROLOGICAL AIDS. (US70) SPACE RESEARCH (Telemetering and tracking).	Radiosonde.		Radiosonde. Space.
401-402	METEOROLOGICAL AIDS. SPACE (Telemetering). (315A) Fixed. Mobile except aeronautical mobile.			401-402	G, NG.	METEOROLOGICAL AIDS. (US70) SPACE (Telemetering). (315A).	Radiosonde. Space.		Radiosonde. Space.
402-406 (317)	METEOROLOGICAL AIDS. Fixed. Mobile except aeronautical mobile.			402-404	G, NG.	METEOROLOGICAL AIDS. (US70)	Radiosonde.		Radiosonde.
				404-406	G, NG.	METEOROLOGICAL AIDS. Radio astronomy. (US74).	Radio astronomy. Radiosonde.		RADIO ASTRONOMY. Radiosonde.
420-450		420-450 (318) (319A)	RADIOLOCATION. Amateur.	420-450 (US86) (US88) (US87)	G, NG.	Amateur. (US7)	Amateur.		AMATEUR.
450-460 (318) (319A)	FIXED MOBILE.			450-470 (US6) (US87)	NG.	LAND MOBILE.	Base Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile.
460-470	FIXED MOBILE. Meteorological-Satellite. (318A)				(US100)				
470-890		470-890 (332)	BROADCASTING.	470-890 (NG30) (NG43) (US88)	NG.	BROADCASTING.	Television broadcasting.		
890-942		890-942 (339A) (340)	FIXED RADIOLOCATION.	890-942 (US86) (US87)	G. (US88)				Industrial, scientific and medical equipment.
942-960		942-960 (339A)	FIXED.	942-960	NG.				

PROPOSED RULE MAKING

Federal Communications Commission

Worldwide		Region 2		United States		Service	Class of station	Frequency (Mc/s)	Nature (of stations)	
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation					
1	2	3	4	5	6	7	8	9	10	11
1427-1429	FIXED MOBILE except aeronautical mobile. SPACE (Telecommand).	1429-1435	FIXED MOBILE.	1429-1435	G.	1427-1429	SPACE.	Earth.	10	Earth (telecommand).
1435-1525		1435-1525	MOBILE.	1435-1525	G, N.G. (US78)	1435-1525	MOBILE.	Aeronautical telemetering.		AVIATION.
1525-1535		1525-1535	SPACE. (Telemetering.) (350A) Fixed. Mobile. (360D)	1525-1535	G, N.G. (US88) (US100)	1525-1535	MOBILE. SPACE.	Aeronautical telemetering. Space.		AVIATION. Space (telemetering).
1535-1540		1535-1540		1535-1540 (350A)	G, N.G.	1535-1540	SPACE. (Telemetering.)	Space.		Space (Telemetering).
1540-1660		1540-1660		1540-1660	G, N.G. (352A) (352B) (3529)	1540-1660	AERONAUTICAL RADIONAVIGATION.			
1660-1664.4		1660-1664.4		1660-1664.4	G, N.G. (324A) (US100)	1660-1664.4	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE.	Radioonde. Space.		
1664.4-1668.4		1664.4-1668.4		1664.4-1668.4	G, N.G. (324A) (US74) (US100)	1664.4-1668.4	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE. Radio astronomy.	Radio astronomy. Radioonde. Space.		
1668.4-1670		1668.4-1670		1668.4-1670	G, N.G. (324A) (US100)	1668.4-1670	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE.	Radioonde. Space.		
1690-1700 (354A)		1690-1700	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE. (324A)	1690-1700	G, N.G. (324A) (US100)	1690-1700	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE.	Radioonde. Space.		
1700-1710		1700-1710 (355A)	SPACE RE-SEARCH (Telemetering and tracking).	1700-1710	G, N.G. (US100)	1700-1710	SPACE RE-SEARCH (Telemetering and tracking).	Space.		Space (telemetering and tracking).

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
1710-1770		1710-1770	FIXED MOBILE.	1710-1850	G.					
1770-1790		1770-1790	FIXED MOBILE. Meteorological-Satellite. (356AA)		(US100)					
1790-2200		1790-2200 (356A)	FIXED MOBILE.	1830-2200	NG.	2110-2130 (NG10) (NG23) (US80)	FIXED.	Domestic fixed public.		
2290-2300		2290-2300 (356B)	SPACE RESEARCH (Telemetering and tracking in deep space).	2290-2300	G.	2290-2300	SPACE RESEARCH (Telemetering and tracking in deep space).	Space.		Space (telemetering and tracking in deep space).
2690-2700 (364A) (366)	RADIO ASTRONOMY.			2690-2700	G, NG. (US74) (US100)	2690-2700	RADIO ASTRONOMY.	Radio astronomy.		
3300-3400		3300-3400	RADIO-LOCATION. Amateur.	3300-3500	G, N.G. (US61)					
3400-3500		3400-3500	RADIO-LOCATION. COMMUNICATION-SATELLITE (satellite to earth). Amateur.							
3500-3700		3500-3700	FIXED MOBILE. RADIO-LOCATION. COMMUNICATION-SATELLITE (satellite to earth).	3500-3700	G.					
3700-4200		3700-4200	FIXED MOBILE. COMMUNICATION-SATELLITE (satellite to earth).	3700-4200		3700-4200	COMMUNICATION-SATELLITE. FIXED. (NG)	Common carrier fixed. Space.		COMMUNICATION-SATELLITE. DOMESTIC PUBLIC. (NG4)
4200-4400 (352A)	AERONAUTICAL RADIO-NAVIGATION.			4200-4400	G, N.G. (352A) (US47)	4200-4400	AERONAUTICAL RADIO-NAVIGATION.	Altimeter.		

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
4400-4700	FIXED. MOBILE. COMMUNICATION. SATELLITE (earth to satellite). (392A)			4400-4900	G.					
4700-4990 (365)	FIXED. MOBILE.									
4990-5000		4990-5000 (383A)	RADIO ASTRONOMY.	4990-5000	G, NG, (US74) (US100)	4990-5000	RADIO ASTRONOMY.	Radio astronomy.		
5000-5250 (382A) (382B)	AERONAUTICAL RADIONAVIGATION.			5000-5250	G, NG, (382A) (382B)	5000-5250	AERONAUTICAL RADIONAVIGATION.			
5250-5255	RADIOLOCATION. Space research.			5250-5350	G.					
5255-5350	RADIOLOCATION.									
5650-5670	RADIOLOCATION. Amateur.			5650-5925 (391)	G, NG (US62)	5650-5925	Amateur.	Amateur.		
5670-5725 (389A)	RADIOLOCATION. Amateur. Space research (deep space).				(US100)					Industrial scientific & medical equipment.
5725-5925		5725-5925 (391)	RADIOLOCATION. Amateur.						5800	
5925-6425	FIXED. MOBILE. COMMUNICATION-SATELLITE (earth to satellite). (392A)			5925-6425	(392A)	5925-6425	COMMUNICATION-SATELLITE. FIXED. (NG)	Common carrier fixed. Fixed earth.		COMMUNICATION-SATELLITE. DOMESTIC PUBLIC. (NG41)
6425-7250 (392F) (393A)	FIXED. MOBILE.			6425-7125	NG.	6425-6525 (NG46)	MOBILE.	Common carrier land. Common carrier mobile.		
7250-7300 (374A) (392C) (392D) (392G)	COMMUNICATION-SATELLITE (satellite to earth).			7250-7300	G.	7250-7300	COMMUNICATION-SATELLITE (US91).	Space.		COMMUNICATION-SATELLITE.
7300-7750 (392F)	FIXED. MOBILE. COMMUNICATION-SATELLITE (satellite to earth). (374A) (392D)			7300-7750	(374A) (392D)	7300-7750	COMMUNICATION-SATELLITE (US91). METEOROLOGICAL-SATELLITE (G/NG) (US92)	Space.		COMMUNICATION-SATELLITE. METEOROLOGICAL-SATELLITE.



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)	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				
7750-7900	FIXED MOBILE.			7750-7900	G.									
7900-7975	FIXED MOBILE COMMUNICATION-SATELLITE (earth to satellite). (392A)			7900-7975	(392A)			Earth.			COMMUNICATION-SATELLITE. (US91).			COMMUNICATION-SATELLITE.
7975-8025 (392A) (392C) (392H)	COMMUNICATION-SATELLITE (earth to satellite). (392A)			7975-8025	(392A) (US100)									
8025-8400	FIXED MOBILE COMMUNICATION-SATELLITE (earth to satellite). (392A)			8025-8400	(392A)									
8400-8500		8400-8500	SPACE RESEARCH. (394C)		G.N.G. (US62) (US100)	8400-8500	SPACE RESEARCH. Fixed. Mobile. Space.							
9300-9900	RADIOLOCATION.			9300-10000	G. (401A)									
9900-10000 (401A)	RADIOLOCATION. Fixed.			10000-10500	G.N.G. (401A) (US38)									
10000-10500 (401A)	RADIOLOCATION. Amateur.													
Worldwide			Region 2			United States			Federal Communications Commission					
Band (Gc/s)	Service	Band (Gc/s)	Service	Band (Gc/s)	Allocation	Band (Gc/s)	Service	Band (Gc/s)	Allocation	Band (Gc/s)	Service	Class of station	Frequency (Gc/s)	Nature (of stations)
1	2	3	4	5	6	7	8	9	10	11				
10.5-10.55		10.5-10.55	RADIOLOCATION. (404)	10.5-10.55	G.N.G. (US39)	10.5-10.55	RADIOLOCATION. Radiolocation mobile.							
10.55-10.68	FIXED MOBILE. Radiolocation.			10.55-10.68	NG.	10.55-10.68 (NG46)	MOBILE. Operational land. Operational mobile.							
10.68-10.7 (405B)	RADIO ASTRONOMY.			10.68-10.7	G.N.G. (US74) (US100)	10.68-10.7	RADIO ASTRONOMY.							
10.7-11.7	FIXED MOBILE.			10.7-11.7	NG.	10.7-11.7	FIXED. Common carrier fixed.							DOMESTIC PUBLIC (NG41)

PROPOSED RULE MAKING

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Gc/s)	Service	Band (Gc/s)	Service	Band (Gc/s)	Allocation	Band (Gc/s)	Service	Class of station	Frequency (Gc/s)	Nature (of services of stations)
1	2	3	4	5	6	7	8	9	10	11
11.7-12.7	FIXED. MOBILE except aeronautical mobile. BROADCASTING.			11.7-13.25	NG.	11.7-12.2	MOBILE.	Common carrier land mobile (except aeronautical mobile).		
12.7-13.25	FIXED. MOBILE.					12.2-12.7 (NG8)	FIXED.	International control. Operational fixed.		
13.25-13.4	AERONAUTICAL RADIONAVIGATION. (406)			13.25-13.4	G, NG.	12.7-13.2 (NG11)	FIXED. MOBILE.	Television pick-up. Television STL.		
13.4-14.0	RADIOLOCATION.			13.4-14.0	G.	13.2-13.25	FIXED. MOBILE.			
14.0-14.3	RADIONAVIGATION.			14.0-14.3	G, NG.	13.25-13.4	AERONAUTICAL RADIONAVIGATION. (406)			Airborne doppler radar.
14.3-14.4	RADIONAVIGATION-SATELLITE.			14.3-14.4	G, NG.	14.0-14.3	RADIONAVIGATION.			
14.4-15.25	FIXED. MOBILE.			14.4-15.25	G.	14.3-14.4	RADIONAVIGATION-SATELLITE.	Earth. Space.		RADIONAVIGATION-SATELLITE.
15.25-15.35 (409A)	SPACE RESEARCH.			15.25-15.35	G, NG, (US100).	15.25-15.35	SPACE RESEARCH.	Space.		
15.35-15.4 (409C)	RADIO ASTRONOMY.			15.35-15.4	G, NG, (US74), (US100).	15.35-15.4	RADIO ASTRONOMY.			
15.4-15.7	AERONAUTICAL RADIONAVIGATION. (332A), (332B).			15.4-15.7	G, NG, (332A), (332B).	15.4-15.7	AERONAUTICAL RADIONAVIGATION.			
15.7-17.7	RADIOLOCATION.			15.7-17.7	G.	17.7-19.3	FIXED. MOBILE.			
17.7-19.3	FIXED. MOBILE.			17.7-19.3	NG.	17.7-19.3	FIXED. MOBILE.			
19.2-19.4 (409D)	RADIO ASTRONOMY.			19.3-19.4	G, NG, (US74), (US100)	19.3-19.4	RADIO ASTRONOMY.			
19.4-21.0	FIXED. MOBILE.			19.4-19.7	NG.	19.4-19.7	FIXED. MOBILE.			
21.0-22.0	AMATEUR.			19.7-21.0	G.	21.0-22.0	AMATEUR.	Amateur.		AMATEUR.
22.0-23.0 (410)	FIXED. MOBILE.			22.0-23.0	G, (410)	21.0-22.0	AMATEUR.		22.125	Industrial, scientific and medical equipment.
23.0-24.25	RADIOLOCATION.			23.0-24.25	G.					
24.25-25.25	RADIONAVIGATION. (411)			24.25-25.25	G, NG, (US72)	24.25-25.25	RADIONAVIGATION. (411)			
25.25-31.0	FIXED. MOBILE.			25.25-27.525	G.					
31.0-31.3 (412H)	FIXED. MOBILE. Space research.			27.525-31.3	NG, (US100)	27.525-31.3	FIXED. MOBILE.			

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Gc/s)	Service	Band (Gc/s)	Service	Band (Gc/s)	Allocation	Band (Gc/s)	Service	Class of station	Frequency (Gc/s)	Nature (OF SERVICES (of stations
1	2	3	4	5	6	7	8	9	10	11
31.2-31.5 (412A)	RADIO ASTRON- OMY.			31.2-31.5	G, NG. (US74) (US100)	31.2-31.5	RADIO ASTRON- OMY.			
31.5-31.8		31.5-31.8 (405C)	SPACE RESEARCH.	31.5-31.8	G, NG. (US100)	31.5-31.8	SPACE RESEARCH.			
31.8-32.3 (412B)	RADIONAVIGA- TION. Space research.			31.8-33.4	G, NG. (US100)	31.8-33.4	RADIONAVIGA- TION. (US99)			
32.2-33.0	RADIONAVIGA- TION.									
33.0-33.4		33.0-33.4	RADIONAVIGA- TION. (412F)							
33.4-34.2 (412G)	RADIOLOCATION.			33.4-38.6	G. (US100)					
34.2-35.2 (412C) (412D)	RADIOLOCATION. Space research.			38.6-40.0	NG. (US100)	38.6-40.0	FIXED. MOBILE.			
35.2-36.0	RADIOLOCATION.			40.0-88.0	G, NG.	40.0-88.0		Amateur. Experimental.		
36.0-40.0 (412E)	FIXED. MOBILE.			88.0-90.0	G, NG. (US74)	88.0-90.0	RADIO ASTRON- OMY.			
Above 40.0	Not allocated.			Above 90.0	G, NG.	Above 90.0		Amateur. Experimental.		

b. In the list of footnotes immediately following the Table in § 2.106, Geneva footnote numbers (234), (253), (280), (281), and (405) are deleted.

c. The following Geneva footnotes to the Table in § 2.106 are amended to read:

- (215) The band 10005-10005 kc/s is also allocated, on a secondary basis, to the space research service.
- (221) The band 19990-20010 kc/s is also allocated, on a secondary basis, to the space research service.
- (235) The band 39.986-40.002 Mc/s is also allocated, on a secondary basis, to the space research service.
- (294) The band 183.1-184.1 Mc/s is also allocated, on a secondary basis, to the space research service.
- (317) The band 404-410 Mc/s in Region 2 and the band 406-410 Mc/s in Regions 1 and 3 are also allocated to the radio astronomy service. An appropriate continuous band within these limits shall be designated on and 18080-18086 kc/s.

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.

(341) The band 960-1215 Mc/s is 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.

(365) In making assignments to stations in the fixed and mobile services, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference.

d. The following new Geneva footnotes are added to the Table in § 2.106 in proper numerical sequence:

(215A) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the bands 15762-15768 kc/s and 18080-18086 kc/s.

(221A) The frequency 20007 kc/s may also be used, in emergency, in the search for, and rescue of, astronauts and space vehicles. Emissions must be confined in a band of ± 3 kc/s about this frequency.

(263A) In Region 2, fixed, mobile and broadcasting service operations previously authorized in the band 73-74.6 Mc/s may continue to operate on a non-interference basis to the radio astronomy service.

(263B) In Cuba, the band 73-74.6 Mc/s is also allocated to the fixed, mobile and broadcasting services.

(273A) In the band 117.975-132 Mc/s and in the band 132-136 Mc/s where the aeronautical mobile (R) service is authorized, the use and development, for this service, of systems using space communication techniques may be authorized but limited initially to satellite relay stations of the aeronautical mobile (R) service. Such use and development shall be subject to co-ordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

(281A) For the use of the band 136-137 Mc/s, see Recommendation No. 7A.

(281B) In Region 2, the band 136-137 Mc/s is also allocated to the fixed and mobile services until 1 January 1969. Thereafter, in Cuba, the band will continue to be allocated also to the fixed and mobile services.

(281E) In Regions 2 and 3, the band 137-138 Mc/s is also allocated to the fixed and mobile services until 1 January 1969. Thereafter, in Cuba, Malaysia, Pakistan and the Philippines, the band 137-138 Mc/s will continue to be allocated also to the fixed and mobile services.

(281F) The band 137-138 Mc/s will be used mainly for research concerning the establishment, technical improvement, and maintenance of operational space systems.

(284A) In the band 144-146 Mc/s, artificial satellites may be used by the amateur service.

(285A) The frequencies 145.25±15 kc/s and 154.2±15 kc/s may be used for space telecommand, subject to agreement among the administrations concerned and those

having services operating in accordance with the Table, which may be affected.

(285B) Stations operating in the fixed and mobile services may continue to use this band until 1 January 1969. This cessation date shall not apply in Austria, Bulgaria, Cuba, Hungary, Iran, Kuwait, Morocco, Pakistan, the Netherlands, Poland, the United Arab Republic, Yugoslavia and Roumania where the fixed and mobile services will continue to have equal primary status with the radionavigation-satellite service. (See Recommendation No. 6A.)

(309A) Space stations employing frequencies in the band 267-273 Mc/s for telemetering purposes may also transmit tracking signals in the band.

(309B) In the band 267-272 Mc/s individual administrations may use space telemetering in their countries on a primary basis, subject to the agreement of the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(311A) Stations operating in the fixed and mobile services may continue to use this band until 1 January 1969. This cessation date shall not apply in Bulgaria, Cuba, Greece, Hungary, Iran, Kuwait, Lebanon, Morocco, the United Arab Republic and Yugoslavia where the fixed and mobile services will continue to have equal status with the radionavigation-satellite service. (See Recommendation No. 6A.)

(315A) Space stations employing frequencies between 401-402 Mc/s for telemetering purposes may also transmit tracking signals in this band.

(318A) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the band 460-470 Mc/s may be used, on a primary basis, by the meteorological-satellite service subject to agreement among administrations concerned and those having services, or intending to introduce services, operating in accordance with the Table, which may be affected.

(319A) The band 449.75-450.25 Mc/s may be used for space telecommand, subject to agreement among the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(324A) It is intended that meteorological-satellite space stations operating in this band shall transmit to selected earth stations. The location of such earth stations is subject to agreement among administrations concerned and those having services operating in accordance with the Table, which may be affected.

(332) In Region 1, except the African Broadcasting Area, the band 606-614 Mc/s, and in Region 3, the band 610-614 Mc/s may be used by the radio astronomy service. Administrations shall avoid using the band concerned for the broadcasting service as long as possible, and thereafter, as far as practicable, shall avoid the use of such effective radiated powers as will cause harmful interference to radio astronomy observations.

In Region 2, the band 608-614 Mc/s is reserved exclusively for the radio astronomy service until the first Administrative Radio Conference after 1 January 1974 which is competent to review this provision; however, this provision does not apply to Cuba.

(339A) Specific portions of the frequency band 900-960 Mc/s may also be used, on a secondary basis, for experimental purposes in connection with space research.

(350A) Space stations employing frequencies in the band 1525-1540 Mc/s for telemetering purposes may also transmit tracking signals in the band.

(350D) In Cuba, the band 1525-1535 Mc/s is also allocated, on a primary basis, to the mobile service.

(352A) The bands 1540-1660 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 elec-

tronic aids to air navigation and any directly associated ground-based or satellite-borne facilities.

(352B) The bands 1540-1660 Mc/s, 5000-5250 Mc/s and 15.4-15.7 Gc/s are also allocated to the aeronautical mobile (R) service for the use and development of systems using space communication techniques. Such use and development is subject to agreement and co-ordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

(353A) In view of the successful detection of two spectral lines in the region of 1665 Mc/s and 1667 Mc/s by astronomers, administrations are urged to give all practicable protection in the band 1664.4-1668.4 Mc/s for future research in radio astronomy.

(354A) In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocco, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the bands 1660-1670 Mc/s and 1690-1700 Mc/s are also allocated to the fixed service and the mobile, except aeronautical mobile, service.

(355A) In Cuba, the band 1700-1710 Mc/s is also allocated to the fixed and mobile services.

(356AA) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the meteorological-satellite service, in the band 1770-1790 Mc/s, shall be on a primary basis, subject to co-ordination with the administrations concerned and those having services operating in accordance with the Table, which may be affected by the siting of earth stations.

(356A) The band 2110-2120 Mc/s may be used for telecommand in conjunction with spacecraft engaged in deep space research, subject to agreement between the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(356B) In Cuba, the band 2290-2300 Mc/s is also allocated to the fixed and mobile services.

(364A) In Algeria, Bulgaria, Cuba, Hungary, India, Israel, Kuwait, Lebanon, Morocco, Pakistan, the Philippines, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 2690-2700 Mc/s is also allocated to the fixed and mobile services.

(374A) This band may also be used for the transmission of tracking and telemetering signals associated with communication-satellite space stations operating in the same band.

(383A) In Cuba, the band 4990-5000 Mc/s is also allocated to the fixed and mobile services, and the provisions of No. 365 apply.

(389A) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the band 5670-5725 Mc/s.

(392A) This band may also be used for the transmission of telecommand signals associated with communication-satellite earth stations operating in the same band.

(392C) Stations of the fixed and mobile services, previously authorized in the bands 7250-7300 Mc/s and 7975-8025 Mc/s, may continue to operate until 1 January 1969. This provision does not apply to the countries listed in Nos. 392G and 392H.

(392D) As an exception, passive communication-satellite systems also may be accommodated in the band 7250-7750 Mc/s, subject to:

(a) Agreement between administrations concerned and those whose services, operating in accordance with the Table, may be affected;

(b) The co-ordination procedure laid down in Articles 9 and 9A.

Such systems shall not cause any more interference at active earth station receivers than would be caused by fixed or mobile serv-

ices. Power-flux density limitations at the earth's surface after reflection from the passive communication-satellites shall not exceed those prescribed in these Regulations for active communication-satellite systems.

The maximum effective power radiated in any direction in the horizontal plane by earth stations of passive satellite systems shall not exceed +55 dBW, not taking the site shielding factor into account. If the distance between a transmitting station of a passive system and the territory of another administration exceeds 400 km, this limitation may be increased in that direction by 2 db for each 100 km in excess of 400 km up to a maximum of 65 dBW.

(392F) In the bands 7200-7250 Mc/s and 7300-7750 Mc/s, the meteorological-satellite service may use a band up to 100 Mc/s in width on a primary basis. These bands may also be used for the transmission of tracking and telemetering signals associated with meteorological-satellite space stations operating in the same band.

(392G) In Algeria, Austria, Bulgaria, Cyprus, Cuba, Ethiopia, Finland, Hungary, Japan, Kuwait, Lebanon, Liberia, Malaysia, Morocco, the Philippines, Poland, the United Arab Republic, Yugoslavia, Roumania, Sweden, Switzerland, Czechoslovakia, and the U.S.S.R., the band 7250-7300 Mc/s is also allocated to the fixed and mobile services.

(329H) In Algeria, Bulgaria, Cuba, Ethiopia, Finland, Hungary, Japan, Kuwait, Lebanon, Morocco, Poland, the United Arab Republic, Yugoslavia, Roumania, Sweden, Switzerland, Czechoslovakia, and the U.S.S.R., the band 7975-8025 Mc/s is also allocated to the fixed and mobile services.

(393A) The band 7120-7130 Mc/s may be used for telecommand in association with space services, subject to agreement between the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(394C) In Cuba, the band 8400-8500 Mc/s is also allocated to the fixed and mobile services.

(401A) The band 9975-10025 Mc/s may be used by weather radar on meteorological-satellites.

(405B) In Algeria, Bulgaria, Cuba, Hungary, Japan, Kuwait, Lebanon, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 10.68-10.7 Gc/s is also allocated to the fixed and mobile services.

(409A) In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocco, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 15.25-15.35 Gc/s is also allocated to the fixed and mobile services.

(409C) In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocco, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 15.35-15.4 Gc/s is also allocated to the fixed and mobile services.

(409D) In Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Poland, the United Arab Republic, Roumania, Czechoslovakia, and the U.S.S.R., the band 19.3-19.4 Gc/s is also allocated to the fixed and mobile services.

(412A) In Bulgaria, Cuba, Hungary, Poland, the United Arab Republic, Roumania, Czechoslovakia, and the U.S.S.R., the band 31.3-31.5 Gc/s is also allocated to the fixed and mobile services.

(412B) In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the space research service is a primary service in the band 31.8-32.3 Gc/s.

(412C) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the space research service is a primary service in the band 34.2-35.2 Gc/s.

(412D) The band 34.4-34.5 Gc/s may be used by weather radar devices on meteorological satellites for the detection of cloud.

(412E) In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 36.5-37.5 Gc/s is also allocated to the radio astronomy service.

(412F) In Cuba and India, the band 33-33.4 Gc/s is also allocated to the radio astronomy service.

(412G) In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 33.4-34 Gc/s is also allocated to the radio astronomy service.

(412H) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the space research service is a primary service in the band 31-31.3 Gc/s.

e. Footnote NG48 is deleted from the NG footnotes following the Table of Frequency Allocations in § 2.106.

f. Footnote NG41 is amended to read as follows:

NG41 Frequencies in the bands 3700-4200 Mc/s, 5925-6426 Mc/s, and 10.7-11.7 Gc/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.

g. Footnotes US22, US63, US64, US73, US75, and US76 are deleted from the US footnotes following the Table of Frequency Allocations in § 2.106.

h. The following US footnotes (introductory text only for US7) to the Table in § 2.106 are amended to read:

US7 In the band 420-450 Mc/s and within the following areas, the DC plate power input to the final stage of a transmitter employed in the amateur service shall not exceed 50 watts, unless expressly authorized by the Commission after mutual agreement, on a case-by-case basis, between the Federal Communications Commission Engineer in Charge at the applicable District Office and the Military Area Frequency Coordinator at the applicable military base:

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 radio astronomy observatories within the United States and its possessions. However, by international agreement, such stations must afford protection to the observatories of other countries.

US26 The bands 117.975-121.425 Mc/s, 123.575-128.825 Mc/s and 132.025-136 Mc/s are for air traffic control communications.

US35 Except as provided by footnotes US6 and US87, 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.

US53 In view of the fact that the band 13.25-13.4 Gc/s is allocated exclusively to doppler navigation aids, Government and non-Government airborne doppler radars in the aeronautical radio-navigation 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.

US58 In the band 10,000-10,500 Mc/s, pulsed emissions are prohibited, except for weather radars on board meteorological satellites in the band 10,000-10,025 Mc/s. The amateur service and the non-Government radiolocation service, 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.

US60 The use of this band by non-Government services is limited to the space (telecommand) service.

US62 The use of this band by Government services is limited to the space research service.

US69 In the band 31.8-33.4 Gc/s, ground-based radionavigation aids are not permitted except where they operate in co-operation with airborne or shipborne radionavigation devices.

US70 The meteorological aids service allocation in the band 400.05-406 Mc/s does not preclude the operation therein of associated ground transmitters.

US72 In the band 24.25-25.25 Gc/s, Government radiolocation devices (ASDE) are permitted between 24.25-24.47 Gc/s on a shared basis.

US74 The radio astronomy service shall be protected from extra-band radiation only to the extent that such radiation exceeds the level which would be present if the offending station were operating in compliance with the technical standards or criteria applicable to the service in which it operates.

US78 In the band 1435-1525 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 1525 Mc/s will be assigned primarily for the flight testing of unmanned aircraft and missiles or major components thereof. Included as permissible usage for aeronautical telemetering stations in the band 1435-1525 Mc/s is telemetry associated with launching and re-entry into the earth's atmosphere, as well as any incidental orbiting prior to re-entry, of manned or unmanned objects undergoing flight tests.

US81 The band 38-38.16 Mc/s may be used by both Government and non-Government radio astronomy observatories. No new assignments are to be made and Government stations in the band 38-38.16 Mc/s will be moved to other bands on a case-by-case basis, as required, to protect radio astronomy observations from harmful interference. As an exception, however, low-powered military transportable and mobile stations used for tactical and training purposes will continue to use the band. To the extent practicable, the latter operations will be adjusted to relieve such interference as may be caused to radio astronomy observations. In the event of harmful interference from such local operations, radio astronomy observatories may contact local military commands directly, with a view to effecting relief. A list of military commands, areas of coordination, and points of contact for purposes of relieving interference may be obtained upon request from the Office of Chief Engineer, Federal Communications Commission, Washington, D.C., 20554.

i. The following new US footnotes are added to the Table in § 2.106 in proper numerical sequence:

US83 Non-Government use of this band is limited to the following: 9995-10003 kc/s, radio astronomy service; 10003-10005 kc/s, radio astronomy and space research services.

US84 The non-Government use of this band is limited to the space research service.

US85 In the bands 117.975-123.075 and 123.575-136 Mc/s, the use and development, for the aeronautical mobile (R) service, of systems using space communication techniques may be authorized but limited initially to satellite relay stations of the aeronautical mobile (R) service.

US86 The frequencies 148.25 Mc/s  $\pm$  15 kc/s and 154.2  $\pm$  15 kc/s may be used by Government and non-Government stations for space telecommand at specific locations, subject to such conditions as may be imposed on a case-by-case basis. With respect to 154.2 Mc/s, the commands are to be limited to short duration of the order of three seconds ("Address and execute" commands). Further, on a case-by-case basis and solely to avoid harmful interference to non-Government stations in the land mobile service, a comparable replacement frequency assignment will be made available below 150.8 Mc/s, if required.

US87 The frequency 450 Mc/s, with maximum emission bandwidth of 500 kc/s, may be used by Government and non-Government stations for space telecommand at specific locations, subject to such conditions as may be applied on a case-by-case basis.

US88 Stations in the broadcasting service will not be authorized in the band 608-614 Mc/s prior to January 1, 1974. In the interim the band is available for use by the radio astronomy service. The radio astronomy service shall be protected from extra-band radiation only to the extent that such radiation exceeds the level which would be present if the offending station were operating in compliance with the technical standards or criteria applicable to the service in which it operates.

US89 The aeronautical telemetering frequencies in the band 1525-1535 Mc/s will be assigned primarily for the flight testing of unmanned aircraft and missiles or major components thereof. Included as permissible usage for aeronautical telemetering stations in the band 1525-1535 Mc/s is telemetry associated with launching and re-entry into the earth's atmosphere, as well as any incidental orbiting prior to re-entry, of manned or unmanned objects undergoing flight tests.

US90 The band 2110-2120 Mc/s may be used by Government and non-Government stations for space telecommand at specific locations in conjunction with spacecraft engaged in deep space research, subject to such conditions as may be applied on a case-by-case basis.

US91 The ultimate disposition of this band in the communication-satellite service, as between Government and non-Government, is deferred. In the meanwhile the non-Government may exploit the 4 and 6 Gc/s bands and the Government may exploit the 7 and 8 Gc/s bands for communication-satellite service systems intended to become operational. Any modification of this policy will be discussed and agreed in the FCC/DTM(IRAC) mechanism prior to the filing of applications with the IRAC for frequency assignments which are not in accordance with the foregoing.

US92 In the band 7300-7750 Mc/s, the meteorological-satellite service may use a band up to 100 Mc/s in width. This 100 Mc/s band may also be used for the transmission of tracking and telemetering signals associated with meteorological-satellite space stations operating in the same band.

