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HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

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NOTE: There are no items eligible for inclusion in the list of RULES GOING INTO EFFECT.

List of Public Laws

NOTE: No acts approved by the President were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

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566	12519
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568	12519
571	8962, 10483, 11598, 11738, 12519
581	11598, 12287
609	10697

50 CFR

2	11874
28	11356, 11585, 12090, 12508
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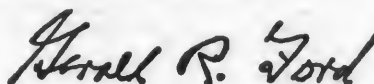
Title 3—The President

EXECUTIVE ORDER 11843

Amending Executive Order No. 11768, Placing Certain Positions in Levels IV and V of the Executive Schedule

By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, as amended, Section 1 of Executive Order No. 11768,¹ of February 20, 1974, as amended, placing certain positions in level IV of the Executive Schedule, is further amended, effective March 1, 1975, by revising paragraph (15) to read as follows:

“(15) Adviser to the Secretary (Counselor, Economic Policy Board), Department of the Treasury, to terminate effective June 1, 1975.”



THE WHITE HOUSE,
March 18, 1975.

[FR Doc.75-7422 Filed 3-18-75;2:52 pm]

¹ 39 FR 6693, Feb. 22, 1974.



rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 36—Parks, Forests, and Public Property

CHAPTER II—FOREST SERVICE, DEPARTMENT OF AGRICULTURE

PART 272—USE OF "WOODSY OWL" SYMBOL

Amendment To Reflect Specific Authority

Pub. L. 93-318 (31 USC 488b-3—488b-6, 18 USC 711a), enacted June 22, 1974, provides specific authority for use and protection of "Woodsy Owl" as a symbol for "a public service campaign to promote wise use of the environment and programs which foster maintenance and improvement of environmental quality." In order to reflect such specific authority and the language contained in Pub. L. 93-318, Part 272, Chapter II of Title 36 of the Code of Federal Regulations is amended by revising the citation of authority and §§ 272.1(a), 272.2, 272.3, 272.4(a)(1) and (a)(2), and 272.6.

In accordance with exceptions to rule making procedures in 5 USC 553 and USDA policy (36 FR 13804), it has been found and determined that advance notice and request for comments would be unnecessary and contrary to public interest. The changes are mainly editorial and not substantive in nature.

(Pub. L. 93-318 (31 USC 488b-3—488b-6, 18 USC 711a))

1. Section 272.1(a) is revised to read as follows:

§ 272.1 Definitions.

(a) The term "Woodsy Owl" means the name and representation of a fanciful owl, who wears slacks (forest green when colored), a belt (brown when colored), and a Robin Hood style hat (forest green when colored) with a feather (red when colored), and who furthers the slogan, "Give a Hoot, Don't Pollute," originated by the Forest Service of the United States Department of Agriculture, or a facsimile or simulation thereof, in such a manner as suggests "Woodsy Owl."

2. Section 272.2 is revised to read as follows:

§ 272.2 Use of official campaign materials.

Official materials produced for the "Woodsy Owl" campaign may be used without express approval from the Chief of the Forest Service where such use is solely for the purpose of increasing pub-

lic knowledge about wise use of the environment and programs which foster maintenance and improvement of environmental quality.

3. Section 272.3 is revised to read as follows:

§ 272.3 Public service use.

The Chief of the Forest Service may authorize the use of "Woodsy Owl" for noncommercial educational purposes, without charge, when such use is essentially as a public service and will, in his judgment, contribute to public information and education concerning wise use of the environment and programs which foster maintenance and improvement of environmental quality.

4. Section 272.4(a)(1) and (2) are revised to read as follows:

§ 272.4 Commercial use.

(a)
 (1) That the proposed use of "Woodsy Owl" will contribute to public knowledge about wise use of the environment and programs which foster maintenance and improvement of environmental quality.
 (2) That the proposed use is consistent with the status of "Woodsy Owl" as a national symbol for a public service campaign to promote wise use of the environment and programs which foster maintenance and improvement of environmental quality.

5. Section 272.6 is revised to read as follows:

§ 272.6 Power to revoke.

It is the intention of these regulations that the Chief, in exercising the authorities delegated hereunder, will at all times consider the primary purpose of carrying on a public service campaign to promote wise use of the environment and programs which foster maintenance and improvement of environmental quality. All authorities and licenses granted under these regulations shall be subject to abrogation by the Chief at any time he finds that the use involved is injurious to the purpose of the "Woodsy Owl" campaign, is offensive to decency or good taste, or for similar reasons, in addition to any other limitations and terms contained in the licenses and other authorities.

Effective date. This amendment becomes effective on March 20, 1975.

ROBERT W. LONG,
Assistant Secretary.

MARCH 17, 1975.

[FR Doc.75-7328 Filed 3-19-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 0—COMMISSION ORGANIZATION

Reorganization of the Common Carrier Bureau

1. On January 21, 1975, all the Commissioners unanimously approved the Common Carrier's request establishing the position of Assistant Chief/International and eliminating the Special Counsel Staff. Part 0 of the rules and regulations, which describes the organization of the Commission is being amended to reflect this change.

2. The amendment adopted herein pertains to agency organization. The prior notice, procedure and effective date provisions of 5 U.S.C. 553 of the Administrative Procedures Act are therefore inapplicable. Authority for the amendments adopted herein is contained in sections 4(l) and 5(b) of the Communications Act of 1934, as amended and in § 0.213(d) of the Commission's rules.

3. In view of the foregoing, *It is ordered*, effective March 25, 1975, Part 0 of the rules and regulations is amended as set forth below.

Adopted: March 11, 1975.

Released: March 12, 1975.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303.)

FEDERAL COMMUNICATIONS
 COMMISSION,
 [SEAL] R. D. LICHTWARDT,
Acting Executive Director.

Section 0.93 is revised to read as follows:

§ 0.93 Office of the Bureau Chief.

The Office of the Bureau Chief is composed of the immediate office of the Chief, a Deputy Chief, an Administrative Officer, an Assistant Chief—International Programs, and a Special Projects Staff. They assist the Chief of the Bureau in planning, directing, coordinating, executing and evaluating the functions and programs of the Bureau, and conduct special projects and research efforts in common carrier regulation.

[FR Doc.75-7289 Filed 3-19-75;8:45 am]

Title 24—Housing and Urban Development
CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM
 [Docket No. FI 505]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128).

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186-93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street, SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. Therefore notice and public procedure under 5 U.S.C. 553(b) are impracticable, unnecessary, and contrary to the public interest.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Alabama	Butler	Greenville, city of	Mar. 13, 1975. Emergency.			
Connecticut	New Haven	Cheehira, town of	do	Apr. 5, 1974		
Florida	Palm Beach	Cloud Lake, town of	do	Dec. 6, 1974		
Do	do	South Bay, city of	do	Jul. 19, 1974		
Georgia	Feach	Port Valley, city of	do	June 28, 1974		
Do	Jefferson	Wrens, city of	do	May 10, 1974		
Indiana	Franklin	Brookville, town of	do	Dec. 7, 1973		
Do	Lake	New Chicago, town of	do	May 31, 1974		
Do	Shelby	Unincorporated areas	do	Nov. 29, 1974		
Do	Switzerland	do	do	Dec. 6, 1974		
Maryland	Wicomico	Mardela Springs, town of	do	Dec. 13, 1974		
New York	Chenango	Afton, village of	do	June 7, 1974		
Do	Orange	Woodbury, town of	do	May 31, 1974		
Ohio	Lucas	Holland, village of	do	Apr. 12, 1974		
Pennsylvania	Tioga	Olymer, township of	do	Jan. 17, 1975		
Texas	Waller	Unincorporated areas	do			
Virginia	Rockingham	Dayton, town of	do	May 31, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 6, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-7019 Filed 3-19-75;8:45 am]

[Docket No. FI 511]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding. Since this publication is merely for the purpose of informing the public of the location of areas of special flood hazard and has no binding effect on the sale of flood insurance or the commencement of construction, notice and public procedure are impracticable, unnecessary, and contrary to the public interest. Inasmuch as this publication is not a substantive rule, the identification of special hazard areas shall be effective on the date shown. Where two dates appear in the column marked effective date of identification, the first listing refers to the initial identification of areas having special flood hazards, and the second date refers to additional areas identified. Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Alabama	Conecuh	Castleberry, town of	H 010050 01	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Mayor, Town Hall, Town of Castleberry, Castleberry, Ala. 36432.	Apr. 4, 1975.
Do.	Jefferson	Gardendale, city of	H 010260 01 through H 010269 06	.....do.....	Mayor, City of Gardendale, City Hall, Gardendale, Ala. 35071.	Do.
Do.	St. Clair	Riverside, town of	H 010288 01 through H 010288 04	.....do.....	Mayor, Town of Riverside, Town Hall, Riverside, Ala. 35135.	Do.
Connecticut	Middlesex	Killingworth, town of	H 000174 01 through H 000174 11	Department of Environmental Protection, Division of Water and Related Resources, Room 307, State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	First Selectman, Town of Killingworth, Town Office Bldg., Killingworth, Conn. (No ZIP).	Do.
Georgia	Warren	Warrenton, city of	H 130187 01	Department of Natural Resources, Office of Planning and Research, 270 Washington St. SW., Room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Mayor, City of Warrenton, City Hall, Warrenton, Ga. 30628.	Do.
Do.	Barrow	Statham, town of	H 130275 01 through H 130275 03	.....do.....	Mayor, Town of Statham, Statham, Ga. 30666.	Do.
Do.	Bartow	Emerson, city of	H 130276 01	.....do.....	Mayor, City of Emerson, Emerson, Ga. 30137.	Do.
Do.	Bleckley	Cochran, city of	H 130279 01 through H 130279 02	.....do.....	Mayor, City of Cochran, City Hall, Cochran, Ga. 31014.	Do.
Do.	Candler	Pulaski, town of	H 130284 01	.....do.....	Mayor, Town of Pulaski, Pulaski, Ga. 30451.	Do.
Do.	Chattooga	Lyery, town of	H 130294 01	.....do.....	Mayor, Town of Lyery, Lyery, Ga. 30780.	Do.
Do.	Coveta	Senola, town of	H 130301 01	.....do.....	Mayor, Town of Senola, Senola, Ga. 30276.	Do.
Do.	Franklin	Franklin Springs, city of	H 130313 01 through H 130313 02	.....do.....	Mayor, City of Franklin Springs, City Hall, Franklin Springs, Ga. 30639.	Do.
Do.	Fulton	Union City, city of	H 130316 01 through H 130316 02	.....do.....	Mayor, City of Union City, Union City, Ga. 30291.	Do.
Do.	Gwinnett	Buford, city of	H 130323 01 through H 130323 04	.....do.....	Mayor, City of Buford, City Hall, Buford, Ga. 30618.	Do.
Do.	Walton & Gwinnett	Loganville, city of	H 130326 01 through H 130326 02	.....do.....	Mayor, City of Loganville, Loganville, Ga. 30249.	Do.
Do.	Gwinnett	Suwanee, city of	H 130328 01 through H 130328 02	.....do.....	Mayor, City of Suwanee, Suwanee, Ga. 30174.	Do.
Do.	Habersham	Demorest, city of	H 130330 01	.....do.....	Mayor, City of Demorest, Demorest, Ga. 30635.	Do.
Do.	Hall	Oakwood, city of	H 130334 01	.....do.....	Mayor, City of Oakwood, Oakwood, Ga. 30666.	Do.
Do.	Harris	Shiloh, city of	H 130339 01 through H 130339 02	.....do.....	Mayor, City of Shiloh, Shiloh, Ga. 31826.	Do.
Do.	Liberty	Midway, city of	H 130351 01 through H 130351 02	.....do.....	Mayor, Town of Midway, Midway, Ga. 31820.	Do.
Do.	McDuffie	Dearing, town of	H 130356 01	.....do.....	Mayor, Town of Dearing, Dearing, Ga. 30606.	Do.
Do.	Meriwether	Alvaton, town of	H 130358 01	.....do.....	Mayor, Town of Alvaton, Alvaton, Ga. 30202.	Do.
Do.	Montgomery	Aley, town of	H 130360 01 through H 130360 02	.....do.....	Mayor, City Hall, Town of Aley, Aley, Ga. 30410.	Do.
Do.	Morgan	Bostwick, town of	H 130362 01 through H 130362 02	.....do.....	Mayor, Town of Bostwick, Bostwick, Ga. 30623.	Do.
Do.	Stephans	Martin, town of	H 130362 01 through H 130362 02	.....do.....	Mayor, Town of Martin, Martin, Ga. 30657.	Do.

RULES AND REGULATIONS

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Taitnanall	Reidsville, city of.	H 130399 01 through H 130399 04	do.	Mayor, City of Reidsville, Reidsville, Ga. 30455.	Do.
Do.	Walker	Linwood, town of.	H 120400 01	do.	Mayor, Town of Linwood, Linwood, Ga. (No ZIP).	Do.
Do.	Walton	Good Hope, town of.	H 130411 01	do.	Mayor, Town of Good Hope, Good Hope, Ga. 30641.	Do.
Do.	Whitaker	Glenwood, city of.	H 130419 01	do.	Mayor, City of Glenwood, Glenwood, Ga. 30422.	Do.
Do.	Wilkinson	Toombsboro, town of.	H 130422 01	do.	Mayor, Town of Toombsboro, Toombsboro, Ga. 31894.	Do.
Do.	Cherokee	Ball Ground, city of.	H 130423 01	do.	Mayor, City of Ball Ground, City Hall, Ball Ground, Ga. 30107.	Do.
Do.	Effingham	Springfield, city of.	H 130427 01	do.	Mayor, City of Springfield, Springfield, Ga. 31329.	Do.
Do.	Elbert	Bowman, city of.	H 130428 01 through H 130428 02	do.	Mayor, City of Bowman, Bowman, Ga. 30624.	Do.
Do.	Jefferson	Stapleton, city of.	H 130433 01 through H 130433 02	do.	Mayor, City of Stapleton, Stapleton, Ga. 30823.	Do.
Do.	Mitchell	Sale City, town of.	H 130439 01 through H 130439 02	do.	Mayor, Town of Sale City, Sale City, Ga. 31784.	Do.
Illinois	Pike	New Canton, town of.	H 170555A 01	Governor's Task Force on Flood Control, 300 North State St., P.O. Box 475, Room 1010, Chicago, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Mayor, Town of New Canton, New Canton, Ill. 62356.	Aug. 16, 1974
Do.	Franklin	Orient, village of.	H 170671 01	do.	Village Manager, Village of Orient, Orient, Ill. 62874.	Apr. 4, 1975
Louisiana	Acadia Parish	Crowley, city of.	II 225195 B	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	City Attorney, City of Crowley, 570 Northwest Court Circle, Crowley, La. 70526.	July 1, 1972
Maine	York	Arundel, town of.	H 230192 01 through H 230192 02	Bureau of Civil Emergency Preparedness, State House, Augusta, Maine 04230. Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04230.	Selectmen, Town of Arundel, Town Office, Arundel, Maine (No ZIP).	Apr. 4, 1975.
Do.	Waldo	Isleboro, town of.	H 230256 01 through H 230256 19	do.	Town Manager, Town Office, Isleboro, Maine 04244.	Do.
Do.	Oxford	Newry, town of.	H 230327 01 through H 230327 05	do.	Town Manager, Town of Newry, Newry, Maine 04261.	Do.
Maryland	Carroll	Unincorporated areas.	H 240015 04 through H 240015 31	Department of Natural Resources, Water Resources Division, State Office Bldg., Annapolis, Md. 21401. Maryland Insurance Department, 301 West Preston St., Baltimore, Md. 21201.	Carroll County Office Bldg., County of Carroll, Court St., Westminster, Md. 21157.	Do.
Do.	Hartford	do.	H 240040 01 through H 240040 36	do.	Acting Director, Department of Public Works, County of Hartford, 45 South Main St., Belair, Md. 21014.	Do.
Do.	Caroline	do.	H 240130 01 through H 240130 22	do.	County Planner, W. A. Stewart Wright, Jr. P.O. Box 207, County of Caroline, County Courthouse, Denton, Md. 21029.	Do.
Massachusetts	Franklin	New Salem, town of.	H 250123 01 through H 250123 06	Division of Water Resources, Water Resources Commission, State Office Bldg., 100 Cambridge St., Boston, MA 02202. Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Chairman, Board of Selectmen, Town of New Salem, Town Hall, New Salem, Mass. 01355.	Do.
Do.	Hampden	Tolland, town of.	H 250151 01 through H 250151 09	do.	Chairman, Tolland Planning Board, Town of Tolland, R.F.D., Granville, Mass. 01034.	Do.
Michigan	Kalamazoo	Parchment, city of.	H 260319A 01	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Hosmer St., Lansing, Mich. 48913.	Mayor, City of Parchment, City Hall, Parchment, Mich. 49004.	May 10, 1974.
Minnesota	Hennepin	Deephaven, village of.	H 270158A 01 through H 270158 02	Division of Waters, Soils and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Building, St. Paul, Minn. 55101.	Village Clerk, Village of Deephaven, 26225 Cottagewood Rd., Excelsior, Minn. 55331.	June 7, 1974; Apr. 4, 1975.
Do.	do.	Minnetonka Beach, city of.	H 270174A 01	do.	Mayor, City of Minnetonka Beach, 14600 Minnetonka Blvd., Minnetonka, Minn. 55361.	June 7, 1974.

RULES AND REGULATIONS

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State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....	Winona.....	St. Charles, city of.	H 270531A 01 through H 270531A 02	.....do.....	Mayor, City of St. Charles, St. Charles, Minn. 55088.	May 24, 1974. Apr. 4, 1975.
Missouri.....	Mercer.....	Mercer, city of.....	H 290567 01.....	Department of Natural Resources, Division of Program and Policy Development, State of Missouri, 306 East High St., Jefferson, Mo. 65101.	Mayor, City of Mercer, City Hall, Mercer, Mo. 64661.	Do.
New Hampshire.....	Hillsborough.....	Brookline, town of.	H 330180 01 through H 330180 02	Division of Insurance, P.O. Box 600, Jefferson City, Mo. 65101. Office of Comprehensive Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301. New Hampshire Insurance Department, 78 North Main St., Concord, N.H. 03301.	Chairman, Board of Selectmen, Brookline, N.H. 03033.	Do.
Do.....	Cheshire.....	Rindge, town of...	H 330189 01 through H 330189 03	.....do.....	Selectmen, Town of Rindge, Rindge, N.H. 03461.	Do.
Do.....	Hillsborough.....	Greenfield, town of.	H 330209 01 through H 330209 00	.....do.....	Selectmen, Town of Greenfield, Greenfield, N.H. 03047.	Do.
New Jersey.....	Camden.....	Gibbsboro, Borough of.	H 340545 01 through H 340545 03	Bureau of Water Control, Department of Environmental Protection, P.O. Box 1300, Trenton, N.J. 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Borough Manager, Borough of Gibbsboro, Gibbsboro, N.J. 08026.	Do.
Do.....	Cape May.....	Dennis, township of.	H 340552 01 through H 340552 24	.....do.....	Township Manager, Township of Dennis, Dennis, N.J. (No ZIP).	Do.
Do.....	Sussex.....	Stillwater, township of.	H 340560 01 through H 340560 07	.....do.....	Township Manager, Township of Stillwater, Stillwater, N.J. 07875.	Do.
Ohio.....	Delaware.....	Delaware, city of..	H 390148A 01 through H 390148A 05	Ohio Department of Natural Resources, Flood Insurance Coordinating Bldg., Fountain Sq., Columbus, Ohio 43224. Ohio Insurance Department, 447 East Broad St., Columbus, Ohio 43215.	City Manager, City of Delaware, City Bldg., Delaware, Ohio 43015.	May 17, 1974.
Do.....	Montgomery.....	Vandalia, city of...	H 390418A 01 through H 390418A 03	.....do.....	Mayor, City of Vandalia, 333 J. E. Bohanan Memorial Dr., Vandalia, Ohio 45377.	June 7, 1974. Apr. 4, 1976.
Pennsylvania...	Tioga.....	Delmar, township of.	H 421177 01 through H 421177 23	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 106 Finance Bldg., Harrisburg, Pa. 17120.	Supervisor, Township of Delmar, R.D. #5, Wellsboro, Pa. 16901.	Apr. 4, 1975.
Do.....	Bradford.....	Herrick, township through	H 421399 01 through H 421399 06	.....do.....	Chairman, Board of Supervisors, Township of Herrick, R.D. #3, Wyalusing, Pa. 18853.	Do.
Do.....	Columbia.....	Sugarloaf, township of.	H 421558 01 through H 421558 07	.....do.....	Chairman, Board of Supervisors, Township of Sugarloaf, R.D. #2, Benton, Pa. 17814.	Do.
Do.....	Lycoming.....	Cogan House, township of.	H 421836 01 through H 421836 06	.....do.....	Chairman, Board of Supervisors, Township of Cogan House, R.D. #1, Trout Run, Pa. 17771.	Do.
Do.....	Perry.....	Liverpool, township of.	H 421958 01 through H 421958 03	.....do.....	Chairman, Board of Supervisors, Township of Liverpool, R.D. #1, Liverpool, Pa. 17045.	Do.
Do.....	Potter.....	Genesee, township of.	H 421977 01 through H 421977 12	.....do.....	Chairman, Board of Supervisors, Township of Genesee, Genesee, Pa. 16023.	Do.
Do.....	Sullivan.....	Forks, township of.	H 422062 01 through H 422062 16	.....do.....	Chairman, Board of Supervisors, Township of Forks, R.D. #3, New Albany, Pa. 18833.	Do.
Do.....	Sullivan.....	LaPorte, township of.	H 422065 01 through H 422065 18	.....do.....	Chairman, Board of Supervisors, Township of LaPorte, R.D. #1, Mumoy Valley, Pa. 17758.	Do.
Do.....	Susquehanna.....	Gibson, township of.	H 422080 01 through H 422080 08	.....do.....	Chairman, Board of Supervisors, Township of Gibson, Box 38, Gibson, Pa. 18820.	Do.
Do.....	do.....	New Milford, township of.	H 422089 01 through H 422089 15	.....do.....	Chairman, Board of Supervisors, Township of New Milford, R.D. #1, New Milford, Pa. 18834.	Do.
Do.....	Tioga.....	Liberty, township of.	H 422098 01 through H 422098 16	.....do.....	Chairman, Board of Supervisors, Township of Liberty, R.D., Liberty, Pa. 16930.	Do.
Do.....	Warren.....	Glade, township of.	H 422122 01 through H 422122 07	.....do.....	Chairman, Board of Supervisors, Township of Glade, 408 Quaker Rd., R.D., Warren, Pa. 16965.	Do.
Do.....	York.....	Jackson, township of.	H 422228 01 through H 422228 12	.....do.....	Chairman, Board of Supervisors, Township of Jackson, R.D. #1, Thomasville, Pa. 17864.	Do.
Do.....	Clairon.....	Knox, township of.	H 422267 01 through H 422267 02	.....do.....	Chairman, Board of Supervisors, Township of Knox, Ladinda, Pa. 16235.	Do.
Do.....	Clearfield.....	Girard, township of.	H 422381 01 through H 422381 18	.....do.....	Chairman, Board of Supervisors, Township of Girard, R.D. #2, Clearfield, Pa. 16830.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....	Lebanon.....	Cold Spring, township of	H 422470 01 through H 422470 02	.....do.....	Secretary, Township of Cold Spring, Cold Spring, Pa. (No ZIP).	Do.
Do.....	McKean.....	Corydon, township of	H 422473 01 through H 422473 01	.....do.....	Chairman, Board of Supervisors, Township of Corydon, Wolf Run Rd., Bradford, Pa. 16701.	Do.
Do.....	Somerset.....	Greenville, township of	H 422512 01 through H 422512 03	.....do.....	Chairman, Board of Supervisors, Township of Greenville, Route No. 3, Meyersdale, Pa. 15552.	Do.
Do.....	Susquehanna.....	Herrick, township of	H 422530 01 through H 422530 08	.....do.....	Chairman, Board of Supervisors, Township of Herrick, Uniondale, Pa. 18470.	Do.
Virginia.....	Surry.....	Claremont, town of	H 510158 01 through H 510158 04	Bureau of Water Control Management, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230. Virginia Insurance Department, 700 Blanton Bldg., P.O. Box 1157, Richmond, Va. 23209.	Mayor, Town of Claremont, Claremont, Va. 23899.	Do.
Do.....	Isle of Wight County.	Unincorporated areas.	H 510303 01 through H 510303 26	.....do.....	Isle of Wight County, Isle of Wight, Va. 23397.	Do.
Do.....	Loudoun.....	Hillsboro, town of	H 510316 01	.....do.....	Mayor, Town of Hillsboro, Hillsboro, Va. 22132.	Do.
Wisconsin.....	Calumet.....	Brillion, city of	H 550036A 01	Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 201 East Washington Ave., Madison, Wis. 53703.	Mayor, City Hall, City of Brillion, Brillion, Wis. 54110.	Mar. 8, 1974. Apr. 4, 1975.
Do.....	Milwaukee.....	St. Francis, city of	H 550281A 01	.....do.....	Mayor, City of St. Francis, City Hall, St. Francis, Wis. (No ZIP).	June 7, 1974. Apr. 4, 1975.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969).

Issued: March 7, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-7013 Filed 3-10-75;8:45 am]

Title 7—Agriculture

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Traveltime Allowances

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

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Plant Protection and Quarantine Programs, by 7 CFR 354.1 of the regulations concerning overtime services relating to imports and exports, the administrative instructions appearing at 7 CFR 354.2, as amended, February 3, 1975 (40 FR 4897), prescribing the commuted traveltime that shall be included in each period of overtime or holiday duty are further amended by adding (in appropriate alphabetical sequence) or deleting the information as shown below:

§ 354.2 Administrative instructions prescribing commuted traveltime.

COMMUTED TRAVELTIME ALLOWANCES (IN HOURS)

Location covered	Served from	Metropolitan area	
		Within	Outside
Delete:			
Arizona:			
Douglas.....	Nogales.....		6
New Jersey:			
Bridgeport (Monsanto).....	Wilmington, Del.	1	
Rhode Island:			
Tiverton.....	Warwick.....		4
Add:			
Arizona:			
Douglas.....	Nogales.....		6
New Jersey:			
Bridgeport (Monsanto).....	Wilmington, Del.	1	
Rhode Island:			
Tiverton.....	Warwick.....		8

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

It is to the benefit of the public that this instruction be made effective at the earliest practicable date. Accordingly, it is found upon good cause, under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing amendment are impracticable and unnecessary and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. The foregoing amendment shall become effective March 20, 1975.

Done at Washington, D.C., this 13th day of March 1975.

T. G. DARLING,
Acting Deputy Administrator,
Plant Protection and Quarantine Programs.

[FR Doc.75-7291 Filed 3-19-75;8:45 am]

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

[Orange Reg. 73, Amdt. 5; Tangerine Reg. 46, Amdt. 7; Tangelo Reg. 46, Amdt. 4; Export Reg. 24, Amdt. 4]

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

Grade and Size Regulations

These amendments lower minimum grade requirements applicable to fresh shipments of Temple oranges, tangerines, and tangelos and minimum grade and size requirements applicable to fresh shipments of Murcott Honey oranges grown in the production area in Florida. The lower minimum grade and size requirements specified for domestic and export shipments of Florida Murcott Honey oranges, Temple oranges, tangerines, and tangelos recognize the lesser quality of such fruits estimated to be remaining for fresh shipment from the production area.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order

No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the regulation of shipments of Murcott Honey oranges, Temple oranges, tangerines, and tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) These amendments reflect the Department's appraisal of the current and prospective demand for fresh Murcott Honey oranges, Temple oranges, tangerines, and tangelos by domestic and export market outlets. Less restrictive regulation requirements for Murcott Honey oranges, Temple oranges, tangerines, and tangelos are consistent with the external appearance and remaining supply of such fruit in the production area. Remaining supplies of Florida Murcott Honey oranges, Temple oranges, tangerines, and tangelos from the 1974-75 crop are currently estimated at 559 carlots, 695 carlots, 32 carlots, and 49 carlots, respectively.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of these amendments until April 21, 1975 (5 U.S.C. 553) because the time intervening between the date when information upon which these amendments are based became available and the time when these amendments must become effective in order to effectuate the declared policy of the act is insufficient; and these amendments relieve restrictions on the handling of Murcott Honey oranges, Temple oranges, tangerines, and tangelos grown in Florida.

Order. 1. The provisions of paragraph (b) (5), (b) (7), and (b) (8) and paragraph (c) of § 905.555 (Orange Regulation 73; 39 FR 32976, 37186, 40745, 42899; 40 FR 2792) are amended to read as follows:

§ 905.555 Orange Regulation 73.

(b)

(5) Any Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Bronze;

(7) Any Murcott Honey oranges, grown in the production area, which do not grade at least Florida No. 1 Russet Grade: *Provided*, That during the period March 24, 1975, through September 28, 1975, such Murcott Honey oranges may be shipped if they grade at least U.S. No. 2 Russet;

(8) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2 1/16 inches in diameter, except that a tolerance for Murcott Honey oranges smaller than such mini-

mum size shall be permitted as specified in § 51.1818 of the United States Standards for Florida Tangerines;

(c) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; Florida No. 1 Russet Grade shall have the same meaning as provided in § 20-35.03 of Chapter 20-35 of the regulations of the Florida Citrus Commission, and all other terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (7 CFR 51.1140-51.1180) or the United States Standards for Florida Tangerines (7 CFR 51.1810-51.1835).

2. In § 905.557 (Tangerine Regulation 46; 39 FR 32976; 37186, 40745, 41239, 42899, 44735; 40 FR 8321) the provisions of paragraph (b) (1) are amended to read as follows:

§ 905.557 Tangerine Regulation 46.

(b)

(1) Any tangerines, grown in the production area, which do not grade at least U.S. No. 2; or

3. In § 905.558 (Tangelo Regulation 46; 39 FR 32976, 37186, 40745, 42899), the provisions of paragraph (b) (1) are amended to read as follows:

§ 905.558 Tangelo Regulation 46.

(b)

(1) Any tangelos, grown in the production area, which do not grade at least U.S. No. 2; or

4. In § 905.559 (Export Regulation 24; 39 FR 32976, 37186; 40 FR 2792, 11345) the provisions of paragraph (b) (5), (b) (7), (b) (8), (b) (15), and (b) (17) and paragraph (c) are amended to read as follows:

§ 905.559 Export Regulation 24.

(b)

(5) Any Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Bronze;

(7) Any Murcott Honey oranges, grown in the production area, which do not grade at least Florida No. 1 Russet Grade: *Provided*, That during the period March 24, 1975, through September 28, 1975, such Murcott Honey oranges may be shipped if they grade at least U.S. No. 2 Russet;

(8) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2 1/16 inches in diameter, except that a tolerance for undersize Murcott Honey oranges shall be permitted as specified in § 51.1818 of the United States Standards for Florida Tangerines;

(15) Any tangerines, grown in the production area, which do not grade at least U.S. No. 2;

(17) Any tangelos, grown in the production area, which do not grade at least U.S. No. 2; or

(c) Terms used in the amended marketing agreements and order, including Improved No. 2 grade, shall, when used herein, have the same meanings as are given to the respective terms in said amended marketing agreement and order; Florida No. 1 Russet Grade shall have the same meaning as provided in § 20-35.03 of Chapter 20-35 of the Regulations of the Florida Citrus Commission, and all other terms relating to grade, except Improved No. 2 grade, and diameter, as used herein shall have the same meanings as are given to the respective terms in the following United States Standards, as applicable: United States Standards for Florida Oranges and Tangelos (7 CFR 51.1140-51.1180), United States Standards for Florida Grapefruit (7 CFR 51.750-51.784), or the United States Standards for Florida Tangerines (7 CFR 51.1810-51.1835).

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

Dated, March 14, 1975, to become effective March 17, 1975.

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

[FR Doc. 75-7323 Filed 3-19-75; 8:45 am]

[Navel Orange Reg. 344]

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

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period March 21-27, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.644 Navel Orange Regulation 344.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), 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 recommendations 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 effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Navel oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Navel orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Navel oranges is good, but not quite as active as a week ago. Prices f.o.b. averaged \$3.56 per carton on a reported sales volume of 1,229 cartons last week, compared with an average f.o.b. price of \$3.66 per carton and sales of 1,295 cartons a week earlier. Track and rolling supplies at 617 cars were down 45 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Navel oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date

hereof. Such committee meeting was held on March 18, 1975.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 21, 1975, through March 27, 1975, are hereby fixed as follows:

(i) District 1: 1,275,000 cartons;

(ii) District 2: 225,000 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: March 19, 1975.

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

[FR Doc.75-7538 Filed 3-19-75; 11:49 am]

[Valencia Orange Reg. 469]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period March 21-27, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.789 Valencia Orange Regulation 489.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia 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 recommendations and information submitted by the Valencia 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 Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during

the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges is not yet established. Prices f.o.b. averaged \$3.04 per carton on a reported sales volume of 29 cartons last week, compared with an average f.o.b. price of \$3.13 per carton and sales of 37 cartons a week earlier. Track and rolling supplies at 52 cars were down 4 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 18, 1975.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of Cal-

fornia which may be handled during the period March 21, 1975, through March 27, 1975, are hereby fixed as follows:

- (i) District 1: Unlimited;
- (ii) District 2: Unlimited;
- (iii) District 3: 100,000 cartons."

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

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

Dated: March 19, 1975.

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

[FR Doc.75-7539 Filed 3-19-75;11:49 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 74-CE-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area; Correction

In FR Doc. 75-972, appearing on page 2422 of the FEDERAL REGISTER in the issue of Monday, January 13, 1975, lines 6 and 7 of the transition area description should be amended to read as follows: "Missouri VORTAC 166° radial, ex-".

Issued in Kansas City, Missouri, on February 12, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

[FR Doc.75-7240 Filed 3-19-75;8:45 am]

[Docket No. 14452; Amdt. No. 960]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document

Inspection Facility, HQ-405, 800 Independence Avenue, SW, Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective May 1, 1975:

- Hawthorne, Calif.—Hawthorne Municipal Arpt., VOR Rwy 7, Amdt. 9.
- Hawthorne, Calif.—Hawthorne Municipal Arpt., VOR Rwy 25, Amdt. 10.
- Lancaster, Calif.—Gen. William J. Fox Airfield, VOR-A, Amdt. 2.
- Sodus, N.Y.—Williamson-Sodus Arpt., VOR/DME Rwy 10, Orig.

*** effective April 24, 1975:

- Chicago, Ill.—Chicago O'Hare Int'l Arpt., VOR Rwy 4L, Amdt. 1, cancelled.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., VOR Rwy 22R, Amdt. 3.

*** effective March 27, 1975:

- Salinas, Calif.—Salinas Municipal Arpt., VOR/DME-A, Amdt. 4.
- Salinas, Calif.—Salinas Municipal Arpt., VOR/DME Rwy 13, Amdt. 3.
- Salinas, Calif.—Salinas Municipal Arpt., VOR Rwy 13, Amdt. 8.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective April 24, 1975:

- Chicago, Ill.—Chicago O'Hare Int'l Arpt., LOC (BO) Rwy 14R, Amdt. 3.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., LOC Rwy 4L, Amdt. 11.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., LOC Rwy 4R, Amdt. 2.
- Laconia, N.H.—Laconia Municipal Arpt., LOC Rwy 8, Amdt. 1.

*** effective March 27, 1975:

- Salinas, Calif.—Salinas Municipal Arpt., LOC/DME Rwy 31, Amdt. 1.

*** effective March 7, 1975:

- Monticello, N.Y.—Sullivan Co. Int'l Arpt., LOC Rwy 15, Amdt. 1.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective May 1, 1975:

- Sturgis, Mich.—Kirsch Municipal Arpt., NDB Rwy 24, Amdt. 4.

- Sturgis, Mich.—Kirsch Arpt., NDB Rwy. 18, Orig.

*** effective April 24, 1975:

- Chicago, Ill.—Chicago O'Hare Int'l Arpt., NDB Rwy 4L, Amdt. 9.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., NDB Rwy 14L, Amdt. 16.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., NDB Rwy 14R, Amdt. 15.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., NDB Rwy 27R, Amdt. 15.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., NDB Rwy 32L, Amdt. 12.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., NDB Rwy 32R, Amdt. 12.
- DeKalb, Ill.—DeKalb Municipal Arpt., NDB Rwy 27, Amdt. 2.
- Laconia, N.H.—Laconia Municipal Arpt., NDB Rwy 8, Amdt. 1.
- Rockford, Ill.—Greater Rockford Arpt., NDB Rwy 38, Amdt. 16.

*** effective April 3, 1975:

- DuBois, Penn.—DuBois-Jefferson Co. Arpt., NDB Rwy 25, Amdt. 4.
- Watertown, Wisc.—Watertown Municipal Arpt., NDB Rwy 23, Orig.

*** effective March 7, 1975:

- Monticello, N.Y.—Sullivan Co. Int'l Arpt., NDB Rwy 15, Amdt. 1.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective April 24, 1975:

- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 14L, Amdt. 20.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 14R, Amdt. 21.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 22L, Amdt. 2.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 22R, Amdt. 1.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 27L, Amdt. 5.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 27R, Amdt. 17.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 32L, Amdt. 13.
- Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 32R, Amdt. 10.
- Fairbanks, Alaska—Fairbanks Int'l Arpt., ILS/DME Rwy 1L, Orig.
- Rockford, Ill.—Greater Rockford Arpt., ILS Rwy 38, Amdt. 19.

*** effective April 3, 1975:

- DuBois, Pa.—DuBois-Jefferson Co. Arpt., ILS Rwy 25, Amdt. 1.

*** effective March 27, 1975:

- Salinas, Calif.—Salinas Municipal Arpt., ILS/DME Rwy 31, Orig.

5. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective May 1, 1975.

- Hawthorne, Calif.—Hawthorne Municipal Arpt., RNAV Rwy 25, Amdt. 2.
- Lancaster, Calif.—Gen. William J. Fox Airfield, RNAV Rwy 24, Amdt. 4.

Correction

In Docket Nr. 14303, Amendment 955 to Part 97 of the Federal Aviation Regulations, published in the FEDERAL REGISTER under § 97.25, effective March 27, 1975—Destroy Los Angeles, Calif.—Los Angeles Int'l Arpt., LOC Rwy 6L, Orig. (Secs. 307, 313, 601, 1110, Federal Aviation Act of 1946; 49 U.S.C. 1436, 1354, 1421, 1510,

sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1)).

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

Issued in Washington, D.C., on March 13, 1975.

JAMES M. VINES,
Chief, Aircraft Programs Division.

[FR Doc. 75-7239 Filed 3-19-75; 8:45 am]

Title 16—Commercial Practices
CHAPTER I—FEDERAL TRADE
COMMISSION

[Docket 8804]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Diener's Inc., et al.