US94 The bands 30.005-30.015 Mc/s and 39.986-40.02 Mc/s are also allocated, on a secondary basis, to the space research service for space station-to-earth station transmissions only.

US100 In the Additional Protocol to the Final Acts of the Space EARC, Geneva, 1963, a declaration on behalf of the USA states that the USA cannot accept any obligation to observe the exceptions claimed by Cuba in those footnotes to the Table of Frequency Allocations which were adopted by the EARC and which specifically name Cuba.

[F.R. Doc. 64-12666; Filed, Dec. 15, 1964; 8:45 a.m.]

## [ 47 CFR Parts 21, 25 ]

[Docket No. 15723; FCC 64-1110]

**SHARED USE OF CERTAIN FREQUENCY BANDS BY FIXED, MOBILE, AND COMMUNICATION-SATELLITE SERVICES****Notice of Proposed Rule Making**

In the matter of amendment of Parts 21 and 25 of the Commission's rules to provide for the shared use of the frequency bands 3700-4200, 5925-6425, 7250-7750 and 7900-8400 Mc/s by the Fixed, Mobile and Communication-Satellite Services.

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. Pursuant to Recommendation No. 36 of the Ordinary Administrative Radio Conference, Geneva, 1959, the International Telecommunication Union (ITU) convened an Extraordinary Administrative Radio Conference (EARC) in Geneva, Switzerland, on October 7, 1963, to allocate frequency bands for space radio-communication purposes and for the radio astronomy service. The Final Acts of the EARC, signed at Geneva on November 8, 1963, and scheduled to enter into force internationally on January 1, 1965, constitute a partial revision of the international Radio Regulations, Geneva, 1959. The United States, having deposited its instrument of ratification of the Final Acts with the Secretary-General of the ITU in Geneva on April 3, 1964, is now a party to the Radio Regulations (Geneva, 1959) as revised by the Final Acts of the Space EARC.

3. By separate action this date, in Docket No. 15722, the Commission adopted a notice of proposed rule making looking toward the alignment of Part 2 of its rules, to the extent practicable, with the frequency allocation changes to the international Table of Frequency Allocations adopted by the Space EARC. Among other things, that proceeding would provide for the accommodation of telecommand, telemetering and tracking functions common to all space services and for the co-equal sharing of certain frequency bands above 3700 Mc/s by the Fixed, Mobile and Communication-Satellite Services.

4. It is the purpose of the instant proceeding to amend Parts 21 and 25 of the rules to set forth the technical criteria to be observed by the sharing services in order to minimize the possibility of mutual interference. These criteria agree with the sharing criteria adopted by the Space EARC for the bands in question, except with respect to the frequency band 5925-6425 Mc/s. Section 25.204 (a) below, proposes that the mean effective radiated power transmitted in any direction in the horizontal plane by a communication-satellite earth station shall not exceed +dbW in any 4 kc/s band, whereas the upper limit adopted by the Space EARC was +55 dbW. Additionally, for the band 5925-6425 Mc/s, the Commission is considering the advisability of specifying in § 25.205(a), a minimum angle of 5° for earth station transmitting antennas as opposed to the 3° minimum specified in criteria adopted

by the Space EARC. Technical comments are invited especially on this point to assist the Commission in its determination. In each case these changes would reduce the area within the coordination distance contours drawn about an earth station as well as the possibility of interference to stations in the terrestrial services. It is important to determine the extent to which such changes might affect the ability of earth stations to communicate via satellites. Comparable changes have not been proposed in the band 7900-8400 Mc/s.

5. As mentioned in the notice of proposed rule making referred to in paragraph 3, and in § 25.202(a) of Appendix II to this document, a determination has not yet been made as to the disposition of the frequency bands 3700-4200, 5925-6425, 7250-7750 and 7900-8400 Mc/s as between Government and non-Government services for space radiocommunication purposes. For this reason, the instant proceeding assumes that all may be available to non-Government space users. It is recognized that such assumptions may require amendment in the light of future developments. In any event, it is not contemplated that the frequency bands 3700-4200 and 5925-6425 Mc/s will become available to Government users for fixed and mobile operations, nor that 7250-7750 and 7900-8400 Mc/s will become available to non-Government users for fixed and mobile operations, as a result of this proceeding.

6. The importance of the "coordination distance" concept set forth in detail in Appendix II and referred to in more general terms in Appendix I below, cannot be overemphasized. It is significant from both the national and international standpoints. In essence, it establishes the maximum distance over which an earth station might reasonably be expected to cause or to receive harmful interference and calls for very close coordination between the sharing services to maintain the integrity of the sharing arrangement. In many instances the necessary separation distance between stations of the sharing services may be considerably less than the coordination distance because of terrain shielding, antenna directivity, frequency separation and other mitigating factors.

7. Proposed § 25.251, the procedure for calculating coordination distance between earth stations and terrestrial stations sharing the same frequency band in the range 1-10 Gc/s, follows almost verbatim the identically entitled Annex to Recommendation No. 1A to the Final Acts of the Space EARC. It departs therefrom in its treatment of coordination distances between terrestrial station transmitters and space research earth station receivers and proposes the same criteria as are used for communication-satellite and meteorological-satellite earth station receivers. Traditionally, research stations in general have been authorized on the basis that they shall not cause harmful interference to others and that they shall accept any interference they themselves experience. As a general rule, this approach is not practicable for space research earth station receiving facilities because of their great cost and extreme susceptibility to inter-

ference. It has been assumed in this instance, however, that any space research station operating in the bands dealt with here would be doing experimental work in connection with the communication-satellite or meteorological-satellite services. Therefore, since any operational systems growing out of such experimentation would have to live in a shared environment with other services, it is reasonable to protect such space research earth station receivers only to the degree that protection is afforded to receiving earth stations in the communication-satellite and meteorological-satellite services.

8. Specific proposals for rule changes reflecting the above in Part 21 are set forth below; those relating to Part 25 are set forth in Appendix II.

9. These proposals to amend the Commission's Rules are issued under the authority of sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

10. Comments in support of or in opposition to the proposed amendments may be filed on or before January 15, 1965. Reply comments may be filed on or before January 25, 1965. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

11. In accordance with the provisions of § 1.215(b) of the Commission's rules, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Federal Communications Commission.

Adopted: December 2, 1964.

Released: December 4, 1964.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

Part 21 of the Commission's rules is amended as follows:

1. Section 21.1 is amended by adding the following new definitions in the proper alphabetical sequence:

§ 21.1 Definitions.

\* \* \* \* \*

*Coordination distance.* For the purpose of this Part, the expression "coordination distance" means the distance from an earth station, within which there is a possibility of the use of a given transmitting frequency at this earth station causing harmful interference to stations in the fixed or mobile service, sharing the same band, or of the use of a given frequency for reception at this earth station receiving harmful interference from such stations in the fixed or mobile service.

\* \* \* \* \*

*Earth station.* A station in the space service located either on the earth's surface, including on board a ship, or on board an aircraft.

\* \* \* \* \*

<sup>1</sup> Commissioners Hyde, Bartley and Loewinger absent.

**Fixed earth station.** An earth station intended to be used at a specified fixed point.

**Mobile earth station.** An earth station intended to be used while in motion or during halts at unspecified points.

2. Section 21.107(b) is amended to read as follows:

**§ 21.107 Transmitter power.**

(b) The rated power output of a transmitter employed in these radio services shall not exceed the values shown in the following tabulation:

Frequency range:	Rated power output
Below 30 Mc/s.....	50 watts.
30 to 50 Mc/s.....	350 watts.
50 to 76 Mc/s.....	50 watts.
76 to 500 Mc/s.....	250 watts.
500 to 10,000 Mc/s.....	100 watts. <sup>1</sup>
Above 10,000 Mc/s.....	Unlimited.

<sup>1</sup> As an exception, in the band 5925-6425 Mc/s, the power delivered by a transmitter to the antenna of a station in the fixed service shall not exceed 20 watts. Additionally, in this band, the maximum effective radiated power of the transmitter and associated antenna of a station in the fixed service shall not exceed +55 dbw. These limitations are necessary to minimize the probability of harmful interference to reception in this band on board communication-satellite space stations.

3. In § 21.204, the Note is revised to read as follows:

**§ 21.204 FCC publications required for reference.**

**NOTE:** It is suggested that the following additional documents be obtained from the Government Printing Office and maintained for reference:

- (1) Communications Act of 1934, as amended.
- (2) Part 1 of this chapter, Practice and Procedure.
- (3) Part 2 of this chapter, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations.
- (4) Part 13 of this chapter, Commercial Radio Operators.
- (5) Part 17 of this chapter, Construction, Marking, and Lighting of Antenna Structures.
- (6) Part 25 of this chapter, Satellite Communications.
- (7) Part 42 of this chapter, Preservation of Records of Communication Common Carriers.
- (8) Part 61 of this chapter, Tariffs.
- (9) Part 63 of this chapter, Extension of Lines and Discontinuance of Service by Carriers.

4. Section 21.701(a) is amended to read as follows:

**§ 21.701 Frequencies.**

(a) (1) The following frequency bands are available for assignment to radio stations in this service on a shared basis with stations in the Communication-Satellite Service and the Local Television Transmission Service:

- 3700-4200 Mc/s
- 5925-6425 Mc/s<sup>1</sup>

<sup>1</sup> This band is not available for assignment to mobile earth stations.

(2) The following frequency band is available for assignment to radio stations in this service on a shared basis with the Local Television Transmission Service:

- 10700-11700 Mc/s

5. Section 21.706(c) is added to read as follows:

**§ 21.706 Supplementary showing required with applications.**

(c) Part 25 of this chapter sets forth the procedure for calculating "coordination distance" in bands shared on an equal basis by this service and the Communication-Satellite Service. This is the distance: (1) Within which an earth station transmitter might cause harmful interference to stations in this service; and (2) within which stations in this service might cause harmful interference to reception at earth stations. By international agreement, if the transmitting or receiving coordination distance contours drawn about a proposed earth station of one country overlap the boundary of another country, the first country is required to provide the second with maps showing the transmitting and receiving contours to determine if harmful interference might be caused by or to the proposed earth station. Once agreement is reached, neither country will alter its station assignment pattern in the area concerned, in a manner capable of degrading the agreed usage of the other country without further consultation with that country. Similarly, pursuant to Part 25, licensees of earth stations in the Communication-Satellite Service are required to file with the Commission, maps showing coordination distance contours for such earth stations for both the earth-to-satellite and satellite-to-earth bands. All such contour maps shall be kept on file for public inspection in the offices of the Commission's Common Carrier Bureau in Washington, D.C. Therefore, each applicant filing pursuant to paragraph (a) of this section shall ascertain in advance of such filing if the location of the proposed station lies within the pertinent coordination distance contour of an earth station on file with the Commission. Since earth stations will be receiving only in the band 3700-4200 Mc/s and transmitting only in the band 5925-6425 Mc/s, applicants will be guided accordingly. If the proposed station is to be operated in the band 3700-4200 Mc/s, and lies within the coordination distance contour of a receiving earth station, the application shall be accompanied by a statement showing that antenna directivity, power, terrain shielding and/or other mitigating factors are such that harmful interference will not be caused to reception at the earth station, on the basis of criteria set forth in Subpart C of Part 25. Conversely, if the proposed station is to be operated in the band 5925-6425 Mc/s, and lies within the coordination distance contour of a transmitting earth station, the application shall be accompanied by a similar statement showing that harmful inter-

ference will not be caused to reception at the applicant's station in this service.

6. Section 21.708(a)(7) is added to read as follows:

**§ 21.708 Notification of station operation at temporary fixed locations.**

(a) \*\*\*

(7) A notification of operations to be conducted within the coordination distance contours of a fixed earth station shall include compliance with the provisions of § 21.706(c).

7. Section 21.801(f) is amended to read as follows:

**§ 21.801 Frequencies.**

(f) (1) Frequencies in the following bands are available for assignment to television STL stations in this service on a shared basis with stations in the Communication-Satellite Service and the Point-to-Point Microwave Radio Service:

- 3700-4200 Mc/s
- 5925-6425 Mc/s

(2) The following frequency band is available for assignment to television STL stations in this service on a shared basis with stations in the Point-to-Point Microwave Radio Service:

- 10700-11700 Mc/s

8. Section 21.807(a)(5) is added to read as follows:

**§ 21.807 Stations at temporary fixed locations.**

(a) \*\*\*

(5) Applications for such stations shall comply with the provisions of § 21.706(c).

9. A new § 21.809 is added, to read as follows:

**§ 21.809 Stations affected by coordination distance procedures.**

Each application for initial installation of a radio station in this service, or for installation of additional transmitters, or for authority to communicate with new points, shall comply with the provisions of § 21.706(c).

Part 25 of the Commission's rules is amended by adding new Subpart C, as follows:

**Subpart C—Technical Standards**

Sec.	
25.201	Definitions.
25.202	Frequencies.
25.203	Choice of sites and frequencies.
25.204	Power limits.
25.205	Minimum angle of antenna elevation.
25.206	Station identification.
25.207	Cessation of emissions.
25.208	Power flux density limits.
25.251	Procedure for calculating coordination distance.

**Subpart C—Technical Standards**

**§ 25.201 Definitions.**

**Active satellite.** An earth satellite carrying a station intended to transmit or re-transmit radiocommunication signals.

**Communication-satellite earth station.** An earth station in the communication-satellite service.

**Communication-satellite service.** A space service:

- between earth stations, when using active or passive satellites for the exchange of communications of the fixed or mobile service, or
- between an earth station and stations on active satellites for the exchange of communications of the mobile service, with a view to their re-transmission to or from stations in the mobile service.

**Communication-satellite space station.** A space station in the communication-satellite service, on an earth satellite.

**Coordination distance.** For the purposes of this Part, the expression "coordination distance" means the distance from an earth station, within which there is a possibility of the use of a given transmitting frequency at this earth station causing harmful interference to stations in the fixed or mobile service, sharing the same band, or of the use of a given frequency for reception at this earth station receiving harmful interference from such stations in the fixed or mobile service.

**Earth station.** A station in the space service located either on the earth's surface, including on board a ship, or on board an aircraft.

**Fixed earth station.** An earth station intended to be used at a specified fixed point.

**Mobile earth station.** An earth station intended to be used while in motion or during halts at unspecified points.

**Passive satellite.** An earth satellite intended to transmit radio communication signals by reflection.

**Space service.** A radiocommunication service:

- between earth stations and space stations,
- or between space stations,
- or between earth stations when the signals are re-transmitted by space stations, or transmitted by reflection from objects in space excluding reflection or scattering by the ionosphere or within the earth's atmosphere.

**Space station.** A station in the space service located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the earth's atmosphere.

**Space telecommand.** The use of radio-communication for the transmission of signals to a space station to initiate, modify or terminate function of the equipment on a space object, including the space station.

**Space telemetering.** The use of telemetering for the transmission from a space station of results of measurements made in a spacecraft, including those relating to the functioning of the spacecraft.

**Space tracking.** Determination of the orbit, velocity or instantaneous position of an object in space by means of radio-determination, excluding primary radar, for the purpose of following the movement of the object.

**Stationary satellite.** A satellite, the circular orbit of which lies in the plane

of the earth's equator and which turns about the polar axis of the Earth in the same direction and with the same period as those of the earth's rotation.

**Terrestrial service.** Any radio service defined in this Chapter, other than a space service or the radio astronomy service.

**Terrestrial station.** A station in a terrestrial service.

#### § 25.202 Frequencies.

(a) The following frequency bands are available for use by the communication-satellite service on a shared basis with terrestrial radio services. Precise frequencies and bandwidth of emission will be assigned on a case-by-case basis.

Satellite-to-earth	Earth-to-satellite
3700-4200 Mc/s <sup>1,2</sup> -----	5925-6425 Mc/s <sup>1,2,3,4</sup>
7250-7750 Mc/s <sup>1,2</sup> -----	7900-8400 Mc/s <sup>1,2</sup>

<sup>1</sup>The ultimate disposition of these bands as between Government and non-Government services for space radiocommunication will be the subject of separate rule-making.

<sup>2</sup>This band may also be used for the transmission of tracking and telemetering signals associated with communication-satellite space stations operating in the same band.

<sup>3</sup>This band may also be used for the transmission of telecommand signals associated with communication-satellite earth stations operating in the same band.

<sup>4</sup>This band is not available for assignment to mobile earth stations.

(b) The following frequencies or bands of frequencies are available for space telecommand functions in conjunction with the communication-satellite service:

143.25 Mc/s—maximum bandwidth not to exceed 30 kc/s.
154.2 Mc/s—maximum bandwidth not to exceed 30 kc/s.
450.0 Mc/s—maximum bandwidth not to exceed 0.5 Mc/s.

(c) The following frequency bands are available for telemetering from communication-satellite space stations. Precise frequencies and associated bandwidths of emission will be assigned on a case-by-case basis:

136-137 Mc/s <sup>1</sup>
137-138 Mc/s
400.05-401 Mc/s <sup>1</sup>
401-402 Mc/s

<sup>1</sup>This band is basically a space research band and is not intended for use by operational communication-satellite systems once the desired spacecraft orbit is established.

(d) The following frequency bands are available for transmission from spacecraft for the tracking of communication-satellite space stations. Precise frequencies and associated bandwidths of emission will be assigned on a case-by-case basis.

136-137 Mc/s <sup>1</sup>
137-138 Mc/s
400.05-401 Mc/s <sup>1</sup>

<sup>1</sup>This band is basically a space research band and is not intended for use by operational communication-satellite systems once the desired spacecraft orbit is established.

#### § 25.203 Choice of sites and frequencies.

(a) Sites and frequencies for earth stations, operating in frequency bands shared with equal rights between terrestrial and space services, shall be selected, to the extent practicable, in areas

where the surrounding terrain and existing frequency usage are such as to minimize the possibility of harmful interference between the sharing services.

(b) An applicant for an earth station authorization shall calculate the coordination distance for the proposed station in accordance with the procedures set forth in § 25.251, and submit with his application a map drawn to appropriate scale indicating the location of the earth station and the coordination distances from the earth station, for both transmission and reception by the earth station, as a function of azimuth. The coordination distance for earth station reception shall cover the range 0 to 55 dBW in increments of not more than 10 db.

(c) An applicant for an earth station authorization shall also make a showing, accompanied by supporting data and calculations, that existing stations operating within the frequency band in question, and located within the pertinent calculated coordination distance contours of the proposed earth station, will not be subjected to harmful interference from earth station transmissions and will not cause harmful interference to reception at the earth station.

#### § 25.204 Power limits.

(a) Within the band 5925-6425 Mc/s the mean effective radiated power transmitted in any direction in the horizontal plane by a communication-satellite earth station shall not exceed +45 dBW in any 4 kc/s band.

(b) Within the band 7900-8400 Mc/s, in order to provide a capability for both active and passive communication-satellite systems, the mean effective radiated power transmitted in any direction in the horizontal plane by a communication-satellite earth station shall not exceed +55 dBW in any 4 kc/s band except upon a showing of need for greater power, in which case a maximum of +65 dBW may be authorized, consistent with the provisions of paragraphs (c) and (d) of this section.

(c) In any direction where the distance from a communication-satellite earth station operating in the band 7900-8400 Mc/s to the boundary of the territory of another administration exceeds 400 km, the limit of +55 dBW in any 4 kc/s band in paragraph (b) of this section may be increased in that direction by 2 db for each 100 km in excess of 400 km up to a maximum of +65 dBW.

(d) If, in any direction from a proposed communication-satellite earth station, the distance to the boundary of the territory of another administration is less than the coordination distance as calculated in § 25.251, the Commission will initiate discussions in the technical aspects of the proposed operation.

**NOTE:** For the purposes of this part, the effective radiated power transmitted in the horizontal plane shall be taken to mean the ERP actually transmitted toward the horizon, reduced by the site shielding factor that may be applicable. The value of site shielding factor shall be determined as indicated in § 25.251(e).

#### § 25.205 Minimum angle of antenna elevation.

(a) Within the band 5925-6425 Mc/s, earth station antennas shall not be em-



ployed for transmission at elevation angles less than  $-3^\circ$ , measured from the horizontal plane to the central axis of the main lobe.

NOTE: The choice as to  $3^\circ$  or  $5^\circ$  will be determined in this proceeding.

(b) Within the band 7900-8400 Mc/s, earth station antennas shall not be employed for transmission at elevation angles less than  $3^\circ$ , measured from the horizontal plane to the central axis of the main lobe.

§ 25.206 Station identification.

(a) The requirement for transmission of station identification is waived for communication-satellite earth stations and for stations the sole function of which is to transmit telecommand signals to communication-satellite space stations.

(b) The requirement for transmission of station identification is waived for communication-satellite space stations but applicants therefor shall file ephemeris data and descriptions of transmission characteristics to be used in lieu of identifying call signs.

§ 25.207 Cessation of emissions.

Space stations shall be made capable of ceasing radio emissions by the use of appropriate devices (battery life, timing devices, ground command, etc.) that will ensure definite cessation of emissions.

§ 25.208 Power flux density limits.

(a) The total power flux density at the earth's surface, produced by an emission from a communication-satellite space station, where wide-deviation frequency (or phase) modulation is used, shall in no case exceed  $-130$  dBW/m<sup>2</sup> for all angles of arrival. In addition, such signals shall if necessary be continuously modulated by a suitable waveform, so that the power flux density shall in no case exceed  $-149$  dBW/m<sup>2</sup> in any 4 kc/s band for all angles of arrival.

(b) The power flux density at the earth's surface, produced by an emission from a communication-satellite space station, where modulation other than wide-deviation frequency (or phase) modulation is used, shall in no case exceed  $-152$  dBW/m<sup>2</sup> in any 4 kc/s band for all angles of arrival.

(c) The power flux density limits specified in paragraphs (a) and (b) of this section are applicable to the frequency bands 3700-4200 Mc/s and 7250-7750 Mc/s. Systems brought into use after January 1, 1969, shall not be limited in the frequency band 7250-7300 Mc/s.

(d) Passive communication-satellite systems may be authorized in the frequency band 7250-7750 Mc/s. The power flux density produced at the earth's surface as the result of reflection from a passive communication satellite shall not exceed the limits set forth in paragraphs (a) and (b) of this section for active systems.

§ 25.251 Procedure for calculating coordination distance.

(a) Requirements for coordination. Coordination is required when earth sta-

tions and terrestrial stations operate in shared frequency bands with equal rights. The coordination area around an earth station is determined by ascertaining the coordination distance measured in the various azimuths from that station.

(1) For the calculation of coordination distance, two separate cases must be considered:

(i) Interference from an earth station transmitter to terrestrial station receivers; and

(ii) Interference from terrestrial station transmitters to communication-satellite, meteorological-satellite or space research earth station receivers.

(iii) In the case of subparagraph (1) (i) of this paragraph, it has been assumed for the purpose of calculation, that the terrestrial receiving station is a line-of-sight radio-relay station designed according to C.C.I.R. Recommendations. In the case of subparagraph (1) (ii) of this paragraph, it has been assumed for all applications that the earth station forms a part of a communication-satellite system. Further, in order to ensure that a safe value of coordination distance shall be obtained, it has been assumed that the receiving station antenna in each case is of typically high gain. For the same reason, appropriately low-noise sensitive receivers are assumed in all cases.

(b) Minimum permissible basic transmission loss ( $L_b$ ). (1) The general formula for calculating the required minimum permissible basic transmission loss is:

$$L_b = (P_t + G_t) - F_s - (P_r - G_r) \quad \text{[formula 1]}$$

where  $P_t$  is the power in dBW supplied by the interfering transmitter to the transmission line input,

$G_t$  is the isotropic gain in db of the transmitting antenna of the interfering station effective in the direction of the receiving station liable to interference, including the effect of all feeder losses, and losses due to any artificial screens,

$F_s$  is the earth station site-shielding factor in db, (see § 25.251(e)).

$P_r$  is the maximum permissible interference level in dBW at the receiver input of the receiving station, and

$G_r$  is the isotropic gain in db of the antenna of the receiving station effective in the direction of the interfering transmitter, less feeder loss and polarization discrimination if applicable.

(2) When considering interference to telephone transmission systems, particularly in the case of systems using frequency modulation, it is convenient to operate in terms of the power densities in any 4 kc/s bandwidth. Therefore, in the case of interference from an earth station transmitter to terrestrial radio-relay systems,  $P_t$  is taken as the maximum power density in any 4 kc/s bandwidth supplied by the earth station transmitter to the transmission line input, and similarly  $P_r$  is the maximum permissible power density for any 4 kc/s bandwidth at the receiver input.

(3) When considering interference from a terrestrial transmitter to an earth station receiver, it is more convenient to consider  $P_t$  and  $P_r$  of formula (1) as total powers rather than power densities.

(4) It is assumed in calculating coordination distances for both cases in § 25.251(a) that the communication-satellite system is employing carrier energy dispersal techniques when lightly loaded.

(c) Calculation of Minimum Permissible Basic Transmission Loss. In any direction from the transmitting station, the required minimum value of permissible basic transmission loss ( $L_b$ ) is obtained from the following tables 1 and 2.

TABLE 1.—Interference from a Communication-Satellite Earth Station Transmitter to a Terrestrial Line-of-Sight Radio-Relay System

	Percentage of time	Values to be assumed for coordination
Permissible total interference in any telephone channel.....	0.01	-40 dbm0
Permissible interference from one earth station to one radio-relay system receiver, assuming four such non-simultaneous interference entries.....	0.0025	-40 dbm0
Receiver transfer characteristic assuming carrier energy dispersion to distribute interference uniformly over at least 300 kc/s bandwidth. Hence, maximum value of unwanted-to-wanted signal ratio at the receiver input.....	0.0025	1 db <sup>1</sup> (light loading worst case). -39 db
Minimum level of wanted signal at receiver input.....		-74 dBW <sup>1</sup>
Hence, permissible level of unwanted signal at receiver input, assuming carrier energy dispersion as above.....	0.0025	-113 dBW
Factor for conversion of interference bandwidth to 4 kc/s from 300 kc/s.....		-19 db
Hence, permissible level of unwanted signal at receiver input in any 4 kc/s bandwidth.....	0.0025	-132 dBW (per 4 kc/s).
Isotropic gain of radio-relay station antenna less feeder losses <sup>2</sup> .....		42 db
Isotropic gain of earth station antenna effective in the horizontal plane less feeder and polarization losses <sup>3</sup> .....	2.5	$G_{earth}$ db
Power supplied by earth station transmitter to the transmission line input per 4 kc/s bandwidth.....		$P_{earth}$ dBW
Earth station site-shielding factor if applicable.....		$F_s$ db
Minimum permissible basic transmission loss, $L_b$ (in decibels).....	0.1	$P_{earth} + G_{earth} - F_s + 174$ .

<sup>1</sup> These figures are taken from an example of a 960-channel line-of-sight radio-relay system but the maximum permissible unwanted signal level of  $-113$  dBW is almost independent of the number of channels carried.

<sup>2</sup> The value of 42 db given in table 1 should be used unless it is known that the terrestrial station receiving antenna gain is greater than 42 db, in which case the higher value should be used.

<sup>3</sup> For simplicity, the appropriate value of  $G_{earth}$  to be used shall be the maximum value obtained in the horizontal plane in the pertinent azimuthal direction rather than the value exceeded for 2.5 percent of the time. However, when site-shielding is allowed, the value to be used shall be that maximum value obtaining at the angle of elevation of the screening obstacle.

TABLE 2.—Interference from a Terrestrial Line-of-Sight Radio-Relay Transmitter to a Communication-Satellite Earth Station Receiver

Percentage of time	Values to be assumed for coordination
0.02	-38 dbmO
0.005	-38 dbmO
	10 db 1
0.005	-28 db
0.005	-117 dbW 1
	-146 dbW
5	$G_{earth}$ , db
	$F_s$ , db
	$F_{terr}$ , dbW
0.1	$P_{terr} + G_{earth} + F_s + F_{terr} + 145$

Permissible total interference in any telephone channel. Hence, permissible level of unwanted signal at the receiver input. Isotropic gain of earth station antenna effective in the horizontal plane.<sup>2</sup> Earth station site-shielding factor if applicable. Power supplied by terrestrial station transmitter to the transmission line input.

Minimum permissible basic transmission loss,  $L_b$  (in decibels).<sup>3</sup>

<sup>1</sup> These figures are taken from an example of a 1200-channel communication-satellite system, but the maximum permissible unwanted signal level of -146 dbW is almost independent of the numbers of channels carried.  
<sup>2</sup> For simplicity, the appropriate value of  $G_{earth}$  to be used shall be that maximum value obtained in the horizontal plane in the pertinent azimuthal direction rather than the value exceeded for 5 percent of the time. However, when site-shielding is allowed, the value to be used shall be that maximum value obtained at the angle of elevation of the screening obstacle.  
<sup>3</sup> The application of coordination procedures for frequency sharing of this type involves the preparation, by the entity desiring to set up an earth station, of equal-power contours of coordination distance in the various azimuthal directions for several discrete levels of radiated power from the terrestrial station.

(d) **Summary.** The formulae giving minimum earth station antenna gain at the angle of elevation,  $\Theta$ , rather than the maximum gain along the horizontal.

(2) As previously discussed, where site-shielding applies, the value of required basic transmission loss,  $L_b$ , may be reduced by a site-shielding factor,  $F_s$ , expressed in decibels. The following values of site-shielding factor shall apply when the obstacle limiting the angle of elevation is situated more than 5 kilometers away from the earth station.

Minimum angle of elevation, $\Theta$ , of obstacle, as seen from earth station	Allowable value of site-shielding factor, $F_s$ , in decibels
Below 1°	0
Between 1° and 3°	5
Between 3° and 5°	8
Between 5° and 8°	11
Between 8° and 13°	13
More than 13°	15

**NOTE 1:** In the case of nearer obstacles the values of site-shielding factor which apply may be obtained by multiplying the tabulated values by the fraction  $d/5$ , where  $d$  is the distance from the earth station to the obstacle in kilometers.  
**NOTE 2:** The values of site-shielding factor shall be used with caution where terrestrial

stations may be located, within coordination distance, at sites which are substantially above the horizontal plane passing through the earth station.

cerned, hence the further length in the second zone can be found. The total path length, or coordination distance, is the sum of the two path lengths. Figures 3, 4, and 5 cover all cases of mixed paths in two zones as follows:

- Figure 3: Zones A and B.
- Figure 4: Zones A and C.
- Figure 5: Zones B and C.

An example of the coordination distance calculation for a mixed path is worked out in paragraph (h) of this section.

(3) In certain geographical areas where propagation losses are known to be less than the values given by the pertinent zonal propagation curves, coordination distances should be calculated on the basis of the known propagation data.

(h) **Example of Coordination Distance Calculation for a Mixed Path.** (1) The procedure to be followed in the case of a mixed path is illustrated by the following example, in which it is assumed that a basic transmission loss of 190 db is required to avoid interference from an earth station to terrestrial services in a given direction.

(2) As shown in the diagram in Figure 6, the earth station is situated 50 km. from the coast and there is an oversea path of 150 km. before the coastline of neighboring country is reached. It is required to find the coordination distance from the earth station in the given direction using the mixed paths propagation chart in Figure 6. The procedure is as follows:

- (i) Starting from the origin, the distance of 50 km. from the earth station to the coastline is set off along the A axis of the chart as indicated by the point A.
- (ii) The oversea path length of 150 km. is then set off parallel to the B axis of the chart as indicated by the point B.
- (iii) The further overland distance required is then measured parallel to the A axis from the point B to the point of intersection with the 190 db curve, as indicated by X. This distance is found to be 90 km.
- (iv) The coordination distance is the sum of the A and B coordinates of the point X and is equal to  $50 + 150 + 90 = 290$  km.

(f) **Equivalent Basic Transmission Loss at 4 Gc/s ( $L_b'$ ).** The propagation data considered in paragraph (g) of this section relates to the frequency of 4 Gc/s and it is therefore in general necessary to convert the minimum permissible basic transmission loss ( $L_b$ ) into an equivalent loss at 4 Gc/s ( $L_b'$ ) before using these data to find the coordination distance. The equivalent loss in decibels at 4 Gc/s is given by:

$$L_b' = L_b + 13 - 21.6 \log_{10} f$$

where  $f$  is the assigned frequency in Gc/s. This relationship is shown in Figure 1 of paragraph (h) of this section.

(g) **World Radio-Climatic Conditions and Propagation Data.** (1) The propagation curves of Figure 2 are labelled Zone A, Zone B, and Zone C, and correspond to the various basic radio-climatic regions of the world as follows:

- Zone A: Land
- Zone B: Sea, at latitudes greater than 23.5° N. and 23.5° S.
- Zone C: Sea, at latitudes between 23.5° N. and 23.5° S. inclusive.

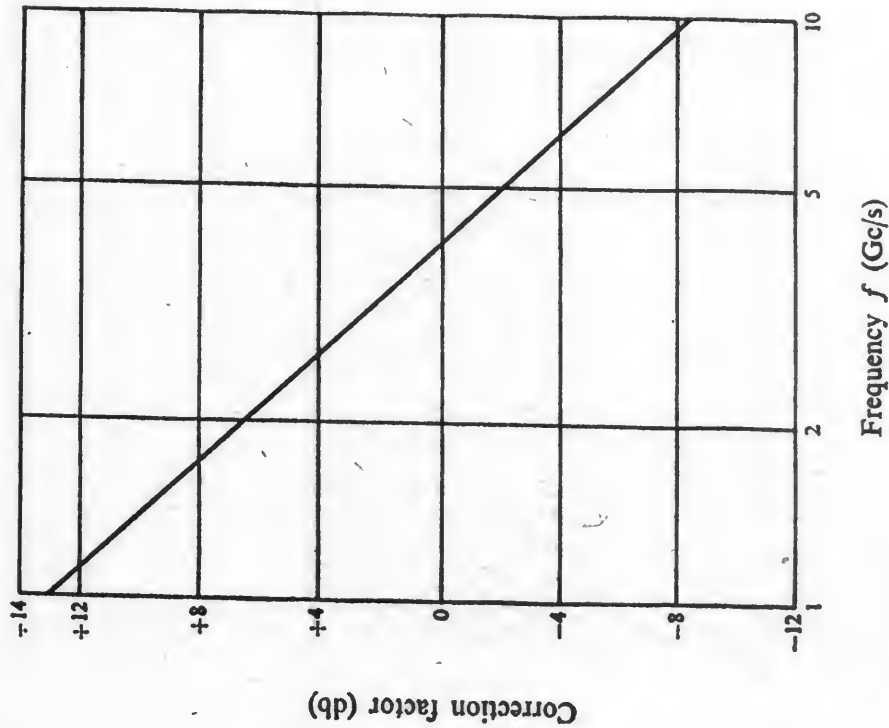
(2) In any direction from the earth station the required coordination distance is found as follows:

(1) If the equivalent basic transmission loss  $L_b'$  is such that the coordination distance in the given direction lies wholly within one of the zones, the coordination distance may be obtained directly from Figure 2 using the appropriate curve:

- (i) If the coordination distance lies partly in one zone and partly in another, the curves for mixed paths, Figures 3, 4, and 5 should be used. These curves show the loss  $L_b'$  as a function of the path length in each of the two zones separately. Thus, if the path length in one zone and the required loss are known, the path length in the other zone can be determined. The path length in the first zone is the known distance from the earth station to the zone boundary in the direction con-

Correction Factor to be Added to the Required Loss  $L_b$  at Frequency  $f$  to Obtain the Equivalent Loss  $L'_b$  at 4 Gc/s

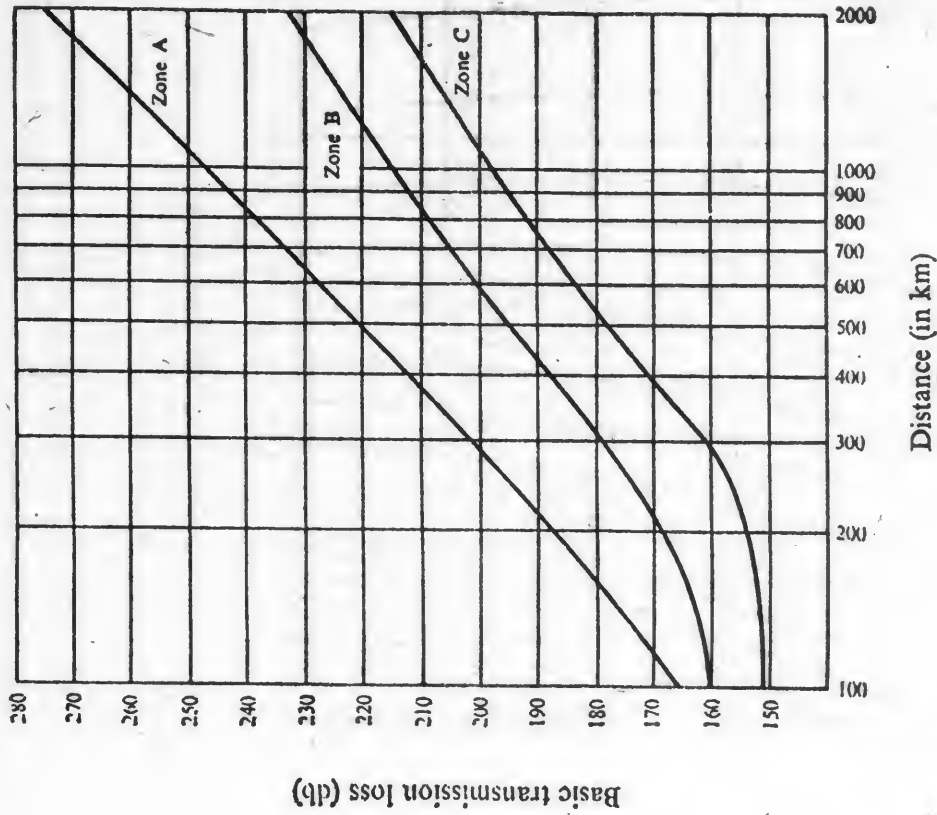
$L'_b = L_b + \text{correction factor}$



FCC §25.251(h), Figure 1

Simplified Tropospheric Propagation Curves for Calculation of Co-ordination Distance.

Basic Transmission Loss not Exceeded for 0.1% of the Time at 4 Gc/s



FCC §25.251(h), Figure 2

Chart for Co-ordination Distance Calculations  
Mixed Paths in Zones A and C

Basic transmission loss not exceeded for 0.1% of the time at 4 Gc/s,  $L_b$  (db)

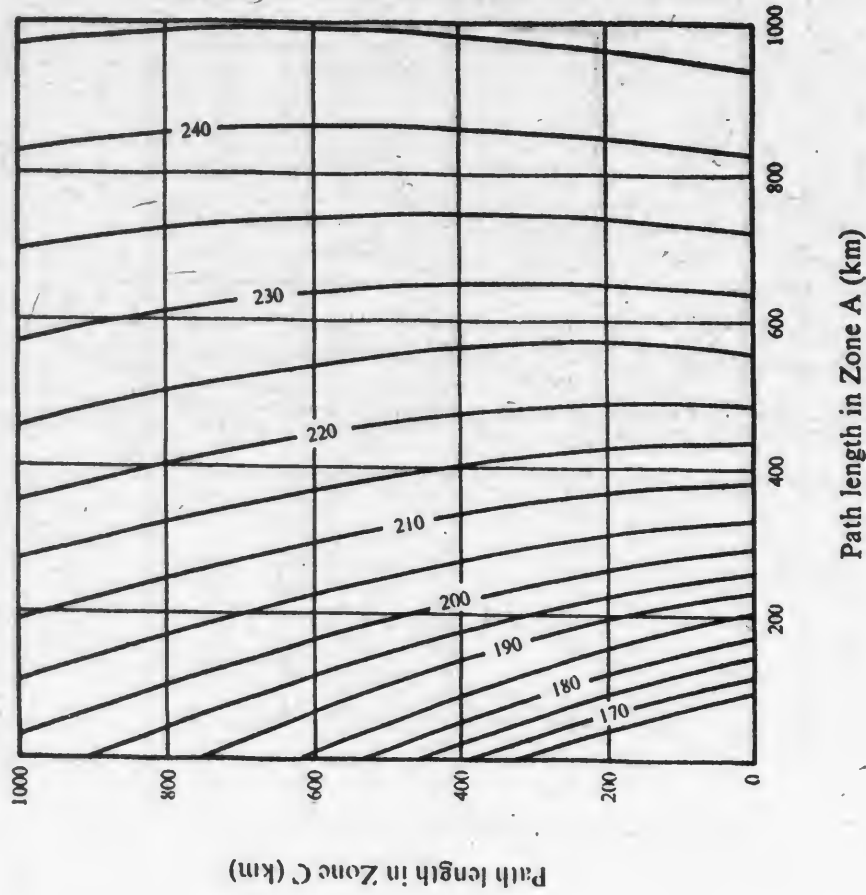
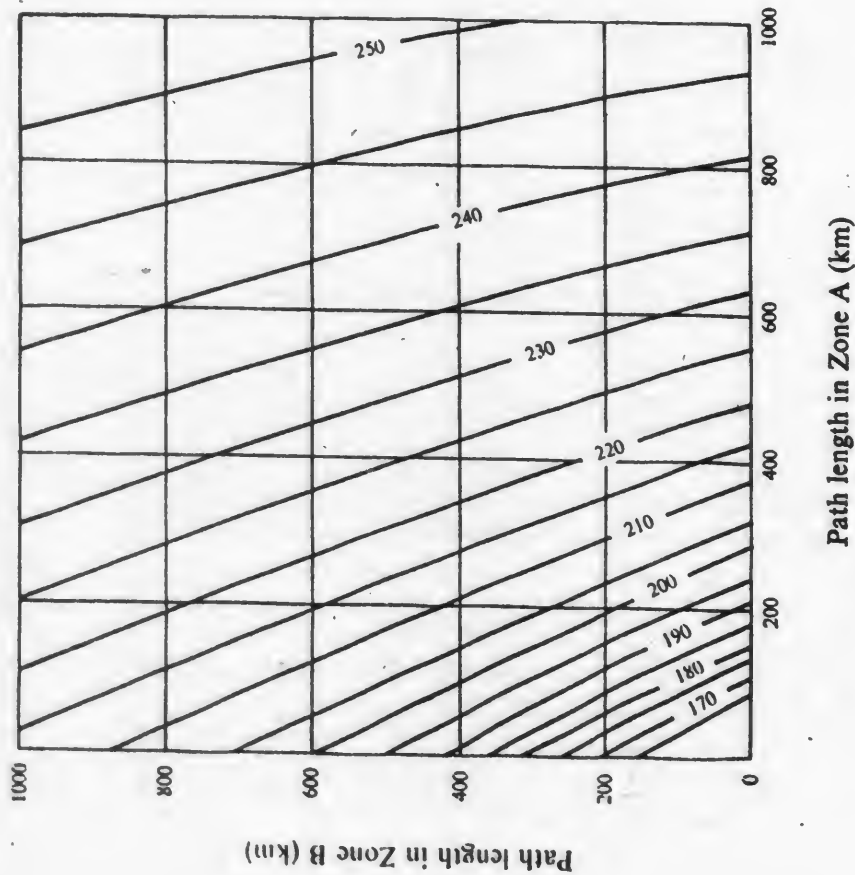


Chart for Co-ordination Distance Calculations  
Mixed Paths in Zones A and B

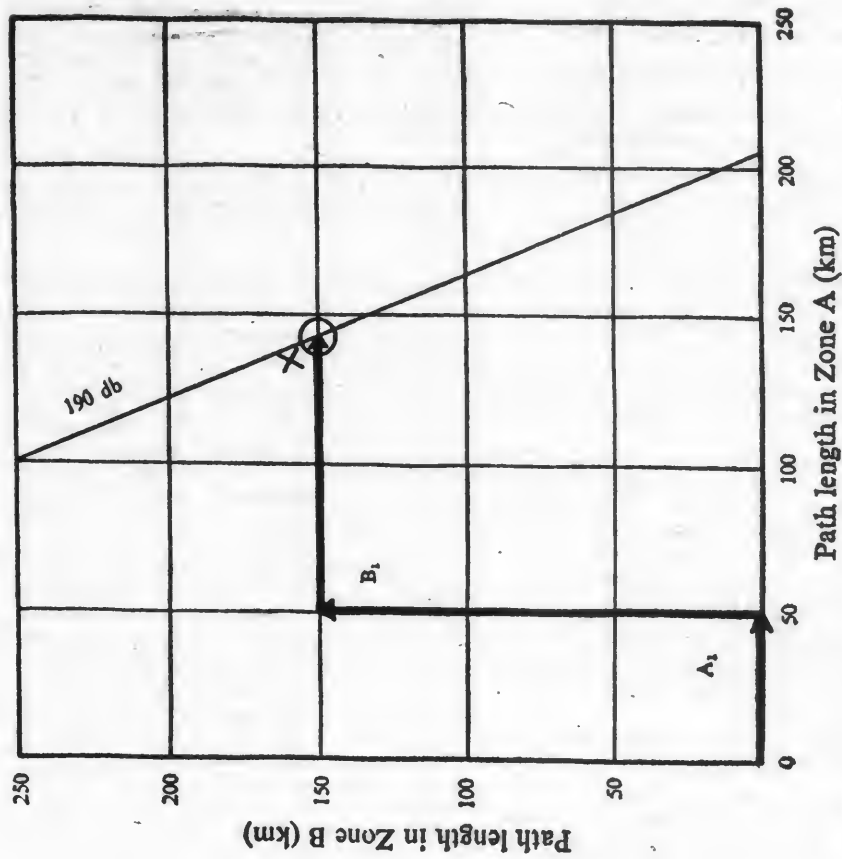
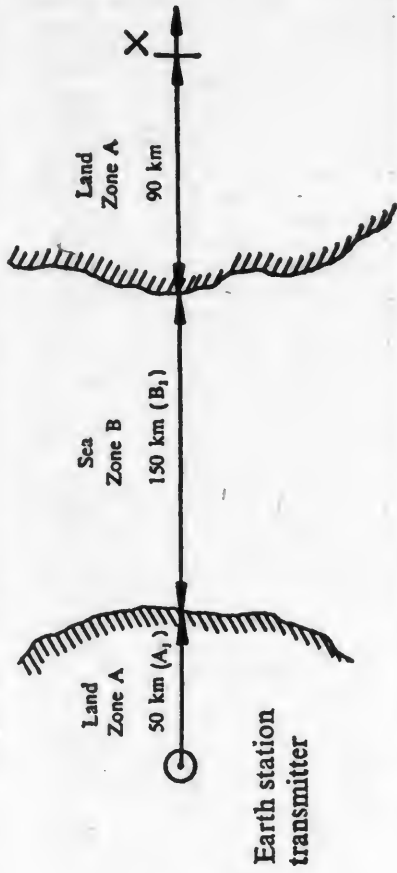
Basic transmission loss not exceeded for 0.1% of the time at 4 Gc/s,  $L_b$  (db)



FCC §25.251(h), Figure 4

FCC §25.251(h), Figure 3

Example of Co-ordination Distance Calculation for Mixed Paths

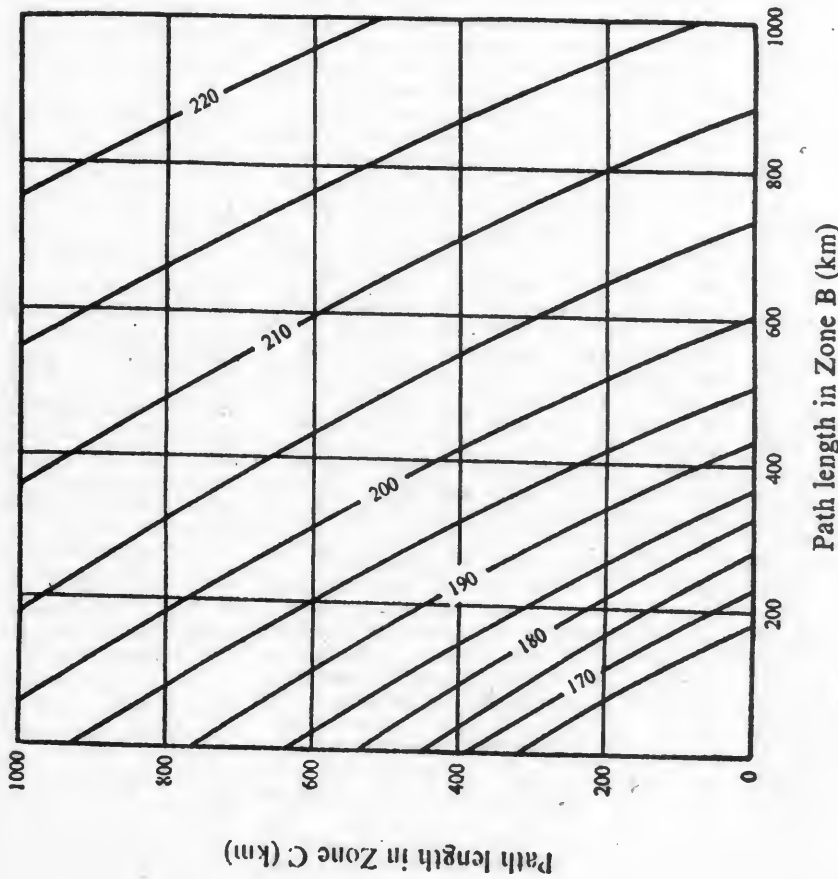


FCC §25.251(h), Figure 6

[F.R. Doc. 64-12867; Filed, Dec. 15, 1964; 8:45 a.m.]

Chart for Co-ordination Distance Calculations Mixed Paths in Zones B and C

Basic transmission loss not exceeded for 0.1% of the time at 4 Gc/s, L<sub>0</sub> (db)



FCC §25.251(h), Figure 5

## [ 47 CFR Part 25 ]

[Docket No. 15735; FCC 64-1122]

## SATELLITE COMMUNICATIONS

## Notice of Proposed Rule Making or Formulation of General Policy

In the matter of amendment of Part 25 of the Commission's rules and regulations with respect to ownership and operation of initial earth stations in the United States for use in connection with the proposed global commercial communication-satellite system, Docket No. 15735, RM-644.

1. Notice is hereby given of proposed rule making or formulation of a general policy statement in the above entitled matter.

2. The Commission has before it for consideration a Petition for Rule Making filed on August 13, 1964, by the Communications Satellite Corporation (ComSat). The petition requests the Commission to institute a rule making proceeding looking toward the adoption of a rule which would limit to ComSat ownership and operation of the earth stations initially required to link the United States with the contemplated global commercial satellite system.

3. The text of the rule proposed by ComSat reads as follows:

The Commission will consider an application pursuant to section 201(c)(7) of the Communications Satellite Act of 1962, for authorization to construct, own, or operate a satellite terminal station<sup>1</sup> only if the applicant is the Corporation authorized by Title III of said Act, except that, under either of the conditions set forth, the Commission will consider an application for such authorization filed by an authorized carrier:

A. If such an application is filed after there has been constructed and placed in operation by the Corporation, pursuant to authorization theretofore granted by the Commission, a satellite terminal station in each of the following areas, namely: the northeastern part of the United States, the northwestern part of the United States, and the State of Hawaii, or

B. If, upon a proper showing by the applicant, the Commission finds that the Corporation has failed within a reasonable time to file application for authorization to construct satellite terminal stations in the above-mentioned areas or has failed to proceed diligently with the construction of satellite terminal stations which have been authorized by the Commission.

<sup>1</sup> Attention is invited to the fact that the term "satellite terminal station" appears in the Communications Satellite Act of 1962 (76 Stat. 419). In the Final Acts of the Extraordinary Administrative Conference (Geneva 1963), ratified by the President on March 18, 1964, these stations are referred to as "earth stations". It is, therefore, proposed that the more recent terminology adopted for international usage be employed here.

4. Statements in opposition to the petition were filed by American Communications Association (ACA), American Telephone and Telegraph Company (AT&T), Hawaiian Telephone Company (Hawaiian), ITT World Communications, Inc. (ITT), Radio Corporation of America (RCA), United States Independent Telephone Association (USITA), and Western Union International, Inc. (WUI). A statement in support of the petition was filed by Western Union

(WU). In addition ComSat filed a reply to the statements in opposition.

5. The proposed rule is directed toward the implementation of section 201(c)(7) of the Communications Satellite Act of 1962 (Satellite Act) which provides:

(c) the Federal Communications Commission, in its administration of the provisions of the Communications Act of 1934, as amended, and as supplemented by this Act, shall—

(7) grant appropriate authorizations for the construction and operation of each satellite terminal station, either to the corporation (ComSat) or to one or more authorized carriers or to the corporation and one or more such carriers jointly, as will best serve the public interest, convenience, and necessity. In determining the public interest, convenience, and necessity the Commission shall authorize the construction and operation of such stations by communications common carriers or the corporation, without preference to either;

6. The petition stresses the need for a prompt resolution of the question of earth station ownership and operation. In this connection, it recites that the research and development program undertaken by ComSat for the establishment of a global communication-satellite system contemplates that initial launches of communication satellites for the basic system are scheduled for mid-1966. It is estimated that it will require between 18 and 24 months to design and construct earth stations suitable for operational use in the system. Hence, ComSat urges that construction should commence promptly if present plans are to be realized.

7. On technological grounds, ComSat contends that the proposed rule would serve the public interest by expeditiously implementing the national communication satellite program consistent with the present state of technology and the purpose and objectives of the Satellite Act. It avers that only a limited number of earth stations can be used effectively during the initial stage of development and operation of the system. It further avers that the limitation is due to the fact that with existing technology, the channel capacity of communication satellites decreases as the number of earth stations simultaneously communicating with it increases. This is what has become known as the "multiple access" problem. It is alleged that until the constraint imposed on multiple access to a communication-satellite system is removed, a proliferation of earth stations in the U.S. would adversely affect the systems' channel capacity and quality of service.

8. The statutory responsibilities of ComSat coupled with its recently acquired international obligations under the International Agreement Establishing Interim Arrangements for a Global Commercial Communications Satellite System are also advanced as reasons in support of initial single entity ownership and operation of United States earth stations. The petition recites that pursuant to statutory directives (section 305(a)(b) of the Satellite Act) interim arrangements have been completed under which an international consortium of communication entities will own and

operate the space segment of the global system. Under the terms of the Interim Agreement, ComSat will represent the United States on the Interim Committee of the consortium which will be responsible for the design, development, construction, establishment, and operation of the space segment of the system. ComSat will also act as manager of the space segment. Given this posture, it is contended that single entity ownership of U.S. earth stations will best serve the public interest during the interim period of operation by fostering close and essential coordination in the design, construction and operation of such stations among all participants in the system.

9. Absent earth station ownership, ComSat believes that its statutory mission under the Satellite Act and its role as the U.S. participant in the global system will be rendered relatively ineffective. In this connection, it is pointed out that the communications entities of other nations whose representatives will be the initial members of the Interim Committee, now own, or will own and operate, or will make the determinations with respect to earth stations to be located in their respective countries. Accordingly, it is urged that ComSat should be permitted to own and operate the initial U.S. earth stations in order to maintain parity with other participating nations so as to enable it to meet effectively its multifaceted obligations.

10. In its statement in support of the petition, Western Union alleges that ownership and operation of earth stations by ComSat would achieve more effective coordination between earth stations and satellites and would provide the system with a capability of establishing and maintaining reasonably uniform costs per voice channel.

11. The views expressed in the statements filed in opposition to the petition, fall into four general categories. First, respondents maintain that the petition fails to demonstrate a need for the rule at this time. Secondly, it is argued that adoption of the proposed rule would violate the purpose and intent of section 201(c)(7). It is contended that the language and legislative history of section 201(c)(7) manifests an intent of Congress that each earth station authorization must be determined by the Commission on a case-by-case, station-by-station basis through the exercise of its adjudicatory processes. Thirdly, the proposed rule is challenged as being too broad and general to permit a public interest finding to support it. Finally, it is argued that adoption of the rule would create a monopoly in ComSat, destructive of existing competition in the field of telecommunications and contrary to the policies of the Satellite Act.

12. ComSat's reply reiterates the need for a prompt resolution of the earth station question. While it would prefer to commence its earth station program after the basic system choice has been made it insists that this is not possible because of the lead time required to design and construct earth stations to meet the scheduled basic system launch date of mid-1966.

13. In answer to the legal objections of proceeding by rule making, it maintains that the Commission has broad discretion to determine the earth station question in such manner that meets the test of fairness required by section 201(c)(7) of the Satellite Act and such other applicable requirements of law and is not limited solely to the use of its quasi-judicial processes.

14. As an alternative to rule making, ComSat suggests a "two-stage" licensing procedure in which ownership eligibility could be determined in the first stage and determinations as to the number, location, etc. of earth stations would be left to the second stage. ComSat believes that either through rule making or the so-called "two-stage" licensing procedure, all interested parties could be allowed the opportunity to present their respective views regarding earth station ownership through written proposals and oral argument. Thereafter, on the basis of the record thus developed, the Commission could adopt a rule or policy with respect to eligibility without incurring undue delays inherent in an evidentiary hearing.

15. We have carefully considered the argument that there is no need to proceed promptly in this matter. Such argument overlooks the national policy expressed in the Satellite Act that the satellite system is to be put into operation "as expeditiously as practicable." We feel that we are obligated by law and express policy to take every step we reasonably can to assure that earth stations will be available and ready for use when the satellites for the basic system are ready to be launched. Thus, appropriate action must be taken now.

16. The main thrust of the opposition to the suggestion that we engage in a rule making proceeding is that section 201(c)(7) of the Satellite Act contemplates that earth station applications will be filed with and assessed by the Commission. But the argument among the parties appears to us to ignore the real substance of the important question before the Commission. Congress left no doubt as to its legislative intent in section 201(c)(7):

It is for this reason that the second sentence that appears in S. 2814, section 201(c)(7), as reported by the Senate Aeronautical and Space Committee, which provides that the Commission should "encourage" establishment of ground stations by the carriers has been changed to provide that there shall be no preference shown either to the corporation or the carriers.

The intention of this change in language is to make clear that there is no legislative prejudgment as to who shall establish a ground terminal station. The Commission is authorized to give full consideration to all relevant technological, economic, and operating factors in determining what meets the public interest, convenience, and necessity (Sen. Rept. No. 1584, 87th Cong., 2d Sess., p. 18).

We are thus called upon to make judgment upon all the public interest considerations and without giving any undue preference, because of a legislative direction, either to ComSat or the carriers. Further, there is no indication that Congress in any way specified a particular procedure to be followed in making that judgment or withdrew any one procedure

(i.e., rule making). See Satellite Act, section 201(c)(11); Communications Act of 1934, as amended, sections 303(r) and 4(i); Sen. Rept. No. 1584, at p. 18. What it wanted was simply that the judgment encompass all relevant public interest considerations and be carried out "as expeditiously as practicable".

17. The crucial point is that the Commission should forthwith proceed to consider the relevant public interest considerations. The forum in which this is done is of lesser importance and indeed should be left flexible at this point. We think, therefore, that we should proceed with detailed written presentations. After consideration of such presentations (and any other procedures found to be desirable, e.g., oral argument; possible examination of some witnesses; informal discussions with all the interested parties present), we can decide whether adoption of a rule is appropriate, or whether formulation of a policy may be the best procedure,<sup>2</sup> or, finally, whether our decision should be to pursue individual licensing proceedings, without any prior formulation of policy, either through rule or statement.

18. We have therefore captioned this proceeding a notice of proposed rule making or formulation of general policy. In this way, we shall be in a position to take whatever action is appropriate without delay, consistent with the Congressional mandate for expedition. As to the substance of the rule or policy to be considered, we feel that at this stage we should not confine ourselves to a consideration of only one of the possibilities open to us. If we are to proceed to establish criteria governing the issuance of earth station authorizations, we feel the proposed rule making or general policy should encompass the entire field so that we may be advised with respect to the merits of each possibility. Accordingly, we will not limit our present procedures to a consideration of a rule of the limited scope proposed by ComSat. Instead, as set forth more fully in Paragraph 19, infra, we are seeking suggestions with respect to each of the possibilities available to us.

19. There are thus three possible courses of action open to us:

- a. Adoption of rules;
- b. Adoption of a general policy; and
- c. Invitation to file applications for specific earth stations.

As stated, this proceeding is designed to afford interested parties the opportunity to advance full and detailed arguments concerning the merits of the ownership issue before the Commission and the method best designed to make that public interest determination. Those

<sup>2</sup> Here we note that adoption of such a policy, if it can be appropriately formulated in this docket proceeding, does not mean that a lengthy evidentiary hearing is required as a matter of right in any subsequent licensing action dealing with specific applications. Evidentiary hearings are needed only where it is necessary to the public interest judgment to resolve factual issues. Where there is a valid, overriding policy making resolution of any factual issues unnecessary, no hearing would be called for. Here again this is a question which must await the developments on the merits.

who favor either the adoption of rules or a general policy statement should, in particular, address themselves to the following basic questions:

- (1) Who should be eligible to file applications under such a rule or general policy statement,
  - (a) ComSat alone;
  - (b) A communications carrier alone;
  - (c) ComSat and one or more carriers jointly;
  - (d) One or more carriers jointly;
  - (e) Any other alternatives possible under section 201(c)(7) of the Act?

(2) For what period of time should such a rule or general policy statement be effective?

(3) Each entity responding to one of the courses set forth above should show how its recommendations would:

- (a) Provide uniform and nondiscriminatory access to the satellite system;
- (b) Affect the expeditious establishment of the system;
- (c) Affect the cost per voice channel;
- (d) Provide for the most efficient use of the available frequencies;
- (e) Affect the capability of the system to adapt to technical changes and expansion of the system to meet global needs;

(f) Affect the existing competitive situation in providing service to the public;

(g) Affect the ability of ComSat to discharge its statutory obligations as well as those under the Agreement Establishing Interim Arrangements for a Global Communications Satellite System, signed by the United States on August 20, 1964, and the Special Agreement signed by ComSat as the United States designated signatory on the same date;

(h) Affect the ability of the carriers to discharge their duty to provide worldwide and national service at reasonable charges;

(i) Affect the cost and efficiency in controlling the space segment of the system;

(j) The manner and method of the proposed operation.

(4) Set forth in detail the functions to be performed by the earth station including those necessary for connection to terrestrial services.

20. Those advocating a rule or general policy statement should also suggest the specific terms of the rule or general policy statement. It should be clearly understood that if a rule or general policy is adopted limiting the acceptance of applications, it still will be necessary for those eligible under such rule or policy to file specific applications and demonstrate that, in addition to basic eligibility under such rule or policy, they meet the specific criteria all applicants for licenses must satisfy. It follows that all interested parties would be afforded an opportunity to comment on such applications.

21. Those who advocate proceeding via the individual licensing route only should be prepared to show how such procedure would best serve the public interest, and specifically:

- a. How the necessary research and development reasonably may be expected to be instituted and continue under such a course;

b. How site selection and building of the station(s) can proceed expeditiously;  
 c. When applications reasonably may be perfected for filing;

d. How processing of application and possible hearings can be completed in time to assure that a completed station will be available when the satellites of the basic system are ready for launch.

22. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before the 5th of January 1965, and reply comments on or before the 18th of January 1965. All submissions by parties to this proceeding or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

23. Authority for the amendment herein proposed is contained in sections 201(c)(7) and 201(c)(11) of the Communications Satellite Act of 1962 (47 USC 701 et seq.) and sections 4 (i) and (j) and 303 of the Communications Act of 1934, as amended.

24. In accordance with the provisions of § 1.419 of the Commission rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: December 9, 1964.

Released: December 10, 1964.

FEDERAL COMMUNICATIONS  
 COMMISSION,<sup>2</sup>

[SEAL] BEN F. WAPLE,  
 Secretary.

[F.R. Doc. 64-12872; Filed, Dec. 15, 1964;  
 8:46 a.m.]