Codification under Part 13 appears at 38 FR 3398, Feb. 6, 1973.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Modifying Order, Diener's, Inc., et al., Hyattsville, Md., Docket 8804, Nov. 19, 1974]

In the Matter of Diener's Inc., a Corporation, Diener's of Virginia, Inc., a Corporation, Diener's of Rockville, Inc., a Corporation, Diener's of Lanham, Inc., a Corporation, Diener's of Tysons Corner, Inc., a Corporation, Mayfield Company, Inc., Walter Diener, Milton Diener, and Harold Reznick, Individually and as Officers of Said Corporations

Order modifying previous Commission order issued Dec. 21, 1972, 81 F.T.C. 945, by enlarging its language to permit respondent to make savings claims in relation to either the difference between its previous and present prices or in relation to differences between its prices and those of its competitors.

The Modifying Order, including further order requiring report of compliance therewith, is as follows:¹

Respondents, having filed in the United States Court of Appeals for the District of Columbia Circuit on Feb. 16, 1973, a petition to review and set aside an order to cease and desist issued herein on Dec. 21, 1972, and the Court having rendered its decision on March 22, 1974, affirming the order to cease and desist, except for numbered Paragraph 2 of the order which it directed be modified;

Now, therefore, it is hereby ordered, That the aforesaid order to cease and desist be, and it hereby is, modified in accordance with the opinion of the Court to read as follows:

ORDER

It is ordered, That respondents Diener's, Inc., Diener's of Virginia, Inc., Diener's of Rockville, Inc., Diener's of Lanham, Inc., Diener's of Tysons Corner, Inc., and Mayfield Company, Inc.,

¹ Copy of the Modifying Order to Cease and Desist filed with the original document.

corporations, and their officers, and Milton Diener and Harold Reznick, individually and as officers of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of rugs, carpets, floor coverings, or any other articles of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Diener's Storewide Carpet Sale", "Fantastic 6 Store Factory Inventory Clearance" or any other word or words of similar import or meaning unless the price of such merchandise being offered for sale constitutes a reduction, in an amount not so insignificant as to be meaningless, from the actual bona fide price at which such merchandise was sold or offered for sale to the public on a regular basis by respondents for a reasonably substantial period of time in the recent, regular course of their business.

2. Using the words "Save" or "Savings" or any other word or words of similar import or meaning in conjunction with a stated dollar or percentage amount of savings between respondents' stated price and any other price used for comparison with that price, unless the stated dollar or percentage amount of savings actually represents the difference between the offering price and the actual price at which a substantial number of principal retail outlets in the trade area regularly sell or offer the merchandise for sale or between the offering price and the actual bona fide price at which such merchandise had been sold or offered for sale on a regular basis to the public by the respondents for a reasonably substantial period of time in the recent, regular course of their business.

3. Using the words "Regular", "Reg.", or any other words of similar import and meaning, to refer to any price amount which is in excess of the price at which such merchandise has been sold or offered for sale in good faith by respondents for a reasonably substantial period of time in the recent, regular course of their business and unless respondents' business records establish that said amount is the price at which such merchandise has been sold or offered for sale in good faith by respondents for a reasonably substantial period of time in the recent, regular course of their business.

4. Using the words "area's competitive price", or words of similar import and meaning, to refer to any price amount which is appreciably in excess of the prices at which substantial sales of the same merchandise have been made in respondents' trade area and unless respondents have in good faith conducted a market survey which establishes the validity of the trade area prices; or misrepresenting, in any manner, the price at which merchandise has been sold in respondents' trade area.

5. (a) Representing, in any manner, that by purchasing any of said merchandise,

customers are afforded savings amounting to the difference between respondents' stated price and respondents' former price unless such merchandise has been sold or offered for sale in good faith at the former price by respondents for a reasonably substantial period of time in the recent, regular course of their business.

(b) Representing, in any manner, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondents' stated price and a compared price for said merchandise in respondents' trade area unless a substantial number of the principal retail outlets in the trade area regularly sell said merchandise at the compared price or some higher price.

(c) Representing, in any manner, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondents' stated price and a compared value price for comparable merchandise, unless substantial sales of merchandise of like grade and quality are being made in the trade area at the compared price or a higher price and unless respondents have in good faith conducted a market survey or obtained a similar representative sample of prices in their trade area which establishes the validity of said compared price and it is clearly and conspicuously disclosed that the comparison is with merchandise of like grade and quality.

6. Misrepresenting, in any manner, the amount of savings available to purchasers or prospective purchasers of respondents' merchandise at retail.

7. Failing to maintain adequate records (a) which disclose the facts upon which any savings claims, including former pricing claims and comparative value claims, and similar representations of the type described in paragraphs 2-6 of this order are based, and (b) from which the validity of any savings claims, including former pricing claims and comparative value claims, and similar representations of the type described in paragraphs 2-6 of this order can be determined.

8. Representing, directly or by implication, that any offer is limited in point of time or restricted in any manner, unless the represented limitation or restriction is actually imposed and in good faith adhered to by respondents.

9. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of respondents' products or services, and failing to secure from each such salesman or other person a signed statement acknowledging receipt of said order.

It is further ordered, That respondents Diener's, Inc., Diener's of Virginia, Inc., Diener's of Rockville, Inc., Diener's of Lanham, Inc., Diener's of Tysons Corner, Inc., and Mayfield Company, Inc., corporations, and their officers, and Milton Diener and Harold Reznick, individually and as officers of said corporations, and respondents' representatives, agents and

employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale, in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of constituent fibers contained therein.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representations by disclosure or by implication, as to fiber content of any textile fiber product in any written advertisement which is used to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of such textile fiber product unless the same information required to be shown on the stamp, tag, label or other means of identification under sections 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Failing to set forth in disclosing fiber content, information as to coverings containing exempted backings, fillings or paddings, that such disclosure relates only to the face, pile or outer surface of such textile fiber products and not to the exempted backings, fillings, or paddings.

3. Using a fiber trademark in advertising textile fiber products without a full disclosure of the required fiber content information in at least one instance in said advertisement.

4. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in the advertisement, in immediate proximity and conjunction with the generic name of the fiber, in plainly legible and conspicuous type.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That respondents notify the Commission at least thirty days prior to any proposed change in any of the corporate respondents such as dis-

solution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporations, or any of them, which may affect compliance obligations arising out of this order.

It is further ordered, That the respondents shall forthwith distribute a copy of this order to each of their respective operating divisions.

The Modifying Order was issued by the Commission, Nov. 19, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7271 Filed 3-19-75;8:45 am]

[Docket C-2599]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Josephs Furniture Co., Inc., et al.

Subpart—Advertising falsely or misleadingly; § 13.10 *Advertising falsely or misleadingly*; § 13.15 *Business status, advantages or connections*; 13.15-20 *Business methods and policies*; 13.15-70 *Financing activities*; § 13.73 *Formal regulatory and statutory requirements*; 13.73-92 *Truth in Lending Act*; § 13.155 *Prices*; 13.155-95 *Terms and conditions*; 13.155-95(a) *Truth in Lending Act*. Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; 13.533-5 *Arbitration*; 13.533-20 *Disclosures*; 13.533-25 *Displays, in-house*; 13.533-45 *Maintain records*; 13.533-45(c) *Complaints*; 13.533-45(k) *Records, in general*; 13.533-55 *Refunds, rebates, and/or credits*. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 *Delaying or withholding corrections, adjustments or action owed*; § 13.677 *Delaying or failing to deliver goods or provide services or facilities*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1370 *Business methods, policies, and practices*.—Goods: § 13.1760 *Terms and conditions*; 13.1760-50 *Sales contract*.—Prices: § 13.1823 *Terms and conditions*; 13.1823-20 *Truth in Lending Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; 13.1852-75 *Truth in Lending Act*; § 13.1892 *Sales contract, right-to-cancel provision*; § 13.1895 *Scientific or other relevant facts*; § 13.1905 *Terms and conditions*; 13.1905-60 *Truth in Lending Act*. Subpart—Threatening suits, not in good faith: § 13.2264 *Delinquent debt collection*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 22 Stat. 146, 147; 15 U.S.C. 45, 1601-1605) [Cease and desist order, Josephs Furniture Co., Inc., et al., New York City, Docket C-2599, Nov. 19, 1974.]

In the Matter of Josephs Furniture Co., Inc., a Corporation, and Fred Radelman and Jerome Radelman, Individually and as Officers of Said Corporation

Consent order requiring a New York City furniture dealer, among other things to cease failing to make repairs on furniture delivered in damaged condition, and to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act. Further, the order requires respondent to provide its customers with the right to submit grievances concerning merchandise to legally binding arbitration.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:¹

ORDER I

A. *It is ordered*, That respondents Josephs Furniture Co., Inc., a corporation, its successors and assigns, and its officers, and Fred Radelman and Jerome Radelman, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporation, subsidiary, division or any other device in connection with the purchasing, advertising, offering for sale, sale and distribution of furniture and appliances, or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

a. Respondents will cause an assignment of wages.

b. Respondents will cause repossession of merchandise after failure to pay the amount claimed as owing following notice of intent to repossess; or misrepresenting, in any manner, respondents' repossession procedures.

2. Failing to give notification of the commencement of legal action by respondents against a customer by mailing a summons and complaint to such customer's last known address, and failing to obtain from the post office a certificate of such mailing. Such notice shall be in addition to any other notification or service required by law, practice or custom. Such summons and complaint to be sent by first class mail by respondents or their attorney with instructions on the face of the envelope "Do not forward. Address Correction Requested". In the event that such mail is returned as undeliverable by the Post Office or if the residence address of the defendant is unknown, the summons is to be mailed to the customer, care of the employer or place of employment of the customer if known, in a sealed envelope not indicating on the outside thereof, directly or indirectly by the return address or otherwise, that the communication is from an attorney or concerns an alleged debt.

3. Failing to provide consumers with contracts, credit cost disclosures and other mandated written disclosures printed in English and Spanish when the sales presentation was made, either par-

¹ Copies of the Complaint, Decision and Order, and Appendices, filed with the original document.

tially or wholly, in the Spanish language.

B. *It is further ordered*, That beginning the effective date of this order, respondents:

1. Inform all customers at the time of sale both orally and in writing that, if furniture and/or appliances are delivered in a defective or damaged condition, the customer has the right and option to cancel the contract and obtain a refund of all monies, by notifying respondents, in writing, within ten (10) days of the receipt of such damaged or defective merchandise. Written notice of this right of cancellation shall be furnished to all customers on the face of all order forms, sales contracts and invoices executed by the customer, with such conspicuousness and clarity as is likely to be read and understood, *Provided, however*, That the provisions of paragraph "B", parts "1" and "2" of the order shall not apply to merchandise sold "as is", conspicuously designated as such on order forms, sales contracts and invoices executed by the customers, nor to sales of merchandise to customers who have knowledge of damage to, or defects in, particular merchandise and have given written consent to purchasing same.

2. Refund immediately all monies to customers who have requested contract cancellation in writing within ten (10) days from the date of actual delivery of defective or damaged merchandise except that in lieu of making such a refund, respondents may, with the written consent of, and with no additional cost to, a customer, replace or repair defective or damaged merchandise, such replacement or repair to be fully, satisfactorily, and promptly performed, in accordance with Paragraph B, Subpart 3, of this Order I. In such a case, the customer who consents to accept replacement or repair in lieu of a refund, may cancel the contract with a refund of all monies by notification to respondents in writing within ten (10) days from the date of actual delivery or redelivery of any replacement or repaired merchandise that is itself defective or damaged.

3.(a) For purposes of this order, respondents shall make all refunds or obtain the voluntary written consent of the customer for replacement or repair, as provided for in this order, within one (1) week of the receipt of the customer's request for cancellation; shall complete all repairs, pursuant to a written consent for repairs, within two (2) weeks from the date of such written consent and shall make full replacements, pursuant to a written consent for replacement, within thirty (30) days from the date of such written consent. In all other instances, where a customer has requested repairs or replacements, orally or in writing, within ten days following the delivery of defective, damaged or nonconforming merchandise, respondents shall investigate such complaints forthwith and complete repairs within three (3) weeks and replacements within forty (40) days of the receipt of such request. For purposes of Paragraph B, Subpart 2 of this Order I, the term "satisfactorily"

may be a subject of an arbitration held pursuant to this order.

3.(b) If the repair or replacement cannot be completed within the time specified by this order, respondents shall notify the customer, orally and in writing, at least five (5) business days prior to the scheduled completion date of respondents' inability to complete repairs or replacement by such date and shall cancel the contract with a full refund within one week; except that in lieu of making such refund, respondents may, at the option of the customer, obtain the customer's voluntary written consent for an extension of the date set for completion, setting forth a date certain for completion, which shall be a date by which respondents actually expect to complete performance.

4. For a period of two (2) years, maintain and produce for inspection and copying, adequate records to disclose the facts pertaining to the receipt, handling and disposition of each and every communication from a customer, oral or written, requesting contract cancellation, refund, replacement or repair.

C. *It is further ordered*, That in addition to other rights given to a customer pursuant to this Order, if the respondents and a customer are unable to agree upon a settlement of any controversy involving the delivery or repair of any damaged or defective furniture, appliances, or other merchandise, or the failure to replace or repair such damaged or defective merchandise or to make cancellations with refunds with respect thereto, then, at the option of the customer, such customer shall have the right to submit the issues to an impartial arbitration procedure entailing no mandatory administrative cost or filing fee to the consumer, which shall be conducted in accordance with the arbitration procedures annexed to this order, as Appendix "A", and the procedures for arbitration adopted in Appendix "A", are to be considered as incorporated within the terms of this order.

D. *It is further ordered*, That respondents comply with and abide by any award or decision rendered pursuant to the arbitration procedures of subparagraph C.

Furthermore, respondents shall not be entitled to prevent arbitration pursuant to any provision of this order by reason of having obtained a default judgment against any customer in an action for money allegedly due the respondents or their assignees.

E.(1) *It is further ordered*, That respondents shall provide adequate notification to customers of their right to submit such controversy to arbitration and that respondents incorporate the following statement on the face of all sales contracts with such conspicuousness and clarity as is likely to be read and understood by customers.

NOTICE

Any right or claim which the customer may have arising out of or relating to this contract or any breach thereof shall

be settled, at the option of the customer, by arbitration. Such arbitration shall be conducted in accordance with Arbitration Rules of the Consumer Business Arbitration Tribunal of the Better Business Bureau of Metropolitan New York, Inc. Consumers seeking arbitration should contact the Better Business Bureau of Metropolitan New York, Inc., whose offices are located at 110 Fifth Avenue, New York, New York 10011, telephone (212) 989-6150.

Under New York State law, arbitration, if undertaken, is legally binding and final."

E.(2) Respondents are authorized and directed to change the instructions, contained in the Notice set forth in Order I, Paragraph E(1), as to how to secure arbitration if circumstances require.

ORDER II

It is further ordered, That respondents Josephs Furniture Co., Inc., a corporation, its successors and assigns, and its officers, and Fred Radelman and Jerome Radelman, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or any other device, in connection with any extension of consumer credit, or any advertisement to aid, promote or assist directly or indirectly any extension of consumer credit, as "consumer credit" and "advertisement" are defined in Regulation Z (12 CFR 226) of the Truth in Lending Act (Pub. L. 90-321, 12 U.S.C. 1601 *et seq.*) do forthwith cease and desist from:

1. Failing to disclose the annual percentage rate in accordance with the requirements of § 226.5 of Regulation Z, as prescribed by § 226.8(b)(2) of Regulation Z.

2. Failing to accurately disclose the sum of the cash price, all charges which are included in the amount financed but which are not part of the finance charge, and the finance charge, and to describe that sum as the "deferred payment price", as required by § 226.8(c)(8)(ii) of Regulation Z.

3. Failing to disclose the date on which the finance charge begins to accrue if different from the date of the transaction, as required by § 226.8(b)(1) of Regulation Z.

4. Failing to disclose the number of payments and due dates scheduled to repay the indebtedness, as required by § 226.8(b)(3) of Regulation Z.

5. Failing, in any consumer credit transaction or advertisement, to make all disclosures determined in accordance with §§ 226.4 and 226.5 of Regulation Z, in the manner, form and amount required by §§ 226.6, 226.7, 226.8, 226.9, and 226.10 of Regulation Z.

ORDER III

A. *It is further ordered*, That for a period of one year, respondents post in a prominent place in each salesroom or other area wherein respondents sell furniture or other products and services, a copy of this cease and desist order, with

a notice that any customer or prospective customer may receive a copy on demand.

B. *It is further ordered*, That respondents prominently display the following notice in two or more locations in that portion of respondents' business premises most frequented by prospective customers, and in each location where customers normally sign consumer credit documents or other binding instruments. Such notice shall be considered prominently displayed only if so positioned as to be easily observed and read by the intended individuals:

"NOTICE TO CREDIT CUSTOMERS

If the dealer is financing or arranging the financing of your purchase, you are entitled to consumer credit cost disclosures as required by the Federal Truth in Lending Act. These must be provided to you in writing before you are asked to sign any document or other papers which would bind you to such a purchase."

C. *It is further ordered*, That no provision of this order shall be construed in any way to annul, invalidate, repeal, terminate, modify or exempt respondents from complying with agreements, orders or directives of any kind obtained by any other agency or act as a defense to actions instituted by municipal or state regulatory agencies. No provision of this order shall be construed to imply that any past or future conduct of respondents complies with the rules and regulations of, or the statutes administered by the Federal Trade Commission.

D. *It is further ordered*, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the consummation of any consumer credit transaction or any aspect of preparation, creation, or placing of advertising, and to all personnel of respondents responsible for the sale or offering for sale of all products, covered by this order, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

E. *It is further ordered*, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent, such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of the order.

F. *It is further ordered*, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment. Such notice shall include respondents' current business or employment in which they are engaged as well as a description of their duties and responsibilities.

C. *It is further ordered*, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

The Decision and Order was issued by the Commission, Nov. 19, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc. 75-7272 Filed 3-19-75; 8:45 am]

[Docket C-2602]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Montgomery Ward & Co., Inc.

Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; 13.533-20 *Disclosures*; 13.533-45 *Maintain records*; 13.533-45(k) *Records, in general*; 13.533-70 *Vacate court actions*.¹ Subpart—Enforcing dealings or payments wrongfully: § 13.1045 *Enforcing dealings or payments wrongfully*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Montgomery Ward & Co., Incorporated, Chicago, Ill., Docket C-2602, Nov. 19, 1974.]

In the Matter of Montgomery Ward & Co., Incorporated, a Corporation

Consent order requiring a Chicago, Ill., general merchandise and catalog retailer, among other things to cease instituting collection lawsuits in distant or inconvenient courts. The suit must be filed in the county where the defendant either lives or the contract was signed.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:²

It is ordered, That respondent Montgomery Ward & Co., Incorporated, a corporation, and its successors, assigns, officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, including any collection agency, in connection with the collection of retail credit accounts in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Instituting suits except in the county (or, in Alaska, in the court closest to) where defendant resides at the commencement of the action, or in the county (or, in Alaska, in the court closest to) where the defendant signed the contract sued upon. If defendant cannot be located by diligent efforts, suit may be instituted in the county of defendant's last known residence. These provisions shall not preempt any rule of law which further limits choice of forum or which requires, in actions *quasi in rem* or involving real property or fixtures attached to real property, that suit be instituted in a particular county.

Provided, That, with respect to collection suits filed on behalf of respondent by any third party relating to accounts assigned for collection to that third party prior to the date of service of this order, failure of such third party to bring such

¹ Revised Nov. 19, 1974.

² Copies of the Complaint, Decision and order, filed with the original document.

suits in the appropriate location as set forth above shall not constitute noncompliance with this paragraph.

For purposes of this order, in open end credit transactions (for example, "revolving charge accounts"), the "contract sued upon" is the document (commonly called "sales slip" or "purchase order") evidencing the actual credit sale.

2. Causing the issuance of any order for judgment debtor examination which requires the personal appearance of a defendant, unless the appearance may be made in the county of the defendant's residence or, in Alaska, in a location no more distant from the defendant's residence than the nearest court.

It is further ordered, That, where respondent learns subsequent to institution of a suit that Paragraph 1 above has not been complied with, it shall forthwith terminate the suit and vacate any default judgment entered thereunder. In lieu of terminating a suit, respondent may effect a change of forum to a county or court permitted by the preceding Paragraph 1, *provided* That respondent gives defendant notice of such action and opportunity to defend equivalent to that which defendant would receive if a new suit were being instituted. Further, where respondent learns that Paragraph 2 above has not been complied with, it shall forthwith vacate the judgment-debtor examination order. In all cases respondent shall provide defendants with a clear explanation of the action taken and of defendants' rights to appear, answer and defend in the new forum. Compliance with this paragraph, where suit has been instituted in the county appearing from respondent's business records to be where defendant resides, shall be considered compliance with the preceding Paragraph 1.

It is further ordered, That, where respondent terminates a suit or vacates a judgment pursuant to the preceding Paragraph, it shall give notice of such termination or vacation to each "consumer reporting agency," as such term is defined in the Fair Credit Reporting Act (15 U.S.C. section 603), which respondent has been informed or has reason to know has recorded the suit or judgment in its files. Additionally, respondent shall furnish such notice to any other person or organization upon request of the defendant.

It is further ordered, That respondent prepare and maintain a summary of suits instituted, pending, terminated, or acted upon subsequent to judgment. This summary shall contain each defendant's (1) name, (2) address, and (3) county of residence; (4) county where the contract sued upon was signed by the defendant, if the suit was not instituted in the residence county; (5) county where served; (6) date served; (7) date filed; (8) docket number; (9) name and (10) location of court in which filed; (11) name of plaintiff (if a collection agency suing in its own name); (12) amount claimed; and (13) disposition (including garnishment of execution, if any). Where a suit has been instituted in a county other than where defendant resides or signed

the contract sued upon, the reason for this choice of forum shall be explained. This summary shall cover a continuous two-year period commencing with service upon respondent of this order. A summary of suits instituted by respondent's principal collection counsel for its Central Credit Units in Oakland, Los Angeles, Kansas City, Chicago, Albany, and Baltimore shall also be prepared for a year period immediately prior to such service, with information limited to items 1, 3, 4 and 10 above, and a notation of whether a default judgment has been entered. A copy of this summary shall be submitted to the Federal Trade Commission on a semiannual basis except that the summary of activity for the year preceding service of this order upon respondent shall be submitted within sixty days after service.

It is further ordered, That respondent shall forthwith deliver a copy of this order to each of its subsidiaries and operating divisions, to each collection agency currently collecting any of respondent's retail credit accounts, and to any other collection agency prior to referral to it of any of respondent's retail credit accounts. Respondent shall obtain and preserve signed and dated statements from each collection agency, acknowledging receipt of the order and willingness to comply with it.

It is further ordered, That respondent notify the Commission at least thirty days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, or any other change in the corporation, including the creation or dissolution of subsidiaries, which may affect compliance obligations arising out of the order.

It is further ordered, That the respondent herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing setting forth in detail the manner and form in which they have complied with this order.

The Decision and Order was issued by the Commission, Nov. 19, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc. 75-7270 Filed 3-19-75; 8:45 am]

[Docket C-2604]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Charles S. Nacol Jewelry Co., et al.

Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; § 13.533-20 *Closures*; § 13.533-25 *Displays, in-house*. Subpart—Misrepresenting oneself and goods—Prices: § 13.1823 *Terms and conditions*; § 13.1823-20 *Truth in Lending Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852-75 *Truth in Lending Act*; § 13.1905 *Terms and con-*

ditions; § 13.1905-60 *Truth in Lending Act*.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46). Interpret or apply sec. 6, 38 Stat. 719, as amended; 82 Stat. 146, 147 (15 U.S.C. 45, 1601-1605)) [Cease and desist order, Charles S. Nacol Jewelry Co., et al., Port Arthur, Tex., Docket C-2604, Dec. 2, 1974]

In the Matter of Charles S. Nacol Jewelry Co., a Partnership, and Charles S. Nacol and Habeeb Nacol, Individually and as co-Partners of Said Partnership

Consent order requiring a Port Arthur, Tex., jeweler, among other things to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:¹

It is ordered, That respondents Charles S. Nacol Jewelry Co., a partnership, and Charles S. Nacol and Habeeb Nacol, individually and as co-partners trading and doing business as Charles S. Nacol Jewelry Co., or under any name or names, their successors and assigns, and respondents' agents, representatives, and employees, in connection with any extension of consumer credit as "consumer credit" is defined in Regulation Z (12 CFR 226) of the Truth in Lending Act, Pub. L. 90-321, 15 U.S.C. 1601 *et seq.*, do forthwith cease and desist from:

1. Failing to disclose the conditions under which a finance charge may be imposed, including an explanation of the time period, if any, within which any credit extended may be paid without incurring a finance charge as required by § 226.7(a)(1) of Regulation Z.

2. Failing to disclose the method of determining the balance upon which a finance charge may be imposed as required by § 226.7(a)(2) of Regulation Z.

3. Failing to disclose the method of determining the amount of finance charge as required by § 226.7(a)(3) of Regulation Z.

4. Where one or more periodic rates may be used to compute the finance charge, failing to disclose each such rate, the range of balances to which it is applicable, and the corresponding annual percentage rate determined by multiplying the periodic rate by the number of periods in a year as required by § 226.7(a)(4) of Regulation Z.

5. Failing to disclose the conditions under which any other charges may be imposed, and the method by which they will be determined as required by § 226.7(a)(6) of Regulation Z.

6. Failing to disclose the conditions under which the creditor may retain or acquire any security interest, as that term is defined by § 226.2(z) of Regulation Z, in any property to secure the payment of any credit extended on the account, and a description or identification

¹ Copies of the complaint & decision and order filed with the original document.

of the type of the interest or interests which may be retained or acquired as required by § 226.7(a)(7) of Regulation Z.

7. Failing to disclose the minimum periodic payment required in accordance with § 226.7(a)(8) of Regulation Z.

8. Failing to disclose the terms required by §§ 226.7 and 226.8 clearly, conspicuously and in meaningful sequence in accordance with § 226.6(a) of Regulation Z.

9. Failing to disclose on the periodic statements, as "periodic statements" are described in § 226.7(b) and § 226.7(c) of Regulation Z, the amounts credited to the billing cycle for payments, using the term "payments" and for other credits using the term "credits" as required by § 226.7(b)(3) of Regulation Z.

10. Failing to disclose in periodic statements, as "periodic statements" are described in § 226.7(b) and § 226.7(c) of Regulation Z, the amount of any finance charge, using the term "finance charge", debited to the account during the billing cycle as required by § 226.7(b)(4) of Regulation Z.

11. Failing to disclose in periodic statements, as "periodic statements" are described in § 226.7(b) and § 226.7(c) of Regulation Z, the balance on which the finance charge was computed, and the statement of how that balance was determined, as required by § 226.7(b)(8) of Regulation Z.

12. Failing in any consumer credit transaction or advertisement to make all disclosures determined in accordance with §§ 226.4 and 226.5 of Regulation Z at the time and in the manner, form and amount required by §§ 226.6, 226.7, 226.8, and 226.10 of Regulation Z.

It is further ordered, That respondents prominently display the following notice in two or more locations at each of respondents' stores in that portion of respondents' businesses most frequented by prospective customers and in each location where customers normally sign consumer credit documents or other binding instruments. Such notice shall be considered prominently displayed only if so positioned as to be easily observed and read by the interested individuals:

NOTICE TO CREDIT CUSTOMERS

If the dealer is financing or arranging the financing of your purchase, you are entitled to consumer credit cost disclosures as required by the Federal Truth in Lending Act. These must be provided to you in writing before you are asked to sign any document or other papers which would bind you to such a purchase.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the arranging or consummation of any extension of consumer credit or in any aspect of the preparation, creation or placing of advertising and that respondents secure a signed statement from each such person that he has read and understands such order.

It is further ordered, That respondents retain and preserve evidence of compli-

ance with the requirements imposed under Regulation Z, other than advertising requirements under § 226.10 of Regulation Z, for a period of not less than two (2) years after the date each disclosure is required to be made in accordance with § 226.6(i) of Regulation Z.

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include the respondents' current business address and a statement as to the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Decision and order issued by the Commission Dec. 2, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7311 Filed 3-19-75;8:45 am]

[Docket C-2605]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Great Northwest Pacific Corporation, et al.

Subpart—Advertising falsely or misleadingly: § 13.73 *Formal regulatory and statutory requirements*; § 13.73-92 *Truth in Lending Act*; § 13.155 *Prices*; § 13.155-95 *Terms and conditions* § 13.155-95 (a) *Truth in Lending Act*. Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; § 13.533-20 *Disclosures*; § 13.533-25 *Displays, in-house*. Subpart—Misrepresenting oneself and goods—*Prices*: § 13.1823 *Terms and conditions*; § 13.1823-20 *Truth in Lending Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852-75 *Truth in Lending Act*; § 13.1855 *Identity*; § 13.1882 *Prices*; § 13.1905 *Terms and conditions*; § 13.1905-60 *Truth in Lending Act*.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; (15 U.S.C. 45, 1601-1605)) [Cease and desist order, Great Northwest Pacific Corporation, et al., Beaumont, Tex., Docket C-2605, Dec. 2, 1974.]

In the Matter of Great Northwest Pacific Corporation a Corporation, Doing Business as Jerry Watts Motor Company and Jerry Watts Individually and as an Officer of Said Corporation, and First Continental Realty Company, Inc. a Corporation, Doing Business as Southland Finance and Leasing Company, and J. E. Holleman and Ross Watts, Individually and as Officers of First Continental Realty Company, Inc.

Consent order requiring two Beaumont, Tex., automobile dealers, among

other things, to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:¹

It is ordered, That respondents Great Northwest Pacific Corporation, a corporation, and First Continental Realty Company, Inc., a corporation, their successors and assigns, and their officers, and Jerry Watts, individually and as an officer of Great Northwest Pacific Corporation and J. E. Holleman and Ross Watts, individually and as officers of First Continental Realty Company, Inc., and respondents' agents, representatives and employees, in connection with any extension of consumer credit as "consumer credit" is defined in Regulation Z (12 C.F.R. 226) of the Truth in Lending Act (Public Law 90-321, 15 U.S.C. 1601 *et seq.*), do forthwith cease and desist from:

1. Failing to disclose the terms required by § 226.8 (b) and (c) clearly, conspicuously and in meaningful sequence in accordance with § 226.6(a) of Regulation Z.

2. Failing to disclose the date on which any finance charge, as that term is defined in § 226.2(q) of Regulation Z, begins to accrue if different from § 226.8(b) (1) of Regulation Z.

3. Failing to disclose the finance charge expressed as an annual percentage rate as determined by § 226.5 using the term "annual percentage rate", as required by § 226.8(b) (2) of Regulation Z.

4. Failing to disclose the number of payments scheduled to repay the indebtedness and the sum of such payments using the term, "total of payments" as required by § 226.8(b) (3) of Regulation Z.

5. Failing to disclose the amount, or method of computing the amount, of any default, delinquency, or similar charges payable in the event of late payments as required by § 226.8(b) (4) of Regulation Z.

6. Failing to disclose a description or identification of the type of any security interest held or to be retained or acquired by the respondents in connection with the extension of credit, and a clear identification of the property to which the security interest relates or, if such property is not identifiable, an explanation of the manner in which the respondents retain or may acquire a security interest in such property which the respondents are unable to identify as required by § 226.8(b) (5) of Regulation Z.

7. Failing to disclose the cash price of the property purchased, using the term "cash price" as required by § 226.8(c) (1) of Regulation Z.

8. Failing to disclose the amount of the downpayment using the term "cash downpayment", when downpayment is in money, as required by § 226.8(c) (2) of Regulation Z.

¹ Copies of the Complaint, Decision and Order, filed with the original document.

9. Failing to disclose the downpayment using the term "trade-in", when the downpayment is in property, as required by § 226.8(c) (2) of Regulation Z.

10. Failing to disclose the "cash downpayment" and the "trade-in" using the term "total downpayment", as required by § 226.8(c) (2) of Regulation Z.

11. Failing to disclose the difference between the "cash price" and the sum of the "cash downpayment" and "trade-in", using the term "unpaid balance of cash price" as required by § 226.8(c) (3) of Regulation Z.

12. Failing to disclose all other charges, individually itemized, which are included in the amount financed but which are not part of the finance charges as required by § 226.8(c) (4) of Regulation Z.

13. Failing to disclose the sum of the "unpaid balance of cash price" and charges included in the amount financed but which are not part of the finance charge using the term "unpaid balance" as required by § 226.8(c) (5) of Regulation Z.

14. Failing to disclose the "amount financed", as described in § 226.8(c) (7) of Regulation Z.

15. Failing to disclose the total amount of the finance charge, with a description of each amount included using the term "finance charge", as required by § 226.8(c) (8) of Regulation Z.

16. Failing to disclose the sum of the "cash price", all other charges as described in § 226.8(c) (4) and the "finance charge" described in § 226.8(c) (8) (i), using the term "deferred payment price" as required by § 226.8(c) (8) (ii) of Regulation Z.

17. Failing in any consumer credit transaction or advertisement to make all disclosures determined in accordance with § 226.4 and § 226.5 of Regulation Z at the time and in the manner, form and amount determined by §§ 226.6, 226.7, 226.8 and 226.10 of Regulation Z.

18. Failing to identify each creditor to the transaction as required by § 226.6(d) of Regulation Z.

It is further ordered, That respondents prominently display the following notice in two or more locations in that portion of respondents' business premises most frequented by prospective customers, and in each location where customers normally sign consumer credit documents or other binding instruments. Such notice shall be considered prominently displayed only if so positioned as to be easily observed and read by the interested individuals:

NOTICE TO CREDIT CUSTOMERS

If the dealer is financing or arranging the financing of your purchase, you are entitled to consumer credit cost disclosures as required by the Federal Truth in Lending Act. These must be provided to you in writing before you are asked to sign any document or other papers which should bind you to such a purchase.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the arranging or consummation of any ex-

tension of consumer credit or in any aspect of the preparation, creation or placing of advertising and that respondents secure a signed statement from each such person that he has read and understands such order.

It is further ordered, That in the event either corporate respondent transfers all or a substantial part of its business or assets to any other corporation or to any other person, that respondent corporation shall require said successor or transferee to file promptly with the Commission a written agreement to be bound by the terms of this order; *provided*, That if that respondent corporation wishes to present to the Commission any reasons why said order should not apply in its present form to said successor or transferee, it shall submit to the Commission a written statement setting forth said reasons prior to the consummation of said succession or transfer.

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include the respondents' current business address and a statement as to the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents, such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligation arising out of the order.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

The Decision and Order was issued by the Commission, Dec. 2, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7312 Filed 3-19-75; 8:45 am]

[Docket 7880-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

ITT Continental Baking Company

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended (15 U.S.C. 45, 18).) [Final Order dismissing Order to Show Cause, ITT Continental Baking Company, Rye, N.Y., Docket 7880-o, Nov. 26, 1974.]

Order dismissing an Order to Show Cause why the proceeding should not be reopened and the cease-and-desist order issued against Continental Baking Company May 11, 1962, 60 F.T.C. 1183, be

extended for an additional five years to prohibit respondent from acquiring any firm engaged in the production and sale of bread and bread-type rolls without prior permission of the Commission. The Order to Show Cause was found not to be in the public interest.

The Final Order dismissing the Order to Show Cause, is as follows:¹

This matter having been heard by the Commission upon briefs and oral argument in support of and in opposition to the appeal of counsel for respondent ITT Continental Baking Company from the Recommendations of the Administrative Law Judge on the Commission's Order to Show Cause why the proceeding should not be reopened and the cease and desist order of May 11, 1962 against Continental Baking Company be extended to prohibit respondent ITT Continental Baking Company from acquiring any firm engaged in the production and sale of bread and bread-type rolls without prior permission of the Commission for a period of time until April 13, 1977, and

The Commission having determined that, for the reasons stated in the accompanying opinion, the appeal should be granted and the Order to Show Cause dismissed.

It is ordered, That respondent's appeal from the Administrative Law Judge's Recommendations on Order to Show Cause be, and it hereby is, granted, and

It is further ordered, That the Order to Show Cause be, and it hereby is, dismissed.

Commissioner Nye not participating.

The Final Order was issued by the Commission, Nov. 26, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7313 Filed 3-19-75; 8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER 1—VETERANS ADMINISTRATION

PART 1—GENERAL PROVISIONS

Release of Information From Other Than Claimant Records

On page 2829 of the FEDERAL REGISTER of January 16, 1975, there was published a notice of proposed regulatory development to issue changes in §§ 1.550 through 1.559 to implement the provisions of Pub. L. 93-502 (88 Stat. 1561) of November 21, 1974, effective February 19, 1975, which amends section 552, title 5, United States Code. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

¹ Copies of the following papers were filed as part of the original document: Certification of Record and Recommendations on Order to Show Cause, Order Correcting Clerical Errors in Certification of Record and Recommendations on Order to Show Cause, Opinion of the Commission and Order directing respondent to submit advance notification of future acquisitions.

No written comments have been received. The proposed regulations are adopted subject to the following change. In § 1.556, line 16, the following sentences are added: "In the field a denial of any such request may be made only by the Director or the designated employee and in Central Office only by the department or staff office head or designee. The letter notifying the requester of the denial will be signed by the official making the denial decision."

Effective date. These VA regulations are effective February 19, 1975.

Approved: March 17, 1975.

[SEAL] R. L. ROUDEBUSH,
Administrator.

1. The note immediately preceding § 1.550 is revised to read as follows:

NOTE. Sections 1.550 through 1.559 concern the availability and release of information from files, records, reports, and other papers and documents in Veterans Administration custody other than those pertaining to claims under any of the laws administered by the Veterans Administration. As to the release of information from Veterans Administration claimant records, see §§ 1.500 through 1.527. Section 1.550 series implement the provisions of 5 U.S.C. 552.

2. Section 1.550 is revised to read as follows:

§ 1.550 General.

The Veterans Administration's policy is one of disclosure of information from agency records to the extent permitted by law. This includes the release of information which the Veterans Administration is authorized to withhold under 5 U.S.C. 552(b) (see § 1.534) if it is determined (a) by the Administrator of Veterans Affairs or the Deputy Administrator that disclosure of such information will serve a useful purpose or (b) by a department, staff office, or field station head or designee under § 1.556(a) that disclosure will not adversely affect the proper conduct of official business or constitute an invasion of personal privacy.

3. In § 1.551, paragraph (a) and the introductory portion of paragraph (b) preceding subparagraph (1) are revised to read as follows:

§ 1.551 Publication in the Federal Register as constructive notice of information that affects the public.

(a) The Assistant Administrator for Planning and Evaluation, with the approval of the Administrator, will submit to the Director of the Federal Register, for publication for the guidance of the public, descriptions of Veterans Administration organization and functional responsibilities, Central Office and field, and the designations of places at which the public may secure information, obtain forms and applications, make submissions or requests, or obtain decisions. Such descriptions and designations will be maintained current through submission, for publication, of all amendments, revisions, or repeals of the foregoing.