[ 47 CFR Part 73 ]

[Docket No. 15737; FCC 64-1141]

FM BROADCAST STATIONS

Proposed Table of Assignments for  
 Augusta, Portland, and Sanford,  
 Maine

In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Augusta, Portland, and Sanford, Maine), Docket No. 15737, RM-664.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has before it for consideration a petition for rule making (RM-664) filed on September 24, 1964, and amended on October 2, 1964, by Guy Gannett Broadcasting Services, licensee of Stations WGAN(AM) and WGAN-TV, Portland, Maine. Petitioner requests the institution of rule making looking toward the assignment of a Class C FM channel to Portland, with changes in the Table of Assignments as follows:

City	Channel No.	
	Present	Proposed
Portland, Maine.....	243, 250, 270	250, 270, 275
Augusta, Maine.....	267, 272A	267, 283
Sanford, Maine.....	276A	244A

3. Portland is located in Zone I and so the listed assignments are all Class B

<sup>1</sup> Commissioner Lee absent.

assignments. Station WLOB-FM operates on Channel 250 and an application is on file for Channel 270. The existing station and the applicant both have facilities much less than the maximum for a Class B station (50 kw and 500 feet a.a.t.). Guy Gannett urges that Portland, a city of over 120,000 people, does not have adequate FM service. It points out that it has attempted since December 1962, to operate an FM station which will fill the void and has concluded that the best way to provide this service is from a transmitter located at its WGAN-TV site, approximately 22 miles northwest of the center of Portland and situated in Zone II. Guy Gannett submits that the proposal conforms to all the domestic separation requirements. It would substitute a Class B assignment for a Class A in Augusta, Maine, thus providing two Class B Channels in that community.

4. Since the communities in question are within 250 miles of the United States-Canadian border, the proposed changes require coordination with the Canadian Government under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963. The Canadian authorities have indicated that they have no objections to the proposed changes under certain specific conditions: That the proposed station on Channel 275 at Portland be limited to 100 kilowatts ERP and 1,513 feet antenna height above average terrain (the facilities proposed by petitioner) and that the Commission would have no objection to the future operation of Station CHLT-FM on Channel 274C1, Sherbrooke, Quebec, with 100 kilowatts ERP and 1,851 feet antenna height above average terrain.

5. We are of the view that rule making should be instituted on the subject petition and invite comments on the proposal in order that interested parties may submit their views and relevant data.

6. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

7. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before January 8, 1965, and reply comments on or before January 18, 1965. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

8. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: December 9, 1964.

Released: December 10, 1964.

FEDERAL COMMUNICATIONS  
 COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
 Secretary.

[F.R. Doc. 64-12873; Filed, Dec. 15, 1964;  
 8:47 a.m.]

<sup>2</sup> Commissioners Lee and Cox absent.

INTERSTATE COMMERCE  
 COMMISSION

[ 49 CFR Part 170 ]

[Ex Parte No. MC-37 (Sub-No. 10)]

WARREN, OHIO, COMMERCIAL  
 ZONE

Proposed Definition

DECEMBER 11, 1964.

Petitioners: General Motors Corporation, Interstate Motor Freight System, Modern Transfer Company, Inc., A.C.E. Freight, Inc., Yellow Transit Freight Lines, Inc., Lyons Transportation Lines, Inc., Norwalk Truck Lines, Inc., The Service Transport Co., C.A.B.Y. Transportation Company, Wilson Freight Forwarding Company, Middle Atlantic Transportation Co., Inc., Federal Express, Inc., Kramer-Consolidated Freight Lines, Inc., Eastern Express, Inc., All States Freight, Inc., Roadway Express, Inc., Great Lakes Express Co., The Mahoning Express Company, The Lake Shore Motor Freight Co., Consolidated Freightways, Inc., Wenham Transportation, Inc.; petitioners' attorneys: Aloysius F. Power and Walter R. Frizzell, 3044 West Grand Boulevard, Detroit, Mich., 48202, Walter N. Bieneman, Suite 1700, One Woodward Avenue, Detroit, Mich., 48226.

By petitions filed November 23, 1964, petitioners request the Commission to institute a proceeding for the purpose of specifically defining the limits of the zone adjacent to and commercially a part of Warren, Ohio, which are now prescribed by the general formula promulgated in *Commercial Zones and Terminal Areas*, 46 M.C.C. 665 (49 CFR 170.16). Such formula provides that a city such as Warren, having a population of 25,000 but less than 100,000, and which has not been accorded individual consideration, shall have a commercial zone which consists of, and includes, the following: (a) The municipality itself; (b) all municipalities in the United States which are contiguous to the base municipality; (c) all unincorporated areas within 4 miles of its corporate limits and all of any other municipality any part of which is within 4 miles of the base municipality; and (d) all municipalities wholly surrounded, or so surrounded except for a water boundary, by the base municipality.

The instant petitions request a specific definition of the Warren commercial zone so as to include all of the area which is included by the application of the above formula and, in addition, Lordstown Township, in Trumbull County, Ohio. A portion of Lordstown Township is within the zone as presently determined.

No oral hearing is contemplated at this time, but anyone wishing to make representations in favor of, or against, the above-proposed specific destination of the limits of the Warren, Ohio, commercial zone, may do so by the submission of written data, views, or arguments. An original and five copies of such data, views, or arguments shall be filed with



the Commission on or before January 25, 1965.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 64-12900; Filed, Dec. 15, 1964;  
8:48 a.m.]

# Notices

## POST OFFICE DEPARTMENT

### CERTAIN DESIGNATED OFFICIALS

#### Redelegation of Authority With Respect to Real Property Management

The following is the text of Order No. 255 of the Assistant Postmaster General, Bureau of Facilities, dated December 2, 1964:

Assistant Postmaster General, Bureau of Facilities, Order No. 252, dated August 20, 1964, Paragraph E (29 F.R. 12884), is amended to read as follows:

E. *Miscellaneous expenditures.* To purchase personal property or services or pay fees necessary in the performance of the authority herein delegated but limited to committing the Government for title commitments, land surveys, real estate appraisals and to the purchase of maps and/or photographs where the cost of such property, service or fee does not exceed \$500.00, and to authorize payment of same, except that not more nor less than \$1.00 shall be paid as consideration for an option to purchase land.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 309, 501)

LOUIS J. DOYLE,  
*General Counsel.*

[F.R. Doc. 64-12865; Filed, Dec. 15, 1964;  
8:46 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### OREGON

#### Redelegation of Authority to District Managers and Certain Other Officials

DECEMBER 7, 1964.

Bureau Order No. 698, as amended, delegates to the State Director the authority to enter into certain contracts and leases. Section 2 of the cited Bureau Order further authorizes the State Director to redelegate these authorities to designated qualified employees. The contracting authorities redelegated by the State Director under Bureau Order No. 698, together with restrictions and limitations outlined in paragraph 3 below, are as follows:

1. *Redelegation.* The following classes of employees are authorized to enter into contracts for construction, supplies (including the rental of equipment), or services in amounts not to exceed \$2,000 as provided in 205 DM 11.1 A & B.

District Managers.  
Land Office Managers.  
Officer-in-charge at Spokane and Tillamook.  
Chief, Division of Administration.  
District Administrative Assistants.  
Administrative Assistant, Spokane Field Office.

2. *Exceptions.* There is no dollar limitation for the above designated employees

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if the contract is for supplies or services from prescribed or mandatory sources of supply, such as

a. GSA for stores items.  
b. Existing GSA or BLM open-end contracts for tires, equipment repair, etc.  
3. *Limitation or restrictions.* Contracts or other procurements entered into under these authorities must conform with applicable regulations and statutory requirements and are subject to the availability of appropriations. The authority so redelegated shall be exercised in accordance with the applicable limitations in the Federal Property and Administrative Services Act of 1949, as amended, and in accordance with applicable policies, procedures and controls prescribed in the General Services Administration.

RUSSELL E. GETTY,  
*State Director.*

[F.R. Doc. 64-12866; Filed, Dec. 15, 1964;  
8:46 a.m.]

### Bureau of Reclamation

#### CERTAIN GREEN MOUNTAIN RESERVOIR STORAGE, COLORADO-BIG THOMPSON PROJECT

#### Reservation for Silt Project, Colorado River Storage Project

Consistent with, and subject to, the Findings of Fact and Conclusions of Law, the Stipulation and Final Judgment and Final Decree entered in Civil Cases numbered Civil No. 2782, Civil No. 5016, and Civil No. 5017, on October 12, 1955, and the Consent Decree entered April 16, 1964, stored water is to be reserved in Green Mountain Reservoir in accordance with the following understanding:

1. There is reserved annually (with no carry-over right) for use of the Silt Project 5,000 acre-feet of stored water or such lesser amount as may be required to be released on demand for project use.

2. The first use of such allotted water will commence during the year in which construction of the Silt Project is completed, now scheduled in 1966.

3. Power replacement shall be accomplished as follows: The Colorado River Storage Project shall replace any power losses to the Colorado-Big Thompson Project arising from the use of such allotment so that net power revenues to the Colorado-Big Thompson Project will be equal to the revenues that would have accrued to the Colorado-Big Thompson Project without construction of the Silt Project. This replacement shall be accomplished through an interchange of Colorado River Storage Project power generation with Green Mountain power generation.

Recommended for approval:

Dated: October 5, 1964.

F. M. CLINTON,  
*Regional Director, Region 4.*

Dated: October 9, 1964.

H. P. DUGAN,  
*Regional Director, Region 7.*

Dated: November 5, 1964.

WILBUR P. KANE,  
*Acting Commissioner.*

Approved as to legal sufficiency:

Dated: October 20, 1964.

FRANK J. BARRY,  
*Solicitor.*

Approved:

Dated: November 25, 1964.

STEWART L. UDALL,  
*Secretary of the Interior.*

[F.R. Doc. 64-12867; Filed, Dec. 15, 1964;  
8:46 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 14274]

### EXCESS BAGGAGE CHARGES

#### Investigation; Notice of Reassignment of Prehearing Conference

Pursuant to direction of the Board in Order E-21564, dated December 7, 1964, the prehearing conference which was previously postponed until further notice is hereby reassigned to be held at 10:00 a.m., e.s.t., January 12, 1965, in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., December 10, 1964.

[SEAL] MILTON H. SHAPIRO,  
*Hearing Examiner.*

[F.R. Doc. 64-12912; Filed, Dec. 15, 1964;  
8:49 a.m.]

[Docket No. 15714]

### UNITED AIR LINES

#### Enforcement Proceeding; Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled matter is assigned to be held on January 26, 1965, at 10:00 a.m., e.s.t., in Room 726, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C., before Examiner William J. Madden.

Dated at Washington, D.C., December 11, 1964.

[SEAL] FRANCIS W. BROWN,  
*Chief Examiner.*

[F.R. Doc. 64-12913; Filed, Dec. 15, 1964;  
8:49 a.m.]

**WINGS AND WHEELS EXPRESS, INC.**  
**Notice of Application for Tariff-Filing Authority; Pick-Up and Delivery Zone**

DECEMBER 11, 1964.

In accordance with Part 222 (14 CFR Part 222) of the Board's Economic Regulations (effective June 12, 1964), notice is hereby given that the Civil Aeronautics Board has received an application, Docket 15740, from Wings and Wheels Express, Inc., 142-42 41st Avenue, Flushing, N.Y., for authority to provide true pickup and delivery service of air freight shipments between Boston, Mass., on the one hand, and Providence, R.I., and New Bedford-Fall River, Mass. (including pickup and delivery points in the terminal area) on the other hand, and between Boston, Mass., on the one hand, and Attleboro, North Attleboro, North Dighton, and Taunton, on the other hand.

Under the provisions of § 222.3(c) of Part 222, interested persons may file an answer in opposition to or in support of this application within fifteen (15) days after publication of this notice in the FEDERAL REGISTER. An executed original and nineteen copies of such answer shall be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428. It shall set forth in detail the reasons for the position taken and include such economic data and facts as are relied upon, and shall be served upon the applicant and state the date of such service.

[SEAL] HAROLD R. SANDERSON,  
*Secretary.*

[F.R. Doc. 64-12914; Filed, Dec. 15, 1964; 8:49 a.m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket Nos. 15535, 15536; FCC 64M-1236]

**NELSON BROADCASTING CO. AND UBIQUITOUS FREQUENCY MODULATION, INC.**

**Order Continuing Hearing**

In re applications of Donald P. Nelson and Wilbur E. Nelson, d/b as Nelson Broadcasting Co., Kingston, N.Y., Docket No. 15535, File No. BPH-4211; Ubiquitous Frequency Modulation, Inc., Hyde Park, N.Y., Docket No. 15536, File No. BPH-4312; for construction permits.

The Hearing Examiner having under consideration a letter request from counsel for Ubiquitous Frequency Modulation, Inc., for a continuance of the hearing in the above-entitled matter now scheduled for December 14, 1964, said request being dated December 8, 1964, and

It appearing, that newly arisen conflicts in hearing dates of several counsel necessitate a continuance and counsel for the other applicant and the Commission's Broadcast Bureau agree to granting the request and for immediate consideration thereof,

It is ordered, This 8th day of December 1964, that the request is granted, and that, accordingly, the hearing now scheduled for December 14, 1964, is hereby rescheduled to commence at 10:00 a.m., December 21, 1964, in the offices of the Commission in Washington, D.C.

Released: December 9, 1964.

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

[F.R. Doc. 64-12874; Filed, Dec. 15, 1964; 8:47 a.m.]

**FEDERAL POWER COMMISSION**

[Docket No. CP65-122]

**ATLANTIC SEABOARD CORP.**

**Notice of Application**

DECEMBER 8, 1964.

Take notice that on November 4, 1964, Atlantic Seaboard Corp. (Applicant), 1700 MacCorkle Avenue SE., Charleston, W. Va., filed in Docket No. CP65-122 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate approximately 10 miles of 36-inch pipeline partially looping its existing facilities between its Seneca Compressor Station, Pendleton County, W. Va., and its Lost River Compressor Station, Hardy County, W. Va.; and approximately 15.9 miles of 26-inch gas transmission pipeline replacing its existing 20-inch facility between Owings Mills and Manor Road, Baltimore County, Md.

The application states that the proposed construction is for the purpose of providing sufficient transmission capacity to meet increased requirements.

The estimated cost of the proposed facilities is \$3,926,700, and will be financed by the sale of Applicant's notes and common stock to the Columbia Gas System, Inc., parent company of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 28, 1964.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission

on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
*Acting Secretary.*

[F.R. Doc. 64-12860; Filed, Dec. 15, 1964; 8:46 a.m.]

[Docket No. CP65-113]

**EL PASO NATURAL GAS CO.**

**Notice of Application**

DECEMBER 8, 1964.

Take notice that on October 27, 1964, El Paso Natural Gas Co. (Applicant), El Paso, Tex., filed in Docket No. CP65-113 an application pursuant to section 7(b) of the natural gas act for permission and approval to abandon certain facilities in Lea County, N. Mex., and Scurry County, Tex., all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval to abandon three 500 horsepower compressor units located at Applicant's Townsend Compressor Station, Lea County, N. Mex.; and one 660 horsepower compressor unit located at Applicant's Snyder Compressor Station, Scurry County, Tex.

The application states that due to a decline in oil production in the Townsend-Edison Field, Lea County, N. Mex., the 1,500 compressor horsepower at Townsend Station are no longer required, since it is possible to transport all available casinghead gas without prior compression at the Townsend location. The application further states that the availability of residue gas from the Fuller (Cogdell), North Snyder, and Kelly-Snyder gasoline plants has steadily declined to a point where a portion of the 2,640 horsepower installed at Snyder Station is no longer required for future operations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 64-12861; Filed, Dec. 15, 1964; 8:46 a.m.]

[Docket No. CP65-160]

**NORTH STAR NATURAL GAS COMPANY OF WISCONSIN INC.**

**Notice of Application**

DECEMBER 8, 1964.

Take notice that on December 1, 1964, North Star Natural Gas Company of Wisconsin Inc. (Applicant), 123 East Elm Street, River Falls, Wis., filed in Docket No. CP65-160 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Midwestern Gas Transmission Company (Midwestern) to establish physical connection of its natural gas transmission facilities with the natural gas branch line and distribution system proposed to be constructed by Applicant, and to sell and deliver natural gas to Applicant, for distribution and resale to the city of St. Croix Falls, Wis., and adjacent areas, all as more fully set forth in the application on file with the Commission and open to public inspection.

The estimated initial three year period of annual and peak day requirements are stated to be:

	First year	Second year	Third year
Annual (Mcf)....	34,510	56,840	66,930
Peak day (Mcf)...	304	386	482

Applicant was granted a franchise to distribute natural gas in the city of St. Croix Falls, Wis., by Ordinance No. 118 of the City Council, dated October 17, 1963.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that an order is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 64-12862; Filed, Dec. 15, 1964; 8:46 a.m.]

[Docket No. CP65-123]

**VALLEY GAS TRANSMISSION, INC.**

**Notice of Application**

DECEMBER 8, 1964.

Take notice that on November 4, 1964, Valley Gas Transmission, Inc. (Applicant), Post Office Box 1188, Houston, Tex., 77001, filed in Docket No. CP65-123 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities and the sale of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to sell an additional 10,000 Mcf of natural gas per day to Iroquois Gas Corporation (Iroquois) on a firm basis commencing on or before January 1, 1965. Applicant seeks further authorization to construct and operate approximately 2.5 miles of 6-inch pipe, 4.0 miles of 4-inch pipe, .4 mile of 2-inch pipe and appropriate metering and appurtenant facilities, for the purpose of effectuating said sale.

The application states that the gas sold by Applicant to Iroquois will then be transported by Tennessee Gas Transmission Company (Tennessee) for the account of Iroquois to Tennessee's delivery point to Iroquois at its East Aurora Sales Meter Station located in Erie County, N.Y.

The estimated cost of the proposed facilities is \$170,000, and will be financed with current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 28, 1964.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 64-12863; Filed, Dec. 15, 1964; 8:46 a.m.]

[Docket No. CP64-89]

**CITIES SERVICE GAS CO. AND NATURAL GAS PIPELINE COMPANY OF AMERICA**

**Notice of Application To Amend**

DECEMBER 10, 1964.

Take notice that on December 1, 1964, Cities Service Gas Co. (Cities Service), Oklahoma City, Oklahoma and Natural Gas Pipeline Company of America (Natural), Chicago, Ill., filed in Docket No. CP64-89 a joint application to further amend the order of the Commission originally issued January 2, 1964, and amended by order of the Commission dated August 14, 1964, by requesting approval of an extension in time of the parties' Gas Exchange Agreement dated September 30, 1963, and amended April 13, 1964 and September 24, 1964, and also requesting authorization to construct and operate certain facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicants request extension of the period during which natural gas may be exchanged between them, from May 1, 1965 to May 1, 1970.

In addition, Cities Service seeks authorization to construct and operate an additional delivery point for gas delivered on an exchange basis to Natural in Gray County, Tex., consisting of a meter with appurtenant regulator equipment, and approximately .57 mile of 10-inch pipeline. Cities Service will also replace two existing 500# W.P. compressors at its Pampa Compressor Station with two 1000# W.P. compressors.

In addition, Natural seeks authorization to install and operate a side tap connection on its 26-inch pipeline in order to receive volumes of gas from Cities Service at this additional exchange point.

The total estimated cost of the Cities Service proposed facilities is \$84,960, and will be financed with treasury cash; the total estimated cost of Natural's proposed facilities is \$3,700, and will also be financed with funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time re-

quired herein, if the Commission on its own review of the matter believes that an order is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12885; Filed, Dec. 15, 1964;  
8:47 a.m.]

[Docket No. CP65-136]

### CITY OF LAWRENCEVILLE, GEORGIA

#### Notice of Application

DECEMBER 9, 1964.

Take notice that on November 12, 1964, the city of Lawrenceville, Ga. (Applicant), filed in Docket No. CP65-136 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Transcontinental Gas Pipe Line Corporation (Transco) to abandon the present physical connection of its natural gas transmission facilities, and to establish physical connection with the facilities of Applicant at a new location, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct approximately 3.8 miles of 6-inch pipeline from the proposed relocated delivery point, replacing existing line which the application states is old, corroded, and potentially dangerous.

The application further states that since construction of the present transmission line was completed, the city has tended to grow in areas beyond the limits of the existing line, and that the construction of a new 6-inch transmission line from the proposed relocated point of delivery will enable the city to provide adequate service to its existing and potential consumers.

The estimated cost of the proposed facilities of Applicant is \$69,500, which will be financed by means of funds heretofore received for Gas Revenue Anticipation Certificates issued January 1, 1951.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that an order is required by the public convenience and necessity. If a protest or

petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12886; Filed, Dec. 15, 1964;  
8:47 a.m.]

[Docket No. CP65-102]

### COLUMBIA GULF TRANSMISSION CO.

#### Notice of Application

DECEMBER 10, 1964.

Take notice that on October 13, 1964, Columbia Gulf Transmission Co. (Applicant), 3805 West Alabama Avenue, Houston, Tex., filed in Docket No. CP65-102 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas pipeline facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate eleven main line loops consisting of approximately 143.6 miles of 30-inch O.D. pipe, and 17.4 miles of 30-inch pipeline loop on Applicant's East Lateral in St. Mary Parish, La.

The application states that the proposed facilities are required in order to transport substantial volumes of natural gas to meet estimated increased requirements of the United Fuel Gas Company (United Fuel) for the twelve month period beginning November 1, 1965.

The application further states that the additional gas to be transported by Applicant will be obtained under long-term purchase agreements entered into by United Fuel on June 28, 1963, with Humble Oil & Refining Company and Isaac Arnold, et al.

The application further states that Applicant's present daily design capacity of 972,500 Mcf will be increased by the proposed construction to 1,077,500 Mcf.

The total estimated cost of the proposed construction is \$22,596,100 and will be financed by the sale of Applicant's notes and common stock to the Columbia Gas System, Inc., parent company of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time re-

quired herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12887; Filed, Dec. 15, 1964;  
8:47 a.m.]

[Docket No. CP65-114]

### EL PASO NATURAL GAS CO.

#### Notice of Application

DECEMBER 9, 1964.

Take notice that on October 27, 1964, El Paso Natural Gas Co. (Applicant), El Paso, Tex., filed in Docket No. CP65-114 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant proposes to abandon, by sale to the Navajo Tribe, approximately 7.162 miles of 2½-inch O.D. pipeline, a measuring and regulating station, and a tap, all within the Navajo Indian Reservation (Reservation), Apache County, Ariz.

Applicant seeks further authorization to construct and operate a measuring and regulating station, and necessary appurtenances, located at a point adjacent to Applicant's San Juan Mainline at the origin of the pipeline hereinbefore described.

The application states that the proposed abandonment and construction are required by the fact that the Navajo Tribe is succeeding Southern Union Gas Co. (Southern) as purchaser and distributor of natural gas heretofore purchased and distributed by Southern to Ganado Indian School and Mission and Kin Li Chee Boarding School, both located on the Reservation.

The purchase price to be paid by the Navajo Tribe for the facilities of Applicant is \$20,908; the estimated cost of the facilities proposed to be constructed by Applicant is \$7,260, and will be financed with current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without

further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12888; Filed, Dec. 15, 1964;  
8:47 a.m.]

[Docket No. RI65-370]

MRS. ANNA HUBER

### Order Providing for Hearing on and Suspension of Proposed Change in Rate

DECEMBER 9, 1964.

On November 9, 1964, Mrs. Anna Huber (Huber)<sup>1</sup> tendered for filing a proposed change in her presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated October 8, 1964.

Purchaser and producing area: Hope Natural Gas Co. (Sardis Field, Harrison County, W. Va.).

Rate schedule designation: Supplement No. 4 to Huber's FPC Gas Rate Schedule No. 1.

Effective date: December 10, 1964.<sup>2</sup>

Amount of annual increase: \$487.

Effective rate: 20.0 cent per Mcf.<sup>3</sup>

Proposed rate: 26.0461 cents per Mcf.<sup>4</sup>

Pressure base: 15.325 psia.

Concurrently with the filing of the aforementioned unilateral rate increase, Huber filed a notice of cancellation of its FPC Gas Rate Schedule No. 1. Huber invokes the following contract provision as a basis for cancellation: "This contract and all rights hereunder shall continue for a term of five years from the date hereof<sup>5</sup> and so much longer thereafter as gas is produced in paying and marketable quantities from the land herein described, provided, however, that after the expiration of one year from the date hereof either party to this agreement may terminate and annul the same after giving notice of the intention so to do, in writing, thirty days previous to such termination, \* \* \*". By letter dated October 30, 1964, Huber served no-

<sup>1</sup> Address is: Post Office Box 414, Rumson, N.J.

<sup>2</sup> The stated effective date is the first day after expiration of the required statutory notice.

<sup>3</sup> Producer's filing shows current price as being 18.65 cents per Mcf, which is incorrect.

<sup>4</sup> Unilateral rate increase.

<sup>5</sup> The contract is dated Sept. 30, 1926.

tice on Hope Natural Gas Co. (Hope) of the proposed cancellation and unilateral rate increase. Huber further states that she is cancelling the contract because the current 20.0¢ per Mcf rate<sup>3</sup> and the volumes of gas purchased no longer provide an economically feasible or attractive market for the gas. The 26.0461¢ per Mcf proposed herein is the rate established by the Seventh Amendment for sales in West Virginia, applicable to rate schedules from which all price escalations clauses are being eliminated, except for provisions for future changes in tax reimbursement. Huber states that no further price increases would be requested unless permitted by the Commission.

On December 1, 1964, Hope filed a protest with respect to this rate change, requesting that it be rejected. Hope contends that Huber has no right to terminate the contract by unilateral action without obtaining abandonment authorization under section 7(b) of the Natural Gas Act, and therefore does not have the right to make the instant filing. Hope also contends that the price sought by Huber is unjustified since it does not meet the criteria established by the Seventh and Ninth Amendments to the Policy Statement. Hope further claims that the real purpose of Huber's filing is to stay connected to Hope's facilities, but to cancel, selectively, only the price and delivery provisions of the existing contract and to rewrite such provisions with new terms more favorable to Huber.

Since Huber in connection with her unilateral rate filing has purported to terminate her contract with Hope, Huber cannot come within the provisions of the Ninth Amendment to the Policy Statement which require that a contract must have a term of at least five years remaining in order for the provisions of the Seventh Amendment to be applicable. In view of the issues raised by Hope in its protest as to the legality of Huber's rate filing, we shall provide that the hearing provided for herein shall concern itself with the legality of the instant filing as well as the statutory lawfulness of such filing.

The increased rate proposed by Huber is in excess of the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

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

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the legality of Huber's filing and the lawfulness of the proposed change, and that Supplement No. 4 to Huber's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as herein-after ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18

CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the legality of Huber's filing and the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Huber's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, Supplement No. 4 to Huber's FPC Gas Rate Schedule No. 1 is hereby suspended and the use thereof deferred until May 10, 1965, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 25, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12889; Filed, Dec. 15, 1964;  
8:47 a.m.]

[Docket No. CP65-121]

NORTHERN NATURAL GAS CO.

Notice of Application

DECEMBER 9, 1964.

Take notice that on November 4, 1964, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., filed in Docket No. CP65-121 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate measuring and regulating facilities and appurtenances to establish a new delivery point for Peoples Natural Gas Division of Northern Natural Gas Co. (Peoples). Applicant proposes to deliver peak day volumes of 295 Mcf of firm gas to Peoples, for resale to the Dekalb Agricultural Association (Dekalb) for use in Dekalb's new plant near Dumas, Moore County, Tex., for heating, water heating and grain drying.

The estimated cost of the proposed facilities is \$3,570, for which Applicant will be reimbursed by Peoples.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before January 7, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and pro-

cedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12890; Filed, Dec. 15, 1964; 8:47 a.m.]

[Docket No. CP65-159]

**NORTH STAR NATURAL GAS CO.**

**Notice of Application**

DECEMBER 9, 1964.

Take notice that on December 1, 1964, North Star Natural Gas Co. (Applicant), 123 East Ash Street, Wadena, Minn., filed in Docket No. CP65-159 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Midwestern Gas Transmission Co. (Midwestern) to establish physical connection of its natural gas transmission facilities with the natural gas branch line and distribution system proposed to be constructed by Applicant, and to sell and deliver natural gas to Applicant for distribution and resale in the City of Thief River Falls, Minn., all as more fully set forth in the application on file with the Commission and open to public inspection.

The estimated initial three year period of annual and peak day requirements are stated to be:

	First year	Second year	Third year
Annual (Mcf)....	130,000	287,520	383,210
Peak day (Mcf)...	872	1,840	2,421

Applicant was granted a franchise to distribute natural gas in the city of Thief River Falls, Minn., and environs by Ordinance No. 300 of the City Council dated September 7, 1964.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its

own review of the matter believes that an order is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12891; Filed, Dec. 15, 1964; 8:47 a.m.]

[Docket No. CP65-24]

**OHIO FUEL GAS CO.**

**Notice of Application**

DECEMBER 9, 1964.

Take notice that on July 22, 1964, as amended on October 13, 1964, the Ohio Fuel Gas Co. (Applicant), 99 North Front Street, Columbus, Ohio, filed in Docket No. CP65-24 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities in order to provide a total of six additional delivery points to three existing customers, the Dayton Power & Light Co. (Dayton), West Ohio Gas Co. (West Ohio), and Columbia Gas of Ohio, Inc. (Columbia of Ohio), all as more fully set forth in the application, as amended, on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate the following facilities for (1) Dayton: A tap on Line A-97, regulator and measuring station for delivery of gas for resale and distribution in the unincorporated community of Frederick and environs, Miami County, Ohio; (2) West Ohio: a tap on Line D-322, regulator and measuring station for delivery of gas for resale and distribution in the unincorporated community of Westminster and environs, Allen County, Ohio, and (3) Columbia of Ohio: (a) a tap and measuring station on Line D for delivery of gas for resale and distribution in the incorporated community of Fulton and environs, Morrow County, Ohio, (b) a tap on Line D-35 for delivery of gas for resale and distribution in the unincorporated community of Adrian and environs, Seneca County, Ohio, (c) a tap on Line V-100 for delivery of gas for resale to Snow Bowl, Inc. for use by the latter in its ski lodge and resort presently under construction in Harrison County, Ohio, and (d) a tap on Line Z-8 for delivery of gas for resale to International Harvester Co. at the latter's new factory in Clark County, Ohio; International Harvester will use natural gas for washing, drying, paint drying, space heating and air conditioning at its new truck manufacturing plant, and (e) a tap on Line FE-345 and measuring station for delivery of gas for resale in the unincorporated community of Reedsville and environs, Meigs County, Ohio.

The estimated third year peak day and annual natural gas requirements for the proposed services are:

Customer	Market	Peak day (Mcf)	Annual (Mcf)
Dayton.....	Frederick.....	84	8,530
West Ohio.....	Westminster.....	205	28,063
Columbia of Ohio.....	Fulton.....	133	15,600
	Adrian.....	45	5,300
	Snow Bowl, Inc.....	89	13,000
	International Harvester.....	2,700	407,000
	Reedsville.....	138	17,760
Total.....		3,904	495,253

The application indicates that Applicant's customers have requested the proposed additional delivery points in order to serve their potential customers in communities and environs contiguous to their respective service areas not presently supplied with natural gas.

The total estimated cost of the proposed facilities is \$20,671, which cost will be financed from cash on hand.

Applicant states that the present contractual commitments with the subject customers are considered adequate to provide for the initial service; therefore, no increase in contract demands is contemplated.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 31, 1964.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-12892; Filed, Dec. 15, 1964; 8:47 a.m.]

[Docket No. CP65-110]

**PANHANDLE EASTERN PIPE LINE CO.**

**Notice of Application**

DECEMBER 10, 1964.

Take notice that on October 26, 1964, Panhandle Eastern Pipe Line Co. (Ap-

licant), New York, N.Y., and Kansas City, Mo., filed in Docket No. CP65-110 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate a new interchange for Michigan Gas Storage Co. (Michigan), which is to be located on Applicant's North line, in Saginaw County, Mich. The application states that the purpose of this interchange is to provide flexibility on Michigan's system.

The estimated cost of Applicant's proposed construction is \$6,600, and will be financed with funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure 18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 64-12893; Filed, Dec. 15, 1964; 8:47 a.m.]

[Docket No. CP64-110]

**SOUTH GEORGIA NATURAL GAS CO.**

**Notice of Application To Amend**

DECEMBER 10, 1964.

Take notice that on November 25, 1964, South Georgia Natural Gas Co. (Applicant), Thomasville, Ga., filed in Docket No. CP64-110 an application to amend the order of the Commission issued January 16, 1964, which order permitted Applicant to abandon to the city of Dawson, Ga. (Dawson), 1,910 feet of its 3½-inch O.D. Line No. 7. In the subject application, Applicant requests permission and approval to abandon, by sale to Dawson, an additional 1,572 feet of Line No. 7.