(b) Department and Staff office heads will develop, with the approval of the Administrator, for submission by the Assistant Administrator for Planning and Evaluation to the Director of the Federal Register, for publication for the guidance of the public, Veterans Administration regulations containing:

4. In § 1.552, paragraph (a) and (b) are revised to read as follows:

§ 1.552 Public access to information that affects the public when not published in the Federal Register as constructive notice.

(a) All final orders in such actions as entertained by the Contract Appeals Board, those statements of policy and interpretations adopted by the Veterans Administration but not published in the FEDERAL REGISTER, and administrative manuals and staff instructions that affect any member of the public, unless promptly published and copies offered for sale, will be kept currently indexed by the office of primary program responsibility or the Manager, Administrative Services, as determined by the Administrator or designee. Such index or indexes or supplements thereto will be promptly published, quarterly or more frequently, and distributed (by sale or otherwise) unless the Veterans Administration determines by order published in the FEDERAL REGISTER that publication would be unnecessary and impracticable, in which case the Veterans Administration will nonetheless provide copies of such index or indexes or supplements thereto on request at a cost not to exceed the direct cost of duplication. Both the index and the materials indexed as required by this paragraph will be made available to the public, for inspection and copying. Public reading facilities for this purpose will be maintained in Veterans Administration Central Office and Veterans Administration field stations, open to the public during the normal duty hours of the office in which located. Orders made in the adjudication of individual claims under laws administered by the Veterans Administration are confidential and privileged by statute (38 U.S.C. 3301) and so are exempt from this requirement.

(b) The voting records of the Contract Appeals Board will be maintained in a public reading facility in the Office of the Board in Central Office and made available to the public upon request.

5. Section 1.553 is revised to read as follows:

§ 1.553 Public access to other reasonably described records.

Reasonably described records in Veterans Administration custody, or copies thereof, other than records made available to the public under the provisions of §§ 1.551 and 1.552, requested in accordance with published rules stating the time, place, fees (if any), and procedures to be followed, will be made

promptly available, except as provided in § 1.554, to any person upon request. Such request must be in writing, over the signature of the requester and must contain a reasonable description of the record desired so that it may be located with relative ease. The request should be made to the office concerned (having jurisdiction of the record desired) or, if not known, to the Director or Veterans Services Officer in the nearest Veterans Administration regional office or to the Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington, DC 20420. Personal contacts should normally be made during the regular duty hours of the office concerned, which are 8 am to 4:30 pm Monday through Friday for Veterans Administration Central Office and most field stations.

6. Section 1.553a is added to read as follows:

§ 1.553a Time limits for Veterans Administration response to requests for records.

(a) When a request for records made under §§ 1.551, 1.552 or § 1.553 is received it will be promptly referred for action to the proper employee designated in accordance with § 1.556 to take initial action on granting or denying requests to inspect or obtain information from or copies of the records described.

(b) Any such request will then be promptly evaluated and a determination made within 10 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of the request whether the Veterans Administration will comply with the request. Upon determination to comply or deny the request the person making the request will be notified immediately of the determination and the reasons therefor, and of the right of the person to appeal to the Administrator of Veterans Affairs any adverse determination. Records to be furnished will be supplied promptly.

(c) Upon receipt of such an appeal from an adverse determination it will be evaluated and a further determination made within 20 days (excepting Saturdays, Sundays, and legal public holidays) after receipt of the appeal. If on appeal the denial is in whole or in part upheld the Veterans Administration will notify the requester of the provisions for judicial review of this determination. (See §§ 1.557 and 1.558.)

(d) In unusual circumstances, specifically as follows, the time limits in paragraphs (b) and (c) of this section may be extended by written notice to the requester setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. The date specified will not result in an extension for more than 10 working days. "Unusual circumstances" will be interpreted to mean, but only to the extent reasonably necessary to the proper processing of the particular request, as follows:

(1) The need to search for and collect the requested records from field facilities or other establishments that are sep-

arate from the office processing the request;

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the Veterans Administration having substantial subject-matter interest therein.

(e) Pursuant to section 552(a)(6), title 5, United States Code, any person making a request to the Veterans Administration for records under section 552(a)(1), (2) or (3) (see §§ 1.551, 1.552 and 1.553) will be deemed to have exhausted his or her administrative remedies with respect to such request if the Veterans Administration fails to comply with the applicable time limit provisions of this section. If, however, the Government can show exceptional circumstances exist and that the Veterans Administration is exercising due diligence in responding to the request, the statute also permits the court to retain jurisdiction and allow the Veterans Administration additional time to complete its review of the records.

(f) Requests for the release of information from files, records, reports, and other papers and documents in Veterans Administration custody pertaining to claims under any of the laws administered by the Veterans Administration (covered by §§ 1.500 through 1.527) may also be initiated under 5 U.S.C. 552. Such requests will also be evaluated, a determination made within 10 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of the request whether the Veterans Administration will comply with the request, and the requester notified immediately of the determination and the reasons therefor, and of the right of the person to appeal to the Administrator of Veterans Affairs any adverse determination. Records to be furnished will be supplied promptly.

7. In § 1.554, paragraph (a)(1) and (7) is revised to read as follows:

§ 1.554 Exemptions from public access to agency records.

(a) The exemptions in this paragraph constitute authority to withhold from disclosure certain categories of information in Veterans Administration records except that any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this paragraph.

(1) Specifically authorized under criteria established by an Executive order to be kept secret in the interest of the national defense or foreign policy, and are in fact properly classified pursuant to such Executive order.

(7) Investigatory records compiled for law enforcement purposes but only to the extent that the production of such records would:

RULES AND REGULATIONS

(l) Interfere with enforcement proceedings;

(ii) Deprive a person of a right to a fair trial or an impartial adjudication;

(iii) Constitute an unwarranted invasion of personal privacy;

(iv) Disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source;

(v) Disclose investigative techniques and procedures; or

(vi) Endanger the life or physical safety of law enforcement personnel.

8. In § 1.555, paragraphs (a) and (b) are revised and paragraphs (g) and (h) are added so that the added and revised material reads as follows:

§ 1.555 Fees.

(a) Charges will not be made for the use of reading facilities for examination of materials which are to be available to the public under § 1.552. Charges will be made, except as provided in paragraphs (c), (d), (e), (f), and (g) of this section, in accordance with the uniform schedule of fees in paragraph (h) of this section, established pursuant to notice in the FEDERAL REGISTER, and receipt of public comment, to recover only the reasonable, standard, direct costs for document search and duplication of such materials in response to requests from the public. The desired copy will not be delivered, except under court subpoena, until the full amount of the lawful charge is deposited. Any excess deposited over the lawful charge will be returned.

(b) Charges will be made, except as provided in paragraphs (c), (d), (e), (f), and (g) of this section, on each request from the public to examine, copy, or to be furnished copies of other reasonably described records under § 1.553. Such charges, in accordance with the uniform schedule of fees in paragraph (h) of this section will be made to recover only the reasonable, standard, direct costs for such document search and, if requested, duplication of copies. Searches will not be undertaken until the requester has paid, or has provided sufficient assurance of payment of whatever fee is determined to be appropriate. Desired copies will not be delivered, except under court subpoena, until the full amount of the lawful charge is deposited. Any excess deposited over the lawful charge will be returned. When a deposit is received with a request, such a deposit will be returned if the request is denied.

(g) Documents and services will be furnished without charge or at a reduced charge where the station heads or responsible Central Office officials determine that waiver or reduction of the fee is in the public interest because furnishing the information can be consid-

ered as primarily benefiting the general public.

(h) Schedule of fees:

(1) Photocopy reproductions from all types of copying processes, each reproduction image----- \$0.05

(2) Searching, per hour (minimum charge one-half hour)----- \$3.50

(3) The above search fee is not applicable to computerized record searches. In situations involving the use of computers to locate and extract the requested information, charges will be based only on the direct cost to the agency, including labor, material and computer time.

(4) Where the Veterans Administration undertakes to perform for a requester or for any other person services which are very clearly not required to be performed under section 552, title 5, United States Code, either voluntarily or because such services are required by some other law (e.g., the formal certification of records as true copies, attestation under the seal of the agency, creation of a new list, etc.), the question of charging fees for such services will be determined by the official or designee authorized to release the information under § 1.556, in the light of the federal user charge statute, 31 U.S.C. 483a, any other applicable law, and the provisions of § 1.526(d).

9. Section 1.556 is revised to read as follows:

§ 1.556 Requests for other reasonably described records.

Each department, staff office, and field station head will designate an employee(s) who will be responsible for initial action on (granting or denying) requests to inspect or obtain information from or copies of records under their jurisdiction and within the purview of § 1.553. This responsibility includes maintaining a uniform listing of such requests. Data logged will consist of: Name and address of requester; date of receipt of request; brief description of request; action taken on request, granted or denied; citation of the specific section when request is denied; and date of reply to the requester. In the field a denial of any such request may be made only by the Director or the designated employee and in Central Office only by the department or staff office head or designee. The letter notifying the requester of the denial will be signed by the official making the denial decision. Any legal question arising in a field station concerning the release of information will be referred to the appropriate District Counsel for disposition as contemplated by § 13.401 of this chapter. In Central Office such legal questions will be referred to the General Counsel. Any administrative question will be referred through administrative channels to the appropriate department or staff office head. All denials or proposed denials at the Central Office level will be coordinated with the Director, Information Service as well as the General Counsel.

10. Section 1.557 is revised to read as follows:

§ 1.557 Administrative review.

(a) Upon denial of a request, the responsible Veterans Administration official or designated employee will inform the requester in writing of the denial, cite the specific exemption in § 1.554 upon which the denial is based, set forth the names and titles or positions of each person responsible for the denial of such request, and advise that the denial may be appealed to the Administrator.

(b) The final agency decision in such appeals will be made by the Administrator or Deputy Administrator.

11. Section 1.558 is revised to read as follows:

§ 1.558 Judicial review.

Any person from whom the Veterans Administration has withheld information or records after proper request as provided in § 1.553 may file a complaint in the appropriate United States district court as provided in 5 U.S.C. 552(a)(4). The district court review is designed to follow final action at the agency head level.

12. Section 1.559 is added to read as follows:

§ 1.559 Annual report to Congress.

(a) On or before March 1 of each calendar year the Administrator will submit a report to the Speaker of the House of Representatives and the President of the Senate for referral to the appropriate committees of the Congress.

(b) The report will be compiled by the Controller and will include:

(1) The number of determinations made by the Veterans Administration not to comply with requests for records made to the Veterans Administration under § 1.550 series and the reasons for each such determination.

(2) The number of appeals made by persons under § 1.550 series, the result of such appeals, and the reason for the action upon each appeal that results in a denial of information.

(3) The names and titles or positions of each person responsible for the denial of records requested under § 1.550 series, and the number of instances of participation for each.

(4) The results of each proceeding conducted pursuant to 5 U.S.C. 552(a)

(4) (F), including a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken.

(5) A copy of every regulation made by the Veterans Administration regarding 5 U.S.C. 552.

(6) A copy of the fee schedule and the total amount of fees collected by the Veterans Administration for making records available under 5 U.S.C. 552.

(7) Such other information as indicates efforts to administer fully 5 U.S.C. 552.

[FR Doc.75-7837 Filed 3-19-75; 8:45 am]

Title 50—Wildlife and Fisheries
CHAPTER I—U.S. FISH AND WILDLIFE
SERVICE, DEPARTMENT OF THE INTERIOR
PART 33—SPORT FISHING

Wisconsin, Horicon National Wildlife
Refuge

The following special regulation is issued and is effective on March 20, 1975.

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

WISCONSIN, HORICON NATIONAL WILD-
LIFE REFUGE

Sport fishing on the Horicon National Wildlife Refuge, Mayville, Wisconsin, is permitted only on the areas designated by signs as open to fishing. These open areas are delineated on maps available at refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota,

55111. 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 May 15, 1975 through September 15, 1975, inclusive.
- (2) The use of boats is not permitted.
- (3) Fishing 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 September 15, 1975.

Dated: March 12, 1975.

ROBERT G. PERSONIUS,
Refuge Manager, Horicon Na-
tional Wildlife Refuge, May-
ville, Wisconsin.

[FR Doc.75-7308 Filed 3-19-75;8:45 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1094]

[Docket No. AO-103-A38]

MILK IN THE NEW ORLEANS, LA., MARKETING AREA

Supplemental 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 orders (7 CFR Part 900), a notice was issued March 10, 1975, giving notice of a public hearing to be held at the Jackson Hilton, 750 North State Street, Jackson, Mississippi, beginning at 9:30 a.m. local time on April 22, 1975, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the New Orleans, Louisiana, marketing area.

Supplemental notice is hereby given with respect to proposed amendments relating to the proceeding.

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

PROPOSED BY GULF COAST DAIRYMEN'S ASSOCIATION

Proposal No. 10. Establish a separate regulation for Mississippi as an alternative solution to disorderly marketing conditions that would be created by proposed amendments to Part 1094. The provisions of the separate regulation are proposed to be as follows:

I. General provisions. The terms, definitions, and provisions in Part 1000 of this chapter are hereby incorporated by reference and made a part of this order.

II. Definitions. The "Mississippi marketing area," hereinafter called the "marketing area," means all of the territory geographically within the places listed below, all waterfront facilities connected therewith, and all territory wholly or partially therein occupied by government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments, all in the State of Mississippi:

COUNTIES

Adams	Clarke
Attala	Coahoma
Bolivar	Copiah
Calhoun	Covington
Carroll	Forrest
Choctaw	Franklin
Clairborne	George

Greene
Grenada
Hancock
Harrison
Hinds
Holmes
Humphreys
Jackson
Jasper
Jefferson
Jefferson Davis
Jones
Kemper
Lamar
Lauderdale
Lawrence
Leake
Leflore
Lincoln
Lowndes
Madison
Marion
Montgomery

Neshoba
Newton
Noxubee
Oktibbeha
Pearl River
Perry
Quitman
Rankin
Scott
Sharkey
Simpson
Smith
Stone
Sunflower
Tallahatchie
Walthall
Warren
Washington
Wayne
Webster
Winston
Yazoo
Yalobusha

III. Route Disposition. "Route disposition" means any delivery of any fluid milk product classified as Class I milk from a plant or wholesale or retail outlets (including any delivery by a vendor, from a plant store or through a vending machine) other than a delivery to a plant.

IV. Plant. "Plant" means the land and buildings together with their surroundings, facilities and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment at which milk or milk products (including filled milk) are received and/or processed or packaged: *Provided*, That a separate establishment or facility used only for the purpose of transferring bulk milk from one tank truck to another tank truck, or only as a distributing depot for fluid milk products in transit for route disposition shall not be a plant under this definition.

V. Distributing Plant. "Distributing plant" means a plant from which fluid milk products, eligible for distribution under a Grade A label, are disposed of during the month as route disposition in the marketing area.

VI. Supply Plant. "Supply plant" means a plant from which fluid milk products, eligible for distribution under a Grade A label, are moved during the month to a distributing plant.

VII. Pool Plant. Except as provided in paragraph (d) of this section, "pool plant" means a plant specified in paragraph (a), (b), or (c) of this section.

(a) A distributing plant from which during the month route disposition of fluid milk products, except filled milk, is not less than 50 percent of its total receipts of Grade A milk and the volume so disposed of in the marketing area is at least 20 percent of the total route disposition of fluid milk products, except filled milk;

(b) A supply plant from which a volume of fluid milk products, except filled milk, not less than 50 percent of that Grade A milk received at such plant from dairy farmers is transferred during the month to a distributing plant(s) from which a volume of Class I milk, except filled milk, not less than 50 percent of its receipts of Grade A milk from dairy farmers and from other plants is disposed of as route disposition during the month and the volume so disposed of in the marketing area is at least 20 percent of its total route disposition (not including filled milk): *Provided*, That any plant which was a pool plant pursuant to this paragraph in each of the months of September through January shall be a pool plant in each of the following months of February through August in which it does not meet the shipping requirements unless written request is filed with the market administrator prior to the beginning of any such month for nonpool status for the remaining months through August;

(c) A nondistributing plant, which is operated by a cooperative association and which does not meet the shipping requirements of paragraph (b) of this section, in any month in which the volume of milk received at pool distributing plants directly from member producers of such cooperative association is not less than 60 percent of the total pounds of such association's member producer milk (including that received at such nondistributing plant), except that on written request for nonpool status for any month, made to the market administrator prior to the beginning of such month, the plant shall be a nonpool plant for the month and for each of the succeeding eleven months in which it does not qualify as a pool plant pursuant to paragraph (b) of this section; and

(d) The term "pool plant" shall not apply to the following plants:

- (1) A producer-handler plant;
- (2) A plant meeting the requirements of paragraph (a) of this section which also meets the pooling requirements of another Federal order, and from which the Secretary determines a greater quantity of Class I milk, except filled milk, is disposed of during the month as route disposition in such other Federal order marketing area than is disposed of as route disposition in this marketing area; except that if such plant was subject to all the provisions of this part in the immediately preceding month, it shall continue to be subject to all the provisions of this part until the third consecutive month in which a greater proportion of such Class I disposition is made in such other mar-

keting area unless, notwithstanding the provisions of this subparagraph, it is regulated under such other order;

(3) A plant meeting the requirements of paragraph (a) of this section which also meets the pooling requirements of another Federal order on the basis of distribution in such other marketing area and from which, the Secretary determines, a greater quantity of Class I milk, except filled milk, is disposed of during the month as route disposition in this marketing area than is so disposed of in such other marketing area but which plant is nevertheless, fully regulated under such other Federal order; and

(4) A plant meeting the requirements of paragraph (b) of this section which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made during the month to plants regulated under such other order than are made to plants regulated under this part except during the months of February through August such plant retains automatic pooling status under this part.

VIII. Nonpool plant. "Nonpool plant" means any milk or filled milk receiving, manufacturing, or processing plant other than a pool plant. The following categories of nonpool plants are further defined as follows:

(a) "Other order plant" means a plant that is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act.

(b) "Producer-handler plant" means a plant operated by a producer-handler as defined in any order (including this part) issued pursuant to the Act.

(c) "Partially regulated distributing plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which fluid milk products in consumer-type packages or dispenser units are disposed of as route disposition in the marketing area during the month.

(d) "Unregulated supply plant" means a nonpool plant from which fluid milk products are moved to a pool plant during the month, but which is neither an order plant nor a producer-handler plant.

IX. Handler. (a) Any person in his capacity as the operator of a pool plant;

(b) A cooperative association with respect to milk of producers diverted for the account of such association in accordance with "XI (Producer)."

(c) A cooperative association with respect to the milk of any member producer which it causes to be delivered to a pool plant in a tank truck owned and operated by or under contract to such cooperative association for the account of such cooperative association, if the cooperative association, prior to delivery, furnishes written notice to the market administrator and to the handler to whose plant the milk is delivered that it will be the handler for such milk. The milk so delivered shall be considered to have been received by such cooperative association at a pool plant at the location of the pool plant to which it is delivered;

(d) Any person in his capacity as the operator of a partially regulated distributing plant;

(e) A producer-handler;

(f) Any person who operates an other order plant described in "VII (Pool Plant)" (d); and

(g) Any person in his capacity as the operator of an unregulated supply plant.

X. Producer-Handler. "Producer-handler" means any person who operates a dairy farm and a distributing plant at which no milk or other fluid milk products are received during the month except his own production and which has no receipts of nonfluid milk products which are used to reconstitute fluid milk products: *Provided*, That such person establishes that the maintenance, care, and management of all resources necessary to produce the entire volume of fluid milk products handled and all facilities necessary for operations as a handler are each the personal enterprise and risk of such person.

XI. Producer. (a) Except as provided in paragraph (b) of this section, "producer" means any person who produces milk in compliance with Grade A inspection requirements of a duly constituted health authority, which milk is received during the month at a pool plant, or by a handler described in "IX (Handler)" (c), or is diverted pursuant to subparagraphs (1) through (5) of this paragraph: *Provided*, That milk diverted in accordance with the provisions of said subparagraphs shall be deemed to have been received by the diverting handler at the location of the pool plant from which it was diverted and: *Provided further*, That if a handler, diverting milk pursuant to paragraph (4) or (5) of this paragraph, diverts in excess of the limits prescribed, all diversions by such handler during the month shall be pursuant to subparagraph (3) and: *Provided also*, That if a handler diverting milk pursuant to paragraph (3) of this paragraph diverts milk of any dairy farmer in excess of the limits prescribed, such dairy farmer shall be a producer only with respect to that milk physically received at a pool plant:

(1) Diverted by the operator of a pool plant to another pool plant;

(2) Diverted to a nonpool plant that is not a producer-handler plant by the operator of a pool plant or by a handler described in "IX (Handler)" (b) during any of the months of December through August pursuant to subdivisions (1) through (iv) of this paragraph:

(i) Diverted as milk of a dairy farmer whose milk is received for at least ten days of production at pool plants during the month unless diverted pursuant to paragraph (ii) or (iii) of this paragraph;

(ii) Diverted as milk of a member of a cooperative association not diverting pursuant to paragraph (1) of this paragraph, for the account of such cooperative association, if milk of the dairy farmer is delivered to a pool plant for at least one day's production during the month and the total quantity so diverted by the cooperative for all producer mem-

bers does not exceed 50 percent of the volume of Grade A milk from all producer members of such cooperative received at pool plants during the month;

(iii) Diverted as milk of a dairy farmer not a member of a cooperative association for the account of a handler as the operator of a pool plant(s) not diverting pursuant to paragraph (1) of this paragraph if milk of the dairy farmer is delivered to the handler's pool plant(s) for at least one day's production during the month and the total quantity so diverted by the handler from his pool plant(s) for nonmember producers does not exceed 50 percent of the total Grade A receipts of milk at his pool plant(s) from nonmember producers during the month; and

(iv) A dairy farmer shall be a producer with respect to only his milk received at a pool plant if delivery of milk of his production to nonpool plants does not comply with the limitations of paragraphs (1), (ii), and (iii), of this paragraph. In the case of a handler diverting pursuant to paragraphs (ii) and (iii) of this paragraph, if milk of the dairy farmers is moved to nonpool plants in a total quantity exceeding the percentages specified, the diverting handler shall designate the dairy farmers whose milk is not to be producer milk diverted pursuant to such paragraphs (ii) and (iii) of this paragraph and the quantities excluded for each dairy farmer. If the handler fails to make such designation the dairy farmers shall be producers only with respect to their milk delivered to pool plants;

(3) Diverted to a nonpool plant that is not a producer-handler plant for not more than ten days' production during any month of September through November except that this paragraph shall not be applicable if:

(1) In the case of a cooperative association all of the diversions of milk of member producers by such cooperative association during the month fall within the limits prescribed in paragraph (4) of this paragraph; or

(ii) In the case of a pool handler (other than a cooperative association) diverting milk of nonmember producers, all of such diversions from such plant fall within the limits prescribed in paragraph (5) of this paragraph;

(4) Diverted during any month of September through November to a nonpool plant that is not a producer-handler plant as milk of a member of a cooperative association for the account of such association if the amount of milk so diverted does not exceed 30 percent of the volume of Grade A milk from all producer members of such cooperative association received at pool plants during such month; or

(5) Diverted during any month of September through November to a nonpool plant that is not a producer-handler plant as milk of a producer who is not a member of a cooperative association, for the account of a handler in his ca-

capacity as the operator of a pool plant from which the quantity of milk of non-member producers so diverted does not exceed 30 percent of the total Grade A receipts of milk at such plant from non-member producers.

(b) "Producer" shall not include:

(1) A producer-handler as defined in any order (including this part) issued pursuant to the Act;

(2) Any person with respect to milk produced by him which is diverted to a pool plant from an other order plant if the other order designates such person as a producer under that order and such milk is allocated pursuant to "XXV (Classification of Producer Milk)" to Class II or Class III utilization; and

(3) Any person with respect to milk produced by him which is diverted from a pool plant to an other order plant if the other order designates such person as a producer under that order with respect to such milk.

XII. Producer Milk. "Producer milk" means only that skim milk or butterfat contained in milk received from a producer which is:

(a) Received at a pool plant(s) directly from a producer;

(b) Diverted in accordance with the provisions of "XI (Producer)," or

(c) Received by a handler described in "IX (Handler)" (c).

XIII. Other Source Milk. "Other source milk" means all skim milk and butterfat contained in or represented by:

(a) Receipts of fluid milk products and bulk fluid cream products from any source other than producers, handlers described in "IX (Handler)" (c), pool plants, or inventory at the beginning of the month;

(b) Receipts in packaged form from other plants of products specified in "XXI (Classification of Milk)" (b)(1);

(c) Products (other than fluid milk products and products specified in "XXI (Classification of Milk)" (b)(1)) from any source (including those products produced at the plant) which are reprocessed, converted into, or combined with another product in the plant during the month; and

(d) Receipts of any milk product (other than a fluid milk product or a product specified in "XXI (Classification of Milk)" (b)(1)) for which the handler fails to establish a disposition.

XIV. Fluid Milk Product. (a) Except as provided in paragraph (b) of this section, "fluid milk product" means any of the following products in fluid or frozen form:

(1) Milk, skim milk, lowfat milk, milk drinks, buttermilk, filled milk, and milkshake and ice milk mixes containing less than 20 percent total solids, including any such products that are flavored, cultured, modified with added nonfat milk solids, concentrated (if in a consumer-type package), or reconstituted; and

(2) Any milk product not specified in paragraph (1) of this section or in "XXI (Classification of Milk)" (b) or (c) (1) (i) through (vii) if it contains by

weight at least 80 percent water and 6.5 percent nonfat milk solids and less than 9 percent butterfat and 20 percent total solids.

(b) The term "fluid milk product" shall not include:

(1) Evaporated or condensed milk (plain or sweetened), evaporated or condensed skim milk (plain or sweetened), formulas especially prepared for infant feeding or dietary use that are packaged in hermetically sealed glass or all-metal containers, any product that contains by weight less than 6.5 percent nonfat milk solids, and whey; and

(2) The quantity of skim milk in any modified product specified in paragraph (a) of this section that is in excess of the quantity of skim milk in an equal volume of an unmodified product of the same nature and butterfat content.

XV. Fluid Cream Product. "Fluid cream product" means cream (other than plastic cream or frozen cream), sour cream, or a mixture (including a cultured mixture) of cream and milk or skim milk containing 9 percent or more butterfat.

XVI. Filled milk. "Filled milk" means any combination of nonmilk fat (or oil) with skim milk (whether fresh, cultured, reconstituted, or modified by the addition of nonfat milk solids), with or without milkfat, so that the product (including stabilizers, emulsifiers, or flavoring) resembles milk or any other fluid milk product, and contains less than 6 percent nonmilk fat (or oil).

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

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

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

XVIII. Handler Reports: Reports of receipts and utilization. On or before the sixth day after the end of each month, each handler shall report for such month to the market administrator, in the detail and on the forms prescribed by the market administrator, as follows:

(a) Each handler, with respect to each of his pool plants, shall report the quantities of skim milk and butterfat contained in or represented by:

(1) Receipts of producer milk, including producer milk diverted by the handler from the pool plant to other plants;

(2) Receipts of milk from handlers described in "IX (Handler)" (c);

(3) Receipts of fluid milk products and fluid cream products from other pool plants;

(4) Receipts of other source milk;

(5) Inventories at the beginning and end of the month of fluid milk products and products specified in "XXI (Classification of Milk)" (b)(1); and

(6) The utilization or disposition of all milk, filled milk, and milk products required to be reported pursuant to this paragraph.

(b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a) of this section. Receipts of milk that would have been producer milk if the plant had been fully regulated shall be reported in lieu of producer milk. Such report shall show also the quantity of any reconstituted skim milk in route disposition in the marketing area.

(c) Each handler described in "IX (Handler)" (b) and (c) shall report:

(1) The quantities of all skim milk and butterfat contained in receipts of milk from producers; and

(2) The utilization or disposition of all such receipts.

(d) Each handler not specified in paragraphs (a) through (c) of this section shall report with respect to his receipts and utilization of milk, filled milk, and milk products in such manner as the market administrator may prescribe.

XIX. Payroll Reports. (a) On or before the 20th day after the end of each month, each handler described in "IX (Handler)" (a), (b), and (c) shall report to the market administrator his producer payroll for such month, in the detail prescribed by the market administrator, showing for each producer:

(1) His name and address;

(2) The total pounds of milk received from such producer;

(3) The average butterfat content of such milk; and

(4) The price per hundredweight, the gross amount due, the amount and nature of any deductions, and the net amount paid.

(b) Each handler operating a partially regulated distributing plant who elects a make payment pursuant to "XLI (Payments by handler operating a partially regulated distributing plant)" (b) shall report for each dairy farmer who would have been a producer if the plant had been fully regulated in the same manner as prescribed for reports required by paragraph (a) of this section.

XX. Other Reports. (a) Each pool handler, with respect to fluid milk products disposed of for animal feed, shall report to the market administrator such information and at such time as the market administrator may require.

(b) In addition to the reports required pursuant to paragraph (a) of this section and "XVIII (Handler Reports)" and "XIX (Payroll Reports)," each handler shall report such other information as the market administrator deems necessary to verify or establish such handler's obligation under the order.

XXI. Classification of milk. Classes of utilization. Except as provided in "XXIII (Classification of transfers and diversions)" all skim milk and butterfat required to be reported by a handler pursuant to "XVIII (Handler Reports)" shall be classified as follows:

(a) *Class I milk.* Except as provided in paragraph (c) of this section, Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of fluid milk product; and

(2) Not specifically accounted for as Class II or Class III milk.

(b) *Class II milk.* Except as provided in paragraph (c) of this section, Class II milk shall be all skim milk, and butterfat:

(1) Disposed of in the form of a fluid cream product, eggnog, yogurt, or any product containing 6 percent or more nonmilk fat (or oil) that resembles a fluid cream product, eggnog, or yogurt. Any product specified in this paragraph that is modified by the addition of non-fat milk solids shall be Class II milk in an amount equal only to the weight of an equal volume of an unmodified product of the same nature and butterfat content.

(2) In packaged inventory at the end of the month of the products specified in subparagraph (1) of this paragraph; and

(3) Used to produce cottage cheese, lowfat cottage cheese, and dry curd cottage cheese.

(c) *Class III milk.* Class III milk shall be all skim milk and butterfat:

(1) Used to produce:

(i) Cheese (other than cottage cheese, lowfat cottage cheese, and dry curd cottage cheese);

(ii) Butter, plastic cream, frozen cream, and anhydrous milkfat;

(iii) Any milk product in dry form;

(iv) Milkshake and ice cream mixes (or bases) containing 20 percent or more total solids, frozen desserts, and frozen dessert mixes;

(v) Custards, puddings, and pancake mixes;

(vi) Formulas especially prepared for infant feeding or dietary use that are packaged in hermetically sealed glass or all-metal containers;

(vii) Evaporated or condensed milk (plain or sweetened) in a consumer-type package, evaporated or condensed skim milk (plain or sweetened) in a consumer-type package, and any concentrated milk product in bulk, fluid form;

(viii) Any product containing 6 percent or more nonmilk fat (or oil) except those products specified in paragraph (b) (1) of this section; and

(ix) Any product that is not a fluid milk product and that is not specified in paragraphs (i) through (viii) of this paragraph or in paragraph (b) of this section;

(2) In bulk fluid milk products and bulk fluid cream products disposed of to any commercial food processing establishment (other than a milk or filled milk plant) at which food products (other than milk products and filled milk) are processed and from which there is no disposition of fluid milk products or fluid cream products other than those received in consumer-type packages;

(3) In inventory at the end of the month of fluid milk products in bulk or packaged form and products specified in

paragraph (b) (1) of this section in bulk form;

(4) In fluid milk products and products specified in paragraph (b) of this section that are disposed of by a handler for animal feed;

(5) In fluid milk products and products specified in paragraph (b) of this section that are dumped by a handler if the market administrator is notified of such dumping in advance and is given the opportunity to verify such disposition;

(6) In skim milk in any modified fluid milk product or modified product specified in paragraph (b) (1) of this section that is in excess of the quantity of skim milk in such product that was included within the fluid milk product definition or classified as Class II milk, as the case may be; and

(7) In shrinkage assigned pursuant to "XXII (Shrinkage)" (a) to the receipts specified in "XXII (Shrinkage)" (a) (2) and in shrinkage specified in "XXII (Shrinkage)" (b) and (c).

XXII. Shrinkage. For purposes of classifying all skim milk and butterfat to be reported by a handler pursuant to "XVIII (Handler Reports)," the market administrator shall determine the following:

(a) The pro rata assignment of shrinkage of skim milk and butterfat, respectively, at each pool plant to the respective quantities of skim milk and butterfat:

(1) In the receipts specified in paragraph (b) (1) through (6) of this section on which shrinkage is allowed pursuant to such paragraph; and

(2) In other source milk not specified in paragraph (b) (1) through (6) of this section which was received in the form of a bulk fluid milk product;

(b) The shrinkage of skim milk and butterfat, respectively, assigned pursuant to paragraph (a) of this section to the receipts specified in paragraph (1) of such paragraph that is not in excess of:

(1) Two percent of the skim milk and butterfat, respectively, in producer milk (excluding milk diverted by the plant operator to another plant);

(2) Plus 1.5 percent of the skim milk and butterfat, respectively, in milk received from a handler described in "IX (Handler)" (c) and in milk diverted to such plant from another pool plant, except that, in either case, if the operator of the plant to which the milk is delivered purchases the milk on the basis of weights determined by farm bulk tank calibration and butterfat tests determined from farm bulk tank samples, the applicable percentage under this subparagraph shall be 2 percent;

(3) Plus 0.5 percent of the skim milk and butterfat, respectively, in producer milk diverted from such plant by the plant operator to another plant, except that if the operator of the plant to which the milk is delivered purchases such milk on the basis of weights determined by farm bulk tank calibration and butterfat tests determined from farm bulk

tank samples, the applicable percentage under this subparagraph shall be zero;

(4) Plus 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products received by transfer from other pool plants;

(5) Plus 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products received by transfer from other order plants, excluding the quantity for which Class II or Class III classification is requested by the operators of both plants;

(6) Plus 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products received from unregulated supply plants, excluding the quantity for which Class II or Class III classification is requested by the handler; and

(7) Less 1.5 percent of the skim milk and butterfat, respectively, in bulk milk transferred to other plants that is not in excess of the respective amounts of skim milk and butterfat to which percentages are applied in paragraphs (1), (2), (4), (5), and (6) of this paragraph; and

(c) The quantity of skim milk and butterfat, respectively, in shrinkage of milk from producers for which a cooperative association is the handler pursuant to "IX (Handler)" (b) or (c), but not in excess of 0.5 percent of the skim milk and butterfat, respectively, in such milk. If the operator of the plant to which the milk is delivered purchases such milk on the basis of weights determined by farm bulk tank calibration and butterfat tests determined from farm bulk tank samples, the applicable percentage under this paragraph for the cooperative association shall be zero.

XXIII. Classification of Transfers and Diversions. (a) *Transfers and diversions to pool plants.* Skim milk or butterfat transferred or diverted in the form of a fluid milk product or a bulk fluid cream product from a pool plant to another pool plant or by a handler described in "IX (Handler)" (c) to another handler's pool plant shall be classified as Class I milk unless both handlers request the same classification in another class. In either case, the classification of such transfers or diversions shall be subject to the following conditions:

(1) The skim milk or butterfat classified in each class shall be limited to the amount of skim milk and butterfat, respectively, remaining in such class at the transferee-plant or diverttee-plant after the computations pursuant to "XXV (Classification of Producer Milk)" (a) (12) and the corresponding step of "XXV (Classification of Producer Milk)" (b);

(2) If the transferor-plant or divertor-plant received during the month other source milk to be allocated pursuant to "XXV (Classification of Producer Milk)" (a) (7) or the corresponding step of "XXV (Classification of Producer Milk)" (b), the skim milk or butterfat so transferred or diverted shall be classified so as to allocate the least possible Class I utilization to such other source milk;

(3) If the transferor-handler or divertor-handler received during the month other source milk to be allocated pursuant to "XXV (Classification of Producer Milk)" (a)(11) or (12) or the corresponding steps of "XXV (Classification of Producer Milk)" (b), the skim milk or butterfat so transferred or diverted, up to the total of the skim milk and butterfat, respectively, in such receipts of other source milk, shall not be classified as Class I milk to a greater extent than would be the case if the other source milk had been received at the transferee-plant or divertee-plant; and

(4) If a specified utilization of skim milk and butterfat transferred by a handler described in "IX (Handler)" (c), to a pool plant of another handler is not claimed by both handlers, such skim milk and butterfat shall be classified pro rata to the respective amounts of skim milk and butterfat remaining in each class at the pool plant of the transferee-handler after the computations pursuant to "XXV (Classification of Producer Milk)" (a)(12) and the corresponding step of "XXV (Classification of Producer Milk)" (b) and after the allocation of skim milk and butterfat for which a specified classification has been claimed by handlers pursuant to this paragraph.

(b) *Transfers and diversions to other order plants.* Skim milk or butterfat transferred or diverted in the form of a fluid milk product or a bulk fluid cream product from a pool plant to an other order plant shall be classified in the following manner. Such classification shall apply only to the skim milk or butterfat that is in excess of any receipts at the pool plant from the other order plant of skim milk and butterfat, respectively, in fluid milk products and bulk fluid cream products, respectively, that are in the same category as described in paragraph (1), (2), or (3) of this paragraph:

(1) If transferred as packaged fluid milk products, classification shall be in the classes to which allocated as a fluid milk product under the other order;

(2) If transferred in bulk form, classification shall be in the classes to which allocated under the other order (including allocation under the conditions set forth in paragraph (3) of this paragraph);

(3) If the operators of both plants so request in their reports of receipts and utilization filed with their respective market administrators, transfers or diversions in bulk form shall be classified as Class II or Class III milk to the extent of such utilization available for such classification pursuant to the allocation provisions of the other order;

(4) If information concerning the classes to which such transfers or diversions were allocated under the other order is not available to the market administrator for the purpose of establishing classification under this paragraph, classification shall be as Class I, subject to adjustment when such information is available;

(5) For purposes of this paragraph, if the other order provides for a differ-

ent number of classes of utilization than is provided for under this part, skim milk or butterfat allocated to a class consisting primarily of fluid milk products shall be classified as Class I milk, and skim milk or butterfat allocated to the other classes shall be classified as Class III milk; and

(6) If the form in which any fluid milk product that is transferred to an other order plant is not defined as a fluid milk product under such other order, classification under this paragraph shall be in accordance with the provisions of "XXI (Classification of Milk)."

(c) *Transfers to producer-handlers.* Skim milk or butterfat transferred in the following forms from a pool plant to a producer-handler under this or any other Federal order shall be classified:

(1) As Class I milk, if transferred to a producer-handler under another order in the form of a fluid milk product; and

(2) In accordance with the utilization assigned to it by the market administrator, if transferred in the form of a bulk fluid cream product. For this purpose, the producer-handler's utilization of skim milk and butterfat in each class, in series beginning with Class III, shall be assigned to the extent possible to his receipts of skim milk and butterfat, respectively, in bulk fluid cream products, pro rata to each source.

(d) *Transfers and diversions to other nonpool plants.* Skim milk or butterfat transferred or diverted in the following forms from a pool plant to a nonpool plant that is not an other order plant or a producer-handler plant shall be classified:

(1) As Class I milk, if transferred in the form of a packaged fluid milk product; and

(2) As Class I milk, if transferred or diverted in the form of a bulk fluid milk product or a bulk fluid cream product, unless the following conditions apply:

(i) If the conditions described in paragraphs (a) and (b) of paragraph (d) (2) (i) are met, transfers or diversions in bulk form shall be classified on the basis of the assignment of the nonpool plant's utilization to its receipts as set forth in paragraph (ii) through (viii) of this paragraph:

(a) The transferor-handler or divertor-handler claims such classification in his report of receipts and utilization filed pursuant to "XVIII (Handler Reports)" for the month within which such transaction occurred; and

(b) The nonpool plant operator maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available for verification purposes if requested by the market administrator;

(ii) Route disposition in the marketing area of each Federal milk order from the nonpool plant and transfers of packaged fluid milk products from such nonpool plant to plants fully regulated thereunder shall be assigned to the extent possible in the following sequence:

(a) Pro rata to receipts of packaged

fluid milk products at such nonpool plant from pool plants;

(b) Pro rata to any remaining unassigned receipts of packaged fluid milk products at such nonpool plant from other plants;

(c) Pro rata to receipts of bulk fluid milk products at such nonpool plant from pool plants; and

(d) Pro rata to any remaining unassigned receipts of bulk fluid milk products at such nonpool plant from other order plants;

(iii) Any remaining Class I disposition of packaged fluid milk products from the nonpool plant shall be assigned to the extent possible pro rata to any remaining unassigned receipts of packaged fluid milk products at such nonpool plant from pool plants and other order plants;

(iv) Transfers of bulk fluid milk products from the nonpool plant to a plant fully regulated under any Federal milk order, to the extent that such transfers to the regulated plant exceed receipts of fluid milk products from such plant and are allocated to Class I at the transferee plant, shall be assigned to the extent possible in the following sequence:

(a) Pro rata to receipts of fluid milk products at such nonpool plant from pool plants; and

(b) Pro rata to any remaining unassigned receipts of fluid milk products at such nonpool plant from other order plants;

(v) Any remaining unassigned Class I disposition from the nonpool plant shall be assigned to the extent possible in the following sequence:

(a) To such nonpool plant's receipts from dairy farmers who the market administrator determines constitute regular sources of Grade A milk for such nonpool plant; and

(b) To such nonpool plant's receipts of Grade A milk from plants not fully regulated under any Federal milk order which the market administrator determines constitute regular sources of Grade A milk for such nonpool plant;

(vi) Any remaining unassigned receipts of fluid milk products at the nonpool plant from pool plants and other order plants shall be assigned, pro rata among such plants, to the extent possible first to any remaining Class I utilization, then to Class III utilization, and then to Class II utilization at such nonpool plant;

(vii) Receipts of bulk fluid cream products at the nonpool plant from pool plants and other order plants shall be assigned, pro rata among such plants, to the extent possible first to any remaining Class III utilization, then to any remaining Class II utilization, and then to Class I utilization at such nonpool plant; and

(viii) In determining the nonpool plant's utilization for purposes of this subparagraph, any fluid milk products and bulk fluid cream products transferred from such nonpool plant to a plant not fully regulated under any Federal milk order shall be classified on the basis of the second plant's utilization using

the same assignment priorities at the second plant that are set forth in this subparagraph.

XXIV. General Classification Rules. In determining the classification of producer milk pursuant to "XXV (Classification of Producer Milk)," the following rules shall apply:

(a) Each month the market administrator shall correct for mathematical and other obvious errors all reports filed pursuant to "XVIII (Handler Reports)" and shall compute separately for each pool plant and for each cooperative association with respect to milk for which it is the handler pursuant to "IX (Handler)" (b) or (c) the pounds of skim milk and butterfat, respectively, in each class in accordance with "XXI (Classes of Utilization)," "XXII (Shrinkage)," and "XXIII (Classification of Transfers and Diversions);"

(b) If any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk in such product that are to be considered under this part as used or disposed of by the handler shall be an amount equivalent to the nonfat milk solids contained in such product plus all of the water originally associated with such solids; and

(c) The classification of producer milk for which a cooperative association is the handler pursuant to "IX (Handler)" (b) or (c) shall be determined separately from the operations of any pool plant operated by such cooperative association.

XXV. Classification of Producer Milk. For each month the market administrator shall determine the classification of producer milk of each handler described in "IX (Handler)" (a) for each of his pool plants separately and of each handler described in "IX (Handler)" (b) and (c) by allocating the handler's receipts of skim milk and butterfat to his utilization as follows:

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

(1) Subtract from the total pounds of skim milk in Class III the pounds of skim milk in shrinkage specified in "XXII (Shrinkage)" (b);

(2) Subtract from the total pounds of skim milk in Class I the pounds of skim milk in receipts of packaged fluid milk products from an unregulated supply plant to the extent that an equivalent amount of skim milk disposed of to such plant by handlers fully regulated under any Federal milk order is classified and priced as Class I milk and is not used as an offset for any other payment obligation under any order;

(3) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk in fluid milk products received in packaged form from an other order plant, except that to be subtracted pursuant to paragraph (7) (vi) of this paragraph, as follows:

(i) From Class III milk, the lesser of the pounds remaining or 2 percent of such receipts; and

(ii) From Class I milk, the remainder of such receipts;

(4) Subtract from the pounds of skim milk in Class II the pounds of skim milk in products specified in "XXI (Classes of Utilization)" (b) (1) that were received in packaged form from other plants, but not in excess of the pounds of skim milk remaining in Class II;

(5) Except for the first month that a pool plant is subject to this subparagraph, subtract from the remaining pounds of skim milk in Class II the pounds of skim milk in products specified in "XXI (Classes of Utilization)" (b) (1) that were in inventory at the beginning of the month in packaged form, but not in excess of the pounds of skim milk remaining in Class II;

(6) Subtract from the remaining pounds of skim milk in Class II the pounds of skim milk in other source milk (except that received in the form of a fluid milk product or a fluid cream product) that is used to produce, or added to (excluding the quantity of such skim milk that was classified as Class III milk pursuant to "XXI (Classes of Utilization)" (c) (6)), any product specified in "XXI (Classes of Utilization)" (b), but not in excess of the pounds of skim milk remaining in Class II;

(7) Subtract in the order specified below from the pounds of skim milk remaining in each class, in series beginning with Class III, the pounds of skim milk in each of the following:

(i) Other source milk (except that received in the form of a fluid milk product) and packaged inventory at the beginning of the month of products specified in "XXI (Classes of Utilization)" (b) (1) that were not subtracted pursuant to paragraphs (4), (5), and (6) of this paragraph;

(ii) Receipts of fluid milk products (except filled milk) for which Grade A certification is not established;

(iii) Receipts of fluid milk products from unidentified sources;

(iv) Receipts of fluid milk products from a producer-handler as defined under this or any other Federal milk order;

(v) Receipts of reconstituted skim milk in filled milk from an unregulated supply plant that were not subtracted pursuant to paragraph (2) of this paragraph; and

(vi) Receipts of reconstituted skim milk in filled milk from an other order plant that is regulated under any Federal order providing for individual-handler pooling, to the extent that reconstituted skim milk is allocated to Class I at the transferor-plant;

(8) Subtract in the order specified below from the pounds of skim milk remaining in Class II and Class III, in sequence beginning with Class III;

(i) The pounds of skim milk in receipts of fluid milk products from an unregulated supply plant that were not subtracted pursuant to paragraphs (2) and (7) (v) of this paragraph for which the handler requests a classification other than Class I, but not in excess of the pounds of skim milk remaining in Class II and Class III combined;

(ii) The pounds of skim milk in re-

ceipts of fluid milk products from an unregulated supply plant that were not subtracted pursuant to paragraphs (2), (7) (v), and (8) (i) of this paragraph which are in excess of the pounds of skim milk determined pursuant to paragraphs (a) through (c) of this paragraph. Should the pounds of skim milk to be subtracted from Class II and Class III combined exceed the pounds of skim milk remaining in such classes, the pounds of skim milk in Class II and Class III shall be increased (increasing Class III first to the extent permitted by the handler's total Class III utilization at his other pool plants) by an amount equal to such quantity to be subtracted and the pounds of skim milk in Class I shall be decreased by a like amount. In such case, the pounds of skim milk remaining in each class at this allocation step at other pool plants of the handler shall be adjusted to the extent possible in the reverse direction by a like amount. Such adjustment shall be made at the other plants in sequence beginning with the plant having the least minus location adjustment;

(a) Multiply by 1.25 the sum of the pounds of skim milk remaining in Class I at this allocation step at all pool plants of the handler;

(b) Subtract from the above result the sum of the pounds of skim milk in receipts at all pool plants of the handler of producer milk, milk from a handler described in "IX (Handler)" (c), fluid milk products from pool plants of other handlers, and bulk fluid milk products from other order plants that were not subtracted pursuant to paragraph (7) (vi) of this paragraph; and

(c) Multiply any plus quantity resulting above by the percentage that the receipts of skim milk in fluid milk products from unregulated supply plants that remain at this pool plant is of all such receipts remaining at this allocation step at all pool plants of the handler; and

(iii) The pounds of skim milk in receipts of bulk fluid milk products from an other order plant that are in excess of bulk fluid milk products transferred or diverted to such plant and that were not subtracted pursuant to paragraph (7) (vi) of this paragraph, if Class II or Class III classification is requested by the operator of the other order plant and the handler, but not in excess of the pounds of skim milk remaining in Class II and Class III combined;

(9) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class III, the pounds of skim milk in fluid milk products and products specified in "XXI (Classes of Utilization)" (b) (1) in inventory at the beginning of the month that were not subtracted pursuant to paragraph (5) of this paragraph;

(10) Add to the remaining pounds of skim milk in Class III the pounds of skim milk subtracted pursuant to paragraph (1) of this paragraph;

(11) Subject to the provisions of paragraph (1) of this paragraph, subtract from the pounds of skim milk remaining in each class at the plant, pro

rata to the total pounds of skim milk remaining in Class I and in Class II and Class III combined at this allocation step at all pool plants of the handler, with the quantity prorated to Class II and Class III combined being subtracted first from Class III and then from Class II, the pounds of skim milk in receipts of fluid milk products from an unregulated supply plant that were not subtracted pursuant to paragraphs (2), (7) (v), and (8) (i) and (ii) of this paragraph and that were not offset by transfers or diversions of fluid milk products to the same unregulated supply plant from which fluid milk products to be allocated at this step were received:

(1) Should the pounds of skim milk to be subtracted from any class pursuant to this subparagraph exceed the pounds of skim milk remaining in such class, the pounds of skim milk in such class shall be increased by an amount equal to such quantity to be subtracted and the pounds of skim milk in the other classes (beginning with the higher-priced class) shall be decreased by a like amount. In such case, the pounds of skim milk remaining in each class at this allocation step at other pool plants of the handler shall be adjusted to the extent possible in the reverse direction by a like amount. Such adjustment shall be made at the other plants in sequence beginning with the plant having the least minus location adjustment;

(12) Subtract in the manner specified below from the pounds of skim milk remaining in each class the pounds of skim milk in receipts of bulk fluid milk products from an other order plant that are in excess of bulk fluid milk products transferred or diverted to such plant and that were not subtracted pursuant to paragraphs (7) (vi) and (8) (iii) of this paragraph:

(i) Subject to the provision of paragraph (ii) and (iii) of this subparagraph, such subtraction shall be pro rata to the pounds of skim milk in Class I and in Class II and Class III combined, with the quantity prorated to Class II and Class III combined being subtracted first from Class III and then from Class II, with respect to whichever of the following quantities represents the lower proportion of Class I milk:

(a) The estimated utilization of skim milk of all handlers in each class as announced for the month pursuant to "XXVI (Market Administrator's Reports and Announcements Concerning Classification)" (a); or

(b) The total pounds of skim milk remaining in each class at this allocation step at all pool plants of the handler;

(ii) Should the proration pursuant to paragraph (i) of this paragraph result in the total pounds of skim milk at all pool plants of the handler that are to be subtracted at this allocation step from Class II and Class III combined exceeding the pounds of skim milk remaining in Class II and Class III at all such plants, the pounds of such excess shall be subtracted from the pounds of skim milk remaining in Class I after such proration

at the pool plants at which such other source milk was received; and

(iii) Except as provided in paragraph (ii) of this paragraph, should the computations pursuant to either subdivision (i) or (ii) of this subparagraph result in a quantity of skim milk to be subtracted from any class that exceeds the pounds of skim milk remaining in such class, the pounds of skim milk in such class shall be increased by an amount equal to such quantity to be subtracted and the pounds of skim milk in the other classes (beginning with the higher-priced class) shall be decreased by a like amount. In such case, the pounds of skim milk remaining in each class at this allocation step at other pool plants of the handler shall be adjusted to the extent possible in the reverse direction by a like amount. Such adjustment shall be made at the other plants in sequence beginning with the plant having the least minus location adjustment;

(13) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk in fluid milk products and bulk fluid cream products from an other pool plant or a handler described in "IX (Handler)" (c) according to the classification of such products pursuant to "XXIII (Classification of Transfers and Diversions)" (a); and

(14) If the total pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class III. Any amount so subtracted shall be known as "overage;"

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

(c) The quantity of producer milk in each class shall be the combined pounds of skim milk and butterfat remaining in each class after the computations pursuant to "XXV (Classification of Producer Milk)" (a) (14) and the corresponding step of "XXV (Classification of Producer Milk)" (b).

XXVI. Market Administrator's Reports and Announcements Concerning Classification. The market administrator shall make the following reports and announcements concerning classification:

(a) Whenever required for the purpose of allocating receipts from other order plants pursuant to "XXV (Classification of Producer Milk)" (a) (12) and the corresponding step of "XXV (Classification of Producer Milk)" (b), estimate and publicly announce the utilization (to the nearest whole percentage) in each class during the month of skim milk and butterfat, respectively, in producer milk of all handlers. Such estimate shall be based upon the most current available data and shall be final for such purpose.

(b) Report to the market administrator of the other order, as soon as possible after the report of receipts and utilization for the month is received from a handler who has received fluid milk products or bulk fluid cream products from an

other order plant, the class to which such receipts are allocated pursuant to "XXV (Classification of Producer Milk)" on the basis of such report, and, thereafter, any change in such allocation required to correct errors disclosed in the verification of such report.

(c) Furnish to each handler operating a pool plant who has shipped fluid milk products or bulk fluid cream products to an other order plant the class to which such shipments were allocated by the market administrator of the other order on the basis of the report by the receiving handler, and, as necessary, any changes in such allocation arising from the verification of such report.

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

XXVII. Class prices. Subject to the provisions of XXIX (Plant Location Adjustments for Handlers)," the class prices for the month per hundredweight of milk containing 3.5 percent butterfat shall be as follows:

(a) *Class I price.* The Class I price shall be the basic formula price for the second preceding month plus \$2.47.

(b) *Class II price.* The Class II price shall be the basic formula price for the month plus 20 cents.

(c) *Class III price.* The Class III price shall be the basic formula price for the month.

XXVIII. Basic Formula Price. The "basic formula price" shall be the average price per hundred-weight for manufacturing grade milk, f.o.b. plants in Minnesota and Wisconsin, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis and rounded to the nearest cent. For such adjustment, the butterfat differential (rounded to the nearest 0.1 cent) per 0.1 percent butterfat shall be 0.12 times the simple average of the wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk butter per pound at Chicago, as reported by the Department for the month. For the purpose of computing the Class I price, the resulting price shall not be less than \$4.33.

XXIX. Plant Location Adjustment for Handlers. (a) For that milk which is received from producers at a pool plant or at such plant from a handler described in "IX (Handler)" (c) and classified as Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section, the price specified in "XXVII (Class Prices)" (a) shall be reduced at the following rates (where mileage determinations are applicable these distances shall be determined by the market administrator by applying the shortest hard-surfaced highway distance open to commercial truck traffic):

Location:	Rate per hundred- weight (cents)
(1) For milk received at a pool plant located in the Mississippi marketing area except that part in George, Greene, Hancock, Harrison, Jackson, Pearl River, and Stone Counties.....	20.0
(2) For milk received at a pool plant located outside the marketing area, and:	
(1) More than 60 but not more than 160 miles from the courthouse in Gulfport, or Pascagoula, Mississippi, whichever is nearer.....	15.0
(2) For each additional 10 miles or fraction thereof, an additional....	2.0

(b) For purposes of calculating such adjustment, transfers between pool plants shall be assigned Class I disposition at the transferee-plant, in excess of the sum of 95 percent of receipts at such plant from producers and receipts from a handler described in "IX (Handler)" (c) and the pounds assigned as Class I to receipts from other order plants and unregulated supply plants, such assignment to be made first to transferor-plants at which no location adjustment credit is applicable and then in sequence beginning with the plant at which the least location adjustment would apply.

(c) The Class I price applicable to other source milk shall be adjusted at the rates set forth in paragraph (a) of this section, except that the adjusted Class I price shall not be less than the Class III price.

XXX. Announcement of Class Prices. The market administrator shall announce publicly on or before the fifth day of each month the Class I price for the following month and the Class II and Class III prices for the preceding month.

XXXI. Equivalent Price. If for any reason a price or pricing constituent required by this part for computing class prices or for other purposes is not available as prescribed in this part, the market administrator shall use a price or pricing constituent determined by the Secretary to be equivalent to the price or pricing constituent that is required.

XXXII. Uniform Price. Handler's value of milk for computing uniform price. For the purpose of computing the uniform price, the market administrator shall determine for each month the value of milk of each handler with respect to each of his pool plants and of each handler described in "IX (Handler)" (b) and (c) as follows:

(a) Multiply the pounds of producer milk in each class as determined pursuant to "XXV (Classification of Producer Milk)" by the applicable class prices and add the resulting amounts;

(b) Add the amounts obtained from multiplying the pounds of overage subtracted from each class pursuant to "XXV (Classification of Producer Milk)" (a) (14) and the corresponding step of "XXV (Classification of Producer Milk)" (b) by the respective class prices, as adjusted by the butterfat differential

specified in "XXXIX (Butterfat Differential)," that are applicable at the location of the pool plant;

(c) Add the amount obtained from multiplying the difference between the Class III price for the preceding month and the Class I price applicable at the location of the pool plant or the Class II price, as the case may be, for the current month by the hundredweight of skim milk and butterfat subtracted from Class I and Class II pursuant to "XXV (Classification of Producer Milk)" (a) (9) and the corresponding step of "XXV (Classification of Producer Milk)" (b);

(d) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to "XXV (Classification of Producer Milk)" (a) (7) (i) through (iv) and the corresponding step of "XXV (Classification of Producer Milk)" (b), excluding receipts of bulk fluid cream products from an other order plant;

(e) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the transferor-plant and the Class III price by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to "XXV (Classification of Producer Milk)" (a) (1) (v) and (vi) and the corresponding step of "XXV (Classification of Producer Milk)" (b); and

(f) Add the amount obtained from multiplying the Class I price applicable at the location of the nearest unregulated supply plants from which an equivalent volume was received by the pounds of skim milk and butterfat subtracted from Class I pursuant to "XXV (Classification of Producer Milk)" (a) (11) and the corresponding step of "XXV (Classification of Producer Milk)," excluding such skim milk and butterfat in receipts of bulk fluid milk products from an unregulated supply plant to the extent that an equivalent amount of skim milk or butterfat disposed of to such plant by handler fully regulated under any Federal milk order is classified and priced as Class I milk and is not used as an offset for any other payment obligation under any order.

XXXIII. Computation of Uniform Price. For each month the market administrator shall compute the uniform price per hundredweight for milk of 3.5 percent butterfat content as follows:

(a) Combine into one total the values computed pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" for all handlers specified in "IX (Handlers)" (a), (b), and (c) who filed reports prescribed by "XVIII (Handler Reports)," and who made payments pursuant to "XXXVI (Payments to the Producer - Settlement Fund)" and "XXXVII (Payments to Producers and to Cooperative Associations)" for the preceding month;

(b) Add an amount equal to the sum of the deductions to be made for location adjustments pursuant to "XL (Plant

Location Adjustments for Producers and on Nonpool Milk);"

(c) Add not less than one-half of the unobligated balance on hand in the producer-settlement fund;

(d) Divide the resulting amount by the sum of the following for all handlers included in these computations:

(1) The total hundredweight of producer milk; and

(2) The total hundredweight for which a value is computed pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" (f); and

(e) Subtract not less than 4 cents nor more than 5 cents. The result shall be the "uniform price" for milk received from producers.

XXXIV. Announcement of Uniform and Butterfat Differential. The market administrator shall announce publicly on or before:

(a) The fifth day after the end of each month the butterfat differential for such month; and

(b) The 10th day after the end of each month the uniform price for such month.

XXXV. Payments for Milk. Producer-settlement fund. The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all applicable payments made by handlers pursuant to "XXXVI (Payments to the Producer-Settlement Fund)," "XLI (Payments by Handler Operating a Partially Regulated Distributing Plant)," and "XLII (Adjustment of Accounts)" and out of which he shall make all applicable payments pursuant to "XXXVII (Payments from the Producer-Settlement Fund)" and "XLII (Adjustment of Accounts):" *Provided*, That any payments due to any handler shall be offset by any payments due from such handler.

XXXVI. Payments to the Producer-settlement Fund. (a) On or before the 12th day after the end of the month, each handler shall pay to the market administrator the amount, if any, by which the amount specified in paragraph (1) of this paragraph exceeds the amount specified in paragraph (2) of this paragraph:

(1) The total value of milk of the handler for such month as determined pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)."

(2) The sum of:
(i) The value at the uniform price, as adjusted pursuant to "XL (Plant Location Adjustments for Producers and on Nonpool Milk)," of such handler's receipts of producer milk; and

(ii) The value at the uniform price applicable at the location of the plant from which received of other source milk for which a value is computed pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" (f).

(b) On or before the 25th day after the end of the month each person who operated an other order plant that was regulated during such month under an order providing for individual-handler

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pooling shall pay to the market administrator an amount computed as follows:

(1) Determine the quantity of reconstituted skim milk in filled milk in route disposition from such plant in the marketing area which was allocated to Class I at such plant. If there is such route disposition from such plant in marketing areas regulated by two or more marketwide pool orders, the reconstituted skim milk allocated to Class I shall be prorated to each order according to such route disposition in each marketing area; and

(2) Compute the value of the reconstituted skim milk assigned in paragraph (1) of this paragraph to route disposition in this marketing area by multiplying the quantity of such skim milk by the difference between the Class I price under this part that is applicable at the location of the other order plant (but not to be less than the Class III price) and the Class III price.

XXXVII. Payments from the Producer-Settlement Fund. On or before the 13th day after the end of each month the market administrator shall pay to each handler the amount, if any, by which the amount computed pursuant to "XXXVI (Payments to the Producer-Settlement Fund)" (a) (2) exceeds the amount computed pursuant to "XXXVI (Payments to the Producer-Settlement Fund)" (a) (1). If, at such time, the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the appropriate funds are available.

XXXVIII. Payments to Producers and to Cooperative Associations. Each handler shall make payment as follows:

(a) On or before the 15th day after the end of each month during which the milk was received, to each producer for whom payment is not made pursuant to paragraph (c) of this section, at not less than the uniform price pursuant to "XXXIII (Computation of Uniform Price)" as adjusted pursuant to "XXXIX (Butterfat Differential)" and "XL (Plant Location Adjustments for Producers and on Nonpool Milk)" and less the following amounts:

(1) The payments made pursuant to paragraph (b) of this section;

(2) Deductions for marketing services pursuant to "XLV (Deduction for Marketing Services)"; and

(3) Any proper deductions authorized in writing by the producer: *Provided*, That if by such date such handler has not received full payment for such month pursuant to "XXXVII (Payments from the Producer-Settlement Fund)" he may reduce his total payment to all producers uniformly by not more than the amount of reduction in payment from the market administrator; the handler shall, however, complete such payments not later than the date for making such payments pursuant to this paragraph next following receipt of the balance from the market administrator;

(b) On or before the last day of each month to each producer (1) for whom payment is not received from the handler by a cooperative association pursuant to paragraph (c) of this section, and (2) who had not discontinued shipping milk to such handler before the 18th day of the month a partial payment equal to the Class III price for the preceding month for milk testing 3.5 percent butterfat multiplied by the hundredweight of milk received from such producer during the first 15 days of the current month;

(c) To a cooperative association which has filed request for such payment with such handler and with respect to producers for whose milk the market administrator determines such cooperative association is authorized to collect payment as follows:

(1) On or before the 26th day of the month an amount equal to not less than the sum of the individual payments otherwise payable to producers pursuant to paragraph (b) of this section; and

(2) On or before the 13th day after the end of each month an amount equal to not less than the sum of the individual payments otherwise payable to producers pursuant to paragraph (a) of this section, less proper deductions authorized in writing by such cooperative association;

(d) In making payments to producers pursuant to paragraph (a) of this section, each handler shall furnish each producer with a supporting statement in such form that it may be retained by the producer which shall show:

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

(2) The pounds per shipment, the date, the total pounds and the average butterfat test of milk delivered by the producer;

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

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

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deduction claimed under paragraph (b) of this section and "XLV (Deduction for Marketing Services)," together with a description of the respective deduction; and

(6) The net amount of payment to the producer;

(e) To a cooperative association for milk received from such association in its capacity as a handler as follows:

(1) On or before the 26th day of each month an amount equal to not less than the Class III price for 3.5 percent milk for the preceding month multiplied by the hundredweight of milk received from such association during the first 15 days of the current month; and

(2) On or before the 13th day after the end of each month during which the milk was received an amount equal to not less than the utilization value of such milk computed at the class prices, as adjusted by the butterfat differential speci-

fied in "XXXIX (Butterfat Differential)," that are applicable at the location of the receiving handler's pool plant, less amounts paid pursuant to paragraph (1) of this paragraph; and

(f) Each handler who received producer milk for which payment is to be made to a cooperative association pursuant to paragraph (c) of this section shall report to such cooperative association with respect to each such producer as follows:

(1) On or before the 20th day of each month, the total pounds of milk received during the first 15 days of the month;

(2) On or before the 10th day after the end of each month:

(1) The daily and total pounds of milk received during the month and the average butterfat test thereof; and

(ii) The amount or rate and nature of any deductions.

XXXIX. Butterfat differential. For milk containing more or less than 3.5 percent butterfat, the uniform price shall be increased or decreased, respectively, for each one-tenth percent butterfat variation from 3.5 percent by a butterfat differential, rounded to the nearest one-tenth cent, which shall be 0.115 times the simple average of the wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk butter per pound at Chicago, as reported by the Department for the month.

XL. Plant Location Adjustments for Producers and on Nonpool Milk. (a) In making payments to producers pursuant to "XXXVIII (Payments to Producers and to Cooperative Associations)," the uniform price pursuant to "XXXIII (Computation of Uniform Price)" to be paid for milk received at a pool plant shall be reduced according to the location of the pool plant at the rates set forth in "XXXIX (Plant Location Adjustment for Handlers)" (a); and

(b) The uniform price applicable to other source milk shall be adjusted at the rates set forth in "XXXIX (Plant Location Adjustment for Handlers)" (a) applicable at the location of the nonpool plant from which the milk was received, except that the uniform price shall not be less than the Class III price.

XLI. Payments by Handler Operating a Partially Regulated Distributing Plant. Each handler who operates a partially regulated distributing plant shall pay on or before the 25th day after the end of the month to the market administrator for the producer-settlement fund the amount computed pursuant to paragraph (a) of this section. If the handler submits pursuant to "XVII (Handler Reports)" (b) and "XIX (Payroll Reports)" (b) the information necessary for making the computations, such handler may elect to pay in lieu of such payment the amount computed pursuant to paragraph (b) of this section:

(a) The payment under this paragraph shall be the amount resulting from the following computations:

(1) Determine the pounds of route disposition in the marketing area from

the partially regulated distributing plant;

(2) Subtract the pounds of fluid milk products received at the partially regulated distributing plant:

(i) As Class I milk from pool plants and other order plants, except that subtracted under a similar provision of another Federal milk order; and

(ii) From another nonpool plant that is not an other order plant to the extent that an equivalent amount of fluid milk products disposed of to such nonpool plant by handlers fully regulated under any Federal milk order is classified and priced as Class I milk and is not used as an offset for any other payment obligation under any order;

(3) Subtract the pounds of reconstituted skim milk in route disposition in the marketing area from the partially regulated distributing plant;

(4) Multiply the remaining pounds by the difference between the Class I price and the uniform price, both prices to be applicable at the location of the partially regulated distributing plant (but not to be less than the Class III price); and

(5) Add the amount obtained from multiplying the pounds of reconstituted skim milk specified in paragraph (3) of this paragraph by the difference between the Class I price applicable at the location of the partially regulated distributing plant (but not to be less than the Class III price) and the Class III price.

(b) The payment under this paragraph shall be the amount resulting from the following computations:

(1) Determine the value that would have been computed pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" for the partially regulated distributing plant if the plant had been a pool plant, subject to the following modifications:

(i) Fluid milk products and bulk fluid cream products received at the partially regulated distributing plant from a pool plant or an other order plant shall be allocated at the partially regulated distributing plant to the same class in which such products were classified at the fully regulated plant;

(ii) Fluid milk products and bulk fluid cream products transferred from the partially regulated distributing plant to a pool plant or an other order plant shall be classified at the partially regulated distributing plant in the class to which allocated at the fully regulated plant. Such transfers shall be allocated to the extent possible to those receipts at the partially regulated distributing plant from pool plants and other order plants that are classified in the corresponding class pursuant to paragraph (1) of this paragraph. Any such transfers remaining after the above allocation which are classified in Class I and for which a value is computed for the handler operating the partially regulated distributing plant pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" shall be priced at the uniform price (or at the weighted average price if such is provided) of the respective order regu-

lating the handling of milk at the transferee-plant, with such uniform price adjusted to the location of the nonpool plant (but not to be less than the lowest class price of the respective order), except that transfers of reconstituted skim milk in filled milk shall be priced at the lowest class price of the respective order; and

(iii) If the operator of the partially regulated distributing plant so requests, the value of milk determined pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" for such handler shall include, in lieu of the value of other source milk specified in "XXXII (Handler's Value of Milk for Computing Uniform Price)" (f) less the value of such other source milk specified in "XXXVI (Payments to the Producer-Settlement Fund)" (a) (2) (ii), a value of milk determined pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" for each nonpool plant that is not an other order plant which serves as a supply plant for such partially regulated distributing plant by making shipments to the partially regulated distributing plant during the month equivalent to the requirements of "VII (Pool Plant)" (b) subject to the following conditions:

(a) The operator of the partially regulated distributing plant submits with his reports filed pursuant to "XVIII (Handler Reports)" (b) and "XIX (Payroll Reports)" (b) similar reports for each such nonpool supply plant;

(b) The operator of such nonpool supply plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available if requested by the market administrator for verification purposes; and

(c) The value of milk determined pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" for such nonpool supply plant shall be determined in the same manner prescribed for computing the obligation of such partially regulated distributing plant; and

(2) From the partially regulated distributing plant's value of milk computed pursuant to paragraph (1) of this paragraph, subtract:

(i) The gross payments by the operator of such partially regulated distributing plant for milk received at the plant during the month that would have been producer milk if the plant had been fully regulated;

(ii) If paragraph (1) (iii) of this paragraph applies, the gross payments by the operator of such nonpool supply plant for milk received at the plant during the month that would have been producer milk if the plant had been fully regulated; and

(iii) The payments by the operator of the partially regulated distributing plant to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant and like payments by the operator of the nonpool supply plant if paragraph (1) (iii) of this paragraph applies.

XLI. *Adjustment of Accounts.* Whenever audit by the market administrator

of any handler's reports, books, records, or accounts, or verification of weights and butterfat tests of milk or milk products discloses errors resulting in money due (a) the market administrator from such handler, (b) such handler from the market administrator, or (c) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth under which such error occurred.

XLIII. *Charges on Overdue Accounts.* Any unpaid obligation of a handler pursuant to "XXXVI (Payments to the Producer-Settlement Fund)," "XLI (Payments by Handler Operating a Partially Regulated Distributing Plant)," "XLII (Adjustment of Accounts)" (a), "XLIV (Assessment for Order Administration)," or "XLV (Deduction for Marketing Services)" (a), shall be increased one-half of 1 percent each month or fraction thereof starting the third day after the date such obligation is due until such obligation is paid. Any remittance received by the market administrator postmarked not later than the date such obligation is due shall be considered to have been received when due.

XLIV. *Administrative Assessment and Marketing Service Deduction.* Assessment for order administration. As his pro rata share of the expense of administration of the order, each handler, excluding a handler described in "IX (Handler)" (c), shall pay to the market administrator on or before the 15th day after the end of the month 5 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to:

(a) Producer milk (including such handler's own production);

(b) Other source milk allocated to Class I pursuant to "XXV (Classification of Producer Milk)" (a) (7) and (11) and the corresponding steps of "XXV (Classification of Producer Milk)" (b), except such other source milk that is excluded from the computations pursuant to "XXXII (Handler's Value of Milk for Computing Uniform Price)" (d) and (f);

(c) Route disposition in the marketing area from a partially regulated distributing plant that exceeds the skim milk and butterfat subtracted pursuant to "XLI (Payments by Handler Operating a Partially Regulated Distributing Plant)" (a) (2); and

(d) Milk received from a handler described in "IX (Handler)" (c).

XLV. *Deduction for Marketing Services.* (a) Except as set forth in paragraph (b) of this section, each handler in making payments to producers for milk (other than milk of his own production) pursuant to "XXXVIII (Payments to Producers and to Cooperative Associations)" (a), shall deduct 10 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all milk received by such handler from producers during the month, and shall pay such deductions to the market administrator on or before the 15th day

after the end of such month. Such moneys shall be used by the market administrator to provide market information and to check the accuracy of the testing and weighing of the milk for producers who are not receiving such services from a cooperative association. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him; and

(b) In the case of producers who are members of a cooperative association which the Secretary has determined is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deduction specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by the membership agreement, or marketing contract between such cooperative association and such producers on or before the 15th day after the end of each month, and pay such deductions to such cooperative association.

Proposed by Marketing Assistance Program, Inc.

Proposal No. 11. Reinstate the former Mississippi order Part 1103 and include classification provisions as set forth in decisions in 39 F.R. 8452, 8712, 9012, and 39 FR 8202.

Proposal No. 12. Strike § 1103.11(c) or, if it is not struck, then standard should be increased to 75 percent in order for the cooperatives to be able to designate the cooperative plant for pooling and the plant should be located in the marketing area.

Proposal No. 13. Amend § 1103.15 to limit diversion of milk to an amount not to exceed 20 percent.

Proposal No. 14. Amend the order to define "marketing period" as meaning the fiscal year beginning April 1 and ending March 31.

Proposal No. 15. Amend the order to include a new provision with respect to termination of the order to provide that any termination under section 16(B) of the Act should be effective only if announced on or before 90 days prior to the end of the then current marketing period.

Copies of this notice of hearing and the order may be procured from the Market Administrator, P.O. Box 456, Metairie, Louisiana, 70004, or from the Hearing Clerk, Room 112-A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on: March 14, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc.75-7324 Filed 3-19-75; 8:45 am]

Commodity Credit Corporation

[7 CFR Part 1464]

TOBACCO

Proposed Loan and Purchase Program for 1975 Crop

Notice is hereby given that the Secretary of Agriculture, under the authority of sections 106, 401, and 403 of the Agricultural Act of 1949, as amended (7 U.S.C. 1445, 1421, and 1423), and sections 4 and 5 of the Commodity Credit Corporation Charter Act, as amended (15 U.S.C. 714b, 714c), proposes to make determinations relative to a support program for the 1975 crop of tobacco.

The Agricultural Act of 1949, as amended, requires the Secretary to make support available on any crop of tobacco for which marketing quotas have not been disapproved by producers. Under section 106 of the Act, the level of support in cents-per-pound for each crop of each kind of tobacco for which marketing quotas are in effect, or for which marketing quotas are not disapproved, is mandatory at the support level for the 1959 crop of such kind of tobacco, multiplied by the ratio of the average of the index of prices paid by farmers for the three calendar years immediately preceding the calendar year in which the marketing year begins for which the support level is being determined to the average index of prices paid by farmers for the 1959 calendar year. The average of the index of prices paid for calendar years 1972-74 will be used in computing the 1975 tobacco support levels. This average is 502. The average index of prices paid for the calendar year 1959 is 298. The resulting ratio is 1.68. Thus, the support level for the 1975 crop of each eligible kind of tobacco will be 168 percent of the 1959 crop support level. Prior to the beginning of the marketing season for each kind of tobacco, pursuant to section 403 of the Act, Commodity Credit Corporation will issue proposed advance rates for the various types and grades of tobacco, and comments on such rates may be made at that time.

It is contemplated that the method of supporting tobacco will continue to be through loans on all eligible kinds of tobacco and purchase of Puerto Rican tobacco. Regulations currently in effect with respect to the tobacco price support program are set forth in 7 CFR Part 1464. Consideration is being given to amending those regulations as follows:

1. In §§ 1464.2, 1464.7 and 1464.8, provisions are set forth which exclude price support on tobacco on which pesticides containing DDT and TDE have been used. It is proposed to also exclude price support on tobacco on which pesticides containing toxaphine and endrin

have been used. The use of these pesticides on tobacco is determined to cause the tobacco products made from the tobacco to have objectionable flavors.

2. In § 1464.7, provisions are set forth which require flue-cured tobacco producers to certify their acreage of flue-cured tobacco as a condition of price support. It is proposed to remove such certification requirement as a condition of price support as price support on flue-cured tobacco is limited to 110 percent of the farm marketing quota and therefore the acreage is not a material factor of eligibility for price support.

The proposed amendments are as follows:

1. Section 1464.2(c) is revised to read as follows:

§ 1464.2 Availability of price support.

(c) No price support will be available for tobacco on which pesticides containing DDT, TDE, toxaphine and endrin, as defined in Parts 724, 725, and 726 of Chapter VII of this title, have been used in the field or after harvest.

2. Section 1464.7(a) (1) and (3) are revised to read as follows:

§ 1464.7 Eligible producers.

(a)
(1) pesticides containing DDT, TDE, toxaphine and endrin have not been used in the field or after being harvested.

(2)
(3) the farm is in compliance with the provisions of Part 718 of this title with respect to acreage allotments, disposition of any excess acreage and certifications, except that (i) this provision shall not apply to flue-cured tobacco, and (ii) for other kinds of tobacco, the acreage may exceed the allotment by not more than any applicable tolerance prescribed in Part 718.

3. Section 1464.8(c) is revised to read as follows:

§ 1464.8 Eligible tobacco.