The application states that the proposed abandonment is requested pur-

suant to a request by Dawson that Applicant move its present meter and regulating station in a westerly direction 1,572 feet due to industrial and commercial development in the area.

The application further states that the proposed sale price of the property sought to be abandoned by Applicant is \$3,009.54, which represents its fair and reasonable value.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that an order is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 64-12894; Filed, Dec. 15, 1964; 8:48 a.m.]

[Docket Nos. G-8288, etc., and G-18353]

**SUN OIL CO.**

**Order Conditionally Approving Rate Settlement Proposal, Severing and Terminating Proceeding and Prescribing Refunds; Correction**

OCTOBER 23, 1964.

In the Order Conditionally Approving Rate Settlement Proposal, Severing and Terminating Proceedings and Prescribing Refunds, issued October 1, 1964 and published in the FEDERAL REGISTER October 13, 1964 (F.R. Doc. 64-19281; F.R. 14086-14092); add the following to Appendix C:

SECTION 7(c) DOCKETS TO BE SEVERED FROM THE PROCEEDINGS IN UNION TEXAS PETROLEUM, ET AL. DOCKET NO. G-13221, ET AL., AND CERTIFICATED BY THE STATUTORY HEARING PROCEDURE

Docket Nos.	R.S. Nos.
G-3653 <sup>1</sup>	38
G-11116 <sup>1</sup>	76
G-15267	98
CI60-75	119
CI60-490	

<sup>1</sup> These proceedings involve added acreage only.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 64-12895; Filed, Dec. 15, 1964; 8:48 a.m.]

**HOUSING AND HOME FINANCE AGENCY**

Office of the Administrator  
**ACTING REGIONAL ADMINISTRATOR,  
REGION VI (SAN FRANCISCO)**

**Designation**

The officers appointed to the following listed positions in Region VI (San Francisco) are hereby designated to serve as Acting Regional Administrator, Region VI, during the absence of the Regional Administrator, with all the powers, functions, and duties delegated or assigned to the Regional Administrator, provided that no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Regional Counsel.
2. Regional Director of Community Facilities.
3. Regional Director of Administration.

This designation supersedes the designation effective November 1, 1962 (27 F.R. 11518, November 22, 1962).

(Housing and Home Finance Administrator's delegation effective May 4, 1962 (27 F.R. 4319, May 4, 1962))

Effective as of the 16th day of November 1964.

[SEAL]

ROBERT B. PITTS,  
*Regional Administrator,  
Region VI.*

[F.R. Doc. 64-12896; Filed, Dec. 15, 1964; 8:48 a.m.]

**SECURITIES AND EXCHANGE COMMISSION**

**HANNA MINING CO.**

**Notice of Filing of Application for Order Granting Application With Respect to Proposed Transactions**

[File No. 812-1741]

DECEMBER 10, 1964.

Notice is hereby given that the Hanna Mining Co. ("Hanna Mining"), 100 Erieview Plaza, Cleveland, Ohio, 44114, approximately 46.5 percent of the outstanding voting stock of which is owned by the M. A. Hanna Co. ("Hanna"), a closed-end nondiversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application under section 17(d) of the Act and Rule 17d-1 thereunder for an order of the Commission granting said application with respect to the participation by Inland Steel Co. ("Inland"), Wheeling Steel Corp. ("Wheeling") and Hanna Mining in a project for the development of certain magnetic taconite properties in Minnesota owned by Butler Brothers ("Butler"), a Minnesota corporation. Under the act, Hanna Mining is presumptively controlled by Hanna and Inland and Wheeling are affiliated persons of an affiliated person



of Hanna. All interested persons are referred to the application on file with the Commission for a complete statement of applicant's representations which are summarized below.

The capital stock of Butler is presently owned 46.471 percent by Hanna Mining, 32.529 percent by Inland and 21 percent by Wheeling. However, Hanna Mining has agreed, subject to obtaining an order of the Commission pursuant to section 17(b) of the act, for which an application is now pending (File No. 812-1727, Investment Company Act Release No. 4088, November 27, 1964), to sell certain of its holdings of the stock of Butler to Inland and Wheeling. Upon consummation of these sales Butler will be owned 37.5 percent by Hanna Mining, 38 percent by Inland and 24.5 percent by Wheeling.

Butler holds mineral rights in various lands located on the Mesabi Range in Minnesota. There are substantial magnetic taconite deposits in some of these lands and Hanna Mining, Inland and Wheeling propose, through a co-ownership arrangement under which Hanna Mining will act as manager for the co-owners, to develop these deposits and, in connection therewith, to construct, at a cost estimated at \$50,000,000, the necessary facilities for concentrating and pelletizing the magnetic taconite ore. Inland proposes to supply its 38 percent share of the necessary construction costs from its own funds. Hanna Mining and Wheeling propose to finance most of their respective shares of the cost through use of borrowed funds and propose to participate in the project through a Delaware corporation known as Itasca Pellet Co. ("Itasca") which will be owned 60.484 percent by Hanna Mining and 39.516 percent by Wheeling, reflecting their relative proposed stock interests in Butler of 37.5 percent and 24.5 percent, respectively.

Butler will sublease to Inland a 38 percent undivided interest in the magnetic taconite properties and related surface lands, corresponding to Inland's proposed stock interest in Butler, and will sublease to Itasca the remaining 62 percent undivided interest in such properties, corresponding to the combined proposed stock interests in Butler of Hanna Mining (37.5 percent) and Wheeling (24.5 percent). The two subleases will contain the same terms and provisions, including provisions for the payment of a fair and reasonable royalty comparable to royalties payable under customary subleases of similar mineral rights between strangers.

Inland and Itasca, as co-owners of the magnetic taconite mineral rights and other property interests in the project, will each appoint Hanna Mining as manager to manage and supervise their respective interests in such properties, pursuant to separate but substantially identical management agreements. The management agreements will authorize Hanna Mining to take all action necessary in its judgment to construct a concentrating and pelletizing plant, with a designed capacity initially fixed at two million tons of pellets a year, and to develop and operate the properties.

Inland and Itasca will receive 38 percent and 62 percent, respectively, of the annual production of pellets and are required to pay, in the same proportion, the costs incurred in the development and operation of the properties and the construction of the plant. Hanna Mining will be compensated, by Inland and Itasca, respectively, for its services as manager at a rate of 12½ cents per ton of pellets delivered to or for the accounts of Inland and Itasca, subject to certain adjustments to reflect changes in the U.S. Department of Labor consumer price index for commodities. Applicant represents that such proposed management fee will provide adequate compensation for the services involved and is not less than rates being charged under similar arrangements currently being made in the iron ore industry.

Itasca and its two stockholders, Hanna Mining and Wheeling, have entered into an agreement requiring Itasca to deliver to each stockholder, and each stockholder to accept, a percentage of all pellets delivered to Itasca which corresponds to their respective stock interests in Itasca and providing that each stockholder will pay to Itasca from time to time its stockholder's percentage of all costs incurred by Itasca. The agreement further provides that the stockholders will arrange for Itasca to borrow approximately 80 percent (up to a maximum of \$30 million) of the funds required to be paid by Itasca for the acquisition, construction and development of the properties subleased to it. Itasca is entering into note agreements with five unaffiliated lending institutions providing for the issuance of \$12 million aggregate principal amount of its 4¾ percent secured notes and \$18 million aggregate principal amount of its 5½ percent secured notes.

It is contemplated that Hanna Mining will enter into pellet sales agreements with Inland and Wheeling under which Inland will be committed to purchase 22.59 percent, and Wheeling will be committed to purchase 14.67 percent, of Hanna Mining's share of the pellets produced by the plant. The price for pellets sold pursuant to such agreements will be the average price quoted at the time of delivery by the principal ore dealers of Cleveland, Ohio for blast furnace iron ore pellets, adjusted for analysis, structure and point of delivery in the manner customary in the trade at the time of delivery.

Hanna Mining and Inland have no common directors; Hanna Mining has one common director with Wheeling, W. A. Marting, who is President and a director of Hanna Mining and is one of the sixteen directors of Wheeling.

Notice is further given that any interested person may, not later than December 29, 1964, 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 Ex-

change Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. 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 information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F.R. Doc. 64-12859; Filed, Dec. 15, 1964;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 332]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

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

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

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

#### MOTOR CARRIERS OF PROPERTY

No. MC 504 (Sub-No. 1) (Deviation No. 2), HARPER MOTOR LINES, INC., Post Office Box 781, Elberton, Ga., filed November 30, 1964. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: Between Atlanta, Ga., and Lavonia, Ga. (junction Interstate Highway 85 and Georgia Highway 17), over Interstate Highway 85, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Atlanta over U.S. Highway 23 to

junction U.S. Highway 123, thence over U.S. Highway 123 to Toccoa, Ga., (2) from Atlanta over U.S. Highway 78 to Athens, Ga., (3) from junction U.S. Highway 29 and Georgia Highway 72, over U.S. Highway 29, via junction Georgia Highway 98, to junction Georgia Highway 281, thence over Georgia Highway 281 to Royston, Ga., and (4) from Elberton, Ga., over Georgia Highway 17 to Toccoa, and return over the same routes.

No. MC 6945 (Deviation No. 8), THE NATIONAL TRANSIT CORPORATION, 4401 Stecker Avenue, Dearborn, Mich., 48126, filed November 27, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, transporting *general commodities*, with certain exceptions, over a deviation route as follows: From Cincinnati, Ohio, over Interstate Highway 71 to Columbus, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cincinnati, Ohio, over U.S. Highway 25 to junction Ohio Highway 4 at Dayton, Ohio, thence over Ohio Highway 4 to junction U.S. Highway 40 at Springfield, Ohio, thence over U.S. Highway 40 to Columbus, Ohio, and return over the same route.

No. MC 10761 (Deviation No. 39), TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich., 48209, filed December 3, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Worcester, Mass., over Massachusetts Highway 146 to the Massachusetts-Rhode Island State line, thence over Rhode Island Highway 146 to Providence, R.I., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Boston, Mass., over U.S. Highway 1 to Providence, R.I., and (2) from Boston, over Massachusetts Highway 9 to Worcester, and return over the same routes.

No. MC 10761 (Deviation No. 40), TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich., 48209, filed December 3, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, transporting *general commodities*, with certain exceptions, over a deviation route as follows: From Fiskdale, Mass., over Massachusetts Highway 131 to Southbridge, Mass., thence over Massachusetts Highway 169 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 169 to junction Connecticut Highway 171, thence over Connecticut Highway 171 to Putnam, Conn., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Boston, Mass., over Massachusetts Highway 9 to Worcester, Mass., thence over Massachusetts Highway 12 to junction U.S.

Highway 20, thence over U.S. Highway 20 to Springfield, Mass., thence over U.S. Highway 5 to Hartford, Conn.; from Hartford over U.S. Highway 44 to junction Alternate U.S. Highway 44 (formerly U.S. Highway 44), thence over Alternate U.S. Highway 44 to junction Connecticut Highway 31 at or near Coventry, Conn., thence over Connecticut Highway 31 via South Coventry, Conn., to junction Connecticut Highway 32, thence over Connecticut Highway 32 to junction U.S. Highway 6 west of Wilimantic, Conn., and thence over U.S. Highway 6 to Providence, R.I.; from Hartford over U.S. Highway 44 to junction Alternate U.S. Highway 44 (formerly U.S. Highway 44), thence over Alternate U.S. Highway 44 to junction U.S. Highway 44, thence over U.S. Highway 44 to Providence; and from Boston over U.S. Highway 20 to Springfield, Mass., thence over U.S. Highway 5 to Hartford, and return over the same routes.

No. MC 20207 (Deviation No. 4), CONTINENTAL TRANSPORTATION LINES, INC., Continental Square, Graham Street, McKees Rocks, Pa., 15136, filed December 3, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Cincinnati, Ohio, and Cleveland, Ohio, over Interstate Highway 71, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cincinnati, over U.S. Highway 42 to London, Ohio, thence over Ohio Highway 142 to West Jefferson, Ohio, thence over U.S. Highway 40 to Columbus, Ohio, thence over U.S. Highway 23 to Delaware, Ohio, thence over U.S. Highway 42 to Mansfield, Ohio, thence over U.S. Highway 30 to Wooster, Ohio, thence over Ohio Highway 5 to Akron, Ohio, thence over Ohio Highway 8 to Cleveland, and return over the same route.

No. MC 52746 (Deviation No. 7), MISSOURI CONSOLIDATED FREIGHTWAYS CORPORATION, Post Office Box 5138, Chicago, Ill., 60680, filed November 30, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Kansas City, Kans., and junction Interstate Highway 35 and U.S. Highway 34 at or near Osceola, Iowa, over Interstate Highway 35, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kansas City, over U.S. Highway 69 via Osceola, to Des Moines, Iowa, and return over the same route.

No. MC 61440 (Deviation No. 10), LEEWAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla., filed November 27, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over U.S. Highway 40 to junction U.S. Highway 42, thence over U.S. Highway 42 to

Delaware, Ohio, thence over U.S. Highway 36 to junction Interstate Highway 71, thence over Interstate Highway 71 to junction U.S. Highway 224, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Lima, Ohio, over U.S. Highway 25 to Wapakoneta, Ohio, thence over U.S. Highway 33 to St. Marys, Ohio, thence over Ohio Highway 29 to the Ohio-Indiana State line, thence over Indiana Highway 67 to Indianapolis, Ind., thence over U.S. Highway 40 to St. Louis, Mo., (2) from Beavertown, Ohio, over U.S. Highway 25 to Lima, (3) from Chicago, Ill., over U.S. Highway 41 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 33, thence over U.S. Highway 33 to Fort Wayne, Ind., thence over U.S. Highway 30 to Delphos, Ohio, thence over U.S. Highway 30-N to Mansfield, Ohio (also from Delphos over U.S. Highway 30-S to Mansfield), thence over U.S. Highway 30 via East Liverpool, Ohio, to Pittsburgh, Pa., (4) from Cleveland, Ohio, over U.S. Highway 42 to Mansfield, and (5) from Youngstown, Ohio, over Ohio Highway 18 to Akron, Ohio, thence over U.S. Highway 224 to Lodi, Ohio, and return over the same routes.

No. MC 77404 (Deviation No. 5), MOHAWK MOTOR, INC., 40 Harrison Street, Tiffin, Ohio. Carrier's attorney: Taylor C. Burneson, 3430 Leveque-Lincoln Tower, 50 West Broad Street, Columbus, Ohio, 43215, filed November 27, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Cincinnati, Ohio, and Cleveland, Ohio, over Interstate Highway 71, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cincinnati, over U.S. Highway 42 to Lebanon, Ohio, thence over Ohio Highway 48 to Dayton, Ohio, thence over U.S. Highway 25 to Findlay, Ohio, thence over Ohio Highway 12 to Fostoria, Ohio, thence over Ohio Highway 18 to Tiffin, Ohio, thence over Ohio Highway 101 to Clyde, Ohio, thence over U.S. Highway 20 to Cleveland, and return over the same route.

No. MC 107500 (Deviation No. 20) BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill., filed December 4, 1964. 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 Interstate Highway 35 and U.S. Highway 34, near Osceola, Iowa, over Interstate Highway 35 to Kansas City, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kansas City over U.S. Highway 69 to Des Moines, and return over the same route.

No. MC 108937 (Deviation No. 4), MURPHY MOTOR FREIGHT LINES,

INC., 965 Eustis Street, St. Paul, Minn., 55114, filed December 3, 1964. Applicant's representative: R. L. Stevens, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, transporting general commodities, with certain exceptions, over a deviation route as follows: From Watertown, S. Dak., over South Dakota Highway 22 to junction South Dakota Highway 25, thence over South Dakota Highway 25 to Webster, S. Dak., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Aberdeen, S. Dak., over U.S. Highway 12 to St. Paul, Minn.; from Aberdeen over U.S. Highway 281 to Redfield, S. Dak., thence over U.S. Highway 212 to St. Paul; from Milbank, S. Dak., over U.S. Highway 77 to junction U.S. Highway 212; and from Watertown over U.S. Highway 81 to junction U.S. Highway 12, and return over the same routes.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 64-12902; Filed, Dec. 15, 1964;  
8:48 a.m.]

[Notice 710]

**MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS**

DECEMBER 11, 1964.

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

**APPLICATIONS ASSIGNED FOR ORAL HEARING**

No. MC 18088 (Sub-No. 31) (AMENDMENT), filed August 24, 1964, published in FEDERAL REGISTER issue September 16, 1964, amended December 7, 1964, and republished as amended this issue. Applicant: FLOYD & BEASLEY TRANSFER COMPANY, INC., Post Office Drawer 8, Sycamore, Ala. Applicant's attorneys: A. Alvis Layne, Pennsylvania Building, Washington, D.C., 20004, and John W. Cooper, 805 Title Building, Birmingham, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Textiles, textile products, and materials and supplies used or utilized in the production and shipment of textile products, from Hartford, Clio, Clayton, Fort Payne, and Collinsville, Ala., to Chattanooga, Tenn.

NOTE: The purpose of this republication is to add Fort Payne and Collinsville, Ala., as origin points.

HEARING: January 19, 1965, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 239.

No. MC 115826 (Sub-No. 21), filed July 29, 1963. Applicant: W. J. DIGBY, INC., 1960 31st Street, Denver, Colo. Applicant's attorney: Michael T. Corcoran, 1360 Locust Street, Denver, Colo., 80220. Authority sought to operate as a common

carrier, by motor vehicle, over irregular routes, transporting: (1) Foodstuffs, food preparations, food ingredients, food materials, food supplements, dairy products, meats, meat products, meat by-products, canned foods, frozen foods, and commodities requiring temperature protection or control, and exempt commodities, between points in Arizona, California, Colorado, Idaho, Kansas, Nebraska, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming, and (2) fish, including shell fish, and agricultural, including horticultural, commodities, or any of these commodities, in the same vehicle with any commodity described in (1) above, and exempt commodities, between points in Arizona, California, Colorado, Idaho, Kansas, Nebraska, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming.

HEARING: February 15, 1965, at the Argonaut Hotel, 233 East Colfax Street, Denver, Colo., before Examiner William J. O'Brien.

No. MC 125741 (REPUBLICATION), filed October 9, 1963, published FEDERAL REGISTER, issue of March 11, 1964, and republished this issue. Applicant: M. H. BRYAN AND C. W. EADS, a partnership, doing business as RIVERTON-BIG HORN FREIGHT LINES, Post Office Box 2050, Casper, Wyo. Applicant's attorney: Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo. By application filed October 9, 1964, applicants seeks to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, between Casper, Wyo., and Riverton, Wyo., from Casper over U.S. Highways 20 and 26 to Shoshoni, thence over U.S. Highway 26 and Wyoming Highway 789 to Riverton, serving all intermediate points, (2) between Shoshoni, Wyo., and Cody, Wyo., from Shoshoni over U.S. Highway 20 and Wyoming Highway 789 to Greybull; thence over U.S. Highways 20 and 14 to Cody, serving all intermediate points, and the off-route points of Otto and Burlington, Wyo., (3) between Cody, Wyo., and Greybull, Wyo., from Cody over Wyoming Highway 14 to Lovell, thence over Wyoming Highway 789 to junction U.S. Highway 20, and thence over U.S. Highway 20 to Greybull, serving all intermediate points, and the off-route points of Deaver and Cowley, Wyo., and empty containers or other such incidental facilities used in transporting the above commodities, on return. A report of the Commission, decided November 19, 1964, served November 30, 1964, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle of general commodities, except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between Casper and Cody, Wyo., over U.S. Highway 20, through Shoshoni, Thermopolis, Worland, and Greybull, Wyo., serving all intermediate points and the off-route points of Otto and Burlington, Wyo., (2) between Cody, Wyo., and junction U.S. Highways 310

and 20, from Cody over Wyoming Highway 14 to Lovell, Wyo., and thence over U.S. Highway 310 to junction U.S. Highways 310 and 20, and return over the same route, serving all intermediate points and the off-route points of Deaver and Cowley, Wyo., and (3) between Shoshoni and Lander, Wyo., from Shoshoni over U.S. Highway 26 to Riverton, Wyo., and thence over Wyoming Highway 789 to Lander, Wyo., and return over the same route, serving all intermediate points and the off-route points of the Pan American Petroleum Beaver Creek Plant, The Lucky Mac Mine, the Hidden Splendor Mine, the Federal Uranium Mill, the Vitro Minerals Installation, the International Mining Installation, and the Uranium Processing Mill of Globe Mining Co., subject to the condition that the authority, to the extent it authorizes the transportation of dangerous explosives, shall be limited in point of time to a period expiring 5 years from the effective date thereof. In order to protect any existing carriers who may have an interest in the matter, a proper notice of the complete scope of the authority to be granted herein will be republished in the FEDERAL REGISTER, and prior to the issuance of a certificate, a 30-day period will be allowed from the date of such republication, during which any interested party, who may be affected by the broadened scope of such grant, may file an appropriate pleading.

No. MC 125986 (Sub-No. 1) (REPUBLICATION); filed August 9, 1964, published FEDERAL REGISTER, issue of August 26, 1964, and republished this issue. Applicant: MAYNARD C. POWERS, Crystal Lake, Iowa. Applicant's attorney: Clayton L. Wornson, 206 Brick and Tile Building, Mason City, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Animal and poultry feed and fertilizer, from Mankato and Albert Lea, Minn., to Crystal Lake, Iowa, and points within 5 miles thereof. An Order of Operating Rights Board No. 1, dated November 24, 1964, served December 3, 1964, finds, among other things, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, (1) of animal and poultry feed, from Mankato, Minn., to points in Hancock and Winnebago Counties, Iowa, and (2) of fertilizer, from Albert Lea, Minn., to points in Hancock and Winnebago Counties, Iowa and that because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in, and would be prejudiced by the lack of proper notice of the authority described above, a corrected notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate herein will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 126157 (REPUBLICATION), filed March 30, 1964, published FEDERAL REGISTER, issue of April 22, and August 5,

1964, and republished this issue. Applicant: JOHN SCHOCK TRUCKING, 388 Portage Road, Niagara Falls, Ontario, Canada. Applicant's attorney: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. By application filed March 30, 1964 applicant seeks authority to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand, gravel, asphalt, rough lumber, rock, stone, fill, turf, earth, and rubble, in bulk, in dump vehicles, between ports of entry on the international boundary line between the United States and Canada at or near Buffalo, Niagara Falls, and Lewiston, N.Y., and Lackawanna, Batavia, Youngstown, N.Y., and points on Grand Island, N.Y., restricted to loads not exceeding 32,000 pounds.* An order, dated November 30, 1964, served December 8, 1964, Operating Rights Board No. 1, finds that the present and future public convenience and necessity require operation by applicant in foreign commerce, as a *common carrier by motor vehicle, over irregular routes, of sand, gravel, asphalt, rock, stone, fill, turf, earth, and rubble, in bulk, in dump vehicles, from the ports of entry on the international boundary between the United States and Canada at or near Buffalo, Niagara Falls and Lewiston, N.Y., to Buffalo, Niagara Falls, Lewiston, Batavia, Youngstown, and Grand Island, N.Y.; and that because it is possible that other parties, who have relied upon the notice of the application as published in the FEDERAL REGISTER, may have an interest in, and would be prejudiced by the lack of proper notice of the authority described in the findings herein, a corrected notice of the authority actually granted will be published in the FEDERAL REGISTER, and issuance of a certificate herein will be withheld for a period of 30 days from the date of such publication, during which time any proper party may file a protest or other pleading.*

No. MC 126360 (Sub-No. 1) (REPUBLICATION), filed August 7, 1964, published FEDERAL REGISTER, issue of August 26, 1964, and republished this issue. Applicant: HARVEY MEARS, Pension Street, Chincoteague, Va. By application filed August 7, 1964, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of passengers and their baggage, and express in the same vehicle with passengers, in special operations, beginning and ending at Wallops Island, Va., and extending to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia, restricted to service at air terminals, railroad stations, and steamship terminals. An order, by Operating Rights Board No. 1, dated November 24, 1964, served December 4, 1964, finds that as the proposed restriction to service "at air terminals, railroad stations, and steamship terminals" is not ordinarily imposed by this Commission and is administratively undesirable, such restriction will not be imposed, and that because it is possible that other parties, who have relied upon the notice of the

application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority as granted, a corrected notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading. Such order finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *passengers and their baggage, and express in the same vehicle with passengers, in special operations, in nine-passenger vehicles, between Wallops Islands, Va., on the one hand, and, on the other, the District of Columbia and points in Delaware, Maryland, New Jersey, New York, Pennsylvania, and Virginia.*

#### NOTICE OF FILING OF PETITIONS

No. MC 124242 (CORRECTION) (PETITION FOR MODIFICATION OF PERMIT), filed November 18, 1964, published FEDERAL REGISTER, issue of December 2, 1964, and republished this issue. Petitioner: TWIN CITIES NEWSPAPER SERVICE, INC., 1161 Selby Avenue, St. Paul, Minn. Petitioner's attorney: James L. Nelson, 544 Minnesota Building, St. Paul, Minn., 55101. The purpose of this republication is to show petitioners correct street address and also to add its attorney, as shown above.

Applications for certificates or permits which are to be processed concurrently with applications under section 5 governed by special rule 1.240 to the extent applicable.

No. 84212 (Sub-No. 27), filed December 4, 1964. Applicant: DORN'S TRANSPORTATION, INC., Railroad Avenue Extension, Albany, N.Y. Applicant's attorney: Irving Klein, 280 Broadway, New York, N.Y., 10007. Authority sought to operate as a *common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, and except dangerous explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving points in Connecticut as off-route points in connection with applicant's presently authorized regular-route authority in No. MC 84212.*

NOTE: This application is directly related to MC-F-8957, published in FEDERAL REGISTER, this issue.

No. MC 108473 (Sub-No. 22), filed December 7, 1964. Applicant: ST. JOHNSBURY TRUCKING COMPANY, INC., 38 Main Street, St. Johnsbury, Vt. Applicant's attorney: Francis E. Barrett, 25 Bryant Avenue, East Milton (Boston), Mass., 02186. Authority sought to operate as a *common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives,*

household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) between Springfield and Pittsfield, Mass., from Springfield over U.S. Highway 20 to Pittsfield and return over the same route, serving all intermediate points and the off-route points of Blandford, Becket, Great Barrington, and Stockbridge, (2) (a) between Springfield and Clarksburg, Mass., from Springfield over U.S. Highway 20 to junction Massachusetts Highway 8, thence over Massachusetts Highway 8 to Clarksburg, and return over the same routes, serving all intermediate points and the off-route point of Lanesborough (b) from Springfield over U.S. Highway 5 to junction Massachusetts Highway 9 at Northampton, thence over Massachusetts Highway 9 to junction Massachusetts Highway 112, thence over Massachusetts Highway 112 to junction Massachusetts Highway 116, thence over Massachusetts Highway 116 to Adams, thence over Massachusetts Highway 8 to Clarksburg, and return over the same routes, serving all intermediate points between Northampton and Clarksburg, (3) between Northampton and Clarksburg, Mass., from Northampton over U.S. Highway 5 (Massachusetts Highway 10) to Greenfield, thence over Massachusetts Highway 2 to junction Massachusetts Highway 8, thence over Massachusetts Highway 8 to Clarksburg, and return over the same routes, serving all intermediate points between Greenfield and Clarksburg, and the off-route point of Buckland and (4) between Pittsfield and Hinsdale, Mass., from Pittsfield over Massachusetts Highway 9 to junction Massachusetts Highway 8, thence over Massachusetts Highway 8 to Hinsdale, and return over the same routes, serving the intermediate point of Dalton.

NOTE: This is a matter directly related to MC-F8959 to be published December 16, 1964.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 109736 (Sub-No. 21), filed November 25, 1964. Applicant: CAPITOL BUS COMPANY, a corporation, Fourth and Chestnut Streets, Harrisburg, Pa. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage and express and newspapers in the same vehicle with passengers, between Tamaqua and South Tamaqua, Pa. over U.S. Highway 309, serving all intermediate points.*

NOTE: This is a matter directly related to MC-F-8745 published May 13, 1964.

#### APPLICATIONS UNDER SECTION 5 AND 210a(b)

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

## MOTOR CARRIERS OF PROPERTY

No. MC-F-8772 (SCOVERA CARTAGE CO.—PURCHASE—A. F. POSNIK & CO.), published in the June 17, 1964 issue of the FEDERAL REGISTER on page 7738. SCOVERA CARTAGE COMPANY has been renamed POSNIK, INC., per IM order dated June 26, 1964. By supplemental application, A. F. POSNIK, R. A. POSNIK, D. S. DASHER, C. F. PETTELLE and J. C. PETTELLE sought authority to continue to control MICHIGAN TRANSPORTATION COMPANY in a common interest with POSNIK, INC., and A. F. POSNIK AND COMPANY, which authority was granted November 30, 1964, by the Commission, Finance Board No. 1, with a deferred effective date 35 days from the date this notice is published in the FEDERAL REGISTER, to afford any proper party an opportunity to present objections as provided in § 1.240 of the general rules of practice. Operating rights sought to be controlled: (MICHIGAN TRANSPORTATION COMPANY) *Fly ash*, in containers, as a common carrier, over irregular routes, from Trenton, Mich., to points in Illinois, Indiana, Wisconsin, Ohio, Pennsylvania, Kentucky, Missouri, Alabama, Mississippi, and Tennessee; *fly ash*, in bulk, in tank vehicles, from Marysville, St. Clair, and Detroit, Mich., to points in Illinois, Indiana, Wisconsin, Ohio, Pennsylvania, Kentucky, Missouri, Alabama, Mississippi, and Tennessee; *calcium chloride*, in bags, and in bulk, from Midland and Ludington, Mich., to the port of entry on the United States-Canada Boundary line at Port Huron, Mich.; *calcium chloride*, in bulk, in dump truck vehicles, from Midland, Mich., to points in Illinois, Indiana, Iowa, Kentucky, Ohio, Pennsylvania, and Wisconsin; *clay products, tile, cement, plaster, and mortar*, from certain points in Ohio, to certain points in Michigan, from certain points in Michigan to certain points in Ohio; *beans*, from points in the lower peninsula of Michigan, to points in Ohio; *paper*, used in the manufacture of building materials, from Monroe, Mich., to Port Clinton, Ohio; *lime*, from Luckey, Ohio, to points in Wayne, Oakland, and Macomb Counties, Mich.; *plastic sheets, wallboard, metal lath, metal pipe for sewer and water systems, building insulation material, and millwork*, between Lansing, Mich., and points in Wayne County, Mich., on the one hand, and, on the other, certain points in Ohio; *machinery and supplies*, used in the manufacture of plaster, and *building materials and building contractors' supplies*, between Detroit, Mich., and points within eight miles thereof, on the one hand, and, on the other, Port Clinton, Ohio.

*Soda ash*, in bulk, in tank vehicles, from points in Wayne County, Mich., to points in Illinois, Indiana, and Ohio (with specified exceptions), from Wyandotte, Mich., to Winchester, Ind., and points in Ohio; *delivered defective shipments of soda ash*, in bulk, in tank vehicles, from Winchester, Ind., and points in Ohio, to Wyandotte, Mich.; *chemicals in liquid form*, in bulk, in tank vehicles, from points in Wayne County, Mich.