(c) if Puerto Rican tobacco, or tobacco of a kind for which marketing quotas have been terminated, is tobacco for which the association has received a certification by the producers that pesticides containing DT, TDE, toxaphine and endrin, as defined in Parts 724 and 725 of this title, were not used on the tobacco in the field or after harvest;

Prior to making determinations relating to this notice, consideration will be given to data, views, and recommendations which are submitted in writing to the Director, Tobacco and Peanut Di-

vision, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director on or before April 21, 1975.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during the regular business hours (8:15 a.m. to 4:45 p.m.) (7 CFR 1.27(b)).

Signed at Washington, D.C. on March 14, 1975.

GLENN A. WEIR,
Acting Executive Vice President,
Commodity Credit Corporation.

[FR Doc.75-7250 Filed 3-19-75; 8:45 am]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Office of Education
[45 CFR Part 130]

**LIBRARY SERVICES AND CONSTRUCTION
Limited English-Speaking Ability**

Section 841 of the Education Amendments of 1974, Pub. L. 93-380, made certain changes in the Library Services and Construction Act relating to persons of limited English-speaking ability.

Specifically, section 841(b) of Pub. L. 93-380 amends section 6(b)(4) of the Library Services and Construction Act (20 U.S.C. 351(b)(4)) to add a new requirement that priority in funding under that Act must be given to areas with high concentration of persons with limited English-speaking ability as that term is defined in section 703(a) of Title VII of the Elementary and Secondary Education Act of 1965, as amended by section 105(a)(1) of Pub. L. 93-380 (20 U.S.C. 830b-1(a)(1)). Section 841(c) makes this change effective July 1, 1974. This new priority required by the Act must now be reflected in the regulations; consequently changes are made in §§ 130.4, 130.16, 130.17 and in Appendix A of the regulations as published in the FEDERAL REGISTER for December 2, 1974 at 39 FR 41711.

"Library services to areas of high concentration of persons of limited English-speaking ability" is added to § 130.4 as one of the purposes for which funds may be expended; "programs and projects which serve areas with high concentration of persons with limited English-speaking ability" is added to § 130.16(a)(2) as a priority; the same phrase is added to § 130.1(d) as a criterion for determining adequacy of library services. Areas with high concentration of persons of limited English-speaking ability is defined in a new § 130.18a using the definition from new section 703(a) of Title VII of the Elementary and Secondary Education Act of 1965, as added by section 105(a)(1) of Pub. L. 93-380 (20 U.S.C. 830b-1(a)(1)).

The regulations are therefore, amended, as follows:

§ 130.4 [Amended]

1. In § 130.4 *Library services*. (a) Delete the word "and" at the end of paragraph (b)(1)(ii);

(b) Substitute a semicolon and the word "and" for the period at the end of (b)(1)(iii); and

(c) Add "(iv) Library services to areas of high concentration of persons of limited English-speaking ability."

§ 130.16 [Amended]

2. In § 130.16 *Basic State plan*. (a) Substitute a comma for the period at the end of paragraph (a)(2);

(b) Add at the end of paragraph (a)(2) "and to programs and projects which serve areas with high concentration of persons with limited English-speaking ability (as defined in section 703(a) of Title VII of the Elementary and Secondary Education Act of 1965, as amended)."

§ 130.17 [Amended]

3. In § 130.17 *Criteria for determining adequacy of public library services*. (a) Delete the word "and" at the end of paragraph (c);

(b) Substitute a semicolon and the word "and" for the period at the end of paragraph (d); and

(c) Add "(e) Persons of limited English-speaking ability."

4. Add after § 130.18 a new section to read as follows:

§ 130.18a Areas with high concentration of persons of limited English-speaking ability.

In developing criteria in the basic State plan designed to assure that priority will be given to programs or projects which serve areas with high concentration of persons of limited English-speaking ability, the State library administrative agency shall consider "(a) individuals who were not born in the United States or whose native language is a language other than English; and (b) individuals who come from environments where a language other than English is dominant as further defined by the Commissioner by regulations; and by reason thereof, have difficulty speaking and understanding instructions in the English language. (Section 703(a) of Title VII of the Elementary and Secondary Education Act of 1965, as amended).

(20 U.S.C. 830b-1(a)(1))

5. *Appendix A—State-Federal Agreement*. In Paragraph B2 of Appendix A delete the period after "low-income families", and add "; and concentration of persons of limited English-speaking ability."

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amendments to the regulations to the Division of Library Programs, Bureau of Postsecondary Education, Room 5919, ROB-3, Washington, D.C. 20202. Comments received in response to this Notice will be available for public inspection at the above office on Mondays

through Fridays between 8:30 a.m. and 4 p.m.

All relevant material must be received not later than April 21, 1975.

(Catalog of Federal Domestic Assistance Programs: No. 13.408, Construction of Public Libraries—Title II; No. 13.464, Library Services Grants—Title I; No. 13.465, Library Services—Interlibrary Cooperation—Title III)

Dated: February 24, 1975.

T. H. BELL,
U.S. Commissioner
of Education.

Approved: March 17, 1975.

CASPAR W. WEINBERGER,
Secretary of Health,
Education, and Welfare.

[FR Doc.75-7315 Filed 3-19-75; 8:45 am]

National Institute of Education

[45 CFR Part 1460]

**STATE DISSEMINATION GRANTS
PROGRAM**

Improved Educational Practices

Pursuant to the authority contained in section 405 of the General Education Provisions Act, as amended, notice is hereby given that the Director of the National Institute of Education (NIE), with the approval of the Secretary of Health, Education, and Welfare, proposes to issue the regulation set forth below, establishing certain policies, procedures and requirements for the award of Federal funds under the State Dissemination Grants Program. The Program is designed to improve educational practice (including improved educational opportunities for minorities and women) by encouraging State educational agencies (SEA's) to help educators locate and use current knowledge about educational research, new products, and improved practices. The program will make competitive awards to SEA's which seek to develop or improve their dissemination programs.

There are two types of awards under this program: (a) Capacity Building Grants initially will be awards of one-year's duration, potentially renewable over a three to five year period, to support SEA efforts to build a comprehensive State dissemination capacity with State resources gradually replacing NIE funding by the end of the period.

(b) Special Purpose Grants will be awards to support relatively low-cost efforts (generally not to exceed one year's duration) to deal with specific dissemination problems, such as dissemination training for key staff or development of a comprehensive State dissemination plan.

General regulations of NIE for research and development grants were published in the FEDERAL REGISTER (39 FR 38992, November 4, 1974) and codified as Subchapter A, Chapter XIV of 45 CFR. It is provided in 45 CFR 1400.2(b) that the general regulations of Subchap-

ter A will be supplemented by special substantive and procedural rules and policies. This notice of proposed regulations is made in accordance with that provision. In particular, § 1460.6 contains the specific evaluation criteria which the Institute proposes to use to evaluate applications submitted under this part in lieu of the criteria in 45 CFR § 1403.10 (b). The regulations contained herein are proposed for incorporation as Part 1460 of Subchapter B in Chapter XIV of 45 CFR.

Interested parties are invited to submit written comments, suggestions, or objections regarding the proposed rule to the Office of Administration, National Institute of Education, Washington, D.C. 20208, on or before April 21, 1975. Comments received in response to this notice will be available for public inspection in Room 639, 1200 19th Street NW., Washington, D.C. between 8 a.m. and 4:30 p.m., Mondays through Fridays.

(Catalog of Federal Domestic Assistance Program No. ---- 13.575, Educational Research and Development)

Dated: February 27, 1975.

EMERSON J. ELLIOTT,
Acting Director,
National Institute of Education.

Approved: March 17, 1975.

CASPAR W. WEINBERGER,
Secretary of Health,
Education, and Welfare.

Title 45 of the Code of Federal Regulations is proposed to be amended by adding to Subchapter B of Chapter XIV, a new Part 1460, reading as follows:

PART 1460—STATE DISSEMINATION GRANTS PROGRAM

- Sec.
1460.1 Scope.
1460.2 Purpose.
1460.3 Definitions.
1460.4 Applicant eligibility.
1460.5 Types of awards; funding requirements.
1460.6 Evaluation criteria.

AUTHORITY: Sec. 405 of the General Education Provisions Act, as amended (20 U.S.C. 1221e).

§ 1460.1 Scope.

(a) This part establishes procedural and substantive requirements and criteria governing the submission and review of applications for funds under the State Dissemination Grants Program.

(b) Applications submitted, and assistance provided, under this part, shall be subject to applicable provisions of subchapter A of this chapter (General Provisions for NIE grants relating to fiscal, administrative and other matters), except to the extent that such provisions are inconsistent with, or expressly made inapplicable by, the provisions in this part.

§ 1460.2 Purpose.

The State Dissemination Grants Program will make awards to support State educational agencies (SEA's) that wish to establish or enhance their dissemination activities related to utilization of the

results of educational research and of new and improved knowledge, products, and practices in education. It is expected that the awards will result in several benefits to SEA's and to the national education dissemination capacity, including an:

- (a) Increase in the number of practitioners who have convenient access to knowledge resources;
- (b) Increase in the exchange of information between knowledge producers and knowledge users;
- (c) Increase in the capacity of SEA's to facilitate knowledge utilization by their constituents through:

(1) Systematic efforts to improve generalized dissemination capacity for serving education communities within the States and

(2) Planning and short-range development efforts to establish a generalized dissemination capacity in the SEA;

(d) Increase in general understanding of effective dissemination functions in SEA's.

§ 1460.3 Definitions.

As used in this part:
"Inter-State project" means a set of activities assisted under this part designed to develop or improve the dissemination programs of State educational agencies in more than one State and in which the SEA's collaborate to achieve common objectives.

"Intra-State project" means a set of activities assisted under this part designed to develop or improve the dissemination program of a single SEA.

"State educational agency" or "SEA" means the officer or agency primarily responsible for the State supervision of public elementary and secondary schools.

§ 1460.4 Applicant eligibility.

(a) Applications will be considered under this part only if submitted in response to specific public announcements to be issued periodically by the Director. Each announcement may cover more than one type of award, as described in paragraphs (a) and (b) of § 1460.5.

(b) Only SEA's are eligible for grants made pursuant to this part.

(c) In response to a public announcement issued pursuant to paragraph (a) of this section, an SEA may submit as many applications as it wishes for intra-State projects but may submit or (pursuant to paragraph (d)(1)(i) of this section) participate in only one inter-State project application.

(d)(1) With respect to inter-State projects which are to be substantially carried out by only one SEA, the SEA proposing to carry out the project shall submit an application to the Director which documents: (i) A commitment to participate in the project by the SEA for each State to be served by the project and (ii) the manner in which each such SEA will participate in the project.

(2) Participation by SEA's other than the SEA-applicant (or grantee) in a project subject to this paragraph may include, but need not be limited to, the

receipt of activities or services provided by the applicant (or grantee) SEA such as planning and conducting dissemination activities in the State, training for SEA staff, and technical assistance.

(3) Any inter-State award made for a project described in this paragraph will be made solely to the applicant SEA.

(e)(1) With respect to inter-State projects other than those described in paragraph (d) of this section, the SEA's which propose to carry out the project shall apply jointly to the Director pursuant to the provisions of § 1403.7 of this chapter.

(2) Awards made for applications submitted pursuant to this paragraph shall be in accordance with the provisions of § 1403.7 (c) and (d) of this chapter.

(f)(1) An SEA will receive no more than one award (including any joint award under paragraph (e) of this section) under each public announcement issued pursuant to paragraph (a) of this section.

(2) A SEA which receives an intra-State award may also participate in one inter-State award to another SEA, as provided in paragraph (d)(1)(i) of this section, under each public announcement issued pursuant to paragraph (a) of this section.

(g) Applications for inter-State projects must, in accordance with § 1403.5 of this chapter, specify the name of the applicant, as provided in paragraph (d) of this section, or of the applicants, as provided in paragraph (e) of this section.

(h) Any SEA which, in response to a public announcement issued pursuant to paragraph (a) of this section, submits more than one application pursuant to paragraph (c) of this section, or which both submits an application or applications and participates in another application submitted by another SEA pursuant to paragraph (d) of this section, must rank all such applications in priority order.

§ 1460.5 Types of awards; funding requirements.

Two types of awards will be made pursuant to this part: Capacity Building Grants and Special Purpose Grants.

(a) *Capacity Building Grants.* (1) These are awards to develop or enhance a comprehensive SEA program for the dissemination of the findings of educational research and of new and improved practices and products in education, subject to the funding requirements in paragraphs (a) (2) through (7) of this section.

(2) An SEA may take one of two approaches in its application for a Capacity Building Grant:

(i) A general approach which, from the beginning of the project attempts to provide all potential clients with access to whatever resources they need, or

(ii) An approach which builds general capacity from a base of specialized services. For example, a project might initially serve only science teachers and gradually expand project scope to serve all education practitioners. In another

case, services might initially be limited to providing only information drawn from publications but then be expanded to provide a full range of information based on documents, data, products, and practices.

(3) Applications for awards under this paragraph must contain:

(i) A comprehensive dissemination project plan which covers a three to five year period, although each award will be for a one-year grant period. References to "project" or to "project period" in connection with Capacity Building grants under this paragraph and paragraph (a) of § 1460.6 refer to activities to be carried out over the three to five year period specified in the project plan required by this subparagraph;

(ii) A funding pattern which provides for the gradual increase of State support, with full State assumption of all costs at the end of the project period.

(4) (i) Funds will be awarded only to build capacity for dissemination activities which supplement current State dissemination operations. Support will not be provided for the maintenance of existing dissemination activities.

(ii) Applications must demonstrate that the proposed project will supplement the State's current dissemination activities by identifying:

(A) Relevant resources already available;

(B) How these resources will be utilized to improve dissemination services;

(C) How grant funds will be used to complement existing resources to achieve specified project objectives; and

(D) How the new dissemination program resulting from the project will be incorporated into the existing SEA structure.

(5) Proposed objectives set forth in the project plan required by paragraph (a) (3) of this section must be attainable and stated in operational terms, with reference to such elements as the type of dissemination services to be developed, the quantity of services, and the target populations to whom the services will be rendered.

(6) Each capacity building award will be for a one-year funding period, as part of the three-to-five year plan submitted by the applicant pursuant to paragraph (a)(3) of this section. Subject to the project period provided for in such plans, continuation awards may be made to a grantee depending upon the availability of funds, project performance, and continued need of the grantee for assistance under this part.

(7) Each application must show an SEA contribution, in funds or in kind, to be included from the commencement of the project, in accordance with 45 CFR Part 1407.

(b) *Special purpose grants.* These are awards (generally not to exceed one year in duration) to support relatively low-cost, one-time efforts to deal with specific dissemination problems, subject to the provisions of paragraphs (b) (1) through (3) of this section. Examples of special purpose projects include training for key staff in necessary dissemination

skills and development of a comprehensive State dissemination plan.

(1) Awards shall not support the salaries of full-time professional or clerical staff or capital outlay expenditures.

(2) Salary costs of regular SEA staff properly attributable to the carrying out of the project will be considered an in kind SEA contribution to the project, in accordance with Part 1407 of this chapter.

(3) Ad hoc employment of consultants or other short term personnel is an allowable expense.

(c) *Funds allocated between types of awards.* The Director will allocate available funds between the two types of awards described in paragraphs (a) and (b) of this section on the basis of the quantity and quality of applications received.

§ 1460.6 Evaluation criteria.

Applications for assistance under this part will be evaluated in accordance with the criteria and procedures described below. The relative weight of each of the major evaluation criteria is indicated by the points assigned.

(a) *Capacity building grants (potential score—200 points).* (1) Significance of the proposed project (0-50 points), as measured by the following factors:

(i) The likely contribution of the project to the improvement of educational practice or the resolution of significant educational problems in the State;

(ii) The likely progress toward achieving SEA objectives for a comprehensive dissemination capacity;

(iii) The contribution which the proposed project is expected to make toward improving equality of educational opportunity in the State.

(iv) The aid that the proposed project will give users in rational consideration of alternative approaches to improving educational practice or solving educational problems.

(v) The potential contributions of the project to general knowledge or understanding of effective educational dissemination practice.

(2) Technical adequacy of the work plan (0-75 points), as measured by the following factors:

(i) The extent to which the application relates proposed activities to pertinent dissemination theory and practice;

(ii) The clarity and explicitness of the statement of project objectives;

(iii) The logic and rationale for selecting these objectives;

(iv) The probable attainability of these objectives;

(v) The appropriateness of the proposed activities to the objectives of the SEA dissemination project and to the purposes of the State Dissemination Grants program as specified in § 1460.2.

(vi) The soundness of the management plan and time schedule; and

(vii) The appropriateness of SEA reporting and evaluation procedures.

(3) Capability of the SEA to perform the proposed activities (0-50 points), as measured by the following factors:

(i) The qualifications of proposed project staff with respect to training and relevant experience;

(ii) The quality of discussion and analysis in the application; and

(iii) The adequacy of the SEA commitment and arrangements for the project in terms of plans for:

(A) The use of State funds in combination with Federal funds;

(B) The continuation of proposed dissemination activities after the expiration of Federal funds; and

(C) Administration and organization of the project within the SEA.

(4) Reasonableness of the budget for the work to be done in light of anticipated benefits (0-25 points).

(b) *Special Purpose Grants (potential score—100 points).* (1) Significance of the project (0-25 points), as measured by the following factors:

(i) The likely magnitude of the improvement in State dissemination activities or readiness;

(ii) The likely contribution of the project to the improvement of educational practice or the resolution of significant educational problems in the State; and

(iii) The contribution the project is expected to make to:

(A) General understanding of effective educational dissemination practice or

(B) Improvement of the equality of educational opportunity.

(2) The technical adequacy of the work plan (0-40 points), as measured by the following factors:

(i) The appropriateness of proposed activities to the objectives of the project and to the purposes of the State Dissemination Grants Program as specified in § 1460.2;

(ii) The soundness of the management plan and time schedule;

(iii) The appropriateness of State reporting and evaluation procedures; and

(iv) The extent to which the application, particularly in proposed approach, exhibits knowledge of, and relates proposed activities to, pertinent dissemination theory and practice.

(3) The capability of the SEA to perform proposed activities (0-20 points), as measured by the following factors:

(i) The qualifications of project staff with respect to training and relevant experience and

(ii) The adequacy of SEA resources and commitment.

(4) Reasonableness of the budget for the work to be done in light of anticipated results (0-15 points).

(c) *Review procedures.* (1) All applications submitted in accordance with this part will be evaluated by the Director through officers and employees of the Institute. In this evaluation, the Director will also seek the expert opinion of employees of other agencies and organizations, such as State educational agencies, academic institutions, and professional associations, including representatives of women's and minority groups and of the educationally disad-

vantaged. Final determinations on awards will be made by the Director.

(2) In evaluating applications, the Director will first consider the technical merits of the proposed projects in accordance with the evaluation criteria set forth in paragraphs (a) and (b) of this section. In the case of any SEA for which more than one application has been found to be technically qualified, the Director will then consider the priority rankings submitted pursuant to § 1460.4(h).

(d) *Inapplicability of general provisions criteria.* Criteria for review of applications set forth in § 1403.10(b) of this chapter shall be inapplicable to applications submitted pursuant to this part.

[FR Doc.75-7316 Filed 3-19-75; 8:45 am]

Social and Rehabilitation Service

[45 CFR Part 205]

NON-EXPENDABLE PERSONAL PROPERTY-PUBLIC ASSISTANCE PROGRAMS

Federal Financial Participation

Notice is hereby given that the regulations set forth in tentative form are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. They provide:

(1) That State agencies must capitalize a unit of non-expendable personal property costing \$5,000 or more and having a useful life of more than one year, and claim for Federal financial participation only the depreciation expense (or use allowance) for the period of use of such property under a given program or activity.

(2) That State agencies may claim Federal financial participation in full at the time of acquisition for the cost of non-expendable personal property costing less than \$5,000; they also provide criteria governing the allocation of such property costs to programs or activities.

(3) That the provision in item (2) above does not set aside the requirements on the single State agency to account for and manage non-expendable personal property as defined in § 74.132 of this title (an acquisition cost of \$300 or more and a life of more than one year) in accordance with provisions of §§ 74.134 through 136 of this title.

(4) That the provisions in items (1) and (2) above do not apply to non-expendable personal property under cost reimbursement contracts which providers may have with a single State agency, or to such property purchased by the agency for use under contracts with other agencies or providers. All such property costing \$300 or more (see § 74.132 of this title) shall be capitalized and subject to depreciation or use allowances.

Prior to the adoption of the proposed regulation, consideration will be given to any comments, suggestions or objections thereto which are received in writing by the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, P.O. Box

2366, Washington, D.C. 20013, on or before April 21, 1975. Comments received will be available for public inspection in Room 5326 of the Department's office at 330 C Street SW., Washington, D.C. on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (area code 202-245-0950).

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302).) (Catalog of Federal Domestic Assistance Program No. 13.707, Child Welfare Services; 13.714, Medical Assistance Program; 13.724, Public Assistance-State and Local Training; 13.748, Work Incentive Program-Child Care-Employment related Supportive Services; 13.754, Public Assistance-Social Services; 13.761, Public Assistance-Maintenance Assistance (State Aid).)

Dated: February 20, 1975.

JAMES S. DWIGHT, Jr.,
Administrator, Social and
Rehabilitation Service.

Approved: March 17, 1975.

CASPAR W. WEINBERGER,
Secretary.

Part 205 of Chapter II, Title 45, Code of Federal Regulations is amended by adding a new § 205.160 as follows:

§ 205.160 Non-expendable personal property.

(a) *Conditions for Federal financial participation.* This section is applicable to titles IV-A and B, VI, XIX, and, with respect to Puerto Rico, Virgin Islands and Guam, Titles I, X, XIV, and XVI. Federal financial participation is available in amounts expended by a single State agency for a unit of non-expendable personal property having a useful life of more than one year only to the extent of the depreciation expense (or annual use allowance of 6% percent of acquisition cost) applicable to the period for which the property was used under a Federal program or activity; except that:

(1) Amounts expended for non-expendable personal property costing less than \$5,000 may be subject to Federal financial participation in full at the time of acquisition at the option of the State agency, except as provided in paragraphs (a) (2) and (3) of this section.

(2) Non-expendable personal property acquired under cost reimbursement contracts with the single State agency or for use under contracts with other agencies or providers shall be capitalized and depreciated when it has an acquisition cost of \$300 or more.

(3) Non-expendable personal property acquired and assigned for use to organizational elements of the single State agency, or of the department in which such agency is located, which are treated as indirect costs centers or pools in a Departmental Indirect Cost Rate or in a department wide cost allocation plan, shall be capitalized and depreciated when it has an acquisition cost of \$300 or more.

(b) *Definitions.* (1) Acquisition cost is the amount expended by a single State agency for the property (excluding interest) plus, in the case of property acquired with a trade-in, the book value

(acquisition cost less amount depreciated through the date of trade in) of the property traded in. Property which was expensed when acquired which is traded in has a book value of zero.

(2) Depreciation expense for any time period is the portion of the acquisition cost of property which is assignable to that time period. The acquisition cost of the property shall be divided by the number of years of estimated useful service life of the property to arrive at the depreciation expense per year. This method shall be used unless a State obtains approval from the Regional Commissioner to use another method, which must be demonstrated to be more consistent with the using up of the asset.

(3) The number of years of estimated useful service life of property shall be based on the Department of Treasury, Internal Revenue Service policies on depreciation for tax purposes. However, the Regional Commissioner will approve a shorter period if the State agency can document that such period is justified.

(c) *Other administrative requirements.*—(1) *Distribution of Costs.* Amounts expended by a single State agency for non-expendable personal property may be directly charged to a program, or to an activity within a program having a separate rate of Federal financial participation, if the property is being exclusively used for the program or activity at the time of the expenditures for the property. Amounts expended for such property not exclusively used for one program or activity shall be allocated to programs or activities by using one of the following methods:

(i) Using cost centers or pools and allocation bases which will distribute the costs consistent with program or activity usage of the property at the time of the expenditures. Any credits for property sold or retained for agency use in non-Federal programs (see § 74.134 of this title) shall be distributed to programs or activities consistent with the distribution methods used for such property expenditures at the time of acquisition; or

(ii) Using a common distribution factor for all property or for classifications of property (e.g. desks distributed based on number of staff employed in each program or activity). Credits for property sold or retained for use in non-Federal programs shall be distributed to programs or activities using the same distribution factors which are applied to expenditures for property acquired in the quarter in which such credits occurred.

(2) *Accountability and management of non-expendable property.* The provisions in § 205.160(a) (1) do not affect the requirements on the single State agency to account for and manage non-expendable personal property as defined in § 74.132 of this title, in accordance with the provisions in §§ 74.134 through 136 of this title.

(3) *Disposition of Certain Property.* A single State agency shall not request disposition instructions for property with an acquisition cost of over \$1,000 per unit as specified in § 74.134(c) (2) of this

title, but rather shall sell the property and account for it as specified in § 74.134 (c) (1) of this title.

[FR Doc.75-7318 Filed 3-10-75; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[24 CFR Part 1917]

[Docket No. FI-500]

FLOOD ELEVATION DETERMINATION

Village of Freeport, Nassau County, New York

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed

determination of flood elevations for the Village of Freeport.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the Village must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the Village Hall, 46 North Ocean Avenue, Freeport.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor William H. White, 46 North Ocean Avenue, Freeport, New York 11520.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline to 100-year boundary (feet)
Millburn creek	Frankel Ave.	7	540
	Archer St.	7	560
	Southside Ave.	7	775
	Atlantic Ave.	7	720
	Hapton Pl.	7	450
Freeport Bay	South Bayview Ave.	7	2,240
	Branch Ave.	7	2,600
	Marka Ave.	7	3,800
	South Bay Ave.	7	1,620
Randell Bay	South Long Beach Ave.	7	6,200
Hempstead Bay	South Grove St.	7	8,020
Freeport Creek	Atlantic Ave (extended)	7	130
Merrick River	Merrick Rd.	7	910

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended: 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969), as amended by 39 FR 2787, January 24, 1974)

Issued: February 24, 1975.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.75-7024 Filed 3-18-75; 8:45 am]

[24 CFR Part 1917]

[Docket No. FI-504]

FLOOD ELEVATION DETERMINATION

City of Overland Park, Johnson County, Kansas

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-

4128, and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the City of Overland Park, Kansas.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the City of Overland Park must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at City Hall, 8500 Santa Fe Drive, Overland Park, Kansas.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Jack Walker, City Hall, 8500 Santa Fe Drive, Overland Park, Kansas 66212.

The proposed 100-year Flood Elevations are:

PROPOSED RULES

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-year flood boundary (feet)	
			Right	Left
Indian Creek	I-435	850	450	(9)
	Roe Ave.	855	1,250	150
	Nell Ave.	860	450	700
	Lamar Ave.	860	450	1,300
	U.S. 69	872	500	100
	109d St.	874	2,750	2,150
	Antioch Rd.	893	300	850
	I-435	900	900	450
	111th St.	910	650	850
	Switzer Rd.	919	1,400	650
	110th St.	939	900	3,000
	Quivera Rd.	940	1,400	750
	Pfiuma Rd.	949	150	600
	Pfiuma Rd.	953	0+	1,900
	Temahawk Creek	Roe Ave.	883	200	300
127th St.		902	100	350
Metcalf Ave.		912	450	650
U.S. 69		928	400	550
Antioch Rd.		928	400	550
Switzer Rd.		946	500	550
Quivera Rd.		962	250	600
Pfiuma Rd.		1,010	250	200

¹ To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 13, 1975.

J. ROBERT HUNTER,
*Acting Federal
Insurance Administrator.*

[FR Doc.75-7020 Filed 3-19-75;8:45 am]

[24 CFR Part 1917]

[Docket No. FI-503]

FLOOD ELEVATION DETERMINATION

Borough of Spring Lake, Monmouth County, New Jersey

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-

4128, and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the Borough of Spring Lake, New Jersey.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the Borough of Spring Lake must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at 334 Pitney Avenue, Spring Lake, New Jersey.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Edward J. Heine, 334 Pitney Avenue, Spring Lake, New Jersey 07762.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-year flood boundary (feet)	
			Right	Left
Polly Pod Brook	3d Ave.	10	600	(1)
	1st Ave.	10	(1)	1,700
	2d Ave.	10	(1)	1,650
	3d Ave.	10	(1)	400
	4th Ave.	10	(1)	450
	5th Ave.	10	100	50
	Railroad Ave.	10	(1)	150
Atlantic Ocean	Brown Ave.	10	100	
	Atlantic Ave.	10	50	
	Passaic Ave.	10	100	
	Brighton Ave.	10	250	
	Monroe Ave.	10	250	
	Pitney Ave.	10	200	
	Howell Ave.	9	200	

¹ To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 13, 1975.

J. ROBERT HUNTER,
*Acting Federal
Insurance Administrator.*

[FR Doc.75-7021 Filed 3-19-75;8:45 am]

[24 CFR Part 1917]

[Docket No. FI-502]

FLOOD ELEVATION DETERMINATION

County of Washington, Minnesota

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the County of Washington.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the County must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the County Court House, Stillwater, Minnesota.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mr. Donald L. Cafferty, Chairman of the Board, 211 Chestnut Street, Stillwater, Minnesota 55082.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from bank of stream to 100-year flood boundary facing downstream (feet)	
			Left	Right
Mississippi River	St. Paul Park (south corporate limits)	701		(1)
	Cottage Grove (west corporate limits)	698	90	(1)
	Cottage Grove (south corporate limits)	696	(1)	100
Gray Cloud Channel	Nordell Rd South (extended)	693	(1)	
	County Rd 75	700	325	150
	Cottage Grove (west corporate limits)	699	100	
Brown Creek	State Route 96	895	550	550
	State Route 64	870	510	425
	North Pacific R.R. bridge	865	100	940
	State Route 94	856	750	2,300
	County Rd 8	830	520	300
St. Croix River	Stillwater (west corporate limits)	710	400	250
	Chicago County boundary	701	(2)	2,100
	Soo Line R.R. bridge	700	(2)	400
	220th St. North (extended)	700	(2)	110
	State Route 97 (extended)	699	(2)	175
	Otisville (extended)	699	(2)	
	Copas	699	(2)	
	State Route 59 (extended)	695	(2)	
	Soo Line R.R. bridge (at Arcola)	695	(2)	180
	Stillwater (north corporate limits)	693	(2)	
	Chicago & Northwestern R.R. bridge	693	(2)	300
	Bayport	693	(2)	260
	St. Croix Lake (south of Afton)	692	(2)	
East of Basswood Grove School	692	(2)		
East of School No. 49	692	(2)		
U.S. Highway 10 (from bridge)	692	(2)	2,500	

1 To corporate limits.
2 State boundary.
3 All of Point Douglas.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended: 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: February 25, 1975.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.75-7022 Filed 3-19-75; 8:45 am]

[24 CFR Part 1917]

[Docket No. FI-501]

FLOOD ELEVATION DETERMINATION
Village of Island Park, Nassau County,
New York

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of

1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the Village of Island Park.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the Village must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the Village Office, 127 Long Beach Road, Island Park.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Michael A. Parente, Village Office, 127 Long Beach Road, Island Park, New York 11558.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline to 100-year boundary (feet)
Island Park Canal	Truiston Rd.	7	940
	Warwick Rd.	7	2,100
	Island Parkway	7	2,490
Hog Island Channel	Long Beach Rd.	7	2,440
Wreck Lead Channel	Quebec Rd.	7	2,350
	Along Long Island R.R.	7	2,250

1 To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended: 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: February 24, 1975.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.75-7023 Filed 3-19-75; 8:45 am]

DEPARTMENT OF
TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-CE-3]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Hannibal, Missouri.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before April 21, 1975 will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. 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 proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

The City of Hannibal, Missouri, is installing a non-directional radio beacon on the Hannibal Municipal Airport and is going to establish a public use instrument approach procedure based thereon. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this new procedure by designating a 700-foot foot transition area at Hannibal, Missouri.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (40 FR 441), the following transition area is added:

HANNIBAL, MISSOURI

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hannibal, Missouri Municipal Airport (latitude 39°43'30" N; longitude 91°26'35" W) and within 3 miles each side of the 162° bearing from the Hannibal Municipal Airport extending from the 5-mile radius area to 8 miles southeast of the airport, excluding that portion which overlies the Quincy, Illinois transition area.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Kansas City, Missouri, on February 12, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

[FR Doc.75-7241 Filed 3-19-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-CE-30]

TRANSITION AREAS

Proposed Designation and Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Cozad, Nebraska, and alter the transition area at North Platte, Nebraska.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before April 21, 1975, 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 Administration officials may be made by contacting the Regional Air Traffic Division Chief. 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 proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

A new public use instrument approach procedure has been established for the Cozad, Nebraska, Municipal Airport, utilizing a non-directional beacon (NDB) installed by the State of Nebraska on the airport. Accordingly, it is necessary to designate a 700-foot floor transition area at Cozad, Nebraska, to provide protection for aircraft executing the new instrument approach procedure. To protect aircraft executing this new approach pro-

cedure, it is also necessary to alter the North Platte, Nebraska, 1200-foot floor transition area.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (40 FR 441), the following transition area is added:

COZAD, NEBRASKA

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Cozad Municipal Airport (latitude 40°52'23" N, longitude 100°00'19" W); within 3 miles each side of the Cozad NDB 301° bearing, extending from the 5-mile radius to 8 miles NW of the NDB.

In § 71.181 (40 FR 441), the following transition area is amended to read:

NORTH PLATTE, NEBRASKA

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Lee Bird Field (latitude 41°07'42" N, longitude 100°41'47" W); and within 2 miles each side of the North Platte VOR 209° radial, extending from the 10-mile radius area to 8 miles southwest of the VOR; and within 5 miles each side of the 301° bearing from Lee Bird Field, extending from the 10-mile radius area to 11.5 miles northwest of the airport, and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of the North Platte VOR, including that airspace to the southeast bounded on the north by V6 and on the southeast by V219 and on the west by V148.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Kansas City, Missouri, on February 13, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

[FR Doc.75-7242 Filed 3-19-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[16 CFR Part 1500]

TOYS AND OTHER CHILDREN'S ARTICLES PRESENTING INJURY HAZARDS DUE TO SHARP EDGES AND SHARP POINTS

Reopening of Comment Period

The purpose of this notice is to reopen, until April 10, 1975, the period for receiving comments on the proposed regulations for toys and other articles presenting injury hazards due to sharp edges (40 FR 1488, January 7, 1975) and due to sharp points (40 FR 1491, January 7, 1975).

The comment period for both proposed regulations expired on March 10, 1975. The Commission received on March 6, 1975 a request from the Toy Manufacturers of America (TMA) that both comment periods be extended until April 10, 1975. That request was supported by the fact that TMA had difficulty obtaining and/or constructing test devices related to the proposed regulations within the allotted comment period and that its industry members desired to conduct skin experiments relating to

the proposed regulations. The TMA request concluded that industry is therefore "effectively precluded . . . from making a detailed responsive comment" on the proposals. In addition, the Commission received and considered a request for an extension of the comment period from the Hobby Industry of America, Incorporated, so that it could present its views on the proposed regulations.

In view of the above, the Commission has decided to reopen the comment period for the sharp edge and sharp point proposals, until April 10, 1975. Any comments received in the Office of the Secretary before that date will be considered. Comments received after April 10, 1975 will be considered to the extent practicable. Comments should be addressed to: Office of the Secretary, U.S. Consumer Product Safety Commission, Washington, D.C. 20207.

Dated: March 17, 1975.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc.75-7292 Filed 3-19-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 21]

[Docket No. 20368; FCC 75-224]

OFFSHORE RADIO TELECOMMUNICATIONS SERVICE

Proposed Creation and Notice of Inquiry

In the matter of amendment of Parts 2 and 21 of the Commission's rules to provide for the creation of an Offshore Radio Telecommunications Service (ORTS), Docket No. 20368, RM-1985.

1. Notice is hereby given of proposed rulemaking and inquiry in the above entitled matter. This proceeding is being initiated in response to a petition (RM-1985) filed June 7, 1972 by the Offshore Telephone Company (Offshore) proposing the allocation of frequency spectrum and the promulgation of regulations necessary to permit the establishment of comprehensive common carrier radio services in the Outer Continental Shelf region of the Southern Louisiana Gulf Coast.¹ Petitioner suggests that the new service be called the Offshore Radio Telecommunications Service (ORTS).

2. The proposed common carrier service would be provided primarily for use by companies engaged in offshore oil and gas exploration and drilling operation. Radio communications requirements in the Offshore areas are currently being met on a piecemeal basis under the common carrier Rural Radio Service and the private Petroleum Radio Service. According to the petitioner, the aforementioned services fulfill only a fraction of the required communications. For example, teletype service and facsimile or data transmission (telemetry) are not pro-

¹This zone is bounded by the coordinate lines 94°00' west longitude and 87°45' west longitude and by the three-mile limit along the Gulf Coast on the north and the outer continental shelf on the south.

vided for, and the intercommunication between stations authorized in different services or between stations on fixed platforms, coast facilities, aircraft, and ships is impeded.

3. The petitioner has conducted a detailed examination of current and projected telecommunications requirements in the offshore areas of the United States and has categorized them as follows:

(a) *Offshore Radio Telecommunications Service.* This is a public communications service, comparable to the type provided by existing common carrier facilities, for hire between mobile and fixed stations. However, the service would not be limited to voice communications, but would also provide the capability for data, telemetry and telecommand.

(b) *Offshore Private Line Service.* This service would permit communications between mobile and fixed stations, such as between ships serving offshore platforms themselves, through an offshore central station on facilities set aside for exclusive use or availability for a particular customer and authorized users. This service would provide secure communications to the subscriber and his employees.

(c) *Priority Emergency.* It is proposed that a single duplex channel, with suitable guard band spacing, be set aside for continuous 24 hour monitoring by both common carrier personnel and automatic means in order to provide a reliable communications channel for emergency transmissions related to the safety of life and property.

(d) *Broadband Transmission Extension.* An effective telecommunications system must be able to fulfill a wide variety of information transfer requirements. In the case of the offshore industry, there is a need for the effective transfer of facsimile, telemetry, command and control, as well as complete data information. These signals inherently require the use of a broadband transmission system. Therefore, this communications service would provide eight (8) broadband channels for communications requiring additional bandwidths.

(e) *Weather Monitoring.* Since the entire offshore industry is vitally linked to weather and sea conditions, Offshore proposes that two broadband channels and two voice grade channels be designated for acquisition and dissemination of data associated with weather and other environmental conditions.

According to the petitioner, the employment of modern trunking techniques and the resultant efficiency and flexibility of transmissions will allow a variety of users to avail themselves to the above services.

4. In order to satisfy the frequency requirements for the proposed Offshore Radio Telecommunications Service, use of several different frequency bands has been investigated by Offshore with the following conclusions:

(a) Use of frequencies below 100 MHz has been considered, but the possibility of severe disruption of communications

due to skywave propagation renders the utilization of these frequencies undesirable.

(b) Similarly, adverse propagation characteristics above 900 MHz rule out use of this spectrum. Petitioner contends that the greater transmitter power and higher gain antennas needed to overcome the increased system losses at 900 MHz are impractical due to power supply and space limitations on drilling platforms. Also, the high powered transmitters required for 900 MHz operation are neither available nor contemplated at this time.

(c) Finally, existing heavy usage of land mobile bands in the Gulf Coast area eliminates their potential usefulness for a comprehensive offshore radiotelecommunications service. Also, to attempt to use these bands for ORTS could create serious spectrum shortages for the land mobile services in the nearby coastal areas.

5. Based on its analysis of available spectrum, Offshore concludes that a more efficient overall use of the spectrum would result if the proposed service were limited to frequencies which could not normally be used along the coastal inland areas. It was for this reason, primarily, that shared use of UHF-TV Channel 17 (488-494 MHz) in the Southern Louisiana zone was requested.

6. Conditions under which the various classes of stations in the proposed ORTS would operate to protect Television Broadcast stations are predicated upon criteria similar to those used in Commission Docket No. 18261. That Docket set up antenna height and effective radiated power limitations for land mobile sharing on UHF Television Channels 14 through 20 in the country's ten largest urbanized areas. These criteria were modified by the petitioner to include an additional 15 db protection to compensate for enhanced propagation in the Gulf Coast region.

7. Comments concerning Offshore's petition were received from the following parties: Central Committee on Communication Facilities of the American Petroleum Institute (API); National Association of Radio Telephone Systems (NARS); Association of Maximum Service Telecasters (AMST); Radiophone and Business Communications Inc.; and Cameron Telephone Company, Delcambre Telephone Company Inc., Kaplan Telephone Company, and Lafourche Telephone Company, Inc., collectively.

8. API, while supporting a proposed ORTS to provide expanded facilities for entities electing to subscribe to common carrier services, seriously questioned use of spectrum in the UHF-TV bands for the bulk of Offshore's proposal. Concern was expressed over the propriety of an exclusive allocation of an entire UHF-TV channel for only common carrier services. API felt that Offshore had not sufficiently demonstrated a need for such a large exclusive allocation and indicated that it was fearful that the proposal, if adopted, would foreclose use of this spectrum in adjacent onshore areas by "equally important private systems." The Commission was urged to consider sat-

isfying the spectrum requirements of the proposed ORTS within the common carrier allocation to be made available in the 900 MHz region pursuant to Docket No. 18262.

9. NARS, a trade association representing a large section of radio common carriers contended that Offshore had not adequately established a need for the proposed service. Further, NARS considered the limiting of operations to areas three miles offshore as an unnecessarily restrictive separation and that the expansion of an ORTS to areas around the United States could jeopardize future land mobile sharing of the lower 7 UHF-TV channels. Also, NARS argued that eligibility to use any new offshore common carrier frequencies should be extended to all legally, financially, and technically qualified communications common carriers. This view was supported in comments by any number of individual radio common carriers.

10. Comments opposing the petition were filed by AMST. AMST contended that the proposal was deficient in that it made no showing that occupancy of bands already allocated to the mobile services was sufficiently heavy to warrant an additional separate allocation for ORTS. Assuming such an allocation could be justified, AMST argued that the technical showing was defective in its analysis of potential interference to television service because the sharing criteria developed in Docket No. 18261 are not applicable to the offshore environment.

11. It appears that the offshore community in the Gulf of Mexico is increasing substantially and will require increased communications services. At present, there are approximately 2,200 platforms in the Gulf and the number is expected to reach 5,000 within two to three years. The Department of the Interior has accelerated the offshore leasing schedule in response to a presidential directive to increase leasing to aid in the nation's energy crisis. It appears that the present capacity of the communications systems in the Gulf Coast area is heavily loaded. Of the channels presently allocated for common carrier land mobile use, the petitioner contends that only ten were not presently assigned in the Gulf area. These unused channels would seem to be insufficient for a comprehensive offshore system as proposed. However, as indicated in the inquiries in paragraph 20, below, we are inviting comments on the availability of alternative frequencies for this service, which would include the possible use of existing private land mobile or common carrier channels in the Gulf Coast area. Also, we request parties to submit demand studies or other documentation over and above that contained in the petitioner's original proposal which will substantiate both the immediate unfulfilled customer requirements as well as the projected future growth for each of the different ORTS services herein proposed.

12. API and NARS commented that the use of Channel 17 offshore would preclude its use onshore by land mobile

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services under the kind of sharing plan adopted in Docket 18261. However, no sharing of TV channels by land mobile services has been proposed by the Commission in the Gulf Coast area affected by the proposed ORTS. Docket 18261 has been terminated and no further expansion of the onshore sharing plan is presently being considered by the Commission.

13. As mentioned above, a number of parties have suggested the use of 900 MHz for ORTS as an alternative to TV Channel 17. From a spectrum management perspective, a possible disadvantage of using 900 MHz frequencies for ORTS would be the restriction such use would impose on future land mobile and other services along the Gulf Coast. On the other hand, as discussed in paragraphs 17 and 18 below, the use of Channel 17 in the offshore area would appear to have only minimal impact on future television services. Also, there would appear to be technical and economic problems associated with the use of 900 MHz for ORTS. Although the system could conceivably operate at that frequency, basic knowledge of radio systems and propagation would indicate that effective operation at the higher frequencies will involve considerably more power and expense than at 490 MHz. How much more power would be needed and whether such power is practical in an offshore environment are debatable.³ Also, a complete line of equipment for a 490 MHz system could be acquired virtually off-the-shelf, whereas it is our understanding that even basic equipment for 900 MHz is yet to be developed. Comments regarding availability of such 900 MHz equipment and any plausible time-frame are requested. These factors, coupled with the spectrum management considerations mentioned above lead us to propose use of TV Channel 17 for this service. However, note in paragraph 20 that we elicit comments on these matters.

14. In regards to the TV protection criteria proposed by Offshore, the Commission has reviewed its information on propagation conditions in the Gulf region and has altered the original criteria appropriately. These alterations, as reflected in the separation/protection criteria in the Appendix, result in greater distance separations than were specified for land mobile sharing in the metropolitan areas in Docket No. 18261. Also, the eligibility requirements proposed herein are broader than requested by the petitioner. Eligibility would be afforded to any legally, financially, and technically qualified communications common carrier.

15. The active communications network of public and private systems which support the petroleum industry in the Gulf of Mexico does not appear to fully satisfy the varied communications requirements of that industry. Although

³ Engineering studies on the question of the use of 900 MHz for the ORTS have been submitted by two engineering firms and are available for inspection and comments in the Commission Public Reference Room.

the Commission anticipates a growth in the private systems to cover the expanding number of platforms, the Commission perceives the ORTS as a necessary adjunct to these private systems. The ORTS will provide services which can be more efficiently utilized through a common carrier and which are not widely provided by the private systems. The ORTS will not affect the availability of present or future private systems, but will supplement them to increase the overall efficiency of the petroleum operations in the offshore areas. We also anticipate that many of the offshore communications systems may be tied-back to the mainland through the use of cable, point-to-point microwave, or satellite communications systems.

16. The Commission recognizes that this rule making proceeding may result in additional requests for offshore sharing of TV channels in other coastal areas. However, we emphasize that the instant proposals should not be viewed as a blanket approval of such a sharing concept. Our proposal here is for shared use of Channel 17 in the Gulf Coast area specified in the subject petition and is based on facts and circumstances unique to that petition. Any requests for sharing in other offshore areas using the same or other TV Channels will be considered on their own merits and will require further rule making (see inquiry, paragraph 20, below).

17. Broadcast utilization of Channel 17 was petitioned for by the Panhandle Broadcasting Company, Inc. (Panhandle), permittee of station WDTB, Channel 13, Panama City, Florida. Panhandle proposed the allocation of Channel 17 to Fort Walton Beach, Florida to provide satellite coverage to the Fort Walton Beach area of programming on WDTB, Channel 13.

18. Panhandle's withdrawal of support to its petition (RM-2156) on September 10, 1973 and the availability of three channels other than Channel 17 to provide comparable service to the Fort Walton Beach area have enabled the Commission to dispose of the Panhandle petition in a proceeding separate of the present rule making proceeding. In light of the delay in action taken on the ORTS proposal caused by the Panhandle petition and in order to maintain the unoccupied status of Channel 17 in the Gulf of Mexico region pending resolution of the ORTS proposal, we are freezing the TV assignment table for Channel 17 in the Gulf area until further Order of the Commission.

19. The proposed fee schedule for the Offshore Radio Telecommunications Service is devised basically to recover the costs associated with the processing of applications filed for authorizations in the service. We estimated the number of applications to be filed over the first three years and resources required to handle each type of application based on historical productivity indices. The fee schedule thus developed is expected to generate revenues approximating actual processing costs. Moreover, the proposed schedule is comparable to the estab-

lished schedule for the Rural Radio Service, to which service ORTS is closely akin.

20. Relative to this Notice, the Commission likewise wishes to elicit comments on the potential for expansion of comparable offshore sharing of TV channels in other coastal areas. The details of any plans for expansion, including target-areas and time-frames involved, will aid the Commission in evaluating the ultimate impact of the instant proposal on UHF-TV spectrum. In addition, parties are invited to submit alternative proposals, including the use of other frequency bands, to accommodate the communications requirements in the Gulf area.

21. The specific rule changes proposed herein are set forth below. Authority for this proposed rulemaking is contained in sections 4(i), 303 and 403 of the Communications Act of 1934, as amended. All interested persons are invited to file written comments on these proposed rules on or before July 11, 1975 and reply comments on or before July 25, 1975. In reaching its decision in this matter the Commission may take into account any other relevant information before it in addition to the comments invited by this notice.

22. In accordance with the provision of § 1.419 of the Commission's rules, an original and 14 copies of all comments, replies pleadings, briefs, or other documents shall be furnished to the Commission. Responses will be available for public inspection during regular business hours in the Commission Public Reference Room at its headquarters in Washington, D.C.

Adopted: February 26, 1975.

Released: March 10, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,³

[SEAL] VINCENT J. MULLINS,
Secretary.

Parts 1, 2 and 21 of Chapter I of the Code of Federal Regulations are amended as follows:

PART 1—PRACTICE AND PROCEDURE

In § 1.1113, the following fee schedule is added to follow the schedule for the Multipoint Distribution Service as follows:

§ 1.1113 Schedule of fees for Common Carrier Services.

OFFSHORE RADIO TELECOMMUNICATIONS
SERVICE

Application
fee

Application for an initial construction permit or for relocation of offshore central or relay facilities.....	\$120
Application for other than initial construction permit and for modification of construction permit or li-	

³ Commissioners Wiley, Chairman; Hooks and Quello concurring in the result; Commissioner Lee concurring and issuing a statement which is filed as part of the original document.

	<i>Application fee</i>		<i>Application fee</i>
license for offshore central or relay facilities.....	45	1 unit per application.....	15
Application for initial construction permit or for relocation of fixed subscriber facilities.....	75	Each additional mobile unit per application	9
Application for other than initial construction permit and for modification of construction permit or license for fixed subscriber facilities.....	30	Part 2 of the rules and regulations of the Federal Communications Commission is amended to read as follows:	
Application for license for operation of stations at temporary fixed locations	90	PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS	
Application for renewal of license of offshore central or relay facilities....	75	1. In § 2.106, the Table of Frequency Allocations, the Frequency band 470-512 MHz, is amended in columns 7-11, as set forth below, and a new footnote, NG-- is added.	
Application for renewal of license of fixed subscriber station	15	§ 2.106 [Amended]	
Application for license, modification of license, or renewal of license for individually licensed mobile stations:			

FEDERAL COMMUNICATIONS COMMISSION

Band MHz	Service	Class of station	Frequency (MHz)	Nature OF SERVICES of stations
7	8	9	10	11
470-512	BROADCASTING: LAND MOBILE. NG 06 NG--	TELEVISION BROADCASTING. LAND MOBILE.		BROADCAST: PUBLIC SAFETY. INDUSTRIAL. LAND TRANSPORTATION. DOMESTIC PUBLIC.

NOTE.—NG—In the southern Louisiana (offshore area), from west longitude 87°45' to west longitude 94°00' and from the 3-mile limit along the Gulf of Mexico coast on the north to the limit of the Outer Continental Shelf on the south, the frequency band 488-494 MHz (UHF-TV Channel 17) is allocated exclusively to the Offshore Radio Telecommunications Service. Operations are subject to the standards and conditions set forth in part 21 of the Commission's rules.

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

2. Section 21.0(b) is amended to read as follows:

§ 21.0 Basis and purpose.

(b) The purpose of the rules and regulations in this part is to prescribe the manner in which portions of the radio spectrum may be more available for the use of radio for domestic communication common carrier operations with required transmitting facilities on land or in specified offshore coastal areas within the continental shelf.

Subpart A—Definitions

3. Section 21.1 is amended to add or change the following definitions in alphabetical order.

§ 21.1 Definitions.

Airborne station. A mobile station in the Domestic Public Land Mobile Radio Service or in the Offshore Radio Telecommunications Service aboard an aircraft.

Offshore central station. A fixed station in the Offshore Radio Telecommunications Service with facilities for switching and interconnection with public message communication circuits.

Offshore Mobile Station. A station in the Offshore Radio Telecommunications

Service intended to be used while in motion or during halts at unspecified points.

Offshore Private Line Service. A service whereby facilities for communications between an offshore subscriber station and an offshore central station are set aside for exclusive use or availability for use by a particular customer and authorized users during stated periods of time.

Offshore Radio Telecommunications Service. A public communications service for hire between mobile and fixed stations located in the offshore coastal waters of the United States or its possessions.

Offshore Repeater Station. A fixed station used for the reception and automatic retransmission of the signals of another station or stations in offshore radio telecommunications service.

Offshore Subscriber Station. A fixed temporary fixed or mobile station in the Offshore Radio Telecommunications Service used by a subscriber for communication with an offshore central station.

Temporary Fixed Offshore Subscriber Station. A station in the Offshore Radio Telecommunications Service which operates from various fixed locations for periods not exceeding six months.

4. Section 21.15 is amended to add new paragraph(s) as follows:

§ 21.15 Content of applications.

(s) Each application for construction permit for an offshore central station or a fixed subscriber station in the Offshore Radio Telecommunications Service which proposes a new station or changes in the frequency, operating power or antenna height of a station already authorized shall be accompanied by technical engineering information with respect to:

(1) Type of antenna polarization used.

(2) Type of antenna used, including type number and manufacturer thereof.

(3) Antenna power gain expressed in decibels.

(4) Antenna radiation pattern (on letter size polar coordinate paper) showing the antenna power gain distribution in the horizontal plane expressed in decibels.

(5) Orientation of directional antenna array, expressed in degrees of azimuth with respect to True North.

(6) Antenna height above means sea level.

(7) Antenna transmission line type, length and radio frequency power transmission losses, together with a description and power loss of all other devices in addition to the transmission line, between the output of the transmitter and the antenna radiating system expressed in decibels.

(8) Suitable maps or charts showing thereon the exact station location.

(9) Effective radiated power.

5. Section 21.33(b) is amended to read as follows:

§ 21.33 Period of construction.

(b) For stations in the Point-to-Point Microwave Radio and Offshore Radio Telecommunication Services, and except as may be limited by § 21.35(b), the construction permit issued by the Commission will specify the date of grant as the earliest date of commencement of construction and a maximum of 18 months thereafter as the time within which construction shall be completed and the station be ready for operation, unless otherwise determined by the Commission upon proper showing in any particular case.

6. Section 21.35, paragraph (a) is amended to read as follows:

§ 21.35 License period.

(a) Licenses for stations in the Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, Local Television Transmission, Multi-point Distribution and Offshore Radio-Telecommunications Services will be issued for a period not to exceed 5 years; in the case of common carrier Television STL and Television Pickup stations to which are assigned frequencies allocated to the broadcast services, the authorization to use such frequencies shall, in any event, terminate simultaneously with the expiration of the authorization for the broadcast station to which such service is rendered except that licenses for developmental stations will be issued for a

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period not to exceed one year. Unless otherwise specified by the Commission, the expiration of regular licenses shall be on the following date in the year of expiration:

Domestic Public Land Mobile Radio Service:	Date
Miscellaneous carriers.....	April 1
Telephone carriers.....	July 1
All authorization pursuant to § 21.521—air/ground.....	Sept. 1
Rural Radio Service.....	Nov. 1
Point-to-Point Microwave Service.....	Feb. 1
Local Television Transmission Service.....	Do.
Multipoint Distribution Service.....	May 1
Offshore Radio Telecommunications Service.....	Aug. 1

The expiration date of developmental licenses shall be one year from the date of the grant thereof. When a license is granted subsequent to the last renewal date of the class of license involved, the license shall be issued only for the unexpired period of the current license term of such class; *Provided, however*, That the license for land and airborne mobile units issued in the Domestic Public Land Mobile Radio Service in the name of the person who is not the licensee of the base station with which the mobile unit will be associated shall be issued for a full five-year term from the date of grant thereof.

7. Section 21.108 (a) and (b) is amended to read as follows:

§ 21.108 Directional antennas.

(a) Unless otherwise authorized upon specific request by the applicant, each station authorized under the rules of this part, other than base, mobile and auxiliary test stations operating in the Domestic Public Land Mobile Service and all classes of stations in the Offshore Radio Telecommunications Service, shall employ a directional antenna adjusted with the center of the major lobe of radiation in the horizontal plane directed toward the receiving station with which it communicates: *Provided, however*, Where a station communicates with more than one point, a multi- or omni-directional antenna may be authorized if necessary. New periscope antenna systems will not, under ordinary circumstances, be authorized.

(b) Stations operating below 2500 MHz (other than base mobile and auxiliary test stations in the Domestic Public Land Mobile Radio Service and all classes of stations in the Offshore Radio Telecommunications Service) which are required to use directional antennas shall employ antennas meeting the standards indicated below. (Maximum beamwidth is for the major lobe of radiation at the half power points. Suppression is the minimum attenuation required for any secondary lobe signal and is referenced to the maximum signal in the main lobe).

Frequency range	Maximum beamwidth (degrees)	Suppression
Below 512 MHz.....	80	10dB
512 to 1000 MHz.....	20	13dB
1500 to 2500 MHz.....	12	13dB

8. Sections 21.110(a), (b) and (c) are amended to read as follows:

§ 21.110 Antenna polarization.

(a) Station operating in the 72-76 MHz band, each base, mobile dispatch and auxiliary test station operating in the Domestic Public Land Mobile Radio Service and all classes of stations operating in the Offshore Radio Telecommunications Service shall employ an antenna which radiates a signal the electrical component of which is vertically polarized.

(b) Unless otherwise authorized, each station operating on frequency below 512 MHz (other than base, mobile, dispatch, and auxiliary test stations in the Domestic, all classes of stations in the Offshore Radio Telecommunications Service, and stations operating in the 72-76 MHz band) shall employ an antenna which radiates a signal, the electrical component of which is horizontally polarized: *Provided, however*, That rural subscriber stations communicating with base stations may employ vertical polarization.

(c) Upon a satisfactory showing in each case that improved transmission will result and potentially harmful interference to other radio installations would be reduced, the Commission may authorize a station operating on frequencies below 512 MHz (other than base, mobile and auxiliary test stations in the Domestic Public Land Mobile Radio Service, all class of stations in the Offshore Radio Telecommunications Service, and stations in the 72-76 MHz band) to employ an antenna which radiates a signal, the electrical component of which is circularly or otherwise polarized.

9. Section 21.213 is amended by adding new paragraph (b)(4) as follows:

§ 21.213 Station identification.

(b) In lieu of use of an Official Call Sign, as prescribed in paragraph (a) of this section, a station may identify itself as follows:

(4) A subscriber station in the Offshore Radio Telecommunications Service may identify itself by the special station designation assigned by the licensee or its assigned telephone number, provided adequate records are maintained by the licensee to permit ready identification of the subscriber station.

10. A new subpart L is added to read as follows:

Subpart L—Offshore Radio Telecommunications Service

- Sec. 21.1000 Eligibility.
- 21.1001 Frequencies.

Sec.

- 21.1002 Power limitations.
- 21.1003 Bandwidth and emission limitations.
- 21.1004 Modulation requirements.
- 21.1005 Permissible communication.
- 21.1006 Station at temporary locations.
- 21.1007 Modification of station operation at temporary locations.

AUTHORITY: Secs. 4(1), 303, 403 of the Communications Act of 1934, as amended.

SUBPART L—OFFSHORE RADIO TELECOMMUNICATIONS SERVICE

§ 21.1000 Eligibility.

Authorizations for stations to be operated in this service will be issued to existing and proposed communications common carriers. Authorizations for subscriber stations will be issued to communication common carriers or to individual users of the service. Applications will be granted only in cases where it is shown that (a) the applicant is legally, financially, technically and otherwise qualified to render the proposed service and (b) there are frequencies available to enable applicant to render a satisfactory service and (c) the public interest, convenience or necessity would be served by a grant thereof.

§ 21.1001 Frequencies.

(a) On a shared basis with television broadcasting channel 17, the following frequencies are for assignment to stations of communication common carriers in the zone specified in Table A below together with the classes of station(s) to which they are normally assigned and the specific limitations, which are enumerated in paragraph (b) of this section:

Offshore central station frequencies (MHz)	Offshore subscriber frequencies (MHz)	Limitations
488.025	493.025	1
488.050	493.050	1
488.075	493.075	1
488.100	493.100	1
488.125	493.125	1
488.150	493.150	1
488.175	493.175	1
488.200	493.200	1
488.225	493.225	1
488.250	493.250	1
488.275	493.275	1
488.300	493.300	1
488.325	493.325	1
488.350	493.350	1
488.375	493.375	1
488.400	493.400	1
488.425	493.425	1, 2
488.450	493.450	1, 2
488.475	493.475	1, 2
488.500	493.500	1, 2
488.525	493.525	1, 2
488.550	493.550	1, 2
488.575	493.575	1, 2
488.600	493.600	1, 2
488.625	493.625	1, 2
488.650	493.650	1, 2
488.675	493.675	1, 2
488.700	493.700	1, 2
488.725	493.725	4
488.750	493.750	4
488.775	493.775	4
488.800	493.800	4
488.825	493.825	3
488.850	493.850	3
488.875	493.875	3
488.900	493.900	3
488.950	493.950	5
489.000	492.000	6
489.025	492.025	6
489.050	492.050	6
489.075	492.075	6
489.100	492.100	6

Offshore central station frequencies (MHz)	Offshore subscriber frequencies (MHz)	Limitations
499.125	492.125	6
499.150	492.150	6
499.175	492.175	6
499.200	492.200	6
499.200	492.200	6
499.350	492.350	6
499.400	492.400	2
499.425	492.425	2
499.450	492.450	2
499.475	492.475	2
499.500	492.500	2
499.525	492.525	2
499.550	492.550	2
499.575	492.575	2
499.600	492.600	2
499.625	492.625	2
499.650	492.650	2
499.675	492.675	2
499.700	492.700	2
499.725	492.725	2
499.750	492.750	2
499.775	492.775	2
499.800	492.800	2
499.825	492.825	2
499.850	492.850	2
499.875	492.875	2
499.900	492.900	2
499.925	492.925	2
499.950	492.950	2
499.975	492.975	2
499.990	493.000	2

BROAD BAND TRANSMISSION

499.100	7, 8
499.300	7, 8
499.600	7, 8
499.900	7, 8
491.200	7, 8
491.500	7, 8
491.700	7, 8
491.900	7, 8
492.225	7
492.250	7

(b) Explanation of assignment limitations appearing in the frequency list of this section:

(1) These frequencies will be assigned for voice only general communications.

(2) These frequencies may be assigned for private line service.

(3) These frequencies are available for emergency communication involving protecting of life property.

(4) These frequencies may be assigned to radio relay stations upon a satisfactory showing as to why it is impracticable to achieve the requisite communication without the use of radio relay stations operating on such frequencies.

(5) These frequencies shall be used only for emergency auto alarm and voice transmission pertaining to emergency conditions.

(6) These frequencies may be used for emergency shut-off remote control and telemetry.

(7) Upon proper application therefor the frequencies may be used for telemetry and emergency shut-off, Environmental Data Acquisition and Dissemination, Remote Control, or facsimile transmissions.

(8) The emission bandwidth shall be the minimum necessary to serve the purpose required and shall not exceed 180 kHz for frequencies 490.100, 490.300, 490.900, 491.700 and 491.900 MHz and 380 kHz for frequencies 490.600 and 491.200 MHz.

(c) All frequencies listed in this section are subject to the following conditions:

(1) No fixed or temporary-fixed stations shall be located and no mobile stations shall be operated outside the limits of the zone specified in Table A.

(2) All classes of stations in the Offshore Radio Telecommunications Service shall afford protection to co-channel television stations in accordance with the values set out in Table B below.

(3) All classes of stations in the Offshore Radio Telecommunications Service shall afford protection to adjacent channel television stations in accordance with the values set out in Table C below.

(4) No airborne subscriber station shall be operated with an effective radiated power in excess of 1 watt or at heights in excess of 1000 feet above mean sea level and shall not be operated outside the limits of the zone specified in Table A below.

(5) Antenna heights in excess of 200 feet above mean sea level will not be authorized, except that, surface mobile stations will be limited to a height of 30 feet above the waterline.

(6) On its regularly assigned frequency, an offshore central station may be used to perform the added functions of a repeater station when means are provided whereby the license of the radio system is able to turn the station on and off at will irrespective of the transmissions of subscriber units on the mobile frequency associated therewith.

TABLE A.—FREQUENCY AVAILABILITY FOR OFFSHORE RADIO TELECOMMUNICATIONS SERVICE USE

Offshore zone	Boundaries of zone	Frequencies (MHz)
Southern Louisiana zone.	From longitude 87°45' on the east to longitude 94°00' on the west and from the 3-mile limit along the Gulf of Mexico shoreline on the north to the limit of the Outer Continental Shelf on the south.	Channel 17, 488-494.

TABLE B.—PROTECTION OF CO-CHANNEL TELEVISION STATIONS BY STATIONS IN THE OFFSHORE RADIO TELECOMMUNICATIONS SERVICE (65 dB PROTECTION)

Distance in miles from transmitter site of protected UHF television station	Maximum effective radiated power (watts)		
	1,000	1,000	1,000
210	1,000	1,000	1,000
205	1,000	900	800
200	800	710	630
195	590	520	450
190	450	400	330
185	320	280	240
180	250	210	175
175	175	150	130
170	130	110	100
165	95	82	70
155	50	41	35
150	35	30	25
Antenna height above sea level (feet)	100	150	200

NOTE: To determine the maximum permissible effective radiated power:

(1) Using the method specified in §73.611, determine the distance between the proposed station and the protected cochannel television station. If the exact mileage does not appear in table B, the next lower mileage separation figure is to be used.

(2) Entering the table at the mileage figure found in (1) above, find opposite, a selection of powers that may be used for antenna heights ranging from 100 to 200 feet (ABL). If the exact antenna height for the proposed station does not appear in table B, use the power figure above the next greater antenna height.

(3) If the power found to be permitted following this procedure is lower than that determined hereafter from table C, this lower figure is the maximum power that may be employed at the proposed station.

TABLE C.—PROTECTION OF ADJACENT CHANNEL TELEVISION STATIONS BY STATIONS IN THE OFFSHORE RADIO TELECOMMUNICATIONS SERVICE (0 db PROTECTION)

Distance beyond the 3-mile limit	Antenna height above sea level	
	100 ft ERP (watts)	200 ft ERP (watts)
4	25	6
5	50	10
6	100	20
7	160	30
8	250	45
9	350	70
10	500	110
11	850	150
12	1,000	250
13	1,000	400
14	1,000	500
16 or over	1,000	1,000

1 Airborne station shall operate beyond the 3-mile limit and shall not operate with an ERP in excess of 1 watt or at heights in excess of 1,000 feet AMSL. Mobile stations shall operate beyond the 3-mile limit and shall not operate with ERP in excess of 50 watts or with antennas more than 30 feet above the waterline.

§ 21.1002 Power limitations.

Stations in this service will not be permitted to exceed 1000 watts effective radiated power and shall not be authorized to use transmitters which have a rated power output in excess of the limits set forth in § 21.107(b): Provided, however, That the effective radiated power of mobile station is limited to 50 watts and airborne stations 1 watt. A standby transmitter having a rated power in excess of that of the main transmitter with which it is associated will not be authorized.

§ 21.1003 Bandwidth and emission limitations.

(a) Stations in this service normally will be authorized to use only type F3 emission for radiotelephony. The authorization to use type F3 emission will be construed include the use of tone signals or signaling devices the sole function of which is to establish and maintain communication.

(b) Other types of emission may be authorized upon a satisfactory showing of need therefor. An application requesting such authorization shall fully describe the emission desired, shall indicate the bandwidth required for satisfactory communication, and shall state the purpose for which such emission is required.

(c) The maximum authorized bandwidth of emission and maximum authorized frequency deviation shall be as follows:

Type of emission	Authorized bandwidth	Frequency deviation (kHz)
F3.....	20	5

(d) Other types of emission of bandwidths in excess of that specified in paragraph (c) of this section may be authorized upon an adequate showing of need therefor. An application requesting such authorization shall fully describe the modulation, emission and bandwidth desired, shall specify the bandwidth to be occupied and shall state the reasons why such emission or bandwidth is required.

§ 21.1004 Modulation requirements.

(a) The use of modulating frequencies higher than 3,000 hertz for single channel radiotelephony or tone signaling is not authorized.

(b) The frequency deviation arising from modulation shall not exceed 5 kHz.

(c) Each transmitter, which has more than 1 watt power output employing type F3 emission shall be equipped with a device which will automatically prevent greater than normal audio level from modulating in excess of the limits specified in paragraph (b) of this section.

(d) Each transmitter, which employs type F3 emission, shall be equipped with

a modulation limiter in accordance with the provisions of paragraph (c) of this section and also shall be equipped with a low pass audio filter installed between the modulation limiter and the modulated stage. At audio frequencies between 3 kHz and 20 kHz the filter shall have an attenuation greater than the attenuation at 1 kHz by at least:

$$60 \text{ Log}_e (f/3) \text{ decibels}$$

Where "f" is the audio frequency in kilohertz. At audio frequencies above 20 kHz, the attenuation shall be at least 50 decibels greater than the attenuation at 1 kHz, attenuation at 1 kHz.

§ 21.1005 Permissible communications.

(a) Offshore Central Station shall communicate only with subscriber stations (fixed, temporary-fixed, mobile and airborne).

(b) Subscriber station normally are authorized to communicate with and through Offshore Central.

(c) The foregoing paragraphs of this section shall not be construed to prohibit stations in this service from communicating through radio relay stations authorized pursuant to the provisions of § 21.1001(b).

§ 21.1006 Station at temporary-fixed locations.

(a) Authorizations may be issued upon proper application for the use of frequencies listed in § 21.1001(a) by stations in the Offshore Telecommunications Service for rendition of temporary service to subscribers under the following conditions:

(1) When a fixed station is to remain at a single location for less than 6 months and the location is considered to be temporary.

(2) When a fixed station, authorized to operate at temporary locations, is to remain at a single location for more than six months, applications (FCC Forms 401 and 403) for a station authorization designating that single location as a permanent location shall be filed at least thirty days prior to the expiration of the six-month period.

(3) The station shall be used only for rendition of communications service at points where regular facilities are not available or for restoration of communication service disrupted by storms or other emergencies.

(4) The antenna structure height employed at any location shall not exceed the criteria set forth in § 17.7 of this chapter unless, in each instance, authorization for use of a specific maximum antenna structure height has been obtained from the Commission prior to erection of the antenna. Request for such authorization shall be accompanied by FCC Form 714 and a sketch of the proposed antenna structure.

(5) Applications for authorizations to operate stations at temporary locations under the provisions of this section shall be made upon FCC Form 401, and may be accompanied by completed 403 for simultaneous consideration provided the equipment to be used is of packaged design. Blanket applications may be submitted for the required number of transmitters.

§ 21.1007 Notification of station operation at temporary locations.

(a) The licensee of stations which are authorized pursuant to the provisions of § 21.1006 shall notify the Commission, its Engineer in Charge of the radio district wherein operation is to be conducted, of each period of operation at least two days prior to installation of the facilities. This notification shall include:

(1) The call sign and specific location of the transmitter.

(2) The location of the transmitter control point.

(3) The identity and location of the station with which it will communicate.

(4) The exact frequency or frequencies to be used.

(5) The commencement and anticipated termination dates of operation from each location. In the event the actual termination date differs from the previous notification, written notice thereof promptly shall be given to the Commission and its Engineer in Charge.

(b) Less than 2 days advance notice may be given when circumstances require shorter notice provided such notice is promptly given and the reasons in support of such notice are stated.

(c) A copy of the foregoing notification shall be posted with the station license (see § 21.114).

[FR Doc. 75-7175 Filed 3-19-75; 8:45 am]

notices

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

DEPARTMENT OF STATE

Agency for International Development ASSISTANT ADMINISTRATOR FOR EAST ASIA

Delegation of Authority No. 107

Delegation of Authority to Make Transfers of Funds Pursuant to sections 38(b), 39(d) and 40(b) of the Foreign Assistance Act of 1974.

Pursuant to the authority vested in me by Delegation of Authority No. 104 from the Secretary of State, dated November 3, 1961, as amended, I hereby delegate to the Assistant Administrator for East Asia the authority to make transfers of funds, pursuant to and in accordance with, sections 38(b), 39(d) and 40(b) of the Foreign Assistance Act of 1974, except in cases which, in the judgment of the Assistant Administrator for East Asia, involve particularly sensitive policy or political considerations.

The authority to make such transfers may not be redelegated by the Assistant Administrator for East Asia.

Dated: March 10, 1975.

JOHN E. MURPHY,
Deputy Administrator.

[FR Doc.75-7281 Filed 3-19-75;8:45 am]

Office of the Secretary

U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

Meeting

The United States Advisory Commission on International Educational and Cultural Affairs will meet in open session on Friday, April 11, 1975, in Room 1207 of the Main State Department Building, 2201 C Street, NW., from 9:30 a.m. to 4 p.m.

The agenda will include:

1. Consideration of cultural and educational exchanges with Canada.
2. Development of guidelines for Commission members on overseas visits.
3. Unfinished business.
 - A. Determination of final Commission recommendations on the U.S. role in UNESCO.
 - B. Follow-up discussion on United States-People's Republic of China exchanges, considered at the Commission's meeting of February 25, 1975.
 - C. Report on and discussion of Commission's initiatives in the field of Latin-American exchanges.
 - D. Consideration of the Report of the Panel on International Information, Education and Cultural Relations.
 - E. Suggestions for the Commission's Annual Report.
4. New business.

5. Determination of dates and agendas for subsequent meetings of the Commission.

For purposes of fulfilling building security requirements, anyone wishing to attend the open session must advise the Staff Director by telephone in advance of the meeting. Telephone: (202) 632-2764. Members of the public will be accommodated up to the seating capacity of the meeting room.

Dated: March 13, 1975.

W. E. WELD, JR.,
Staff Director,
Commission Secretariat.

[FR Doc.75-7280 Filed 3-19-75;8:45 am]

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 75-63]

FOREIGN CURRENCIES—CERTIFICATION OF RATES

Rates of Exchange Certified to the Secretary of the Treasury by the Federal Reserve Bank of New York

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372 (c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 75-24 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Austria schilling:	
Feb. 25, 1975.....	\$0.0615
Feb. 26, 1975.....	•
Feb. 27, 1975.....	.0615
Feb. 28, 1975.....	.0615
Belgium franc:	
Feb. 24, 1975.....	\$0.029125
Feb. 25, 1975.....	.029075
Feb. 26, 1975.....	.029350
Feb. 27, 1975.....	.029400
Feb. 28, 1975.....	.029400
Denmark krone:	
Feb. 27, 1975.....	\$0.1863
France franc:	
Feb. 24, 1975.....	\$0.2376
Feb. 25, 1975.....	.2370
Feb. 26, 1975.....	.2390
Feb. 27, 1975.....	.2407
Feb. 28, 1975.....	.2399
Germany deutsche mark:	
Feb. 24, 1975.....	\$0.4359
Feb. 25, 1975.....	(¹)
Feb. 26, 1975.....	.4372
Feb. 27, 1975.....	.4388
Feb. 28, 1975.....	.4391

Japan yen:

Feb. 24, 1975.....	\$0.003498
Feb. 25, 1975.....	.003497
Feb. 26, 1975.....	.003501
Feb. 27, 1975.....	.003498
Feb. 28, 1975.....	•

Netherlands guilder:

Feb. 24, 1975.....	\$0.4217
Feb. 25, 1975.....	.4219
Feb. 26, 1975.....	.4239
Feb. 27, 1975.....	.4264
Feb. 28, 1975.....	.4269

Norway krone:

Feb. 24, 1975.....	\$0.2020
Feb. 25, 1975.....	.2023
Feb. 26, 1975.....	.2032
Feb. 27, 1975.....	.2040
Feb. 28, 1975.....	.2040

Sweden krona:

Feb. 27, 1975.....	\$0.2561
Feb. 28, 1975.....	.2565

Switzerland franc:

Feb. 24, 1975.....	\$0.4114
Feb. 25, 1975.....	.4124
Feb. 26, 1975.....	.4154
Feb. 27, 1975.....	.4175
Feb. 28, 1975.....	.4161

[SEAL]

JAMES D. COLEMAN,
Acting Director,
Duty Assessment Division.

[FR Doc.75-7251 Filed 3-19-75;8:45 am]

Office of the Secretary

[APP-2-04-0:D:T LB]

TYPEWRITERS FROM JAPAN; ANTIDUMPING

Determination of Sales at Less Than Fair Value

Information was received on February 14, 1974, that portable electric typewriters from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

A "Withholding of Appraisement Notice" issued by the Assistant Secretary of the Treasury was published in the FEDERAL REGISTER of March 20, 1974 (39 FR 10456).

I hereby determine that for the reasons stated below, portable electric typewriters from Japan are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of Reasons. Analysis of information from all sources revealed that the proper basis of comparison for fair value is between purchase price or exporter's sales price, and the adjusted third country prices of such or similar merchandise.

Purchase price was calculated on the basis of the f.o.b. packed, Japanese port

¹ Use quarterly rate.

price, with deductions for freight and shipping charges, and, when applicable, commissions paid to commissioned agents.

Exporter's sales price was calculated on the basis of resale prices in the United States, with deductions for the applicable transportation and insurance costs, U.S. duty, selling expenses in the United States, letter of credit cost, United States freight, commissions, warranty cost, and brokerage charges.

The adjusted third country price was calculated on the basis of both delivered and resale prices in Canada. From the delivered price, deductions were made for the applicable transportation costs. From the resale price in Canada, deductions were made for transportation and other expenses incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in Canada, and for various direct and indirect costs incurred in sales of the merchandise. Transportation and other expenses from Japan to the point of delivery were inland freight and shipping charges in Japan, ocean freight and insurance, Canadian duty, brokerage, and freight in Canada. Direct costs were instruction books, Canadian commodity tax, warranty, commissions, and advertising. Indirect costs were general selling expenses, warehouse, promotions, payroll, office services, interest, depreciation and corporate overhead.