(except Detroit), to points in Illinois, Indiana, and Ohio; *gypsum, and asphalt building materials*, from Port Clinton, Ohio, to points in the lower peninsula of Michigan; *cement*, between points in Wayne County, Mich., on the one hand, and, on the other, to certain points in Ohio; *cement*, in bags, and in bulk, from Detroit, Mich., to points in Indiana; *salt*, from the port of entry of the United States-Canada Boundary line, at or near Detroit, Mich., to points in Michigan (with specified exceptions) with restriction; *cement*, in bulk, and in bags, from points in Monroe County, Mich., to points in Indiana and Ohio; *gypsum products and building materials*, in flat bed equipment only, from Port Clinton, Ohio, to certain points in Pennsylvania; *building materials*, as described in Appendix VI to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (but not including prefabricated buildings, complete, knocked down, or in section), in flat bed equipment only, from L'Anse, Mich., to points in Indiana, New York, Ohio, and Pennsylvania, from Port Clinton, Ohio, to points in the upper peninsula of Michigan, and points in Crawford, Erie, and Mercer Counties, Pa., from Harding, Pa., to points in Michigan and Ohio; *materials and supplies* used or useful in the manufacture or processing of building materials or in the maintenance of the plant, from points in Indiana, New York, Ohio, and Pennsylvania, to L'Anse, Mich., from points in the upper peninsula of Michigan and points in Crawford, Erie, and Mercer Counties, Pa., to Port Clinton, Ohio, from points in Michigan and Ohio, to Harding, Pa.; *roofing materials*, in flat bed equipment only, from Cleveland, Ohio, to points in that part of Michigan on and north of Michigan Highway 21; *materials and supplies*, used or useful in the manufacture or processing of roofing materials, or in the maintenance of the plant, from points in that part of Michigan, on and north of Michigan Highway 21, to Cleveland, Ohio; *scrap paper*, in flat bed equipment only, from points in Michigan (with exceptions) to Avery, Ohio. *Calcium chloride*, other than in bulk, from Barberton, Ohio, to points in Michigan; *cement*, from Schoolcraft, Mich., to points in Indiana; *returned shipments of cement*, from points in Indiana to Schoolcraft, Mich.; *polystyrene, polyvinyl chloride, and polyethylene*, in bulk, in dump or hopper type vehicles, from Bay City and Midland, Mich., to points in Ohio, Indiana, Kentucky, Illinois, Pennsylvania, and Wisconsin; *dry sodium phosphate*, in bulk, from the plant site of Monsanto, Chemical Co., at Trenton, Mich., to points in Indiana, Iowa, Minnesota, Kentucky, Kansas, Nebraska, Wisconsin, and those in Illinois and Missouri (with exceptions); *dry chemicals* (except fertilizer), in bulk, from Bay City, Ludington, and Midland, Mich., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Nebraska, Pennsylvania (with exceptions), Wisconsin, and points in Queens, Nassau, and Suffolk Counties, N.Y., with restriction; from points in Connecticut, Illinois, Indiana, Iowa, Kansas, Massa-

chusetts, Michigan, Nebraska, New York (with exceptions), Ohio (with exceptions), and Wisconsin, to Bay City, Ludington, and Midland, Mich.; *dry calcium chloride*, in bulk, from Detroit, Mich., to points in Illinois, Indiana, and Ohio; *dry chemicals* (except fertilizer and plastic materials), in bulk, from Bay City, Ludington, and Midland, Mich., to points in Connecticut, Massachusetts, New York (with exceptions), and certain points in Pennsylvania; *salt*, in bulk, in hopper and dump type vehicles, from Midland, Mich., to points in Illinois, that part of Indiana south of U.S. Highway 40, and Ohio (with exceptions); *dry cement*, in bulk, between points in Michigan, with restriction; and *coal tar pitch*, in dump vehicles, from Detroit, Mich., to points in Ohio (with exceptions).

No. MC-F-8798 (STRICKLAND TRANSPORTATION CO., INC.—PURCHASE (PORTION) — ENGLAND TRANSPORTATION CO., INC.), published in the July 8, 1964, issue of the FEDERAL REGISTER on page 9348. By amendment filed December 7, 1964, applicants seek to amend the operating rights sought to be transferred by including the following portion of the base territory which was inadvertently omitted from the purchase agreement: between New Orleans, Louisiana and points and places within ten miles of the corporate limits of New Orleans.

No. MC-F-8911 (STANDARD TRANSFER & STORAGE, INC.—PURCHASE (PORTION) — HENRY C. BUNGIE), published in the October 28, 1964 issue of the FEDERAL REGISTER on page 14688. By petition filed December 4, 1964, applicants seek to amend the application by including the following operating rights sought to be transferred: *General commodities*, except livestock, and Class A and B explosives, as a common carrier, over irregular routes, from Washington, D.C., to points in St. Marys and Charles Counties, Md. If the Interstate Commerce Commission finds it necessary to impose a restriction on the operating rights sought to be transferred, applicants propose that the following restriction be added: The foregoing authorities are restricted so as to preclude the transportation by STANDARD in interstate or foreign commerce of *livestock, lime and hay*, over irregular routes, between points in Montgomery County, Md., within the Washington, D.C. commercial zone, on the one hand, and, on the other, points in St. Marys County, Md.

No. MC-F-8936 (MOTOR FREIGHT CORP.—MERGER—HAECKL'S EXPRESS, INC.), published in the November 18, 1964, issue of the FEDERAL REGISTER on page 15467. Application filed December 8, 1964, for temporary authority under section 210a(b).

No. MC-F-8957. Authority sought for purchase by DORN'S TRANSPORTATION, INC., Railroad Avenue Extension, Albany, N.Y., of the operating rights of GEORGE ZAFFIS, doing business as PARK CITY EXPRESS (ERNEST CAPOZZI, TRUSTEE IN BANKRUPTCY), 1115 Main Street, Bridgeport, Conn., and for acquisition by FRED DORN, also of Albany, N.Y., of control of such rights

through the purchase. Applicants' attorney: Irving Klein, 280 Broadway, New York, N.Y., 10007. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-57278 Sub-1, covering the transportation of property, as a common carrier, in intrastate commerce, within the State of Connecticut. Vendee is authorized to operate as a *common carrier* in Virginia, New York, Connecticut, Massachusetts, New Jersey, Pennsylvania, Rhode Island, Vermont, Maryland, Delaware, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-84212 Sub-27 is a matter directly related.

No. MC-F-8958. Authority sought for purchase by HOUSTON LINES, INC., 8802 Liberty Road, Houston, Tex., of the operating rights of H. C. BUCKNER AND H. W. BUCKNER, a partnership, doing business as BUCKNER BROTHERS, 8802 Liberty Road, Houston, Tex., and for acquisition by N. D. PATTERSON, also of Houston, Tex., of control of such rights through the purchase. This application also proposes that H. C. BUCKNER and H. W. BUCKNER will acquire 350 shares of common capital stock of HOUSTON LINES, INC. Applicants' attorney: H. H. Prewett, 2159 Tennessee Building, Houston, Tex. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-120482 Sub-2, covering the transportation of property, as a common carrier, in intrastate commerce, within the State of Texas. Vendee is authorized to operate as a *common carrier* pursuant to authority granted May 26, 1964, and consummated July 9, 1964, in Texas, Louisiana, Oklahoma, Kansas, and Arkansas. Application has not been filed for temporary authority under section 210a(b).

NOTE: No. MC-99776 Sub-3 is a matter directly related.

No. MC-F-8959. Authority sought for purchase by ST. JOHNSBURY TRUCKING COMPANY, INC., 38 Main Street, St. Johnsbury, Vt., of a portion of the operating rights of FRANK J. COLE, INC., 197 Norfolk Avenue, Boston 19, Mass., and for acquisition by HARRY D. ZABARSKY, 38 Main Street, St. Johnsbury, Vt., MILTON J. ZABARSKY and MAURICE ZABARSKY, both of 40 Erie Street, Cambridge, Mass., of control of such rights through the purchase. Applicants' attorneys and representative: Francis E. Barrett and Francis P. Barrett, both of 25 Bryant Avenue, East Milton, Mass., 02186 and James G. Fay, 10 Post Office Square, Boston, Mass. 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 Springfield, Mass., and Pittsfield, Mass., serving certain intermediate and off-route points, between Northampton, Mass., and Pittsfield, Mass., serving certain intermediate points and between Pittsfield, Mass., and Greenfield, Mass., serving certain intermediate and off-route points; and a portion of the operating rights in pending docket No. MC-52841 Sub 2, seeking a

certificate of registration, covering the transportation of general commodities, as a common carrier, in intrastate commerce, within the State of Massachusetts. Vendee is authorized to operate as a *common carrier* in Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, Pennsylvania, Maryland, Delaware, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-108473 Sub 22 is a matter directly related.

No. MC-F-8960. Authority sought for purchase by LOPEZ TRUCKING, INC., 131 Linden Street, Waltham, Mass., of the operating rights and property of THOMAS COOK & SONS, INC., 16 Jordan Place, Cambridge, Mass., and for acquisition by FELIX A. LOPEZ and VINCENT A. LOPEZ, both of 131 Linden Street, Waltham, Mass., of control of such rights and property through the purchase. Applicants' attorney and representative: Kenneth B. Williams, 111 State Street, Boston, Mass., and John J. Campbell, 101 Treumont Street, Boston, Mass. Operating rights sought to be transferred: *Structural steel*, as a *common carrier*, over irregular routes, between Boston, Mass., and Manchester, N.H., from Boston, Mass., to Dover, Exeter, Rochester, Nashua, and Salem, N.H., West Warwick and Saylesville, R.I.; *finishing material, flooring, and shingles*, from Boston, Mass., to points in Bristol, Kent, Newport, and Providence Counties, R.I., that part of Massachusetts on and east of U.S. Highway 5, and those in New Hampshire, on and south of U.S. Highway 302; *lumber*, between Boston, Mass., and points in Massachusetts within 35 miles of Boston, on the one hand, and, on the other, points in Massachusetts, Connecticut, New Hampshire, and Rhode Island. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii) and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8961. Authority sought for control by EASTERN MOTOR DISPATCH, INC., 1215 West Mound Street, Columbus 23, Ohio, of D. G. & U. TRUCK LINES, INC., 701 Hiddeson Avenue, Greenville, Ohio, and for acquisition by L. MARGUERITE BUEL, 2550 Canterbury Road, Columbus 21, Ohio and ELIZABETH M. STONE, 1165 Highland Drive, Columbus 21, Ohio, of control of D. G. & U. TRUCK LINES, INC., through the acquisition by EASTERN MOTOR DISPATCH, INC. Applicants' attorney: William E. Rance, 1200 West Fifth Avenue, Columbus 12, Ohio.

Operating rights sought to be controlled: *General commodities*, excepting among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Dayton, Ohio, and Muncie, Ind., serving all intermediate and certain off-route points, between Cincinnati, Ohio, and Oxford, Ohio, serving certain intermediate points, with certain restrictions, between Oxford, Ohio, and West Manchester, Ohio, serving no intermediate points; *general commodities*, except those of un-

usual value, Classes A and B explosives, household goods as defined by the Commission, uncrated commodities in bulk, and those requiring special equipment, between Dayton, Ohio, and Arcanum, Ohio, between the junction of Ohio Highway 49 and unnumbered highway (approximately one mile northwest of Fort McKinley, Ohio), and Trotwood, Ohio, between Phillipsburg, Ohio, and Ithaca, Ohio, serving certain intermediate and off-route points; *general commodities*, excepting among others, household goods but not excepting commodities in bulk, between Anderson, Ind., and Muncie, Ind., serving all intermediate points; *general commodities*, excepting among others, household goods and commodities in bulk, over irregular routes, between points in Montgomery, Preble, Miami, and Darke Counties, Ohio, and Randolph, Wayne, Henry, Delaware, and Madison Counties Ind., on the one hand, and, on the other, Cox Municipal Airport, Montgomery County, Ohio (municipal airport of Dayton, Ohio), with restriction; and *household goods*, between points in Ohio, on the one hand, and, on the other, points in Indiana and Michigan. EASTERN MOTOR DISPATCH, INC. is authorized to operate as a *common carrier* in Ohio, Pennsylvania, Massachusetts, New York, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8963. Authority sought for purchase by AERO TRUCKING, INC., Box 278, Rural Delivery No. 1, Oakdale, Pa., of the operating rights and property of CLARENCE PAUL LARRABEE (EVELYN B. LARRABEE, ADMINISTRATRIX), 64 Winthrop Street, Framingham, Mass., and for acquisition by EDWARD J. CONTO, also of Oakdale, Pa., of control of such rights and property through the purchase. Applicants' attorneys: Carl A. Sheridan, 129 Concord Street, Framingham, Mass., Paul F. Beery, 44 East Broad Street, Columbus, Ohio, 43215, and Francis E. Barrett, 182 Forbes Building, Forbes Road (at South Shore Plaza), Braintree 84, Mass. Operating rights sought to be transferred: *Such commodities*, as machinery and machine parts, and heavy or bulky articles requiring specialized handling or rigging, because of size or weight, as a *common carrier*, over irregular routes, between points in Massachusetts, on and east of U.S. Highway 5, on the one hand, and, on the other, points in Connecticut, Rhode Island, and New Hampshire. Vendee is authorized to operate as a *common carrier* in Ohio, Pennsylvania, West Virginia, Kentucky, Illinois, Michigan, New York, Indiana, Wisconsin, Delaware, Connecticut, Maryland, Massachusetts, New Jersey, Rhode Island, Virginia, Tennessee, Alabama, Mississippi, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8964. Authority sought for purchase by HOWARD SOBER, INC., 2400 West St. Joseph Street, Lansing, Mich., 48904, of the operating rights of F. W. MYERS DRIVE-AWAY SYSTEM, INC., 20300 Ireland Road, South Bend, Ind., and for acquisition by HOWARD

W. SOBER, LETHA E. SOBER and WILLIAM H. SOBER, JR., all also of Lansing, Mich., of control of such rights through the purchase. Applicants' attorney and representative: Albert F. Beasley, Investment Building, 15th & K Streets NW., Washington 5, D.C., and Joseph Gracia, 2400 West St. Joseph Street, Lansing, Mich., 48904. Operating rights sought to be transferred: *New motor vehicles*, except trailers, by truckaway and driveaway methods, in initial movements; as a *common carrier*, over irregular routes, from points in Madison County, Ala., to points in Tennessee, Florida, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, South Carolina, Ohio, Pennsylvania, Rhode Island, Texas, Virginia, Vermont, West Virginia, Wisconsin, and the District of Columbia; *new automobiles*, *new trucks*, and *new chassis*, in initial movements, in truckaway service, from South Bend, Ind., to points in Connecticut, Indiana, New Jersey, New York, Ohio, and West Virginia; *new automobiles*, *new trucks* and *new chassis*, in initial movements, in drive-away service, from South Bend, Ind., to points in Indiana; *new chassis*, in initial movements, in drive-away service, from South Bend, Ind., to points in Connecticut, Kentucky, New Jersey, New York, Ohio, and West Virginia; and *new automobiles and trucks*, in drive-away service, from South Bend, Ind., to points in Connecticut, Kentucky, New Jersey, New York, Ohio, and West Virginia. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Hawaii) and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-8965. Authority sought for purchase by MAWSON & MAWSON, INC., Old Lincoln Highway, Post Office Box 125, Langhorne, Pa., 19047, of a portion of the operating rights of HEAVY HAULING AND RIGGING CORPORATION OF AMERICA, 414 Union Avenue, Westbury, L.I., N.Y., and for acquisition by ROBERT J. DURBIN, 801 Pebble Hill Road, Doylestown, Pa., of control of such rights through the purchase. Applicants' attorney: Wilmer B. Hill, 529 Transportation Building, Washington, D.C., 20006. Operating rights sought to be transferred: *Construction and building machinery and equipment*, as a *common carrier*, over irregular routes, between New York, N.Y., and points on Long Island, N.Y., on the one hand, and, on the other, points in New York, those in Hudson, Bergen, Passaic, Essex, and Union Counties, N.J., and those in Fairfield County, Conn.; *such commodities*, as contractors' equipment, heavy and bulk articles, machinery and machine parts, and articles requiring specialized handling and rigging because of size or weight, between points in New York and New Jersey, between points in New York and New Jersey, on the one hand, and, on the other, points in Massachusetts and Connecticut. RESTRICTION: This authority is restricted against the

transportation of *granite*, between Chester, Mass., and points in Massachusetts within 15 miles of Chester, on the one hand, and, on the other, points in Connecticut, New York, and New Jersey, and *structural steel and iron*, between points in Massachusetts and Connecticut. Vendee is authorized to operate as a *common carrier*, in Pennsylvania, New York, New Jersey, Delaware, Maryland, and the District of Columbia. Application has been filed for temporary authority under section 210a (b).

No. MC-F-8966. Authority sought for purchase by CAMPBELL SIXTY-SIX EXPRESS, INC., 2333 East Mill Street Road, Post Office Box 807, Springfield, Mo., of the operating rights and property of W. O. Hughey, doing business as HUGHEY TRANSPORTATION COMPANY, Post Office Box 907, Macomb, Miss., and for acquisition by F. G. CAMPBELL, Post Office Box 807, Springfield, Mo., of control of such rights and property through the purchase. Applicants' attorney: Phineas Stevens, 700 Petroleum Building, Post Office Box 1250, Jackson, Miss. 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 Natchez, Miss., and Baton Rouge, La., between Centreville, Miss., and Scotlandville, La., between Beechwood, Miss., and Baton Rouge, La., between Clinton, La., and St. Francisville, La., between McComb, Miss., and Woodville, Miss., serving all intermediate points, between McComb, Miss., and Natchez, Miss., serving no intermediate points, between Centreville, Miss., and Crosby, Miss., between Liberty, Miss., and Gloster, Miss., between Crosby, Miss., and junction Mississippi Highway 554 and U.S. Highway 61, between Wilkinson, Miss., and junction Mississippi Highway 563 and U.S. Highway 61, serving all intermediate points, between Crosby, Miss., and Roxie, Miss., serving no intermediate points, and serving Roxie, Miss., as point of joinder, RESTRICTION: The service authorized herein is subject to the following conditions: Service is restricted against the transportation of all traffic moving between Natchez, Miss., and the commercial zone thereof, on the one hand, and, on the other, Baton Rouge, La., and the commercial zone thereof. The authority granted herein, to the extent that it authorizes the transportation of Classes A and B explosives, shall be limited in point of time to a period expiring five years after August 16, 1963; and in pending Docket No. MC-57899 Sub 5, covering the transportation of general commodities, excepting among others household goods and commodities in bulk, between McComb, Miss., and Ponchatoula, La., over U.S. Highway 51, serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Missouri, Kansas, Illinois, Oklahoma, Arkansas, Iowa, Texas, Tennessee, Mississippi, Alabama, and Louisiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8967. Authority sought for purchase by U.S.A.C. TRANSPORT, INC., 457 West Fort Street, Detroit, Mich., 48226, of a portion of the operating rights of TOLEDO CARTAGE COMPANY (KENNETH V. NICOLA, TRUSTEE IN BANKRUPTCY), 1277 East 40th Street, Cleveland 14, Ohio, and for acquisition by TRAILHOLD, INC., 2208 Penobscot Building, Detroit, Mich., and, in turn, by TRAILMAR CORPORATION, and, in turn, by MARCO AND MARCO (a law partnership), composed of PAUL MARCO, PHILLIP MARCO, PAUL EAGAN and WILLIAM E. KENNEDY, all also of Detroit, Mich., of control of such rights through the purchase. Applicants' attorney: Walter N. Bieman, Suite 1700, One Woodward Avenue, Detroit, Mich., 48226. Operating rights sought to be transferred: *Cement*, as a *common carrier* over irregular routes, from Port Huron and Detroit, Mich., to points in Indiana and Ohio (except Middlebranch and Ironton, Ohio), from points in Lucas County, Ohio, to points in the lower peninsula of Michigan; *empty containers for cement*, from the above-specified destination points to the respective described origin points, *heavy machinery and articles* which require specialized handling or rigging because of their size or weight, between points in Lucas County, Ohio, on the one hand, and, on the other, points in the lower peninsula of Michigan. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Hawaii), and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F-8962. Authority sought for purchase by CAPITAL MOTOR LINES, 520 North Court Street, Montgomery, Ala., 36104, of a portion of the operating rights of COASTAL STAGES, INC., Post Office Box 346, Florala, Ala. Applicants' attorney: Robert C. Black, Post Office Box 116, Montgomery, Ala. Operating rights sought to be transferred: *Passengers and their baggage*, and *express, newspapers, and mail* in the same vehicle with passengers, as a *common carrier*, over a regular route, between Florala, Ala., and Fort Walton, Fla., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Florida, Mississippi, Alabama, and Georgia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 64-12903; Filed, Dec. 15, 1964; 8:48 a.m.]

[Notice 25]

APPLICATIONS FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OF REGISTRATION

DECEMBER 11, 1964.

The following applications are filed under section 206(a)(7) of the Inter-

state Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.244, of the Commission's rules of practice published in the **FEDERAL REGISTER**, issue of December 8, 1962, page 12188, which provides, among other things, that protests to the granting of an application may be filed with the Commission within 30 days after the date of notice of filing of the application is published in the **FEDERAL REGISTER**. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. Protests shall set forth specifically the grounds upon which they are made and contain a concise statement of the interest of the protestant in the proceeding. Protests containing general allegations may be rejected. A protest filed under these special rules shall be served upon applicant's representative (or applicant, if no practitioner representing him is named). The original and six copies of the protests shall be filed with the Commission.

The Special Rules do not provide for publication of the operating authority, but the applications are available at the Commission's office in Washington, D.C., and the field offices.

Applications not included in this publication will be published at a later date.

No. MC 121046 (Sub-No. 2) (**REPUBLICATION**), filed February 1, 1963, published in **FEDERAL REGISTER** issue of June 12, 1963, and republished this issue. Applicant: BURDETTE A. MILLER, 800 Cherry Street, Liberty Center, Ohio; and B. A. MILLER & SONS TRUCKING, INC., 800 Cherry Street, Liberty Center, Ohio, joint applicants. Applicant's attorney: James M. Burtch, 44 East Broad Street, Columbus 15, Ohio.

NOTE: The purpose of this republication is to show B. A. Miller & Sons Trucking, Inc., as joint applicant.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 64-12904; Filed, Dec. 15, 1964;  
8:48 a.m.]

[Notice 711]

### MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

DECEMBER 11, 1964.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR 1.247), published in the **FEDERAL REGISTER**, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the **FEDERAL REGISTER**. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the pro-

<sup>1</sup> Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

ceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d) (4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

No. MC 1778 (Sub-No. 7), filed November 27, 1964. Applicant: MOTOR EXPRESS, INC., 727 South Jefferson Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in Illinois within forty (40) miles of Chicago, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 7523 (Sub-No. 12), filed December 1, 1964. Applicant: VENTURA TRANSFER COMPANY, a corporation, 3440 E. South Street, Long Beach, Calif. Applicant's attorney: Phil Jacobson, 510 West 6th Street, Suite 723, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barite*, in bulk, in pneumatic hopper type vehicles from Battle Mountain, Nev., to points in Los Angeles and Ventura Counties, Calif.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 11146 (Sub-No. 1), filed November 27, 1964. Applicant: E. P. McNEIL, doing business as GEO. McNEIL TEAMING CO., 540 North Franklin Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill., commercial zone, as defined by the Commission in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

NOTE: Applicant has contract carrier authority under MC 11147, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 13569 (Sub-No. 8), filed November 25, 1964. Applicant: THE LAKE SHORE MOTOR FREIGHT COMPANY, a corporation, 1200 South State Street, Girard, Ohio. Applicant's attorney: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of size or weight that makes handling by motor vehicle impractical, bank bills, coins, currency, drafts, notes, or other valuable papers, precious metals or articles manufactured therefrom, dangerous explosives, liquid bulk commodities, and household goods), serving the site of the plants of the General Motors Corporation located in Lordstown Township, Trumbull County, Ohio, as off-route points in connection with applicant's regular route authority.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Detroit, Mich.

No. MC 14101 (Sub-No. 1), filed November 27, 1964. Applicant: GABLE EXPRESS CO., a corporation, 4711 West 16th Street, Cicero 50, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill., commercial zone, as defined by the Commission in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified above, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 16567 (Sub-No. 7), filed November 27, 1964. Applicant: J. L. SCHEFFLER TRANSPORT, INC., 1801 West Fulton Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill. commercial zone, as defined by the Commission in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 18738 (Sub-No. 31), filed November 30, 1964. Applicant: SIMS MOTOR TRANSPORT LINES, INC., 610 West 138th Street, Chicago 27, Ill. Applicant's attorney: Ferdinand Born, 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special



equipment and those injurious or contaminating to other lading), between the plant site of the Bethlehem Steel Company, Burns Harbor, Indiana plant located in Porter County, Ind., on the one hand, and, on the other, points in Illinois, Indiana, Ohio, Michigan and Kentucky.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 19227 (Sub-No. 90), filed November 30, 1964. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Communications and transmission towers and related parts*, from points in Texas to points in Alabama, Arkansas, California, Florida, Georgia, Kentucky, Louisiana, Maryland, Michigan, Mississippi, New Mexico, New Jersey, Nevada, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 19945 (Sub-No. 14), filed November 27, 1964. Applicant: BEHNKEN TRUCK SERVICE, INC., Illinois Route 13, New Athens, Ill. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, in bulk*, having prior movement by water or rail between points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 19945 (Sub-No. 15), filed December 2, 1964. Applicant: BEHNKEN TRUCK SERVICE, INC., Illinois Route 13, New Athens, Ill. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, between points in Illinois on and south of U.S. Highway 136, on the one hand, and, on the other, points in Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 20157 (Sub-No. 1), filed November 27, 1964. Applicant: CHICAGO CARTAGE COMPANY, a corporation, 2100 South Throop Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill., commercial zone, as defined by the Commission, in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

No. 244—10

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 28573 (Sub-No. 25), filed November 27, 1964. Applicant: GREAT NORTHERN RAILWAY COMPANY, a corporation, 175 East 4th Street, St. Paul 1, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) between Lewistown and Malta, Mont. from Lewistown over U.S. Highway 191 to Malta, and return over the same route serving no intermediate points, and (2) between Grassrange and Malta, Mont. from Grassrange over Montana Highway 19 to junction U.S. Highway 191 east of Roy, thence over U.S. Highway 191 to Malta, and return over the same route serving no intermediate points. Restriction: Service restricted to that which is auxiliary to or supplemental of the rail service of the Great Northern Railway Co.

NOTE: Applicant is also authorized to conduct operations as a common carrier of passengers in MC 28572 Sub 2 and other subs. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 30844 (Sub-No. 164), filed November 27, 1964. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and prepared foods, and essence of fruits and berries*, (1) from points in New York on and west of U.S. Highway 11 to points in Texas, Oklahoma, Colorado, Louisiana, Mississippi, Arkansas, Tennessee, Kansas, Missouri, Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, and Nebraska; (2) from points in Texas to points in Michigan, New York, Pennsylvania, and Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 31262 (Sub-No. 2), filed November 25, 1964. Applicant: JAMES M. BRUNO, doing business as KELLEY & HAWES EXPRESS, 786 Main Street, Winchester, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives), between points in Massachusetts.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 32601 (Sub-No. 1), filed November 27, 1964. Applicant: BELMONT VAN & STORAGE COMPANY, a corporation, 3407 East Broadway, Long Beach, Calif. Applicant's attorney: G. Alfred Roensch, 21st Floor, 100 Bush Street, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, 17 M.C.C.

467, between points in Los Angeles and Orange Counties, Calif., excepting therefrom points between Los Angeles Harbor and Long Beach Harbor, Calif., on the one hand, and, on the other, points in the city and county of Los Angeles within 25 miles of the intersection of Vermont Avenue, and Santa Monica Boulevard, Los Angeles, Calif.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 35484 (Sub-No. 56), filed November 27, 1964. Applicant: VIKING FREIGHT COMPANY, a corporation, 614 South 6th Street, St. Louis, Mo., 63102. Applicant's attorney: G. M. Rebman, Suite 1230 Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant site of Chromcraft, Inc. located at Senatobia, Miss., as an intermediate or off-route point in connection with applicant's authorized regular routes, between Memphis, Tenn. and Meridian, Miss.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 41498 (Sub-No. 3), filed November 27, 1964. Applicant: FRED KNOBLOCH, Yaphank Avenue, Brookhaven, N.Y. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by wholesale, chain and retail food business houses and in connection therewith, *equipment, materials and supplies* used in the conduct of such business, from Bayonne, N.J. to points in Nassau and Suffolk Counties, N.Y., and *returned shipments*, on return, restricted to service under contracts with Hunt-Wesson Sales Co. and Best Foods Division Corn Products Sales Co.

NOTE: Applicant states it now holds authority for the specified commodities from Bayonne, N.J. to points in Nassau and Suffolk Counties, N.Y. in Permit No. MC 41498, and no duplicating authority is requested. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 41849 (Sub-No. 21), filed November 27, 1964. Applicant: KEIGHTLEY BROS. INC., 1616 South 39th Street, St. Louis, Mo. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, and *dry bulk commodities*, from Tri City Regional Port Complex (north of Granite City, Ill.), to points in Arkansas, Indiana, Illinois, Iowa, Kansas, Kentucky, Missouri, Nebraska, and Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 41849 (Sub-No. 22), filed December 2, 1964. Applicant: **KEIGHTLEY BROS. INC.**, 1616 South 39th Street, St. Louis, Mo. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk between points in Illinois on and south of U.S. Highway 136, on the one hand, and, on the other, points in Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 42261 (Sub-No. 87) (AMENDMENT), filed November 10, 1964, published **FEDERAL REGISTER** issue November 25, 1964, and republished as amended this issue. Applicant: **LANGER TRANSPORT CORP.**, Route 1 and Foot of Danforth Avenue, Jersey City, N.J. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry silica gel desiccant*, in bulk, in pneumatic tank vehicles, from Paulsboro, N.J., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Mississippi, New York, Ohio, Pennsylvania, West Virginia, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, and Texas.

NOTE: The purpose of this republication is to include the states of Colorado, Kansas, Louisiana, New Mexico, Oklahoma, and Texas in the destination territory. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 42963 (Sub-No. 26), filed December 2, 1964. Applicant: **DANIEL HAMM DRAYAGE COMPANY**, a corporation, 2d and Tyler Streets, St. Louis, Mo. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, between points in Illinois on and south of U.S. Highway 136, on the one hand, and, on the other, points in Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 52751 (Sub-No. 43), filed November 30, 1964. Applicant: **ACE LINES, INC.**, 4143 East 43d Street, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Rock Falls and Sterling, Ill. to points in Iowa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 55697 (Sub-No. 1), filed November 27, 1964. Applicant: **FRANK CORDRAY MOTOR SERVICE, INC.**, 1520 North Halsted Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind. to points in the Illinois portion of the Chicago, Ill. commercial zone as defined by the Commission, 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities described above, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 56082 (Sub-No. 56), filed November 25, 1964. Applicant: **DAVIS & RANDALL, INC.**, Chautauqua Road, Fredonia, N.Y. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y., 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, and *advertising materials*, from Chicago, Ill., to points in the New York, N.Y. commercial zone as defined by the Commission, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 59680 (Sub-No. 140) (AMENDMENT), filed October 29, 1964, published **FEDERAL REGISTER** issue November 18, 1964, amended and republished this issue. Applicant: **STRICKLAND TRANSPORTATION CO., INC.**, Post Office Box 5689, Dallas, Tex. Applicant's attorney: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 3, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Baton Rouge and New Orleans, La., and serving the following off-route industrial complexes and points; the industrial subdivision or complex on Louisiana Highway 73 between Dutchtown and Geismar, La., including plant sites of the Borden Co., Monachem Corp., U.S. Rubber Co. and Rubicon Chemical Co.; the subdivision or industrial complex of Geismar Industries on Louisiana Highway 30 approximately one mile south of Geismar, La., including the plant sites of United Chemical Construction, Inc., Chemical Construction Corp. and Monachem Engineering and Construction; the plant sites of Goliad Division of Mobil Oil Co., Morton Chemical Co., a division of Morton Salt Co., Wyandotte Chemicals Corp., Texaco, Inc., Placid Oil Co., and Skelly Oil Co. near Geismar, La.; the plant sites of Ormet Corp. and Ramsey Scarlett & Co., near Burnside, La.; the plant site of Helvetia Sugar Refining Co. near Romeville, La.; the plant sites of Colonial Sugar Co. and Kaiser Aluminum and Chemical Corp. near Gramercy, La.; and the plant sites of Frisco Cone Co. and Godchaux Sugar Co. near Reserve, La.