Using the above criteria, purchase price and exporter's sales price were found to be lower than the applicable adjusted third country price of such or similar merchandise.

The International Trade Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

Dated: March 18, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary
of the Treasury.

[FR Doc.75-7492 Filed 3-19-75; 9:54 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF SCIENTIFIC ADVISORY BOARD

Closed Meeting

FEBRUARY 28, 1975.

The USAF Scientific Advisory Board ad hoc Committee on the Location, Identification, and Destruction of Surface Targets by Tactical Air Forces Under All-Weather Conditions will hold a meeting on April 2-3, 1975. The times and locations are as follows:

April 2, 1E801 #8 Pentagon, 9 a.m.-5 p.m.
April 3, 5C1040 Pentagon, 9 a.m.-5 p.m.

The meeting will be closed to the public. The agenda will consist of classified briefings on matters listed in 5 U.S.C. 552(b)(1) and (4) by the Tactical Air Command and the Air Force Systems Command concerning current and planned research and development ef-

orts to improve the capability of tactical air forces to be employed under adverse weather conditions.

For further information, contact the Scientific Advisory Board secretariat at 202-697-4811.

NOTE.—This notice was mailed to FEDERAL REGISTER on February 28; however, the original was lost in transit. This duplicate notice is therefore issued.

STANLEY L. ROBERTS,
Colonel, USAF, Chief Legisla-
tive Division, Office of The
Judge Advocate General.

[FR Doc.75-7423 Filed 3-19-75; 8:45 am]

Department of the Navy

CONSTRUCTION OF 600 FAMILY HOUSING UNITS AT FORT STORY, VIRGINIA

Public Hearing and Availability of Draft Environmental Impact Statement

Announcement. A public hearing will be held for the purpose of soliciting comments from the public regarding proposed construction by the Navy of 600 family housing units for the Norfolk Naval Complex at Fort Story, Virginia Beach, Virginia. The hearing will be conducted by a senior naval officer, and will include a presentation of the Navy's plan for such construction.

Date. Wednesday, April 23, and if necessary, Thursday, April 24, 1975.

Time. 7:00 p.m. to 11:00 p.m.

Place. Princess Anne High School Auditorium, Virginia Beach Boulevard, Virginia Beach, Virginia.

Title. Draft Environmental Impact Statement, Navy Family Housing Project, Fort Story, Virginia Beach, Virginia.

Description. The proposal is to construct 600 units of family housing for the Norfolk Complex at Fort Story, Virginia Beach, Virginia. The 600 enlisted units of family housing will include 576 four-bedroom and 24 five-bedroom units on a 81 acre site.

Where copies of the Draft Environmental Impact Statement can be obtained. Atlantic Division, Naval Facilities Engineering Command, Naval Base, Norfolk, Virginia 23511, Attn: Code 20A, Telephone (804) 444-7131.

Cost of Copies. No charge but stock is limited.

Location of local copies available for public reference.

CHESAPEAKE LIBRARY

Chesapeake Public Library, 300 Cedar Road, Civic Center, Chesapeake, Va. 23329.
Indian River Branch Library, 1118 Sparrow Road, Chesapeake, Va. 23325.
South Norfolk Library, Poindexter and Decatur Street, Chesapeake, Va. 23324.
Russell Memorial Library, Taylor Road, Chesapeake, Va. 23325.

PORTSMOUTH LIBRARIES

Portsmouth Public Library, 601 Court Street, Portsmouth, Va. 23704.
Churchland Branch Library, 3215 Academy Avenue, Portsmouth, Va. 23703.
Cradock Branch Library, 28 Prospect Parkway, Portsmouth, Va. 23702.
Manor Branch Library, 1401 Elmhurst Lane, Portsmouth, Va. 23701.

CITY HALL

City of Virginia Beach, Administrative Building, Municipal Center, Virginia Beach, Va. 23456.

VIRGINIA BEACH LIBRARY

Bayside Library, 936 Independence Boulevard, Virginia Beach, Va. 23451.
Windsor Woods Library, 3612 South Plaza Trail, Virginia Beach, Va. 23452.
Virginia Beach Branch Library, 302 22nd Street, Virginia Beach, Va. 23451.
Bookmobile, Windsor Woods, 3612 South Plaza Trail, Virginia Beach, Va. 23452.
Kempsville Library, 832 Kempsville Road, Virginia Beach, Va. 23462.

NORFOLK LIBRARIES

Norfolk Public Library, (Kern Memorial), 302 East City Hall Avenue, Norfolk, Va. 23510.
Berkley Branch Library, 229 East Berkley Avenue, Norfolk, Va. 23523.
Black Culture Center, 3508 Colonial Avenue, Norfolk, Va. 23517.
Blyden Branch Library, 879 East Princess Anne Road, Norfolk, Va. 23517.
Brambleton Branch Library, 1520 Brambleton Avenue, Norfolk, Va. 23504.
Janaf Branch Library, 124 Janaf Shopping Center, Norfolk, Va. 23502.
Lafayette Branch Library, 1610 Cromwell Road, Norfolk, Va. 23508.
Larchmont Branch Library, 6525 Hampton Boulevard, Norfolk, Va. 23508.
Little Creek Branch Library, 7853 Tarpon Place, Norfolk, Va. 23518.
Vanwyck Branch Library, 345 Shirley Avenue, Norfolk, Va. 23518.
Pretlow Branch Library, 8640 Granby Street, Norfolk, Va. 23503.

Name, address, and telephone number of public hearing coordinator. Mr. R. L. Warren, Atlantic Division, Naval Facilities Engineering Command, Building N-23, Naval Station, Norfolk, Virginia, 23511; telephone (804) 444-7131.

Time limit for oral presentations. The following procedures will be followed during the public hearing. Individual speakers will be limited to 5 minutes, with 10 minutes for a group spokesman. There will be no relinquishing of time by one speaker to another. Written statements, in addition to or in lieu of oral presentations will be accepted. The submission of written documentation and text material pertaining to the technical aspects of the proposal is encouraged. The closing date for including written communications in the hearing record is April 30, 1975.

Dated: March 14, 1975.

WILLIAM O. MILLER,
Rear Admiral, JAGC, U.S. Navy
Deputy Judge Advocate General.

[FR Doc.75-7254 Filed 3-19-75; 8:45 am]

Office of the Secretary DEFENSE SCIENCE BOARD Meeting

The Defense Science Board will meet in closed session on 15 April 1975 at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on scientific and technical matters as they effect the perceived needs of the Department of Defense.

On 15 April 1975 the Board will discuss specific aspects of problems and of strategic and tactical systems as they may relate to near and long-range plans in the Pacific area of defense operations.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it has been determined that this meeting of the Defense Science Board concerns matters listed in section 552(b) of Title 5 of the United States Code, particularly paragraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a) (1) and (a) (3) of section 10 of Pub. L. 92-463 are concerned.

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

MARCH 17, 1975.

[FR Doc.75-7284 Filed 3-19-75; 8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-12, 74-17]

SERLING DRUG CO. AND DETROIT
PRESCRIPTION WHOLESALE, INC.

Denial of Application for Registration to
Distribute Controlled Substances

Correction

In FR Doc. 75-6893 appearing at page 11918 in the issue of Friday, March 14, 1975, make the following changes:

1. In the eleventh line of the first complete paragraph in the middle column on page 11918, the word "and" should be deleted and the word "containing" should be inserted in lieu thereof.

2. In the third column on page 11920, in the tenth line, delete "or before".

Office of the Secretary

UNITED STATES v. CHICAGO TRIBUNE-
NEW YORK NEWS SYNDICATE, INC. ET AL.

Proposed Consent Judgment and
Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (b) through (h), that a proposed consent judgment, agreed to by the United States and Globe Newspaper Company, and a competitive impact statement have been filed with the United States District Court for the Southern District of New York in three Civil Actions listed above (Civil Nos. 67-4596, 4597 and 4598). The complaints in these three cases allege that the defendant syndicates' feature licenses with the Globe Newspaper Company, publisher of the Boston Globe, and with other newspapers, have unreasonably restricted the licensing of syndicated features to other media, in violation of section 1 of the Sherman Act. The proposed judgment requires the Globe to limit its exclusivity over the features it licenses to daily or daily and Sunday newspapers with weekday circulation above 11,750, and published in a county where the Globe's combined daily circulation (1) is at least 5,000 copies and (2) equals 20 percent of households in the county. The proposed judgment also requires the Globe to end its exclusivity over certain

features which the Globe licenses but does not publish at least once in two months.

The settlement applies only to the Government's claims against the Boston Globe, and does not affect the Government's remaining claims against the three defendant syndicates' feature licenses with newspapers other than the Boston Globe. Public comment is invited on or before May 19, 1975. Such comments and responses thereto will be published in the FEDERAL REGISTER and filed with the Court. Comments should be directed to Gerald A. Connell, Chief, General Litigation Section, Antitrust Division, Department of Justice, Washington, D.C. 20530.

Dated: March 13, 1975.

BRUCE B. WILSON,
Acting Assistant Attorney
General, Antitrust Division.

[FR Doc.75-7278 Filed 3-19-75; 8:45 am]

UNITED STATES v. TOYOTA MOTOR SALES
U.S.A., INC. AND TOYOTA MOTOR DIS-
TRIBUTORS, INC.

Proposed Consent Judgment and
Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. section 16 (b) through (h), that a proposed consent judgment and a competitive impact statement have been filed with the United States District Court for the Northern District of California in Civil Action No. C-75-0473 SW, United States v. Toyota Motor Sales, U.S.A., Inc., et al. The complaint in this case alleges a conspiracy between defendants and co-conspirators to fix prices at which and territories in which Toyota dealers may advertise or sell Toyota products. The proposed judgment will prohibit the defendants from entering into, adhering to or enforcing agreements permitting any of the complained of activities. Public comment is invited on or before May 19, 1975. Such comments and responses thereto will be published in the FEDERAL REGISTER and filed with the Court. Comments should be directed to Anthony E. Desmond, Chief, San Francisco Office, Antitrust Division, Department of Justice, 450 Golden Gate Avenue, San Francisco, California 94102.

Dated: March 13, 1975.

THOMAS E. KAUPER,
Assistant Attorney General,
Antitrust Division.

[FR Doc.75-7277 Filed 3-19-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Public Hearing

Notice is hereby given that pursuant to 43 U.S.C. 2653.7, public hearings will be held in Juneau and Sitka. The public hearings in Juneau will be held on April 10, 1975, beginning at 10 a.m., in the

Alaska Native Brotherhood Hall, 510 West Willoughby Street, in Juneau, Alaska. The public hearings in Sitka will be held on April 11, 1975, beginning at 9 a.m., in the Alaska Native Brotherhood Hall on Katlian Street in Sitka, Alaska.

Both meetings will be open to the public, and any interested person may make an oral statement or file a written statement. Requests to give oral statements should be made to the Bureau of Land Management representative at the appropriate public hearing, and written statements may be submitted by April 28, 1975, to the State Director, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

RICHARD L. THOMPSON,
Acting State Director.

[FR Doc.75-7276 Filed 3-19-75; 8:45 am]

[COLORADO 22245]

NORTHWEST PIPELINE CORP.

Notice of Pipeline Application

MARCH 12, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corporation, P.O. Box 1526, Salt Lake City, Utah, has applied for a right-of-way for a four and one-half inch natural gas gathering pipeline across the following lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 4 S., R. 102 W.,

Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 4 S., R. 101 W.,

Sec. 7, SW $\frac{1}{4}$ SW, SE $\frac{1}{4}$ SW, SW, SE;

Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 17, lot 3, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 16, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,

NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 15, NE $\frac{1}{4}$;

Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,

SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 11, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 23, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$, in Rio Blanco County.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application; and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed pipeline right-of-way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objection must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, as

promptly as possible after publication of this notice.

EVERETT K. WEXDIN,
Chief, Branch of Land Operations.
[FR Doc.75-7275 Filed 3-19-75;8:45 am]

[Wyoming 20042; Power Site Classifications
58, 346, and 374; Cancellation 282]

WYOMING

Opening of Public Lands

MARCH 14, 1975.

By published notice (36 FR 230, November 30, 1971) the U.S. Geological Survey canceled Power Site Classifications No. 58, 346, and 374 of March 13, 1924, January 6, 1944, and March 23, 1945, respectively, as to the lands described therein.

The purpose of this order is to restore to the operation of applicable public land laws the unreserved public lands involved in that notice.

Under authority delegated by Bureau of Land Management Order No. 701 dated July 23, 1964 (29 FR 10526), as amended, it is ordered as follows:

1. The following described lands are hereby restored to disposition under applicable public land laws, subject to valid existing rights:

SIXTH PRINCIPAL MERIDIAN, WYOMING

- T. 13 N., R. 80 W.,
Sec. 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 6, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 7, NE $\frac{1}{4}$;
Sec. 8, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
Sec. 17, NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 18, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 29, E $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 33, NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 12 N., R. 81 W.,
Sec. 6, lots 2 and 3, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 7, lots 1, 2, and 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 8, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 18, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, lots 1 and 2.
- T. 13 N., R. 81 W.,
Sec. 4, lot 3 and S $\frac{1}{2}$;
Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, NE $\frac{1}{4}$;
Sec. 9;
Sec. 10, SW $\frac{1}{4}$;
Sec. 15, E $\frac{1}{2}$ W $\frac{1}{2}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 29, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 14 N., R. 81 W.,
Sec. 5, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 6, lots 1, 2, and 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 8, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

- T. 12 N., R. 82 W.,
Sec. 1, lot 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, lots 1 and 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 4, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, lots 3 and 4;
Sec. 23, lots 1 to 4, incl.

- T. 12 N., R. 84 W.,
Sec. 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 9, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 10, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, lot 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 13 N., R. 84 W.,
Sec. 1, lots 2 and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$;
Sec. 24, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 26, E $\frac{1}{2}$ W $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate approximately 11,821 acres in Carbon County.

JESSE R. LOWE,
Acting State Director.

[FR Doc.75-7274 Filed 3-19-75;8:45 am]

[N-7957]

NEVADA

Partial Termination of Proposed Withdrawal and Reservation of Lands

MARCH 14, 1975.

Notice of Energy Research and Development Administration (formerly Atomic Energy Commission) application, N-7957, for withdrawal and reservation of lands for exploration for geothermal potential was published as FEDERAL REGISTER Doc. No. 74-2557, page 3977, of the issue for January 31, 1974, modified by notice published as FEDERAL REGISTER Doc. No. 74-8298, page 13182, of the issue for April 11, 1974, and by notice published as FEDERAL REGISTER Document 74-25323, page 38401, of the issue for October 31, 1974. The applicant agency has cancelled its application insofar as it affects the following described lands:

MOUNT DIABLO MERIDIAN, NEVADA

- T. 29 N., R. 41 E.,
Sec. 2, W $\frac{1}{2}$;
Sec. 10, E $\frac{1}{2}$;
Sec. 11, W $\frac{1}{2}$;
Sec. 13, S $\frac{1}{2}$;
Sec. 14, W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 15, 20-27, incl. All;
Sec. 28, N $\frac{1}{2}$;
T. 30 N., R. 41 E.,
Sec. 35, W $\frac{1}{2}$;
T. 29 N., R. 42 E.,
Sec. 17, SW $\frac{1}{4}$;
Sec. 18, S $\frac{1}{2}$;
Sec. 19, All.

Aggregating about 9,200.00 acres.

Therefore, pursuant to the regulations contained in 43 CFR 2091.2-5(b)(1), the lands at 10:00 a.m. on April 18, 1975 will be relieved of the segregative effect of the above-mentioned application.

WILLIAM J. MALENCIK,
Chief, Division of Technical Services.
[FR Doc.75-7304 Filed 3-19-75;8:45 am]

[NM 24782]

NEW MEXICO Application

MARCH 12, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for two 4 $\frac{1}{2}$ -inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

- T. 20 S., R. 28 E.,
Sec. 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

These pipelines will convey natural gas across 324 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions. Interested persons desiring to express their views should promptly send their names and addresses to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-7305 Filed 3-19-75;8:45 am]

[NM 24783]

NEW MEXICO Application

MARCH 12, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Company has applied for a 6-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

- T. 20 S., R. 25 E.,
Sec. 7, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

This pipeline will convey natural gas across 381 miles of national resource lands in Eddy County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Man-

ager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-7306 Filed 3-19-75; 8:45 am]

[NM 24784]
NEW MEXICO
Application

MARCH 12, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Company has applied for an 8-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

- T. 19 S., R. 25 E.,
Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 20 S., R. 25 E.,
Sec. 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

This pipeline will convey natural gas across 2.416 miles of national resource lands in Eddy County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-7307 Filed 3-19-75; 8:45 am]

Fish and Wildlife Service
ENDANGERED SPECIES PERMIT
Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Mrs. Thomas (Holly) Nichols, 10611 Mt. Boracho, San Antonio, Texas 78213.

SEPTEMBER 23, 1974.

DIRECTOR,
Fish and Wildlife Service, U.S. Department
of the Interior, Washington, D.C. 20240.

DEAR SIR: I request permission to import two individuals of an endangered species, *Amazona imperialis*, of Dominica, for purposes of propagation.

My request, and the requests which will be sent to you by my co-workers, are part of a project I have organized in cooperation with the Jersey Wildlife Preservation Trust, guided and supported by Save Animals From Extinction, SAFE. The long-term goal of this project is to establish captive breeding populations of the four Lesser Antillean Amazons, *Amazona guildingii*, *Amazona imperialis*, *Amazona versicolor*, and *Amazona arausiaca* (the last of which I believe you do not classify as endangered) in Europe at Jersey Wildlife Preservation Trust, and in the United States under my supervision.

As keeper of the International Zoo Yearbook Studbook for *Amazona guildingii*, I am aware of seven parrots of this species in the United States. Our program does not call for the importation of any parrots of this species into the United States in 1975, although I own two on St. Vincent which I hope to import in a few years to join the two I am already working with in the United States.

I enclose a copy of my husband's letter to C. C. Maximea, Chief Forestry Officer of Dominica, concerning my work on Dominica with *A. imperialis* and *A. arausiaca*.

As I am taking immediate responsibility for setting up captive breeding populations of *A. imperialis* and *A. arausiaca*, Jersey Wildlife Preservation Trust is taking immediate responsibility for setting up a captive breeding population of *A. versicolor*. I will not make a major attempt to establish a captive population of *A. versicolor* in the United States until after the U.S. program for *A. guildingii*, *A. imperialis* and *A. arausiaca* are making good progress. Since it is, however, so difficult to obtain and safely bring these amazon parrots back to the U.S., we think it prudent to take advantage of my fellow aviculturist's (Stephen Jovicich) presence in the research program on St. Lucia in 1975, by providing for the two *A. versicolor* he will request permission to return with. Since there are now no *A. versicolor* legally in the U.S., we would have to view the importation of only two individuals of the species by themselves as improper. These two, however, would be only the first two, and we intend to obtain some more in the indefinite future. In the meantime, if we should come to suspect that we do not have a male and a female, or if one of the two parrots should die, and there are not other *A. versicolor* in the U.S. with which they could be quickly paired, we would give the parrots to Jersey Wildlife Preservation Trust to join the *A. versicolor* there. Jovicich will be responsible for selecting two parrots he believes to be a true pair, transporting them to the U.S., and quarantining them. After they have been quarantined, I will be responsible for their care, and all statements made in this application about the two *A. imperialis* I seek permission to import, apply in exactly the same way to those two *A. versicolor*.

If permission is granted to import the two *A. imperialis*, they would be crated within a stout wooden carrier, and ride back to San Antonio with me when I return from my five months of study of the Lesser Antillean amazons in August 1975. Depending on flight connections, the birds and I might have to spend one night at the Miami Airport Hotel. Seeds and water will be available. I will try to arrange most of my flight on planes where they can ride in the cabin in a seat next to me.

After their importation into the U.S., these birds will be quarantined in accord with USDA regulations.

I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

Sincerely yours,

HOLLY A. J. NICHOLS.

OCTOBER 18, 1974.

DIRECTOR (FWS/LE),
U.S. Fish and Wildlife Service, U.S. Department
of the Interior, Washington, D.C.
20240.

DEAR SIR: Regarding my earlier correspondence and application for the importation of two *Amazona imperialis*:

I am a 26 year old female, 110 lbs., 5 ft. 2 inches, with black hair and brown eyes.

I enclose a drawing and crude photographs of the pens these parrots will be in.

I enclose a copy of a note from the Permanent Secretary, Agriculture and Natural Resources, Dominica, that export permits will be issued for the parrots which my two colleagues and I remove from Dominica.

I enclose a copy of a note from the Premier of St. Lucia in reply to my husband's letter of August 31 (of which you have a copy) which I interpret to mean that Stephen Jovicich will receive permission to remove two *Amazona versicolor* from St. Lucia.

Yours sincerely,

HOLLY A. J. NICHOLS.

AUGUST 27, 1974.

From: Permanent Secretary/Agriculture,
Trade and Natural Resources.
To: Chief Forest Officer.

PROTECTION AND PRESERVATION OF THE PARROTS
OF DOMINICA

I refer to your memo of 31st July, 1974 on the above subject and have to inform you that approval has been given for the study on the Sisserou and Jacquot parrots to be undertaken by Save Animals From Extinction. The necessary permission will be granted at the appropriate time for three (3) pairs of parrots to be taken away from the State for further scientific research purposes.

Sgd. M. C. DOCTROVE,
Permanent Secretary,
Agriculture and Natural Resources.

SEPTEMBER 24, 1974.

Re Wild Life Conservation—St. Lucia Parrot
(*Amazona Versicolor*).

DEAR DR. NICHOLS, I write in response to your letter of August 31, indicating your intention to place a team on St. Lucia to study the St. Lucia Parrot (*Amazona Versicolor*).

I discussed this project briefly in July with Mrs. Nichols and assured her of my concern that the St. Lucia Parrot should be preserved, and of Government's fullest cooperation to ensure this.

I am looking forward to the visit of the team and again assure you of the fullest cooperation of all Ministries and Departments of Government concerned.

Yours faithfully,

PREMIER.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received within 30 days of the date of publication will be considered.

Dated: March 17, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement,
U.S. Fish and Wildlife
Service.

[FR Doc.75-7294 Filed 3-19-75; 8:45 am]

MARINE MAMMAL PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit has been received under the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407).

Applicants:

Dr. Donald B. Siniff and Dr. John R. Tester,
Department of Ecology & Behavioral Biology,
University of Minnesota, 310 Bio-
Science Center, St. Paul, Minnesota
55101.

Application for Sea Otter (*Enhydra lutris*) Research Permit as required by Marine Mammal Protection Act of 1972. Information required by 50 C.F.R. 13.12:

1a. Donald B. Siniff, 310 BioScience Center, University of Minnesota, St. Paul, Minnesota 55101, Phone Number, area code 612-373-4909.

1b. John R. Tester, 310 BioScience Center, University of Minnesota, St. Paul, Minnesota 55101, Phone Number, area code 612-373-5646.

2a. Date of Birth: July 7, 1935; height: 6'0"; weight: 155; color hair: brown; color eyes: brown; sex: male; affiliation: Associate Professor, University of Minnesota, Department of Ecology and Behavioral Biology.

2b. Date of Birth: November 18, 1929; height: 5'11"; weight: 175; color hair: brown; color eyes: blue; sex: male; affiliation: Acting Head, Department of Ecology and Behavioral Biology, University of Minnesota.

3. The two persons named in section I are co-principal investigators of a project titled "Application of radiotelemetry technology to selected problems in vertebrate censusing and population study" (see Attachment I). The co-principal investigators will be represented in the field by a number of other specialists and it is implicit that these representatives are to be included within the framework of this permit application. For example, one or more engineers from the Bioelectronics Laboratory, University of Minnesota will work on transmitter attachment and technology. Dr. Lee Eberhardt, Battelle Northwest, will serve as a consultant and will aid in the development of census techniques and data reduction. Several graduate students and postdoctoral investigators will be employed to carry out most of the field work. Most of these participants cannot be specified at this time, but will be named in the end-of-season report.

4. Location of Activity: Prince William Sound, Alaska; Amchitka Island, Alaska; and the California Coast from about Santa Cruz to Pt. Buchon.

5. Information required by 50 CFR 13.31 for Marine Mammal Research Permit:

a. Purpose: To test a variety of telemetry packages on captive and free ranging sea otters. The purpose of these tests will be to identify a method of attachment that will not hamper the natural movement of the tagged animals; and will not destroy the thermal insulat-

ing or buoyancy qualities of the pelage. Initial tests are planned on captive animals, but field tests on free ranging animals will be required to evaluate the performance of the telemetry package. Preliminary work will be carried out with the cooperation of Mr. Ancel Johnson, U.S. Fish and Wildlife Service, Anchorage, Alaska.

Dates of Taking: March 15, 1975 through March 14, 1976.

Location and Manner of Taking: Initial tests are planned on captive sea otters held by U.S. Fish and Wildlife Service in Prince William Sound, Alaska. Further tests may be conducted at Sea World or some similar facility if it seems desirable to make underwater observations of the animals in large holding tanks. Field tests will be initiated at Prince William Sound and extended to the California range if preliminary results are promising. Free ranging sea otters will be captured with diver held traps according to the technique described by Wild and Ames (Wild, P. W. and J. A. Ames. 1974. A report on the sea otter, *Enhydra lutris* L., in California. Calif. Dept. Fish. and Game, Mar. Res. Tech. Rept. (20):1-93) or nets such as have been used in Alaska. Captive animals will be handled according to the procedures followed by the cooperative agency.

b. Stocks, numbers and products to be taken, weights, ages, sizes, sex and condition: *Enhydra lutris* occurs in Alaska and off the coast of California. Some taxonomists believe the otters in these two areas belong to different subspecies, *E. l. lutris* in Alaska and *E. l. nereis* in California. These subspecies may be further subdivided into discrete breeding populations but the size and geographic distribution of these populations is poorly understood. The California population is estimated to be 1600-1800 individuals (Wild, P. W. and J. A. Ames, op. cit.) and the Alaska population approximately 125,000 (U.S. Fish and Wildlife Service. 1974. Administration and Status Report of the Marine Mammal Protection Act of 1972: June 22, 1973 to June 21, 1974. 46 pp.)

Up to 25 animals may be instrumented in the first year and this may be increased to 100 individuals per year in succeeding years. Each individual captured will be weighed, sexed, marked and individually fitted with a radio package. In the early phases of the project, only fully grown adults will be fitted with transmitter packages. In later stages, however, we hope to develop a method of attachment that will not interfere with growth so that transmitter attachment will be extended to include immature animals. A subsample of sea otters will be dyed with identifying marks to promote visual identification but will not be fitted with a telemetry package. These sea otters will provide a control group to evaluate the effect of transmitter attachment on variables such as swimming ability, entrapment in sea weed, copulatory behavior, etc. Position telemetry will be used to monitor

daily movement and activity patterns. Long term goals are to identify home range, seasonal movement, habitat selection and use, dispersal patterns, and other factors relating use and habitat.

No mortalities are expected but to cover contingencies, authorization is requested to possess carcasses of any sea otters killed accidentally (not to exceed 10 per year) or found dead of natural causes. There may be some trauma associated with handling and transmitter attachment. Therefore, we request permission to use tranquilizer drugs in such situations if necessary.

c. Mode of transportation and holding: It may be necessary to hold otters for a short time in small cages (2 hours or less) to observe initial reaction to transmitter attachment. Cages with screened floors will be used to prevent pelage soiling by urine or excrement. It will not be necessary to feed the animals during these short term observations. In the event that long term observations become necessary, the otters will be transported in the same small cages to nearby permanent holding facilities operated by U.S. Fish and Wildlife Service in Prince William Sound.

d. Description of research project: See attached proposal (Attachment I).

6. Documentation for importation from foreign country: Not applicable.

7. I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

8. Desired effective date of permit: March 15, 1975 to March 14, 1976

9. Date of application: February 6, 1975

10. Signature of applicant:

DONALD B. SINIFF,
JOHN R. TESTER.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received within 30 days of the date of publication will be considered.

Dated: March 17, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement,
U.S. Fish and Wildlife
Service.

[FR Doc.75-7293 Filed 3-19-75; 8:45 am]

UNITED STATES BUTTERFLIES

Review of Status

Notice is hereby given that the Department of the Interior has evidence on hand to warrant a review of the following species of butterflies to determine whether they should be proposed for listing as either endangered or threatened species.

Scientific name	Common name	Where found
<i>Parnassius clodius strobbeeni</i>	Strohbeen's parnassian	California: Do.
<i>Anthocharis cethura catalina</i>	Catalina orange tip	Do.
<i>Euchloe hyantis andrewsi</i>	Andrews' marble	Do.
<i>Eurema dina dina</i>	Dina's yellow	Florida and Cuba.
<i>Euplychia mitchellii</i>	Mitchell's satyr	Indiana, New Jersey and Michigan.
<i>Ceryonis meadi alamosa</i>	Mead's satyr	Washington: Do.
<i>Oenonymus chryxus valerata</i>	Chryxus Arctid	Utah: Do.
<i>Speyeria nokomis nokomis</i>	Great Basin silverspot	California and Nevada: Do.
<i>Speyeria nokomis apacheana</i>	Apache silverspot	Do.
<i>Speyeria nokomis silocoria</i>	Mountain silverspot	Arizona: Do.
<i>Speyeria nokomis aserulescens</i>	Blue silverspot	Arizona, New Mexico and Mexico. Do.
<i>Speyeria zerene myrtilae</i>	Myrtle's silverspot	California: Do.
<i>Speyeria zerene hippolyta</i>	Minute checkerspot	Oregon: Do.
<i>Speyeria adiate adiate</i>	Unsilvered fritillary	California: Do.
<i>Speyeria adiate clemencei</i>	Clemence's fritillary	Do.
<i>Speyeria adiate atossa</i>	Atossa fritillary	Do.
<i>Speyeria egleia tehachapina</i>	Tehachapi Mountain silverspot	Do.
<i>Euphydryas editha wrighti</i>	Wright's checkerspot	Do.
<i>Euphydryas editha monoensis</i>	Mono checkerspot	Do.
<i>Poladryas minus</i>	Minute checkerspot	Texas: Do.
<i>Limenitis archippus oboletus</i>	Obsolete viceroys	Arizona, California, and Nevada. Do.
<i>Eumacrus atala florida</i>	Atala	Arizona and Cuba. Do.
<i>Callophrys moosi bayensis</i>	San Bruno elfin	California: Do.
<i>Callophrys moosi doudoroffi</i>	Doudoroff's elfin	Do.
<i>Callophrys moosi winds</i>	Wind's elfin	Do.
<i>Callophrys lanorataensis</i>	Box elfin	Maine and Canada. Do.
<i>Callophrys hesseli</i>	Hessel's hairstreak	Connecticut, Delaware, Maryland, Carolina and Virginia. Do.
<i>Yapa blackburni</i>	Hawaiian hairstreak	Hawaii: Do.
<i>Lycena arctia nubila</i>	Clouded tailed copper	California: Do.
<i>Lycoides melissa samuelis</i>	Karner blue	New York and Canada. Do.
<i>Lycoides argyrognomon lotis</i>	Lotis blue	California: Do.
<i>Icaricia icarioides missionensis</i>	Mission blue	Do.
<i>Icaricia icarioides pheres</i>	Pheres blue	Do.
<i>Icaricia icarioides morensis</i>	Moro Bay blue	Do.
<i>Philotas enoplos smithi</i>	Smith's blue	Do.
<i>Philotas battoides</i> (El Segundo Population)	El Segundo blue	Do.
<i>Apodemia mormo langei</i>	Lange's metalmark	Do.
<i>Stallingsia maculosa</i>	Maculated manfreda skipper	Texas: Do.
<i>Megathymus coloradensis kendalli</i>	Kendall's yucca skipper	Do.
<i>Hesperia dakotae</i>	Dakota skipper	Iowa, Minnesota, South Dakota, and Canada. Do.
<i>Problema tulenta</i>	Rare skipper	Georgia, North Carolina, South Carolina, and Virginia. Do.
<i>Panoquina panoquinoides errans</i>	Salt marsh skipper	California and Mexico. Do.

The Department is seeking the views of the Governors of Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Indiana, Iowa, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, South Carolina, South Dakota, Texas, Utah, Virginia and Washington and all foreign countries (Canada, Cuba and Mexico) where these species of butterflies are found. Other interested parties are hereby invited to submit any factual information, including publications and written reports, which is germane to this status review.

Such information should be submitted on or before June 18, 1975 to: Director, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

LYNN A. GREENWALT,
Director.

MARCH 14, 1975.

[FR Doc.75-7253 Filed 3-19-75; 8:45 am]

Geological Survey
UTAH

Known Geothermal Resources Area;
Correction

The described lands appearing on page 8234 in the FEDERAL REGISTER of Janu-

ary 20, 1975 are hereby corrected; described lands as follows are deleted:

(44) UTAH

THERMO HOT SPRINGS KNOWN GEOTHERMAL
RESOURCES AREA

Salt Lake Meridian

T. 30 S., R. 11 W.,
Secs. 31 and 32.

The appropriate land office of the Bureau of Land Management has been notified.

Dated: March 11, 1975.

WILLIAM H. FELDMILLER,
Acting Conservation Manager,
Central Region.

[FR Doc.75-7273 Filed 3-19-75; 8:45 am]

Office of the Secretary

[INT DES 75-12]

KA-LOKO, HONO-KO-HAU NATIONAL
CULTURAL PARK, HAWAII

Availability of Draft Environmental
Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a draft environmental statement for the

proposed Ka-loko, Hono-ko-hau National Cultural Park, Hawaii.

The statement considers the proposal to establish a Ka-loko, Hono-ko-hau National Cultural Park in the State of Hawaii. The park will consist of approximately 650 acres of land and 750 acres of offshore water area on the North Kona Coast of the Island of Hawaii. Measures to help preserve the fabric of Hawaiian culture will be accomplished through stabilization and restoration of historical sites, educational and training programs, and cultural demonstrations. Major facilities will include a visitor orientation center and a cultural center for Hawaiian participants.

Written comments on the environmental statement are invited and will be accepted for a period of sixty (60) days following publication of this notice. Comments should be addressed to the Hawaii State Director at the address given below.

Copies are available from or for inspection at the following locations:

Western Regional Office, National Park Service, 450 Golden Gate Avenue, P.O. Box 38063, San Francisco, California 94102.

Los Angeles Field Office, New Federal Building, Room 2202, 300 North Los Angeles Street, Los Angeles, California 90012.

Hawaii State Office, Pacific International Bldg., 677 Ala Moana Boulevard, Suite 512, Honolulu, Hawaii 95813.

Dated: March 14, 1975.

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

[FR Doc.75-7238 Filed 3-19-75; 8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A082,
Amdt. 8]

MISSOURI

Designation of Emergency Areas

The Secretary of Agriculture has found that an additional general need for agricultural credit exists in Howard County, Missouri. The Secretary has found that this additional need exists as a result of a natural disaster consisting of an early freeze October 1 and 2, 1974.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Christopher S. Bond that such designation be made.

Applications for Emergency loans must be received by this Department no later than May 9, 1975, for physical losses and July 18, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the

NOTICES

designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 14th day of March, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-7325 Filed 3-19-75;8:45 am]

[Notice of Designation Number A168]

MISSOURI

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in five counties in Missouri as a result of various adverse weather conditions. The following chart shows the counties, natural disasters, and dates on which the disasters occurred:

MISSOURI—5 COUNTIES, 1974

County	Excessive rainfall	Freeze	Drought	Hailstorm
Adair		Sept. 22 and Oct. 2		Aug. 12
Jackson		Oct. 1 and 2	June 10 to Aug. 15	
Marion		Sept. 30 to Oct. 2		
Pbelps	Mar. 1 to June 10	Mar. 23 and 24		
Pulaski	do	do	June 10 to Aug. 15	

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Christopher S. Bond that such designation be made.

Applications for Emergency loans must be received by this Department no later than May 9, 1975, for physical losses and December 11, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 14th day of March, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-7326 Filed 3-19-75;8:45 am]

[Notice of Designation Number A169]

TENNESSEE

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the five counties in Tennessee as a result of various adverse weather conditions. The following chart shows the counties, natural disasters, and dates on which the disasters occurred:

TENNESSEE—5 COUNTIES, 1974

County	Excessive rainfall	Drought	Abnormally cool weather	Frost	Cool weather and heavy frost
Benton	Mar. 15 to June 7			Oct. 2	
Hardin	Apr. 1 to June 17	July 1 to July 17	Aug. 6 to Aug. 31	do	
McNairy	do	do	do	do	
Shelby	July 15 to Sept. 1	June 15 to July 15		do	Nov. 15 to Nov. 29
White	Mar. 15 to June 3	June 4 to Aug. 9		do	

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Ray Blanton that such designation be made.

Applications for Emergency loans must be received by this Department no later than May 9, 1975, for physical losses and December 11, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 14th day of March, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-7327 Filed 3-19-75;8:45 am]

Food and Nutrition Service

CASH IN LIEU OF COMMODITIES

Value of Donated Commodities for Fiscal Year 1975

Section 6(b) of the National School Lunch Act, as amended (7 U.S.C. 1755 (b)), and the regulations governing cash-in-lieu of commodities (7 CFR Part 240) require the Secretary to make an estimate as of February 15, of each fiscal year of the value of agricultural commodities and other foods that will be

delivered during that fiscal year to States for school food service programs. These foods are made available under section 6(a) of the National School Lunch Act, as amended, section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431), and section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c). If the estimated value is less than 90 percent of the value of deliveries initially programmed for the fiscal year, the Secretary is required to pay to State educational agencies an amount of funds equal to the difference between the value of food deliveries initially programmed and the estimated value, as of February 15, of commodities and other foods to be delivered during the fiscal year. If payments are required, they must be made by March 15 of the same fiscal year.

Section 6(e) of the National School Lunch Act, as amended (7 U.S.C. 1755 (e)), requires a minimum national average value per lunch of donated foods, or cash payments in lieu thereof. For fiscal year 1975, this national average value is established at 10 cents per lunch.

In accordance with these requirements, notice is hereby given that the Secretary has completed the estimate required under section 6(b) and has determined that the value of commodities and other foods that will be delivered to school food service programs during fiscal year 1975 is not less than 90 percent of the value of the deliveries initially programmed for this fiscal year. The Secretary has also determined that the value of commodities and other foods that will be delivered to school food service programs during fiscal year 1975 is not less than the product obtained by multiplying 10 cents by the number of lunches that the Secretary estimates will be served during fiscal year 1975. Therefore there will be no cash payments under section 6(b) for fiscal year 1975.

Dated: March 17, 1975.

JOHN DAMGARD,
Assistant Secretary.

[FR Doc.75-7282 Filed 3-19-75;8:45 am]

Forest Service

LANDMARK PLANNING UNIT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Landmark Planning Unit, Boise National Forest, Idaho. The Forest Service report number is USDA-FS-DES (Adm) R4-75-14.