The plant site of E. I. du Pont de Nemours Co., Inc., near Laplace, La.; the

plant site of Crown Zellerbach Paper Co. near Zee (a point near St. Francisville), La.; the plant site of Dow Chemical Co. near Plaquemine, La.; the plant site of Monsanto Chemical Co. near Luling, La.; and the plant site of Union Carbide Co. near Taft, La., on the one hand, and, on the other, Philadelphia, Pa., Phillipsburg, N.J., and New York City, N.Y., as follows: From New Orleans, La., via U.S. Highway 11 to its intersection with U.S. Highway 190; and from Baton Rouge, La., via U.S. Highway 190 to its intersection with U.S. Highway 11; thence via U.S. Highway 11 to Harrisburg, Pa.; thence via Interstate Highway 76 to Philadelphia, Pa., also via the parallel interstate highways now constructed proposed, and being constructed as Interstate Highways 12, 59, 75, 81, and 76; from Harrisburg, Pa., via U.S. Highway 22 to Phillipsburg, N.J., and New York City, N.Y., also via the parallel interstate highway now constructed, proposed and being constructed as Interstate Highway 78 and return over the same route; serving no intermediate points. Applicant proposes to use the above routes to transport traffic between its presently authorized service points in Massachusetts, Connecticut, New York, New Jersey, Louisiana, Texas, and Oklahoma. (2) Between Baton Rouge and New Orleans, La., and serving the following off-route industrial complexes and points; the industrial subdivision or complex on Louisiana Highway 73 between Dutchtown and Geismar, La., including plant sites of the Borden Co., Monachem Corp., U.S. Rubber Co. and Rubicon Chemical Co.; the subdivision or industrial complex of Geismar Industries on Louisiana Highway 30 approximately one mile south of Geismar, La., including the plant sites of United Chemical Construction, Inc., Chemical Construction Corp. and Monachem Engineering and Construction; the plant sites of Goliad Division of Mobil Oil Co., Morton Chemical Co., a division of Morton Salt Co., Wyandotte Chemicals Corp., Texaco, Inc., Placid Oil Co., and Skelly Oil Co. near Geismar, La.; the plant sites of Ormet Corp. and Ramsey Scarlett & Co. near Burnside, La.; the plant site of Helvetia Sugar Refining Co. near Romeville, La.; the plant sites of Colonial Sugar Co. and Kaiser Aluminum and Chemical Corp. near Gramercy, La.

The plant sites of Frisco Cone Co. and Godchaux Sugar Co. near Reserve, La., the plant site of E. I. du Pont de Nemours Co., Inc., near Laplace, La.; the plant site of Crown Zellerbach Paper Co. near Zee (a point near St. Francisville), La.; the plant site of Dow Chemical Co. near Plaquemine, La.; the plant site of Monsanto Chemical Co. near Luling, La.; and the plant site of Union Carbide Co. near Taft, La., on the one hand, and, on the other, Cleveland, Ohio, and Detroit, Mich., as follows: From New Orleans, La., via U.S. Highway 61 to its intersection with U.S. Highway 51, thence via U.S. Highway 51 to Memphis, Tenn., and from Baton Rouge, La., via U.S. Highway 61 to Memphis, Tenn., thence via U.S. Highway 70 to Nashville, Tenn., thence via U.S. Highway 31W to Louisville, Ky., thence via U.S. Highway 42

to Cleveland, Ohio, also via the parallel interstate highways now constructed, proposed, or being constructed as Interstate Highways 12, 55, 40, 65, and 71 from Louisville, Ky. via U.S. Highway 42 to Cincinnati, Ohio thence via U.S. Highway 25 to Detroit, Mich., also via the parallel interstate highway now constructed, proposed, or being constructed as Interstate Highway 75; and return over the same routes serving no intermediate points. (3) Between Baton Rouge and New Orleans, La., and serving the following off-route industrial complexes and points; the industrial subdivision or complex on Louisiana Highway 73 between Dutchtown and Geismar, La., including plant sites of the Borden Co., Monachem Corp., U.S. Rubber Co. and Rubicon Chemical Co.; the subdivision or industrial complex of Geismar Industries on Louisiana Highway 30 approximately one mile south of Geismar, La., including the plant sites of United Chemical Construction, Inc., Chemical Construction Corp. and Monachem Engineering and Construction; the plant sites of Goliad Division of Mobil Oil Co., Morton Chemical Co., a division of Morton Salt Co., Wyandotte Chemicals Corp., Texaco, Inc., Placid Oil Co., and Skelly Oil Co. near Geismar, La.; the plant sites of Ormet Corp. and Ramsey Scarlett & Co. near Burnside, La.

The plant site of Helvetia Sugar Refining Co. near Romeville, La.; the plant sites of Colonial Sugar Co. and Kaiser Aluminum and Chemical Corp. near Gramercy, La.; the plant sites of Frisco Cone Co. and Godchaux Sugar Co. near Reserve, La.; the plant site of E. I. du Pont de Nemours Co., Inc., near Laplace, La.; the plant site of Crown Zellerbach Paper Co. near Zee (a point near St. Francisville), La.; the plant site of Dow Chemical Co. near Plaquemine, La.; the plant site of Monsanto Chemical Co. near Luling, La.; and the plant site of Union Carbide Co. near Taft, La., on the one hand, and, on the other, Chicago, Ill., as follows: From New Orleans, La., via U.S. Highway 61 to its intersection with U.S. Highway 51, thence via U.S. Highway 51 to Memphis, Tenn.; from Baton Rouge, La., via U.S. Highway 61 to Memphis, Tenn., and from Memphis, Tenn., via U.S. Highway 51 to its intersection with U.S. Highway 66, thence via U.S. Highway 66 to Chicago, Ill., also via the parallel interstate highways now constructed, proposed, or being constructed as Interstate Highways 12, 55, and 57 and return over the same routes, serving no intermediate points. Applicant proposes to use the above routes to transport traffic between its presently authorized service points in Louisiana, Texas, Illinois, Indiana, Wisconsin, and Michigan; and (4) between Baton Rouge, and New Orleans, La., and serving the following off-route industrial complexes and points; the industrial subdivision or complex on Louisiana Highway 73 between Dutchtown and Geismar, La., including plant sites of the Borden Co., Monachem Corp., U.S. Rubber Co. and Rubicon Chemical Co.; the subdivision or industrial complex of Geismar Industries on Louisiana Highway 30 approximately one mile south of Geismar, La., including the plant sites

of United Chemical Construction, Inc., Chemical Construction Corp. and Monachem Engineering and Construction; the plant sites of Goliad Division of Mobil Oil Co., Morton Chemical Co., a division of Morton Salt Co., Wyandotte Chemicals Corp., Texaco, Inc., Placid Oil Co., and Skelly Oil Co. near Geismar, La., the plant sites of Ormet Corp. and Ramsey Scarlett & Co. near Burnside, La.; the plant site of Helvetia Sugar Refining Co. near Romeville, La.

The plant sites of Colonial Sugar Co. and Kaiser Aluminum and Chemical Corp. near Gramercy, La.; the plant sites of Frisco Cone Co. and Godchaux Sugar Co. near Reserve, La.; the plant site of E. I. du Pont de Nemours Co., Inc., near Laplace, La.; the plant site of Crown Zellerbach Paper Co. near Zee (a point near St. Francisville), La.; the plant site of Dow Chemical Co. near Plaquemine, La.; the plant site of Monsanto Chemical Co. near Luling, La.; and the plant site of Union Carbide Co. near Taft, La., on the one hand, and, on the other, Memphis, Tenn., and St. Louis, Mo., as follows: From New Orleans, La., via U.S. Highway 61 to its intersection with U.S. Highway 51, thence via U.S. Highway 51 to Memphis, Tenn., and from Baton Rouge, La., via U.S. Highway 61 to Memphis, Tenn., and from Memphis, Tenn., via U.S. Highway 61 to St. Louis, Mo., also via the parallel interstate highways now constructed, proposed or being constructed as Interstate Highways 12 and 55 and return over the same routes, serving no intermediate points. Applicant proposes to use the above routes to transport traffic between its presently authorized service points in Louisiana, Texas, Arkansas, Illinois, Indiana, Michigan, Wisconsin, Ohio, Pennsylvania, New Jersey, New York, Connecticut, and Massachusetts.

NOTE: Common control may be involved. The purpose of this republication is to show the service as proposed above, in lieu of that shown in previous publication. If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, or New Orleans, La.

No. MC 61403 (Sub-No. 115), filed November 27, 1964. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softeners*, in bulk, in tank vehicles, from Peoria, Ill. to points in Georgia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 362) filed November 27, 1964. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago 3, Ill. 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: *Chemicals*, in bulk, from South Beloit, Ill., to points in New Jersey, Wisconsin, New York, Minnesota, Michigan, Iowa, Kansas, and Oklahoma.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 66660 (Sub-No. 1), filed November 27, 1964. Applicant: SHERMAN CARTAGE CO., a corporation, 2950 West Taylor Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill., commercial zone, as defined by the Commission in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 67245 (Sub-No. 3), filed November 30, 1964. Applicant: L & R TRUCKING CO., INC., 296 Midland Avenue, Saddle Brook, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers* not exceeding one gallon in capacity, from Orangeburg, N.Y., to Saddle Brook, N.J.

NOTE: Applicant states that the proposed service will be under continuing contract with American Home Products Corporation of Saddle Brook, N.J. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 67245 (Sub-No. 4), filed November 30, 1964. Applicant: L & R TRUCKING CO., INC., 296 Midland Avenue, Saddle Brook, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, from Saddle Brook, N.J., to points in Westchester, Nassau, and Suffolk Counties, N.Y.

NOTE: Applicant states that the proposed service will be under continuing contract with American Home Products Corp. of Saddle Brook, N.J. Applicant also states that if the above authority is granted it will request revocation of its authority in Docket No. MC 67245 Sub 2. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 68078 (Sub-No. 20), filed November 18, 1964. Applicant: CENTRAL MOTOR EXPRESS, INC., 2909 South Hickory Street, Chattanooga, Tenn. Applicant's attorney: Blaine Buchanan, 1024 James Building, Chattanooga, Tenn., 37402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), moving in a circuitous manner, from Athens, Tenn., over Tennessee Highway 30 to Etowah, Tenn., thence over U.S. Highway 411 to Englewood, Tenn., thence over Tennessee Highway 39 to junction Tennessee Highway 30, and thence over Tennessee Highway 30

to Athens, serving all intermediate points.

**NOTE:** Applicant states said extension is to be tacked to and unified with all other certificates of applicant in MC 69078 and Subs. If a hearing is deemed necessary, applicant requests it be held at Chattanooga or Knoxville, Tenn.

No. MC 69364 (Sub-No. 1), filed November 27, 1964. Applicant: ENTERPRISE TRANSFER CO., a corporation, 1419-57 West Willow Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill., commercial zone, as defined by the Commission in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 78118 (Sub-No. 13), filed December 2, 1964. Applicant: W. H. JOHNS, INC., 35 Witmer Road, Lancaster, Pa. Applicant's attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Prepared foods products, and materials, equipment, and supplies* used in, or incidental to, the preparation, packing and sale thereof, serving the warehouse site of the Atlantic and Pacific Tea Co., Inc., in Florence Township, Burlington County, N.J., as an off-route point in connection with applicant's authorized regular-route operations between Salem, N.J., and Pittsburgh, Pa.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 78643 (Sub-No. 53), filed November 30, 1964. Applicant: HART MOTOR EXPRESS, INC., 2417 North Cleveland, St. Paul 13, Minn. Applicant's attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Grand Forks, N. Dak., and Pembina, N. Dak.; (a) from Grand Forks, N. Dak., over U.S. Highway 81 to Pembina, N. Dak., and return over the same route, serving no intermediate points, and (b) from Grand Forks, N. Dak., over U.S. Highway 81 to junction North Dakota Highway 44, thence over North Dakota Highway 44 to junction Interstate Highway 29, thence over Interstate Highway 29 to Pembina, N. Dak., and return over the same route, serving no intermediate points.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 82072 (Sub-No. 4), filed December 2, 1964. Applicant: EDWARD KELLER AND ROLAND KELLER, a partnership, doing business as C. KELLER & SONS, 2811 Emaus Avenue, Allentown, Pa. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Pennsburg, East Greenville and Allentown, Pa., to points in New York, Massachusetts, Maryland, West Virginia, Illinois, Vermont, North Carolina, Tennessee, Mississippi, Kentucky, New Jersey, New Hampshire, Ohio, Michigan, Indiana, Georgia, South Carolina, Maine, Louisiana, Minnesota, Connecticut, Delaware, Virginia, Missouri, Rhode Island, Texas, Florida, Alabama, Arkansas, Wisconsin, and the District of Columbia.

**NOTE:** Applicant states the purpose of this application is to include Allentown, Pa., as an origin, and to provide for the transportation of new furniture without the present uncrated restriction. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83539 (Sub-No. 128), filed November 30, 1964. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's attorney: W. T. Brunson, 419 Northwest 6th Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wallboard*, from Diboll, Tex., and points within 5 miles thereof, to points in Arkansas, Louisiana, New Mexico, and Oklahoma.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 83539 (Sub-No. 129), filed November 30, 1964. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's attorney: W. T. Brunson, 419 Northwest 6th Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe fittings, cast iron meter boxes, manhole frames and manhole covers* (except those which because of size or weight require the use of special equipment, and except pipe and pipe fittings as described by the Commission in 74 M.C.C. 459, 543), from the plant site of Western Foundry at or near Tyler, Tex., to points in Indiana, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Tennessee.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 92983 (Sub-No. 455), filed November 27, 1964. Applicant: ELTON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. 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 Kansas to points in Michigan, Ohio, and Pennsylvania.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 99117 (Sub-No. 2), filed November 27, 1964. Applicant: T. H. RYAN CARTAGE CO., a corporation, 1433 West Harrison Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel* from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill., commercial zone as defined by the Commission in 1 M.C.C. 673 and *empty containers or other such incidental facilities* used in transporting the above commodities on return.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103051 (Sub-No. 183) (Amendment), filed November 27, 1964, published FEDERAL REGISTER issue December 9, 1964, and republished as amended this issue. Applicant: FLEET TRANSPORT CO., INC., 340 Armour Drive NE., Atlanta, Ga., 30324. Applicant's attorney: R. J. Reynolds, Jr., Suite 403-11 Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils and animal fats, and blends thereof*, in bulk, in tank vehicles, from points in Mecklenburg County, N.C. to points in West Virginia.

**NOTE:** The purpose of this amendment is to show broadened scope of the above commodities. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 103378 (Sub-No. 309), filed November 27, 1964. Applicant: PETROLEUM CARRIER CORP., 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 710 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid alum*, in bulk, in tank vehicles, from Fernandina Beach, Fla., to points in Georgia.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 105413 (Sub-No. 17), filed November 27, 1964. Applicant: PETROLEUM TRANSPORT SERVICE, INC., R.R. 1, Council Bluffs, Iowa. Applicant's attorney: C. J. Burrill, 904 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and fertilizer solutions*, in bulk, in tank vehicles, and *dry fertilizer*, in bulk and in bags, from the plant site of Cominco Products, Inc., located at or near Hoag, Nebr., to points in Iowa, Kansas, South Dakota, Minnesota, Missouri, and Illinois.

**NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 105461 (Sub-No. 61), filed December 1, 1964. Applicant: HERR'S MOTOR EXPRESS, INC., Quarryville,

Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa., 17566. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boat pumps, sheet metal building materials, and accessories, fittings, supplies and tools used in the installation thereof*, from the site of Berger Brothers Company located at Lower Southampton Township, Bucks County, Pa. to points in New Jersey (except Atlantic, Burlington, Cape May, Monmouth, and Ocean Counties), New York, Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, and Vermont.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105461 (Sub-No. 62), filed December 1, 1964. Applicant: HERR'S MOTOR EXPRESS, INC., Quarryville, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa., 17566. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are used in conducting or operating retail gasoline service stations*, from Chester and Marcus Hook, Pa., to Baltimore, Md., Akron, Boardman, and Cleveland, Ohio, Providence, R.I., Richmond, Va., Wheeling, W. Va., and points in Connecticut, Massachusetts, New Jersey, and New York.

NOTE: Applicant states that the above described commodities will be limited to transportation in mixed shipments with petroleum products in containers. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105813 (Sub-No. 118), filed November 30, 1964. 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, frozen citrus products, citrus products not canned and not frozen, and canned citrus products*, from points in Florida to points in Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106373 (Sub-No. 28), filed November 25, 1964. Applicant: THE SERVICE TRANSPORT CO., a corporation, 11910 Harvard Avenue, Cleveland, Ohio. Applicant's attorneys: James R. Stiverson and Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of size or weight that makes handling by motor vehicle impractical, bank bills, coins, currency, drafts, notes, or other valuable papers, precious metals or articles manufactured therefrom, dangerous explosives, liquid bulk commodities, and household goods), serving the site of the plants of the General Motors Corp. located in Lords-town Township, Trumbull County, Ohio, as off-route points in connection with applicant's regular-route authority.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Detroit, Mich.

No. MC 107002 (Sub-No. 236), filed November 30, 1964. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, in bulk* (except cement), from Decatur, Ala., and points within 15 miles thereof, to points in Tennessee (except paving tar, and, except chemicals to Kingsport, Tenn.), Georgia, and Alabama.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, or Montgomery, Ala.

No. MC 107010 (Sub-No. 14), filed October 19, 1964, published FEDERAL REGISTER issue November 4, 1964, amended November 27, 1964, and republished as amended this issue. Applicant: D & R BULK CARRIERS, INC., 1020 J Street, Auburn, Nebr. Applicant's attorney: R. E. Powell, 1005-06 Terminal Building, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and fertilizer solutions, in bulk, in tank vehicles, and dry fertilizer, in bulk and in bags* (not restricted as to kind or type of equipment), from the plant site of Cominco Products, Inc., located at or near Hoag, Nebr., to points in Illinois, Iowa, Kansas, Minnesota, Missouri, and South Dakota, and *damaged and rejected shipments* of the commodities specified, on return.

NOTE: The purpose of this republication is to (1) add dry fertilizer, in bulk and in bags, to the commodity description, (2) include Illinois as a destination state, and (3) reflect applicant's attorney. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 107403 (Sub-No. 590), filed November 27, 1964. Applicant: MATELACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, dry, in bulk, in tank and hopper type vehicles*, from Cincinnati, Ohio, to points in Delaware, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107417 (Sub-No. 2), filed December 1, 1964. Applicant: JERSEY COAST FREIGHT LINES, INC., 830 Old Corlies Avenue, Neptune, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in

bulk, and commodities requiring special equipment), between points in Atlantic and Cumberland Counties, N.J.

NOTE: Applicant states that it intends to tack this authority with the authority it holds in Certificate No. MC 107417 and that which its affiliate, Bilkays Express Co., holds in Certificate No. MC 73616, and which the latter acquired in MC-F 8801, all of which authorize the transportation of general commodities, with exceptions, between specified points or areas in New Jersey and New York. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107417 (Sub-No. 3), filed December 1, 1964. Applicant: JERSEY COAST FREIGHT LINES, INC., 830 Old Corlies Avenue, Neptune, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between points in Atlantic and Salem Counties, N.J.

NOTE: Applicant states that it intends to tack this authority with the authority it holds in Certificate No. MC 107417 and that which its affiliate, Bilkays Express Co., holds in Certificate No. MC 73616, and which the latter acquired in MC-F 8801, all of which authorize the transportation of general commodities, with exceptions, between specified points or areas in New Jersey and New York. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107417 (Sub-No. 4), filed December 1, 1964. Applicant: JERSEY COAST FREIGHT LINES, INC., 830 Old Corlies Avenue, Neptune, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between points in Atlantic and Cape May Counties, N.J.

NOTE: Applicant states it intends to tack this authority with the authority it holds in Certificate No. MC 107417 and that which its affiliate, Bilkays Express Co., holds in Certificate No. MC 73616, and which the latter acquired in MC-F 8801, all of which authorize the transportation of general commodities, with exceptions, between specified points or areas in New Jersey and New York. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109132 (Sub-No. 16), filed November 27, 1964. Applicant: FREIGHT WAYS, INC., 1309 North Mosley, Wichita, Kans. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value,

Classes A and B explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those injurious or contaminating to other lading), serving Burns Harbor, Porter County, Ind., as an off-route point in connection with applicant's authorized regular-route operations to and from points in Oklahoma, Illinois, Kansas, and Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109136 (Sub-No. 26) (AMENDMENT), filed October 28, 1964, published FEDERAL REGISTER issue November 11, 1964, amended December 9, 1964, and republished as amended this issue. Applicant: ORIOLE CHEMICAL CARRIERS, INC., 9722 Pulaski Highway, Baltimore, Md., 21220. Applicant's attorney: Maxwell A. Howell, 1511 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid caustic soda*, in bulk, in tank vehicles, from: Diamond Alkali Company, Delaware City, Del., to points in Pennsylvania on and east of U.S. Highway 220; to points in New Jersey; to points in Delaware; to points in Maryland; to points in New York on and east of New York Highway 17 from the New York-Pennsylvania State line to and including Binghamton, on and east or south of New York Highway 7 from Binghamton to and including Troy, on and west of U.S. Highway 4 from Troy to junction of U.S. Highways 4 and 9, and on and west of U.S. Highway 9 from said junction through and including Yonkers, and thence south to the New York, N.Y., corporate boundary; to points in Virginia on and east of U.S. Highway 220 from the Virginia-North Carolina State line to and including Roanoke, and on and east of U.S. Highway 11 from Roanoke to the Virginia-West Virginia State line; to points in West Virginia on and east of U.S. Highway 11; and to the District of Columbia; and (2) *liquefied chlorine gas*, in containers, and in bulk, in tank vehicles, from: Diamond Alkali Company, Delaware City, Del., to points in Pennsylvania on and east of U.S. Highway 11 to Harrisburg and points on and south of U.S. Highway 22; to points in New Jersey; to points in Maryland; to points in Delaware; to the District of Columbia, and to Occoquan, Va.

NOTE: The purpose of this republication is to add in bulk, in tank vehicles in item (2). If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109263 (Sub-No. 15), filed November 25, 1964. Applicant: TRIO MOTOR LINES, INC., 92 East 19th Street, Bayonne, N.J. Applicant's attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, between carrier's terminal facilities in Bayonne, N.J., on the one hand, and, on the other, points in New Jersey.

NOTE: Applicant states (a) purpose of application is to permit applicant to perform operations from its new terminal in Bayonne, N.J., which was previously located at New York, N.Y., and (b) proposed authority to be tacked to and combined with carrier's existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109818 (Sub-No. 15), filed November 30, 1964. Applicant: WENGER TRUCK LINE, INC., Beaver, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the Burns Harbor plant site of Bethlehem Steel Co. located at or near Baileytown, Ind., to points in Nebraska and points in Iowa on and west of U.S. Highway 63.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 398), filed December 2, 1964. Applicant: QUALITY CARRIERS, INC., Post Office Box 339, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar, starch and products of corn*, in bulk, in tank or hopper type vehicles, from Kansas City, Mo., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, Minnesota, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 691), filed December 2, 1964. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Edwin H. van Deusen, 520 East Lancaster Avenue, Downingtown, Pa., and Leonard A. Jasiewicz, 1155 15th Street, NW., Madison Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk from Creighton, Pa., to points in Monongalia County, W. Va.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110698 (Sub-No. 291), filed November 30, 1964. Applicant: RYDER TANK LINE, INC., Winston-Salem Road, Post Office Box 8418, Greensboro, N.C. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and ammonium phosphate sulfate solution*, in bulk, in tank vehicles, from Plainview, Tex., and points within 5 miles thereof, to points in Arizona, Colorado, Kansas, New Mexico, and Oklahoma.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 110948 (Sub-No. 2), filed November 30, 1964. Applicant: SOO-SECURITY MOTORWAYS LTD., 725 Portage Avenue, Winnipeg 2, Manitoba, Canada. Applicant's attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Pembina, N. Dak., and Grand Forks, N. Dak.; (a) from Pembina, N. Dak., over U.S. Highway 81 to Grand Forks, N. Dak., and return over the same route, serving no intermediate points, and (b) from Pembina, N. Dak., over Interstate Highway 29 to junction North Dakota Highway 44, thence over North Dakota Highway 44 to junction U.S. Highway 81, thence over U.S. Highway 81 to Grand Forks, N. Dak., and return over the same route, serving no intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 110988 (Sub-No. 95) (AMENDMENT), filed October 14, 1964, published in FEDERAL REGISTER issue of October 28, 1964, amended November 2, 1964, republished as amended November 11, 1964, and further amended December 3, 1964, and republished as further amended this issue. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorneys: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006, and Harry C. Ames, Jr. (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk from South Beloit, Ill., to points in Iowa, Kansas, Michigan, Minnesota, New Jersey, New York, Oklahoma, and Wisconsin.

NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 112098 (Sub-No. 11), filed November 25, 1964. Applicant: JACK FARNELL, doing business as LOS ANGELES TURF EXPRESS, 1611 Easterly Terrace, Los Angeles, Calif., 90026. Applicant's attorney: R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif., 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Horses, other than ordinary*, and in connection therewith, *personal effects of attendants, equipment, supplies, and mascots* used in the care and exhibition of such animals between points in New Mexico and Texas.

NOTE: No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

No. MC 112520 (Sub-No. 114), filed November 25, 1964. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla.,

32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammoniating solutions, anhydrous ammonia and aqua ammonia*, in bulk, in tank vehicles, from points in Decatur County, Ga. to points in Alabama.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 112750 (Sub-No. 207), filed November 30, 1964. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments including originals and copies of checks, drafts, notes, money orders, travelers' checks and cancelled bonds, and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips, and debit and credit records* (except coin, currency, bullion, and negotiable securities) under continuing contracts with banks and banking institutions only, namely, national banks, State banks, Federal Reserve Banks, savings and loan associations and savings banks (1) between Fargo and Grand Forks, N. Dak., on the one hand, and, on the other, points in North Dakota and Minnesota and (2) between Minneapolis, Minn., on the one hand, and, on the other, points in North Dakota and Minnesota.

NOTE: Applicant also holds temporary authority to conduct operations as a *common carrier* in No. MC 111729 (Sub-No. 9) and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 112801 (Sub-No. 15), filed November 30, 1964. Applicant: TRANSPORT SERVICE CO., a corporation, Post Office Box 272, Cicero Station, 5100 West 41st, Chicago 50, Ill. Applicant's attorneys: Leonard A. Jaskiewicz and J. William Cain, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank or hopper-type vehicles, from Tri City Regional Port Complex located in Madison County, Ill., to points in the United States (except Alaska and Hawaii).

NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 113622 (Sub-No. 6), filed November 27, 1964. Applicant: SAMPSON HAULING CORP., Pavilion, N.Y. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y., 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Sand and sand products*, from Erie, Pa., to points in Chautauqua County, N.Y.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 113908 (Sub-No. 148) (Amendment), filed September 28, 1964, published FEDERAL REGISTER issue October 14, 1964, amended and republished this issue. Applicant: ERICKSON TRANSPORT CORPORATION, Post Office Box 3180, 706 West Tampa, Springfield, Mo. Applicant's attorney: Turner White, III, 805 Woodruff Building, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal and poultry feed supplements*, in bulk, and in tank vehicles, from Springfield, and Verona, Mo., to points in Alabama, Delaware, Georgia, Illinois, Iowa, Kentucky, Louisiana, Maryland, Kansas, Arkansas, Virginia, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, South Carolina, and Indiana.

NOTE: The purpose of this republication is to include Verona Mo., as an additional point in the origin territory. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 114194 (Sub-No. 81), filed November 30, 1964. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, dry*, in bulk; from Chicago, Ill. to Cincinnati, Ohio, St. Louis and Kansas City, Mo., Detroit, Mich., and Milwaukee, Wis., and *rejected shipments* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114194 (Sub-No. 82), filed December 2, 1964. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, in bulk*, having prior movement by rail and *rejected shipments*, between points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114301 (Sub-No. 30), filed November 30, 1964. Applicant: DELAWARE EXPRESS CO., a corporation, Post Office Box 141, Elkton, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, in bulk, in tank vehicles, from Baltimore, Md., to points in Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia.

NOTE: Applicant states that it is presently authorized to transport the above commodities from Baltimore, Md. to points in Delaware and points in Chester, Delaware, Lancaster, and Montgomery Counties, Pa. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114725 (Sub-No. 18), filed November 27, 1964. Applicant: WYNNE TRANSPORT SERVICE, INC., 1528 North 11th Street, Omaha, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Anhydrous ammonia and fertilizer solutions*, in bulk, in tank vehicles, and *dry fertilizer* in bulk, from the plant site of Cominco Products, Inc., located at or near Hoag, Nebr., to points in Iowa, Kansas, South Dakota, Minnesota, Missouri, and Illinois, and *damaged and rejected shipments of the above commodities*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 114939 (Sub-No. 29), filed December 1, 1964. Applicant: BULK CARRIERS LIMITED, Box 10, Cooksville, Ontario, Canada. Applicant's attorney: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals*, in bulk, in tank vehicles, restricted to traffic originating in or destined to points in Canada, between ports of entry on the International Boundary line between the United States and Canada located on the Niagara River, on the one hand, and, on the other, points in Niagara and Erie Counties, N.Y., (2) *ethylene*, in bulk, in tank vehicles, restricted to traffic originating in Canada, from ports of entry on the International Boundary line between the United States and Canada located at or near Port Huron and Detroit, Mich., to Charleston, W. Va., and (3) *anhydrous hydrogen chloride*, in tank vehicles, restricted to traffic originating in Canada, from the port of entry on the International Boundary line between the United States and Canada located at or near Port Huron, Mich., to Union Beach, N.J., and Baltimore, Md.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 115162 (Sub-No. 104), filed November 27, 1964. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 346, Evergreen, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, from Mount Vernon, Ind., to points in Jackson County, Miss.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 115162 (Sub-No. 105), filed November 27, 1964. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 346, Evergreen, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors*, regardless of how they are equipped (except tractors used in pulling commercial highway trailers [equipped with 5th wheels] and those which because of size or weight require the use of special equipment), (2) *parts, implements, attachments, accessories, and supplies* for commodities described above in (1) and (3) *agricultural machinery and implements*, other than hand, as described in sections 1(b)

and 1(c) of appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Waterloo, Dubuque, and Des Moines, Iowa; Hori-con, Wis.; and Moline, Ill. to points in Alabama and points in Georgia on and south of U.S. Highway 280.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 115331 (Sub-No. 91), filed November 27, 1964. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk and in bags from El Paso, Ill., and points within five (5) miles thereof, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, West Virginia, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 115331 (Sub-No. 92), filed November 27, 1964. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, from Perry, Iowa, and points within five (5) miles thereof, to points in Illinois and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 115331 (Sub-No. 93), filed November 27, 1964. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and fertilizers*, from Erie, Ill., and points within five (5) miles thereof, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 115331 (Sub-No. 94), filed November 27, 1964. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and nitrogen fertilizer solution*, in bulk, in tank vehicles, from Peru, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 115331 (Sub-No. 95), filed November 27, 1964. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and plastics* (except liquid fertilizer solutions), in bulk, in tank and hopper vehicles, from

Peru, Ill., to points in Indiana, Ohio, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Arkansas, Tennessee, Kentucky, Pennsylvania, and Nebraska.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 115821 (Sub-No. 5), filed November 27, 1964. Applicant: FRANK BEELMAN, JR., St. Libory, Ill. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, in bulk*, having prior movement by water or rail, between points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115821 (Sub-No. 6), filed December 2, 1964. Applicant: FRANK BEELMAN, JR., St. Libory, Ill. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, between points in Illinois on and south of U.S. Highway 136, on the one hand, and, on the other, points in Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115826 (Sub-No. 32), filed December 2, 1964. Applicant: W. J. DIGBY, INC., 1960 31st Street, Denver, Colo. Applicant's attorney: Michael T. Corcoran, 1360 Locust Street, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as defined in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (272) and 766 (except commodities in bulk, in tank vehicles), from Mason City, Iowa, to points in Virginia, North Carolina, and South Carolina.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Washington, D.C.

No. MC 115831 (Sub-No. 6), filed November 27, 1964. Applicant: TIDE-WATER TRANSIT CO., INC., 114 North Queen Street, Kinston, N.C. Applicant's attorney: J. Ruffin Bailey, 3d Floor, First Federal Building, Post Office Box 2246, Raleigh, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wet and dry phosphate rock* in bulk in covered dump, tank, or hopper-type vehicles from the Texas Gulf Sulfur Company's plant site in Beaufort County, N.C., and points within 5 miles thereof, to points in Virginia and South Carolina.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 115841 (Sub-No. 216), filed November 27, 1964. Applicant: CO-

LONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 2169, 1215 Bankhead Highway West, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, and frozen vegetables*, when moving in mixed loads with frozen foods, from points in Tennessee west of that portion of the Tennessee River extending from a point on the Tennessee-Kentucky State line (south of Paducah, Ky.), to a point on the Tennessee-Alabama State line (north of Florence, Ala.), to points in Alabama, Arkansas, Delaware, Florida, Georgia, Iowa, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Texas, Virginia, West Virginia, those points in both Kansas and Nebraska on and east of U.S. Highway 81, and the District of Columbia.

NOTE: Applicant states it already holds authority on frozen foods (except frozen fruits, vegetables, and berries). If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 116273 (Sub-No. 37), filed November 30, 1964. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products and chemicals*, in bulk, in tank vehicles, from the plant site of American Oil Co., located at or near Whiting, Ind., to points in Iowa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 180), filed November 27, 1964. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, from Springfield, Mo. to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Massachusetts, West Virginia, Virginia, Rhode Island, Connecticut, and the District of Columbia.

NOTE: Applicant states it does not propose to tack the requested authority to presently held authority. If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 117344 (Sub-No. 141), filed November 30, 1964. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati 15, Ohio. Applicant's attorney: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from Cincinnati, Ohio to points in Delaware, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 118196 (Sub-No. 25), filed November 27, 1964. Applicant: RAYE



& COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, frozen potato products and potato products* other than frozen, moving in straight or mixed shipments, from points in Idaho to points in Nebraska, Iowa, Kansas, Missouri, Texas, Oklahoma, Arkansas, Louisiana, South Dakota, Mississippi, Tennessee, North Dakota, Minnesota, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 118400 (Sub-No. 1), filed November 30, 1964. Applicant: WANDO PRODUCE CO., a corporation, 60 Romney Street, Charleston, S.C. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, and bananas in mixed shipments with pineapples and coconuts*, from Charleston, S.C. to points in South Carolina (except Columbia), North Carolina (except Raleigh), Virginia (except Richmond), and Atlanta, Ga.

NOTE: Applicant states it proposes to ship exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 119767 (Sub-No. 42), filed December 2, 1964. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal cans and metal can ends*, from Milwaukee, Wis., to points in Minnesota.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119778 (Sub-No. 79), filed November 18, 1964. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Birmingham, Ala. Applicant's attorney: J. Douglas Harris, 410-411 Bell Building, Montgomery, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers*, in bulk, from points in Georgia to points in Alabama.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 123905 (Sub-No. 2), filed November 27, 1964. Applicant: OLEN BURRAGE, Route 9, Box 22A, Philadelphia, Miss. Applicant's attorney: Donald B. Morrison, Post Office Box 961, Jackson, Miss. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rough and dressed lumber, plywood, dimension stock, and preservative treated lumber, poles, and timbers*, from Philadelphia, Miss., to points in Georgia, Iowa, Michigan, Minnesota, Missouri, North Carolina, Pennsylvania, and South Carolina,

and *refused or rejected shipments*, on return.

NOTE: Applicant states that it proposes to transport exempt commodities on return trips. Applicant states that the above transportation is to be limited to a service to be performed under continuing contracts with A. DeWeese Lumber Co., Inc., and Molphus Lumber Co., both of Philadelphia, Miss. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 124160 (Sub-No. 1), filed November 25, 1964. Applicant: CLYDE REAVELEY, doing business as REAVELEY TRUCKING CO., 1330 Beck Street, Salt Lake City, Utah. Applicant's attorney: Lon Rodney Kump, 716 Newhouse Building, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prestressed concrete, sand, gravel, and diatomaceous earth*, between points in Utah, on the one hand, and, on the other, points in Colorado, Arizona, Nevada, Idaho, and Wyoming.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 124211 (Sub-No. 22), filed November 27, 1964. Applicant: HILT TRUCK LINE, INC., 1813 Yolande, Post Office Box 824, Lincoln, Nebr. Applicant's J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nails, wire, and metal posts*, from Peoria, Ill., to Lincoln, Nebr., and *rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124669 (Sub-No. 9), filed November 27, 1964. Applicant: TRANSPORT, INC., OF SOUTH DAKOTA, 1012 West 41st Street, Post Office Box 502, Sioux Falls, S. Dak. Applicant's attorney: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, and fertilizer solutions*, in bulk, in tank vehicles, and *dry fertilizer*, in bulk and in bags, from the plantsite of Cominco Products, Inc., located at or near Hoag, Nebr., to points in Iowa, Kansas, South Dakota, North Dakota, Minnesota, Missouri, and Illinois and *damaged and rejected shipments* of the commodities specified above, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 125129 (Sub-No. 1), filed November 23, 1964. Applicant: R. B. GREENE TRANSPORTATION, INC., Maple Street, Danielson, Conn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glassware* (bottles, demijohns, and jars), from the plantsite of Knox Glass, Inc., located at Dayville (Killingly), Conn., to Cranston, R.I., and Willimansett, Mass., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified, and

*empty pallets and refused, damaged, and rejected shipments*, on return.

NOTE: Applicant states the proposed service will be performed under a continuing contract, or contracts with Feldman Glass Co., of New Haven, Conn. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 125417 (Sub-No. 3), filed December 2, 1964. Applicant: BULK FREIGHTWAYS, a corporation, 8332 Wilcox Avenue, South Gate, Calif. Applicant's attorney: Wyman C. Knapp, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, in pneumatic hopper equipment, from (a) Sloan, Nev., a point located approximately fifteen (15) miles south of Las Vegas, Nev., on or closely adjacent to U.S. Highway 91, (b) Henderson, Nev., and (c) Apex (Arrolime), Nev., to points in that portion of California located south of the northerly boundaries of San Luis Obispo, Kern, and San Bernardino Counties, Calif.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 125722 (Sub-No. 9), filed November 25, 1964. Applicant: GREAT WESTERN PACKERS EXPRESS, INC., Post Office Box 16886, Denver, Colo. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packinghouses* as defined by the Commission, from Lexington, Nebr., to points in Arizona, California, Oregon, and Washington.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 126450 (Sub-No. 2), filed November 27, 1964. Applicant: W. C. WINTER, INC., 833 Warner Street SW., Atlanta 10, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, in bales, barrels, and in bulk and in ingot form for further processing, and *animal hides and casings*, not further processed than salted or preserved, between points in Georgia, on the one hand, and, on the other, points in Alabama, Kentucky, Ohio, Tennessee, North Carolina, South Carolina, Pennsylvania, Missouri, Indiana, Illinois, Virginia, Michigan, Connecticut, Massachusetts, New York, New Jersey, Maryland, Wisconsin, and Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 126470 (Sub-No. 1), filed November 27, 1964. Applicant: WAYNE W. LANGE, doing business as ABC TRUCK LINES, Pipestone, Minn., 56164. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bakery products*, from Pipestone, Minn., to points in

South Dakota, Iowa, Nebraska, and Minnesota, and (2) flour from points in South Dakota to Pipestone, Minn.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 126718, filed November 2, 1964. Applicant: IRONWOOD MOBILE HOMES, INC., Route 11, Box 749, Highway 78 East, Irondale, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mobile homes*, between points in Alabama, Georgia, Florida, and Mississippi.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 126731 (Sub-No. 1), filed November 25, 1964. Applicant: WILLIAM V. LOCKWOOD, doing business as LOCKWOOD'S BOAT WORKS, Highway 35, Morgan, South Amboy, N.J. Applicant's attorney: LeRoy Danziger, 334 King Road, North Brunswick, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Boats*, between points in New Jersey, on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 126740 (Sub-No. 1), filed November 27, 1964. Applicant: JORAY TRUCKING CORP., 2375 Woodbridge Avenue, Edison, N.J. Applicant's attorney: LeRoy Danziger, 334 King Road, North Brunswick, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Stone, dirt, bank run gravel, and wash gravel*, from points in Chester and Delaware Counties and other points in Pennsylvania on and east of U.S. Highway 309 to points in New Jersey.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 125383 and Sub thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126759, filed November 27, 1964. Applicant: BRODERICK TEAMING COMPANY, a corporation, 3226 South Shields Avenue, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind., to points in the Illinois portion of the Chicago, Ill., Commercial Zone, as defined by the Commission in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126763, filed November 27, 1964. Applicant: JOSEPH J. LA-

SCHOBER, doing business as LA-SCHOBER & SONS CARTAGE CO., 6700 South LeClaire Avenue, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel* from Burns Harbor, Porter County, Ind. to points in the Illinois portion of the Chicago, Ill. Commercial Zone as defined by the Commission in 1 M.C.C. 673 and *empty containers or other such incidental facilities* used in transporting the above commodities on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126764, filed November 27, 1964. Applicant: MOHAWK CARTAGE COMPANY, INC., 901 West Willow Street, Chicago, Ill. Applicant's attorney: Themis N. Anastos, Suite 614-616, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Articles of iron and steel*, from Burns Harbor, Porter County, Ind. to points in the Illinois portion of the Chicago, Ill. Commercial Zone as defined by the Commission in 1 M.C.C. 673, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126766, filed December 1, 1964. Applicant: ABSCO, INC., Greenfield, Ohio. Applicant's attorney: John P. McMahon, 44 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, and meat byproducts* as described in Appendix I of 61 M.C.C. 209 (except commodities in bulk in tank vehicles), from Greenfield, Ohio, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, and (2) *equipment, materials, and supplies* (except commodities in bulk in tank vehicles) used in the slaughtering, preparation, packaging, and sale of meat, meat products and meat byproducts, from the above destination states to Greenfield, Ohio.

NOTE: Applicant states it now holds contract carrier authority in No. MC 125647 which authorizes part of the transportation service sought in this application, and accordingly dual operations may be involved. Applicant further states it will surrender same in the event a certificate or permit issued to it as a result of this application duplicates the permit authority applicant now holds. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 126767 EX, filed November 20, 1964. Applicant: KNICKERBOCKER WAREHOUSING CORPORATION, 99 Lafayette Drive, Syosset, N.Y. Appli-

cant's attorney: Milton B. Seasonwein, 1290 Avenue of the Americas, New York 19, N.Y. A certificate of exemption sought under section 204(a)(4a), Part II, in the conduct of operations as a contract carrier, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (other than malt beverages), wholly within the State of New York, (1) from the piers or railroad terminals within the City of New York to its warehouse premises at Syosset, N.Y. Said merchandise would be consigned to Knickerbocker Liquors Corporation or Affiliated Distillers Brands Corp. on through bills of lading on shipment originating in countries foreign to the United States of America, Scotland, France, Portugal, Spain, the Commonwealth of Puerto Rico or in possessions of the United States, and (2) from the warehouse premises of applicant to piers in the City of New York for export from the United States of America, or for use by steamship companies as ship stores, as well as to the terminal facilities of international airlines at John F. Kennedy Airport for use as ship stores.

NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 126769, filed December 2, 1964. Applicant: STASZUK'S ABLE VAN LINES, a corporation, 238 Mill Street, Lansing, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, restricted to shipments having a prior or subsequent movement beyond the destination counties, and further restricted to pickup, delivery, and warehousing service incidental to and in connection with packing, crating, and containerization or unpacking, uncrating and decontainerization of such shipments, and *empty containers and equipment that is used in the transportation of household goods such as hand trucks, pads and cartons*, between points in Barry, Branch, Calhoun, Clinton, Eaton, Gratiot, Hillsdale, Ingham, Ionia, Jackson, Kalamazoo, Kent, Lenawee, Livingston, Montcalm, St. Joseph, Shiawassee, and Washtenaw Counties, Mich.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 13028 (Sub-No. 8), filed November 30, 1964. Applicant: THE SHORT LINE, INC., 400 Fountain Street, Providence, R.I. Applicant's attorney: Frank Daniels, 11 Beacon Street, Boston, Mass. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, mail and newspapers* in the same vehicle with passengers, and *baggage of passengers* in a separate vehicle, between Wyoming, R.I., and New London, Conn.; from Wyoming, R.I. (junction Rhode Island Highway 138 and Interstate Highway 95 at Wyoming), over Interstate Highway 95 to New London, Conn., and return over the same route, serving no intermediate points.

NOTE: Applicant states that it proposes to tack the above authority to its existing

authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

(No. MC 94742 (Sub-No. 25), filed November 9, 1964. Applicant: MICHAUD BUS LINES, INC., 250 Jefferson Avenue, Salem, Mass. Applicant's attorney: Frank Daniels, 11 Beacon Street, Boston, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Rochester, N.H., and the General Dynamics Electric Boat Works (Quincy Shipyard), Quincy, Mass.; from Rochester, N.H., over New Hampshire Highway 16 to junction New Hampshire Highway 16A, thence over New Hampshire Highway 16A to Somersworth, N.H., thence over New Hampshire Highway 9 to Dover, N.H., thence over New Hampshire Highway 16 to Portsmouth, N.H., thence over U.S. Highway 1 to junction Massachusetts Highway 110 (also from Portsmouth, N.H., over U.S. Highway 1 to Kittery, Maine, and return over the same route), thence over Massachusetts Highway 110 to junction Interstate Highway 95 (also from junction U.S. Highway 1 and Massachusetts Highway 110, over Massachusetts Highway 110 to junction Massachusetts Highway 150, thence over Massachusetts Highway 150 to Amesbury, Mass., and return over the same route), (also from Rochester, N.H., over the Spaulding Turnpike to junction Interstate Highway 95 (New Hampshire Turnpike), thence over Interstate Highway 95 to junction Massachusetts Highway 110, and return over the same route), thence over Interstate Highway 95 to the John F. Fitzgerald Expressway in Boston, Mass., thence over the John F. Fitzgerald Expressway to the Southeast Expressway, thence over the Southeast Expressway to junction Massachusetts Highway 3, thence over Massachusetts Highway 3 to Quincy, Mass., thence over city streets to the General Dynamics Electric Boat Works (Quincy Shipyard), and return over the same route, serving all intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 109736 (Sub-No. 20), filed November 25, 1964. Applicant: CAPITOL BUS COMPANY, a corporation, Fourth and Chestnut Streets, Harrisburg, Pa. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, (1) between Harrisburg, Pa., and Washington, D.C., from Harrisburg over Interstate Highway 83 to junction Interstate Highway 695, thence over Interstate Highway 695 to junction Baltimore-Washington Expressway, thence over Baltimore-Washington Expressway to Washington, D.C., and return over the same route serving no intermediate points and (2) between Harrisburg, Pa., and Baltimore, Md., from Harrisburg over Interstate Highway 83 to Baltimore and return over the same route serving no intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109736 (Sub-No. 22), filed November 25, 1964. Applicant: CAPITOL BUS COMPANY, a corporation, Fourth and Chestnut Streets, Harrisburg, Pa. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between South Tamaqua and Molino, Pa., from South Tamaqua over Pennsylvania Highway 443 to junction Pennsylvania Highway 895, thence over Pennsylvania Highway 895 to Molino and return over the same route serving all intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 126765, filed November 30, 1964. Applicant: PAUL SULGER, doing business as SULGER BUS LINE, 200 Canyon Drive, Sierra Vista, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, (1) between Tucson, Ariz., and Fort Huachuca, Ariz., from Tucson over city streets to Tucson Municipal Airport, thence over city streets to junction U.S. Highway 80, thence over U.S. Highway 80 to junction Arizona Highway 90, thence over Arizona Highway 90 to Fort Huachuca, and return over the same route, serving the Tucson Municipal Airport and all intermediate points between junction U.S. Highway 80 and Arizona Highway 90 and Fort Huachuca, Ariz.; and (2) between Benson, Ariz., and junction U.S. Highway 80 and Arizona Highway 90,\* over U.S. Highway 80, serving no intermediate points, and serving the junction of U.S. Highway 80 and Arizona Highway 90 for purpose of joinder with (1) above.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 126770, filed December 2, 1964. Applicant: MILWAUKEE LIMOUSINE SERVICE, INC., 2100 Marine Plaza, Milwaukee, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers beginning and ending at Whitefish Bay, Milwaukee, Racine and Kenosha, Wis. and extending to O'Hare Field (Chicago International Airport), Cook County, Ill. and Midway Airport, Chicago, Ill.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

APPLICATION FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12424 (Sub-No. 1), filed November 30, 1964. Applicant: BROWN-

\*Approximately three (3) miles west of Benson.

ELL TRAVEL BUREAU, INC., 1001 South 22d Street, Birmingham, Ala. For a license (BMC 5) to engage in operations as a *broker* at Birmingham, Ala., in arranging for transportation by motor vehicle in interstate or foreign commerce of *Passengers and their baggage*, in special or charter operations, in groups and as individuals, beginning and ending at Birmingham, Ala., and points within 150 miles thereof, and extending to points in the United States.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 59117 (Sub-No. 22), filed November 16, 1964. Applicant: ELLIOTT TRUCK LINE, INC., Box 1, Vinita, Okla. Applicant's attorney: James F. Miller, 7501 Mission Road, Shawnee Mission, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Roofing materials, and feeds*, from Kansas City, Mo., to Vinita, Okla., and *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified above, on return.

NOTE: Applicant states it presently holds Certificate No. MC 59117, which authorizes, among other things, the transportation of these identical commodities between the same points, over a regular route. Irregular-route authority is requested to conform to the balance of its authority. (II) (a) *Fertilizer solutions* (except anhydrous ammonia and fertilizer solutions manufactured from petroleum or its by-products), in bulk, in tank vehicles, from the plant site of the John Deere Chemical Co., located near Pryor, Okla., to points in Louisiana, Texas, Arkansas, Missouri, Kansas, and Mississippi, (b) *Fertilizer solutions*, in bulk, in tank vehicles, from Sterlington, La., to the plant site of the John Deere Chemical Co., located near Pryor, Okla., and (c) *Liquid feed ingredients and fertilizer solutions*, from the plant site of the John Deere Chemical Co., located near Pryor, Okla., to points in Nebraska, Iowa, Illinois, and Indiana.

NOTE: Applicant states that no new authority is requested by this portion of the application, but merely a change in name of present origin to show "plant site of John Deere Chemical Co., near Pryor, Okla.: in lieu of "Grand River Chemical Division Plant of Deere & Company", and "Grand River Chemical Company plant", as show in present Certificate MC 59117 issued September 12, 1960.

No. MC 103993 (Sub-No. 192), filed November 25, 1964. Applicant: MORGAN DRIVE-AWAY, INC., 2800 Lexington Avenue, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, and *component parts thereof when shipped therewith* from Washington Court House (Fayette County), Ohio to points in the United States (except Alaska and Hawaii).

No. MC 106119 (Sub-No. 18), (CORRECTION), filed November 20, 1964, published in FEDERAL REGISTER issue of December 9, 1964, and republished this

issue. Applicant: ASSOCIATED PETROLEUM CARRIERS, a corporation, Union Road, Spartanburg, S.C. Applicant's attorney: Robert R. Odom, 120 Walnut Street, Spartanburg, S.C.

NOTE: The purpose of this republication is to show the correct Docket No. MC 106119 Sub-No. 18, in lieu of that previously published.

No. MC 110420 (Sub-No. 399), filed December 2, 1964. Applicant: QUALITY CARRIERS, INC., Post Office Box 339, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hydrolyzed fats*, in bulk, in tank vehicles, from Chicago, Ill., to Buffalo, N.Y.

No. MC 126103 (Sub-No. 1), filed November 25, 1964. Applicant: ROBERT A. McQUAIDE, doing business as FRANK ADAMS COMPANY, Depot Street, Belows Falls, Vt. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, agricultural insecticides and fungicides, herbicides, dry, liquid, or gaseous, agricultural limestone and agricultural lime*, from North Walpole, N.H., to points in Vermont, points in Oxford, Cumberland, York, Androscoggin, and Kennebec Counties, Maine, and Clinton, Essex, Warren, and Washington Counties, N.Y., and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, and rejected, refused and damaged shipments, and shipments made in error, on return.

No. MC 126749 filed November 23, 1964. Applicant: K. P. MOVING & STORAGE, INC., 1475 South Acoma Street, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Colorado.

NOTE: Applicant states it proposes the packing and crating of household goods for the account of regulated and unregulated freight forwarders. Common control may be involved.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 64-12905; Filed, Dec. 15, 1964;  
8:48 a.m.]

[Notice 1094]

## MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 11, 1964.

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 67139. By order of December 8, 1964, The Transfer Board approved the transfer to Eastern Carrier Corp., a corporation, Philadelphia, Pa., of Permit in No. MC 83744, issued October 9, 1947, to Harold H. Senger, Smyrna, Del., authorizing the transportation of: Milk and milk products, and empty containers for such commodities, between points in Maryland, Delaware, New Jersey, the District of Columbia, and those as specified in Virginia and Pennsylvania; between Franklinville, N.Y., Millerstown, Pa., and Ridgely, Md., on the one hand, and, on the other, Philadelphia, Pa., Garfield and Newark, N.J., and New York; and between Franklinville, N.Y., Millerstown, Pa., and Ridgely, Md. Paul A. Levy, 1420 Walnut Street, Philadelphia 2, Pa., attorney for applicants.

No. MC-FC 67192. By order of December 8, 1964, The Transfer Board approved the transfer to Bi-State Express, Inc., Mt. Vernon, Ill., of the Certificate in No. MC 117585 and MC 117585 Sub 2, issued February 9, 1959 and April 12, 1961, respectively, to Ferrill Fast Freight, Inc., Salem, Ill., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Salem, Ill., and St. Louis, Mo., serving intermediate points and specified off-route points specified; and petroleum products and automobile parts and accessories, from points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, to Centralia, Ill. Delmar Koebel, 107 West St. Louis, Lebanon, Ill., attorney for applicants.

No. MC-FC 67302. By order of December 10, 1964, The Transfer Board approved the transfer to Twombly Grain Co., Inc., Troy, Kansas, of the operating rights issued by the Commission May 11, 1950, October 6, 1950 and January 13, 1956, under Certificates Nos. MC 275, MC 275 Sub 1 and MC 275 Sub 2, respectively, to R. C. Twombly, doing business as Twombly Truck Line, Troy, Kansas, authorizing the transportation, over regular routes, of livestock and fruit between Troy, Kans., and St. Joseph, Mo., general commodities, excluding household goods, and other specified commodities, from St. Joseph, Mo., to Troy, Kans.; livestock, between Highland, Kans., and St. Joseph and Kansas City, Mo.; livestock, feed, and farm implements, from St. Joseph over U.S. Highway 36 to Highland; livestock, from Highland, Kans., to St. Joseph, Mo., serving all intermediate and off-route points within 10 miles of Highland, Kans., restricted to pickup only, and feed, furniture, ice, oil, and livestock, from St. Joseph, Mo., to Highland, Kans., serving all intermediate and off-route points within 10 miles of Highland, Kans., restricted to delivery only.

No. MC-FC 67334. By order of December 10, 1964, The Transfer Board

approved the transfer to Titan Moving & Storage Corp., Brooklyn, N.Y., of the operating rights in Certificate No. MC 102432, issued October 11, 1956, to Dan Sommo and Vito Sommo, a partnership, doing business as Sommo Brothers, Brooklyn, N.Y., authorizing the transportation, over irregular routes, of household goods as defined, office furniture, store fixtures and equipment, and new and uncrated hospital equipment, between points in New York, N.Y. Morris Honig, 150 Broadway, New York 38, N.Y., attorney for transferee.

No. MC-FC 67338. By order of December 9, 1964, The Transfer Board approved the transfer to Johnson County Suburban Lines, Inc., North Little Rock, Ark., of a portion of Certificates in Nos. MC 61616, No. MC 61616 Sub 36, and the entire authority in Certificate No. MC 61616 Sub 60, issued September 28, 1960, October 31, 1957, and September 29, 1958, respectively, to Midwest Buslines, Inc., North Little Rock, Ark., authorizing the transportation over regular routes of passengers and their baggage, and express and newspapers in the same vehicle with passengers, between Kansas City, Mo., and Olathe, Kans., between Kansas City, Mo., and junction U.S. Highway 69 and 75th Street, Johnson County, Kans.; between Olathe, Kans., and U.S. Naval Base (located approximately five miles south of Olathe); between junction U.S. Highway 50 and Kansas Highway 58, and junction U.S. Highways 50 and 69; between junction Johnson Drive and Roe Avenue and junction 69th Street and U.S. Highway 69, in Johnson County, Kans.; between junction Roe Avenue and 67th Street and junction Roe Avenue and 75th Street, in Johnson County, Kans.; between junction 75th Street and Nall Avenue and junction Prairie Lane and Tomahawk Road, in Johnson County, Kans.; between junction Nall Avenue and Johnson Drive, in Mission, Kans., south over Nall Avenue to junction 69th Street; between junction Belinder Road and Tomahawk Road and junction Tomahawk Road and Wenonga Road, in Johnson County, Kans.; between junction 80th Street and Kansas Highway 58 and junction 76th Street and U.S. Highway 69, in Johnson County, Kans.; between junction Kansas Highway 58 and 81st Street and junction Hardy Street and Kansas Highway 58, in Johnson County, Kans.; between junction Kansas Highway 58 and 80th Street and junction 80th Street and Kansas Highway 58 (Loop Route), in Johnson County, Kans.; newspapers, in the same vehicle with passengers, between Kansas City, Mo., and junction Kansas Highway 58 and Antioch Road, near Overland Park, Kans.; between junction U.S. Highway 69 and 81st Street, in Overland Park, Johnson County, Kans., and junction 83d Street and U.S. Highway 69 in Overland Park; between points in Johnson County, Kans.; between points in Mission Township, Johnson County, Kans.; between junction Nieman Road and 67th Street Terrace and junction Nieman Road and 69th Street Terrace, in Shawnee Village, Johnson County, Kans.; between junction 75th Street and Nall Avenue and junction

79th Street and Tomahawk Road, in Johnson County, Kans.; between junction U.S. Highway 50 and Antioch Road, and junction 75th Street and U.S. Highway 50, in Johnson County, Kans.; and between junction Kansas Highway 58 (Santa Fe Trail) and 80th Street in Overland Park, Kans., and junction Mission Road and U.S. Highway 50 in Johnson County, Kans., in all routes above, serving all intermediate points. Messrs. Warren A. Goff and D. Paul Stafford, 315 Continental Avenue, Dallas, Tex., 75207, attorneys for applicants.

No. MC-FC 67364. By order of December 10, 1964, The Transfer Board approved the transfer to Warners Motor Express, Inc., Red Lion, Pa., of the Certificate in No. MC 20906, issued June 15, 1942, to Columbia Storage Co., Inc., Philadelphia, Pa., authorizing the transportation of: Household goods, between Philadelphia, Pa., and points within 25 miles thereof, on the one hand, and, on the other, points in Connecticut, Delaware, Virginia, West Virginia, Rhode Island, and the District of Columbia; and between points in Pennsylvania, Maryland, New Jersey, Massachusetts, and New York. Morris J. Winokur, Two Penn Center Plaza, Philadelphia, Pa., 19102, attorney for applicants.

No. MC-FC 67365. By order of December 10, 1964, The Transfer Board approved the transfer to Allfreight Lines, Inc., North Reading, Mass., of the Certificate of Registration in No. MC 120818 Sub 1, issued November 24, 1964, to Capeway Freight Lines, Inc., Whitman, Mass., authorizing the transportation in interstate and foreign commerce corresponding to the grant of authority in State certificate No. 3283, issued September 26, 1963 by the Massachusetts Department of Public Utilities. Mary E. Kelley, 10 Tremont Street, Boston 8, Mass., attorney for transferee and George C. O'Brien, 33 Broad Street, Boston 9, Mass., attorney for transferor.

No. MC-FC 67371. By order of December 10, 1964, The Transfer Board approved the transfer to Spokane Suburban Lines, Inc., Spokane, Wash., of Certificate No. MC 124325, issued February 14, 1963, to Empire Lines, Inc., Spokane, Wash., authorizing the transportation of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over regular routes, between Spokane, Wash., and Wallace, Idaho, serving all intermediate points. Lawrence W. Thayer, 902 Paulsen Building, Spokane 1, Wash., attorney for applicants.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 64-12906; Filed, Dec. 15, 1964;  
8:49 a.m.]

[Notice 1094-A]

**MOTOR CARRIER TRANSFER  
PROCEEDINGS**

DECEMBER 11, 1964.

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 67423. By order of December 10, 1964, the Transfer Board approved the transfer to James Bibler, Russellville, Ark., of the operating rights in Certificates Nos. MC 27418 and MC 27418 Sub 4, issued January 23, 1951 and February 17, 1960, respectively, to Ward Jackson, Morrilton, Ark., authorizing the transportation, over irregular routes, of: Lumber, from specified points in Arkansas to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Missouri, Ohio, Oklahoma, Texas, and Wisconsin, and manufactured feed, from specified points in Missouri to named counties in Arkansas. Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark., attorney for applicants.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 64-12907; Filed, Dec. 15, 1964;  
8:49 a.m.]

**FOURTH SECTION APPLICATIONS FOR  
RELIEF**

DECEMBER 11, 1964.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 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 39449: *Joint motor-rail rates—Niagara Frontier.* Filed by Niagara Frontier Tariff Bureau, Inc., agent (No. 34), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in central states territory, on the one hand, and points in Provinces of Ontario and Quebec, Canada, on the other.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 29 to Niagara Frontier Tariff Bureau, Inc., agent, tariff MF-I.C.C. 59.

FSA 39450: *Liquefied Chlorine Gas to Calvert, Ky.* Filed by O. W. South, Jr., agent (No. A4605), for interested rail carriers. Rates on liquefied chlorine gas, in tank carloads, subject to minimum shipment of five cars per day, from Saltville, Va., to Calvert, Ky.

Grounds for relief: Market competition.

Tariff: Supplement 100 to Southern Freight Association, agent, tariff I.C.C. S-207.

FSA 39451: *Cement and related articles from Oklahoma City, Okla.* Filed

by Southwestern Freight Bureau, agent (No. B-8649), for interested rail carriers. Rates on cement and related articles, in carloads, from Oklahoma City, Okla., to points in southern territory.

Grounds for relief: Market competition.

Tariff: Supplement 6 to Southwestern Freight Bureau, agent, tariff I.C.C. 4582.

FSA 39452: *Substituted service—WP for Ashworth Transfer, Inc., et al.* Filed by Ashworth Transfer, Inc. (No. 5), for itself and interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between Salt Lake City, Utah, on the one hand, and Reno, Nev., and Oakland, Calif., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

FSA 39453: *Iron and steel articles to Memphis, Tenn.* Filed by Southwestern Freight Bureau, agent (No. B-8650), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from Brownsville, Eagle Pass, El Paso, Laredo, and Presidio, Tex. (applicable only on shipments imported from Mexico), to Memphis, Tenn.

Grounds for relief: Market competition.

Tariff: Supplement 100 to Southwestern Freight Bureau, agent, tariff I.C.C. 4503.

FSA 39454: *Soda ash to South Addison, Ill.* Filed by Western Trunk Line Committee, agent (No. A-2381), for interested rail carriers. Rates on soda ash (other than modified soda ash), in carloads, from Stauffer and Westvaco, Wyo., to South Addison, Ill.

Grounds for relief: Market competition.

Tariff: Supplement 108 to Western Trunk Line Committee, agent, tariff I.C.C. A-4411.

FSA 39455: *Iron or steel pipe to points in WTL territory.* Filed by Western Trunk Line Committee, agent (No. A-2382), for interested rail carriers. Rates on iron or steel pipe, in carloads, from Geneva and Pipemill, Utah, to points in western trunkline territory.

Grounds for relief: Modified short-line distance formula and grouping.

Tariff: Supplement 108 to Western Trunk Line Committee, agent, tariff I.C.C. A-4411.

FSA 39456: *Vermiculite to Kenbridge, Va.* Filed by O. W. South, Jr., agent (No. A4606), for interested rail carriers. Rates on vermiculite, broken, crushed, or ground, dried or not dried, not expanded, in carloads, from Kearney and Travelers Rest, S.C., to Kenbridge, Va.

Grounds for relief: Market competition.

Tariff: Supplement 128 to Southern Freight Association, agent, tariff I.C.C. S-126.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 64-12901; Filed, Dec. 15, 1964;  
8:48 a.m.]

## CUMULATIVE CODIFICATION GUIDE—DECEMBER

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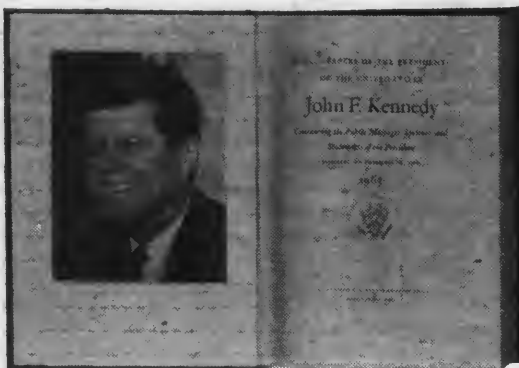
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