The environmental statement identifies and evaluates the probable effects of the land use plan for the Landmark Planning Unit on the Boise National Forest, Idaho. The purpose of the plan is to allocate National Forest lands

within the unit to specific resource uses and activities; establish management objectives; document management direction, management decisions, and necessary coordination between resource uses and activities; and provide for the protection, use, and development of the various resources within the planning unit. The plan provides for minimization of adverse effects and maximization of desirable effects. Significant areas will remain undeveloped with options for future management remaining open.

This draft environmental statement was transmitted to CEQ on March 13, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave., SW, Washington, D.C. 20250.

Regional Planning Office, USDA, Forest Service, Federal Building, Room 4403, 324 26th Street, Ogden, Utah 84401.

Forest Supervisor, Boise National Forest, 1075 Park Boulevard, Boise, Idaho 83706.

District Forest Ranger, Cascade Ranger District, Cascade, Idaho 83611.

A limited number of single copies are available upon request from Forest Supervisor Edward C. Maw, Boise National Forest, 1075 Park Boulevard, Boise, Idaho 83706.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Edward C. Maw, Boise National Forest, 1075 Park Boulevard, Boise, Idaho 83706. Comments must be received by May 12, 1975, in order to be considered in the preparation of the final environmental statement.

Dated: March 13, 1975.

VERN HAMRE,
Regional Forester.

[FR Doc.75-7309 Filed 3-19-75;8:45 am]

TCHOUTACABOUFFA UNIT PLAN Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Tchoutacabouffa Unit Plan, DeSoto National Forest, Mississippi, USDA-FS-R8-DES (Adm.)-75-15.

The Tchoutacabouffa Unit is on the the Biloxi Ranger District, DeSoto Na-

tional Forest, located in Harrison, Jackson and Stone Counties, Mississippi. The unit contains 40,163 acres of National Forest land. Management actions include a proposal to establish four botanical areas and management of habitat for two endangered species—the Red Cockaded Woodpecker and the Mississippi Sandhill Crane.

The draft environmental statement was transmitted to CEQ on March 14, 1975. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Rm. 3230
12th St. & Independence Ave., SW
Washington, DC 20250

USDA, Forest Service
1720 Peachtree Rd., NW, Rm. 804
Atlanta, GA 30309

USDA, Forest Service
Biloxi Ranger District
Rt. 1, Box 62
McHenry, Mississippi 39561

A limited number of single copies are available upon request to Forest Supervisor Leonce Cambre, National Forests in Mississippi, Box 1291, Jackson, MS 39205.

Copies of the environmental statement have been sent to various Federal, State and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Leonce Cambre, National Forests in Mississippi, Box 1291, Jackson, MS 39205. Comments must be received by May 13, 1975 in order to be considered in the preparation of the final environmental statement.

Dated: March 14, 1975.

DAVID F. JOLLY,
Regional Environmental
Coordinator.

[FR Doc.75-7310 Filed 3-19-75;8:45 am]

TONGASS NATIONAL FOREST

Land Use Plan and Draft Environmental Statement; Extension of Time

This draft environmental statement, USDA-FS-DES (Adm) R10-75-05, was filed with CEQ on January 13, 1975. Seventy days were allowed for review and comment. The review period is now extended to 102 days.

The due date for comments to be received is now April 25, 1975. Comments concerning the proposed action and requests for additional information should be addressed to Regional Forester, C. A.

Yates, U.S. Forest Service, Federal Office Building, Juneau, Alaska 99802.

C. A. YATES,
Regional Forester Alaska Region.

MARCH 12, 1975.

[FR Doc.75-7258 Filed 3-19-75;8:45 am]

Soil Conservation Service GERING VALLEY WATERSHED PROJECT, NEBRASKA

Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; § 1500.6(e) of the Council of Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and § 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Gering Valley Watershed Project, Scotts Bluff County, Nebraska.

The environmental assessment of this federal action indicated that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Wilson J. Parker, State Conservationist, Soil Conservation Service, USDA, 134 South 12th Street, Room 604, Lincoln, Nebraska 68508, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement include conservation land treatment supplemented by 34.2 miles of channel improvement (primarily improvement of manmade drains for irrigated cropland) and 0.5 mile of dike.

The environmental assessment file is available for inspection during regular working hours at the following location: Soil Conservation Service, 134 South 12th Street, Room 604, Lincoln, Nebraska 68508.

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until March 19, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: March 12, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water
Resources, Soil Conservation
Service.

[FR Doc.75-7256 Filed 3-19-75;8:45 am]

JORDAN CREEK WATERSHED PROJECT, INDIANA

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of

1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Jordan Creek Watershed Project, Warren County, Indiana, USDA-SCS-EIS-WS-(ADM)-75-2-(D)-IN.

The environmental impact statement concerns a plan for watershed protection, flood prevention, drainage, erosion control, and land and water management. The planned works of improvement include conservation land treatment supplemented by channel work. Structural measures will consist of approximately 12.2 miles of multiple-purpose flood prevention and drainage channel work in a flatland agricultural area. This work will be enlargement, deepening, and minor realignment. All work will be performed on manmade or modified channels of which 1.9 miles is considered as having perennial flow and the balance intermittent or ephemeral. Other structural measures consist of approximately 14.7 miles of new or reconstructed open ditches, 46.7 miles of surface drains, 5.1 miles of grassed waterway construction, 19.8 miles of tile in conjunction with surface drains and grassed waterways, and approximately 50 grade stabilization structures to provide controlled inlets for grassed waterways and surface drains into main channel and improved open ditches. Also, about 1.5 miles of debris removal on Jordan Creek main channel is included.

A limited supply of copies is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, 5610 Crawfordville Road, Suite 2200, Indianapolis, Indiana 46224.

Copies of the draft environmental impact statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to Cletus J. Gillman, State Conservationist, Soil Conservation Service, 5610 Crawfordville Road, Suite 2200, Indianapolis, Indiana 46224.

Comments must be received on or before May 15, 1975, in order to be considered in the preparation of the final environmental impact statement.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: March 13, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water
Resources, Soil Conservation
Service.

[FR Doc.75-7255 Filed 3-19-75;8:45 am]

REVOLON WATERSHED PROJECT, CALIFORNIA

Negative Declaration

Pursuant to section 102(C) of the National Environmental Policy Act of 1969, and § 1500.8(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and § 650.8(b) (3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Revolon Watershed Project in southern Ventura County, California.

The environmental assessment of the federal action indicates that the portion of the project remaining to be installed will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. George H. Stone, State Conservationist, Soil Conservation Service, USDA, P.O. Box 1019, Davis, California 95616, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The 17,700 acre Revolon project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement as described in the negative declaration include conservation land treatment measures to control erosion and reduce sedimentation and runoff; and structural measures including 1.96 miles of channel enlargement and 2.73 miles of rectangular, concrete lined channel.

The environmental assessment file is available for inspection during regular working hours at the following locations:

Soil Conservation Service, 3380 Somis Road, Somis, California 93066.
Soil Conservation Service, 2828 Chiles Road, Davis, California 95616.

Requests for the negative declaration should be addressed to one of the above addresses.

No administrative action on implementation of the uncontracted project work will be taken until March 19, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: March 13, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water
Resources, Soil Conservation
Service.

[FR Doc.75-7257 Filed 3-19-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[Order No. 42-1]

DIRECTORATE OF ADMINISTRATIVE MANAGEMENT

Organization and Function Order

This order effective February 28, 1975
supersedes the material appearing at 38

FR 12762 of May 15, 1973; 39 FR 2781 of January 24, 1974; 39 FR 20624 of June 12, 1974; 39 FR 26925 of July 24, 1974; and 39 FR 35695 of October 3, 1974.

SEC. 1. *Purpose.* This order delegates authority to the Deputy Assistant Secretary for DIB, to direct administrative functions and prescribes the organization and functions of the Directorate of Administrative Management. (DAM)

SEC. 2. *Delegation of Authority.* .01 Subject to such policies, directives, and delegations of authority as may be issued by the Secretary of Commerce and by the Assistant Secretary for Domestic and International Business, and in accordance with applicable Department Organization Orders and Department Administrative Orders, the Deputy Assistant Secretary for DIB is hereby delegated the authorities of the Assistant Secretary as necessary to provide for all administrative management activities and direct administrative activities conducted by DAM for all operating units in the Domestic and International Business Administration.

.02 The Deputy Assistant Secretary for DIB may redelegate authorities to any employee of the Directorate of Administrative Management subject to such conditions in the exercise of such authority as he may prescribe.

SEC. 3. *Organization and Line of Authority.* .01 The Directorate of Administrative Management shall be directed by the Deputy Assistant Secretary for DIB.

.02 The Directorate of Administrative Management shall consist of the following organizational elements:

Office of Personnel.
Office of Management and Systems.
Office of Administrative Support.
Office of Budget.

.03 The organization structure and line of authority of the Directorate of Administrative Management ("DAM") shall be as depicted in the attached organization chart. A copy of the chart is on file with the original of this document in the Office of the Federal Register.

SEC. 4. *Office of Personnel.* .01 The Office of Personnel shall be headed by a Director who shall plan, coordinate and conduct the Personnel Management Program for the Domestic and International Business Administration, advise on personnel policy and procedures, and employee development and utilization; maintain official personnel records for all DIBA employees; monitor utilization of assigned ceiling for DIBA; interpret personnel policies and procedures established by higher authority, and act as liaison with the Department's Office of Personnel. The Director will head the following operating units:

.02 The Employment Division shall plan and coordinate DIBA-wide programs of recruitment, merit promotion, placement and related matters; implement affirmative action and equal employment opportunity policy.

.03 The Employee Relations and Compensation Division shall plan and

coordinate DIBA-wide programs of employee performance evaluation, position classification and related matters, employee grievances and appeals, employee recognition and incentives, employee and supervisory counseling, equal employment opportunity counseling, employee welfare and benefits, personnel planning for emergency readiness, and labor-management relations.

.04 The Employee Development Division shall plan and coordinate DIBA-wide programs in the areas of career development and training, employee utilization, and related matters.

SEC. 5. Office of Management and Systems.

.01 The Office of Management and Systems shall be headed by a Director who shall plan, coordinate and direct all management and systems programs for the Domestic and International Business Administration and act as liaison with the Department's Office of Organization and Management Systems. The Office of the Director will administer the following programs: (1) liaison for GAO and Departmental audit reports, surveys, and inquiries; (2) planning and coordination for DIBA's emergency readiness functions; (3) the DIBA records management program, and (4) the reports management program including coordination of selected periodic reports.

.02 The Information Systems Division shall develop, implement, and maintain program management information systems to provide manpower, cost, and accomplishment data for all DIBA programs and organizational components; meet internal DIBA management information needs through the preparation of regularly scheduled and demand reports on progress toward DIBA program objectives; perform program analysis, monitor operations, and prepare input for the system; assist DIBA officials in the development of program impact measures; and respond to program progress information requests from outside DIBA.

.03 The Systems Management Division coordinates and directs planning, analysis, development, design and evaluation of Domestic and International Business Administration systems; conducts or coordinates feasibility studies of proposed ADP systems and microform applications and equipment needs and usage; provides management coordination and control, technical guidance, assistance and support to all DIBA elements with regard to systems, data communications, data processing and data retrieval; designs, evaluates, develops, and installs the application of all systems to DIBA operations; and develops an integrated DIBA data base. The Division is responsible for establishment of production schedules for and maintenance of operational automated systems, and for the maintenance of systems documentation and support for all new and existing automated systems. The Division reviews, evaluates, approves and coordinates the acquisition and use of all DIBA ADP word processing and

microform equipment and support services; is responsible for the preparation and submission of ADP planning, budgeting and evaluation information as required by DIBA, the Department and by other Federal agencies; and is the point-of-contact within DIBA for all ADP and systems questions and consultations.

.04 The Management Analysis Division shall conduct studies and surveys to effect improved management practices, manpower distribution, organization alignments, procedures and work methods; review and coordinate all proposed organizational changes; administer the DIBA forms management program; perform the committee management function; and maintain a system for the issuance of all DIBA Announcements, Administrative Instructions, Organization and Function Orders, Delegations of Authority and other issuances prepared for the administration of DIBA.

SEC. 6. Office of Administrative Support.

.01 The Office of Administrative Support shall be headed by a Director who shall plan and direct all administrative services for DIBA operating units and maintain liaison with the Department's Office of Administrative Services and Procurement. The Office of the Director will administer the following elements and functions:

a. The Travel Staff shall provide comprehensive travel services for DIBA personnel which shall include itinerary plans, modes of travel, reservations for transportation, security clearances, tickets, passports and visas, hotel accommodations for international travel, and where possible, domestic hotel reservations. The Travel Staff shall serve as liaison with the Department's Travel unit, the Passport Office, the Central Accounting Division, and any other organizations necessary to making travel arrangements.

b.(1) Security program including document and physical security. The Director is the DIBA Security Officer. (2) Safety program including assuring safe working conditions and accident reporting. The Director is the DIBA Safety Officer. (3) Issuance of Building Passes, Credentials, Civil Defense Identification Cards, and Door Keys.

.02 The Communications Management Division shall analyze and assign action on all incoming overseas correspondence; dispatch all outgoing Commerce correspondence to overseas establishments; receive, sort, and distribute all correspondence; receive, log, control, and distribute all classified and registered documents from NATO, the Department of State, other Federal agencies and the Foreign Service posts. In addition, the Division includes the DIBA Secretariat which is responsible for correspondence control, including review, assignment of responsibility and follow-up; special messenger service; and distribution of bulk material including newspapers and Departmental and DIBA bulk mailings.

.03 The Acquisition and Facilities Division processes procurement requests

for all furniture, furnishings, and office equipment; processes request for subscriptions and publications; arranges for the purchase of office supplies; processes requests for rental and lease equipment; processes requests for printing; approves requests for driver permits; arranges for repair of office equipment; maintains an inventory of furniture, furnishings, and office equipment; provides payroll services for DIBA; plans, organizes, reviews and controls DIBA space; provides DIBA organizations with space in the Main Commerce Building and contracts for Field Office space in accordance with staffing requirements and GSA guidelines; designs office layouts and arranges for improvement of office appearance and working conditions in accordance with the Office Excellence Program; provides liaison and coordination of requests for telephones, electrical service, alterations and renovations with Office of the Secretary, Office of Administrative Services and Procurement and GSA; and arranges for and supervises all moves of furniture, furnishings and equipment within DIBA.

SEC. 7. Office of Budget.

.01 The Office of Budget shall be headed by a Director who shall be the DIBA Budget Officer and who shall plan, coordinate and direct the budget and program planning functions of DIBA including the obligation and expenditure of DIBA appropriations and funds; the collection of contributions and receipts, approval of reimbursable agreements and agreements for special statistical studies; interpret budgetary and financial procedures established by higher authority and maintain liaison with counterpart budget, program analysis and fiscal offices in the Office of the Secretary, the Office of Management and Budget, and, as necessary, other Federal agencies. The Director will head the following operating units:

.02 The Program Planning and Analysis Division which shall: analyze and evaluate DIBA programs and program plans; assist DIBA organizations to develop and improve program plans, including statements of objectives, and indicators of outputs, results, workload and accomplishments; coordinate and oversee the MBO process within DIBA; coordinate or prepare program issue and evaluation studies and analyses; coordinate Budget participation in DIBA's PMIS; develop, in conjunction with the Budget Formulation and Operations Division, recommended program and resource guidance for use by program managers; coordinate the issuance of budget system instructions and, in conjunction with other Budget divisions, prepare analyses and make recommendations to DIBA officials.

.03 The Budget Formulation and Operations Division which shall: carry out the activities necessary to formulate and execute the DIBA budget including development of the program/budget structure and coding pattern; prepare Preview, Secretarial, Presidential, and Congressional budget materials; prepare

witnesses to testify on budget requests, and complete materials for hearing transcripts; assist DIBA officials to prepare resource utilization plans (for funds, manpower, and accomplishment units); prepare, approve, and transmit apportionment requests, allotments, monthly and quarterly fiscal plans, cost-based operating budgets, overseas direct project budget authorizations, and advices of fund availability; recommend action on Budget requests, operating budgets, program tables, reprogramming requests, and other budgetary items; negotiate and prepare reimbursable agreements; and prepare in conjunction with other budget divisions, recommendations and analyses of DIBA budget requests and resource status for DIBA officials.

.04 The Funds Management and Reports Division which shall: assure administrative control over the obligation and expenditure of DIBA appropriations and other funds; collect and deposit contributions and receipts; review obligating documents for financial coding and fund availability; prepare monthly reports on the status of resource utilization; assure, in cooperation with other budget divisions, current validity of operating budgets, plans, and other documents; recommend and control the use of hospitality, representation, and other fund limitations in DIBA accounts; prepare billings against reimbursable agreements; prepare required reports on manpower and employment ceilings; prepare special reports on funds and expenditures as required; maintain liaison with the Central Accounting Division; and review any account, document, or resource report for budgetary implications and make necessary recommendations to DIBA officials.

SEC. 8. Effect on other orders. This Order supersedes DIBA Organization and Function Orders 42-1 of April 30, 1973, as amended and 42.2 of January 2, 1974, as amended.

Effective: February 28, 1975.

TILTON H. DOBBIN,
Assistant Secretary for Domestic
and International Business.

[FR Doc. 75-7260 Filed 3-19-75; 8:45 am]

[Order No. 41-1]

OFFICE OF THE ASSISTANT SECRETARY Organization and Functions

This order effective March 6, 1975 supersedes the material appearing at 39 FR 2780 of January 24, 1974 and 39 FR 18490 of May 28, 1974.

Section 1. *Purpose.* This order prescribes the scope of authority and functions of the organizations making up the Office of the Assistant Secretary for Domestic and International Business.

Sec. 2. *Organization.* The Office of the Assistant Secretary for Domestic and International Business will consist of the following:

The Deputy Assistant Secretary for Domestic and International Business—Office of Public Affairs; Office of Field Operations;

and Directorate of Administrative Management.

Sec. 3. The Deputy Assistant Secretary for Domestic and International Business. The Deputy Assistant Secretary for Domestic and International Business shall perform such duties as the Assistant Secretary shall assign and shall assume the duties of the Assistant Secretary in the latter's absence. .01 In addition the following specific authorities delegated to the Assistant Secretary for Domestic and International Business by the Secretary of Commerce are hereby delegated to the Deputy Assistant Secretary for Domestic and International Business:

a. The Defense Production Act of 1950, as amended (50 U.S.C. App. 2061, et seq.) conferred on the Secretary under Executive Order 10480, dated August 14, 1953, as amended, except authority with respect to transportation facilities and the creation of new agencies within the Department of Commerce;

b. Executive Order 11490 of October 28, 1969, as it relates to the development of national emergency preparedness plans and programs concerning production functions;

c. The National Security Act of 1947 (50 U.S.C. 401 et seq.) as amended, as it relates to mobilization preparedness, responsibilities assigned thereunder;

d. The Strategic and Critical Materials Stockpiling Act, (50 U.S.C. 98-98h), as amended, with respect to the acquisition of stocks of materials for defense purposes;

e. Executive Order 11179 of September 22, 1964, with respect to the establishment and training of the National Defense Executive Reserve; and

f. Executive Order 10421 of December 31, 1952, providing for the physical security of facilities important to the national defense.

.02 For the purpose of the authorities delegated in Section .01 a.-f. above, the Deputy Assistant Secretary for Domestic Commerce shall report to the Deputy Assistant Secretary for Domestic and International Business, and shall serve as his deputy and act in his absence.

.03 The Deputy Assistant Secretary for Domestic and International Business may exercise other authorities of the Assistant Secretary in the direction of the Office of Public Affairs, the Office of Field Operations and the Directorate of Administrative Management. (The organization and functions of DAM are contained in DIBA Organization and Function Order 42-1.)

.04 The Deputy Assistant Secretary for Domestic and International Business may redelegate his authority subject to such conditions in the exercise of such authority as he may prescribe.

Sec. 4. The Office of Public Affairs. .01 The Office of Public Affairs shall be headed by a *Director* who shall report and be responsible to the Deputy Assistant Secretary for Domestic and International Business. The Director will be responsible for furnishing public affairs and information services to the Domestic and International Business Administra-

tion organization units and will head the following organizational components.

.02 The Public Information Division shall develop long-range plans, programs and goals; develop, prepare, clear and release press releases; develop graphic presentations, scripts and record material for distribution; draft speeches and public statements; develop speaking forums for DIBA officials designed to support Departmental and Administration objectives; perform editorial services including research and editorial assistance in the preparation and publication of technical articles; and maintain mailing lists, biographical data, business information and other reference material.

.03 The Communication Services Division shall assist in the development of Domestic and International Business Administration publications including gathering of material, writing, and preparation for printing; promote DIBA publications; prepare and arrange for placement of display and advertising for DIBA promotional events in the U.S. and abroad; maintain liaison with the Department's Office of Publications and the Government Printing Office and with other Government agencies concerned with DIBA reports and publications.

Sec. 5. The Office of Field Operations.

.01 The *Office of Field Operations* shall be headed by a *Director*, who shall report and be responsible to the Deputy Assistant Secretary for Domestic and International Business. The Director shall plan and direct the execution of policies and programs of the Office which shall serve as the principal medium of contact with the business community at local levels, through six Regional Offices with subordinate District Offices located in principal cities throughout the country. A Deputy Director shall assist in the direction of the Office and perform the functions of the Director in the latter's absence. The Office of the Director shall plan, direct, control and evaluate effectiveness of the field implementation of DIBA programs and the business-related programs of other Commerce organizations; and shall be responsible for assisting DIBA Bureaus and other Commerce organizations in the planning and design of business information. Field implementation includes the delivery of export information and related business aids; the conduct of domestic marketing and business reference services, including publication of the Commerce Business Daily and guidance and direction of Federal Preparedness Programs, Crisis Management and Emergency Operations. The Office of the Director also shall be responsible for issuing and maintaining the Field Operations Manual and for the necessary administrative liaison between the Directorate of Administrative Management for DIBA, and the field structure. The Director shall head the following organizational components:

.02 Regional Offices covering the 50 States and the Commonwealth of Puerto Rico, divided into six geographic areas, shall be staffed with a Regional Director, a Regional Export Marketing Manager

and such other support personnel as may be allocated and shall be responsible, within the guidelines and priorities established by the Director, Office of Field Operations, for management, direction and coordination of export expansion, domestic informational services and related activities carried out by the District Offices within its Region. Each Regional Office also shall be responsible for overall management and coordination of resources allocated to the District Offices within the Region, for preparation of consolidated reports, and for the coordination of such training and career development programs as may be directed by the Office of Field Operations. Each Regional Office shall also carry out the functions of a District Office as listed in § 5.03.

.03 Each District Office under the direction of a District Office Director shall serve as the Department's principal medium of contact with the business community within its area. Under guidelines and priorities established by the Director, Office of Field Operations, and the Regional Directors, District Offices shall ascertain the needs and desires for information and assistance relevant to the private economy that fall within the scope of Commerce's responsibilities; deliver to business and industry export promotion and expansion programs, information, and services; maintain and operate domestic informational services and related activities; and effect support and multiplier activities with business and professional organizations, state and local government agencies, educational institutions, and other appropriate organizations. In addition, District Office Directors designated as Regional Emergency Coordinators shall, in coordination with the appropriate Commerce Regional Director (section .02 above), execute such Federal Preparedness Planning, Crisis Management and Emergency Operations as are outlined in D.O.O. 40-1, § 4.01(e), and as may be directed by the Department. (See Appendix "A" for the locations of Regional and District Offices.)

SEC. 6. Administrative Support Services. Pursuant to DIBA Organization and Function Order 42-1 the Directorate of Administrative Management, Domestic and International Business Administration shall provide management, budget, personnel, travel and administrative services to all elements of the Office of the Assistant Secretary for Domestic and International Business.

SEC. 7. Effect on other issuances. This order supersedes DIBA Organization and Function Order 41-1 of December 19, 1973, as amended.

Effective: March 6, 1975.

TILTON H. DOBBIN,
Assistant Secretary for Domestic
and International Business.

APPENDIX A

OFFICE OF FIELD OPERATIONS

LOCATIONS OF REGIONAL AND DISTRICT OFFICES

EASTERN REGIONAL OFFICE
New York City

District Offices

Boston
Buffalo
Hartford
Newark
San Juan, P.R.

MID-ATLANTIC REGIONAL OFFICE

Philadelphia

District Offices

Baltimore
Charleston, W. Va.
Pittsburgh
Richmond

SOUTHEASTERN REGIONAL OFFICE

Atlanta

District Offices

Birmingham
Columbia, S.C.
Greensboro
Memphis
Miami
Savannah

NORTH CENTRAL REGIONAL OFFICES

Chicago

District Offices

Cincinnati
Cleveland
Detroit
Indianapolis
Milwaukee
Minneapolis

CENTRAL REGIONAL OFFICE

Dallas

District Offices

Albuquerque
Cheyenne
Denver
Des Moines
Houston
Kansas City
New Orleans
St. Louis
Salt Lake City

WESTERN REGIONAL OFFICE

San Francisco

District Offices

Anchorage
Honolulu
Los Angeles
Phoenix
Portland
Reno
Seattle

[FR Dec.75-7259 Filed 3-19-75;8:45 am]

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health
Administration

EPIDEMIOLOGIC STUDIES REVIEW
COMMITTEE

Meeting

The Acting Administrator, Alcohol, Drug Abuse, and Mental Health Administration, announces the meeting date and other required information for the following National Advisory body scheduled to assemble the month of April 1975:

Epidemiologic Studies Review Committee

April 10-11, 2:00 p.m.

Room 1435, Graduate Center, 33 West 42nd Street, New York, New York

Open—April 10, 2-3 p.m.; Closed—Other-
wise

Contact Dr. Shirley Reff-Margolis, Parklawn Bldg., Rm. 10C-09

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3774

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Men-

tal Health, Division of Extramural Research Programs, Center for Epidemiologic Studies, relating to research and training activities and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 2 to 3 p.m., April 10, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Acting Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. App. I).

Substantive information may be obtained from the contact person listed above.

The NIMH Information Officer who will furnish summaries of the meeting and rosters of the committee members is Mr. Edwin Long, Deputy Director, Division of Scientific and Technical Information, NIMH, Room 15-105, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, Telephone No. 443-3600. Dated: March 17, 1975.

CAROLYN T. EVANS,
Committee Management Officer,
Alcohol, Drug Abuse, and
Mental Health Administration.

[FR Dec.75-7285 Filed 3-19-75;8:45 am]

Food and Drug Administration

[DESI 7864; Docket No. FDC-D-679;
NDA 7-864 etc.]

CERTAIN VAGINAL PREPARATIONS

Withdrawal of Approval of New Drug
Applications

A notice of opportunity for hearing (DESI 7864) was published in the FEDERAL REGISTER of August 16, 1974 (39 FR 29607) pursuant to the evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, in which Director of the Bureau of Drugs proposed to issue an order withdrawing approval of the new drug applications for certain vaginal preparations. The basis of the proposed action was the lack of substantial evidence that the products are effective for their labeled indications. The products are used in the treatment of certain vaginal infections. Since the holders of the following applications did not contest the proposal, approval of their new drug applications is now being withdrawn.

1. NDA 7-864; Milibis Suppositories containing glycolborsol; formerly marketed by Winthrop Laboratories, Division of Sterling Drug, Inc., 90 Park Avenue, New York, NY 10016.

2. NDA 12-730; Redoderlein containing viable Doderlein Bacilli; Fellows-Testagar, Inc., Division Fellows Medical Manufacturing Co., 12741 Capital Avenue, Oak Park, MI 48237.

3. That part of NDA 10-612 pertaining to Balarsen Solution 1 percent and Vaginal Suppositories containing arsthinol; formerly marketed by Endo Laboratories, Inc., Subsidiary of E. I. duPont de Nemours & Co.

1000 Stewart Ave., Garden City, Long Island, NY 11530.

4. NDA 8-327; Baculin Vaginal Tablets containing diiodohydroxyquin, phenylmercuric acetate, sodium lauryl sulfate, lactose, potassium alum, and papain; Amfre-Grant, Inc., 924 Rogers Avenue, Brooklyn NY 11226.

5. NDA 12-028; Cenaser Tablets and Powder containing aminacrine undecylenate, N-myristyl - 3 - hydroxybutylamine chloride, methylbenzethonium chloride, and succinic acid; Central Pharmaceutical Co., 116-128 East Third Street, Seymour, IN 47274.

6. NDA 11-074; Premarin H-C Vaginal Cream containing conjugated estrogens and hydrocortisone acetate; Ayerst Laboratories, Division American Home Products Corp., 685 Third Avenue, New York, NY 10017.

The notice of August 16, 1974 also included Balcort Solution and Vaginal Suppositories (NDA 10-612) containing arsthinol with hydrocortisone, and Broxolin Vaginal Cream (NDA 10-521) containing glycolbiarsol. As stated in that notice, approval of those new drug applications, or parts thereof, had been previously withdrawn on the ground of failure to submit required reports. The notice further stated that the holders of the NDA's for Milibis Suppositories (NDA 7-864) and Balarsen Solution 1% and Vaginal Suppositories (NDA 10-612) had previously voluntarily requested that their approval be withdrawn. The purpose of also including all of those drugs in the notice of opportunity for hearing of August 16, 1974 was to state that the conclusions described in the notice are applicable to identical, similar, or related products.

Ayerst Laboratories Division of American Home Products Corporation requested a hearing concerning Premarin-HC Vaginal Cream (NDA 11-074), but subsequently withdrew that request.

All drug products which are identical, related, or similar to any of the drug products named above, not the subject of an approved new drug application, are covered by the new drug applications reviewed and are subject to this notice (21 CFR 310.6). Any person who wishes to determine whether a specific product is covered by this notice should write the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance, (HFD-310), 5600 Fishers Lane, Rockville, MD 20852.

Also named in the notice of August 16, 1974 was NDA 11-754; Betadine Vaginal Gel containing providone-iodine; The Purdue Frederick Co., 99 Saw Mill River Road, Yonkers, NY 10701. The Purdue Frederick Co. requested a hearing concerning that drug product. Marketing of that product may continue pending a ruling on that request for hearing.

No other person filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes election by such persons not to avail themselves of the opportunity for a hearing.

The Director of the Bureau of Drugs, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and under authority delegated to him (21 CFR 2.121), finds that on the basis

of new information before him with respect to the drug products, evaluated together with the evidence available to him when the applications were approved, there is a lack of substantial evidence that the above listed drug products will have the effects they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

Therefore, pursuant to the foregoing finding, approval of the new drug applications (or if indicated above, those parts of the applications providing for the

drug products listed) and all amendments and supplements thereto, is withdrawn effective March 30, 1975.

Shipment in interstate commerce of the above products for which approval has been or is now being withdrawn, or any identical, related, or similar product, not the subject of an approved new drug application, will then be unlawful.

Dated: March 10, 1975.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.75-7283 Filed 3-19-75;8:45 am]

ADVISORY COMMITTEES

Meetings

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Ophthalmic Drugs Advisory Committee.	April 7, 9 a.m., Conference Room B, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open 9 a.m. to 2 p.m., closed after 2 p.m., Mary K. Bruch (HFD-140), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4310.

Purpose. Advises the Commissioner of Food and Drugs regarding safety and efficacy of drugs employed in the treatment of diseases and disorders of the eye.

Agenda. Open session: Presentations by FDA personnel on use of atropine or other cycloplegics and preferred labeling of these drugs in the long term treatment of childhood myopia with regard to (a) effect of excessive light exposure on retinal function, (b) effect of chronic paralysis of ciliary body on intraocular pressure and accommodations; evaluation of potential retinal and lens toxicity of new long term systemic anti-inflammatory medications for rheumatoid arthritis; Ocusert Pilocarpine drug delivery system (the effectiveness of the Ocusert system in producing adequate miosis to prevent or treat angle closure glaucoma compared to regular pilocarpine drops). Closed session: Discussion of NDA 17-654 Allergan Pharmaceuticals.

Committee name	Date, time, place	Type of meeting and contact person
2. Oncologic Drugs Advisory Committee.	April 17, 9 a.m., Conference Room B, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open 9 a.m. to 10 a.m., closed after 10 a.m., Cyrus H. Maxwell, M.D. (HFD-150), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4250.

Purpose. Reviews and evaluates all available data concerning the safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for the treatment of cancer.

Agenda. Open session: Discussion of cancer chemotherapy guidelines; sulfhydryl inhibitors as cancer therapeutic agents; Mitomycin (NDA 50-450); disposition of verbatim tapes; and comments and presentations by interested persons. Closed session: Summary of INDs and NDAs currently under investigation.

Committee name	Date, time, place	Type of meeting and contact person
3. Medical Radiation Advisory Committee.	April 19, 9 a.m., Room T-400, Bldg., 4, 12720 Twinbrook Pkwy., Rockville, Md.	Open—William S. Cole, M.D. (HFX-4), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-6220.

Purpose. Advises and consults with the Bureau of Radiological Health in the formulation of policy and the development of a coordinated program related to application of ionizing radiation in the healing arts.

Agenda. Discussion of radiological health aspects of mammography; subcommittee reports; and comments and presentations by interested persons.

Committee name	Date, time, place	Type of meeting and contact person
4. Subcommittee on MAO Inhibitors of the Psychopharmacological Agents Advisory Committee.	April 22, 10 a.m., Room 1409, FB-5, 200 C St. SW., Washington, D.C.	Open—Walter Sloboda (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3800.

Purpose. Reviews and evaluates all available data concerning the safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for use in the practice of psychiatry and related fields.

Agenda. Organization of subcommittee for the review of MAO inhibitors; review of charges to the subcommittee; and requirements for safety and efficacy of MAO inhibitors.

Committee name	Date, time, place	Type of meeting and contact person
5. Panel on Review of Miscellaneous Internal Drug Products.	April 27 and 28, 9 a.m., Conference Room K, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Closed April 27, open April 28, 9 a.m. to 10 a.m. closed April 28 after 10 a.m., Armond M. Welch (HFD-109), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

Purpose. Reviews and evaluates available data on the safety and effectiveness of active ingredients of currently marketed nonprescription drug products containing miscellaneous internal drug products.

Agenda. Closed session: Review of over-the-counter miscellaneous internal drug products under investigation. Open session: Comments and presentations by interested persons.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Foods and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory

matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing

the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: March 13, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.
[FR Doc. 75-7169 Filed 3-19-75; 8:45 am]

National Institute of Education
STATE DISSEMINATION GRANTS
PROGRAM

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 405 of the General Education Provisions Act, as amended, 20 USC 1221e, applications are being accepted from State educational agencies (SEA's) for grants under the State Dissemination Grants Program.

Applications must be received by the National Institute of Education, Proposal Clearinghouse, on or before April 28, 1975.

A. Applications sent by mail. An application sent by mail should be addressed as follows: National Institute of Education, Proposal Clearinghouse, Washington, D.C. 20208, Attention: NIE PA-75-1. An application sent by mail will be considered to be received on time by the Clearinghouse if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such calendar day is a Saturday, Sunday or Federal holiday, not later than the next following business day) as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by the mail room in Washington, D.C. of either the Department of Health, Education, and Welfare or the National Institute of Education. (In establishing the date of receipt, the Director of the Institute will rely upon the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department or the Institute).

B. Hand delivered applications. An application to be hand delivered must be taken to the Proposal Clearinghouse, Room 813, 1832 "M" Street, NW, Washington, D.C. Hand delivered applications will be accepted daily between the hours of 9 a.m. and 4:30 p.m., Washington, D.C. time, except Saturdays, Sundays and Federal holidays. Applications will not be accepted after 4:30 p.m. on the closing date April 28, 1975. A receipt will be issued upon acceptance of the application package.

C. Program information and forms. Information and application forms may be obtained from the Information and Communication Systems Division, Office of Dissemination and Resources, National Institute of Education, Room 711, 1200 19th Street, NW, Washington, D.C. 20208. Telephone 202-254-6575.

D. Applicable regulations. The regulations applicable to this Program include the National Institute of Education General Provisions Regulations (45 CFR Subchapter A) published in the Federal Register on November 4, 1974 at (39 FR 38992) and regulations for the State Dissemination Grants Program which are published in proposed form in this issue of the Federal Register (20 USC 1221e).

(Catalog of Federal Domestic Assistance Number 13.575-, Educational Research and Development)

Dated: March 17, 1975.

EMERSON J. ELLIOTT,

Acting Director,

National Institute of Education.

[FR Doc.75-7317 Filed 3-19-75; 8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 27498; Order 75-3-48]

CESKOSLOVENSKE AEROLINIE

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of March, 1975.

Pursuant to Order 73-2-12, approved by the President on January 31, 1973 (Docket 24518), Ceskoslovenske Aerolinie (CSA) was issued an amended foreign air carrier permit¹ to engage in foreign air transportation of persons, property and mail between a point or points in Czechoslovakia and New York, via certain intermediate points. This amended permit carried a termination date of May 31, 1974, which coincided with the expiration date of the United States-Czechoslovakia Air Transport Agreement of February 28, 1969, effected by Protocol effective May 24, 1972. The agreement was subsequently extended until May 31, 1975, by an Exchange of Notes dated May 28, 1974.

Apparently because of a misunderstanding of the Board's requirements, CSA failed to seek renewal of its permit until February 11, 1975, in the subject docket. The carrier may have been under

¹ The permit was originally issued pursuant to Order 70-1-62, approved January 12, 1970.

the misapprehension that the extension of the bilateral agreement automatically effectuated an extension of the foreign air carrier permit. Regardless, CSA has now come forward with an appropriate application which we propose to grant by show cause procedures.²

No person has filed an answer to the application and CSA represents that Pan American World Airways, the United States-flag carrier authorized to serve Czechoslovakia, objects neither to grant of the authority requested nor to the use by the Board of expedited procedures.

In support of its application, CSA incorporates by reference the evidence offered to support its previous application in Docket 24518 and affirms that such submissions "accurately and fully set forth Applicant's situation today."³ Since May, 1970, CSA has continuously served the Prague-New York market with two weekly one-stop round-trip flights utilizing Russian-made IL-62 jet aircraft. During the summer peak periods, the weekly flights are routed over Amsterdam while in the winter season one round trip serves Amsterdam and the other serves Montreal. Based upon this history of successful operations and the Board's findings in Order 73-2-12 with respect to the public interest and the carrier's fitness, which are incorporated herein by reference, it is tentatively found and concluded that:

(a) Ceskoslovenske Aerolinie is fit, willing and able properly to perform the foreign air transportation authorized by the specimen permit attached hereto and to conform to the provisions of the Act and the rules, regulations and requirements of the Board thereunder;⁴

(b) Ceskoslovenske Aerolinie is substantially owned and effectively controlled by nationals of the Czechoslovak Socialist Republic;

(c) It is in the public interest to renew the foreign air carrier permit of Ceskoslovenske Aerolinie for a period terminating on May 31, 1975;⁵

(d) The public interest requires that the exercise of the privileges granted by said permit be subject to the terms, conditions and limitations contained in the

² The application has been noticed for pre-hearing conference and hearing. This order to show cause supersedes that notice, dated February 24, 1975.

³ A discussion of the evidence will be found in the Recommended Decision of Administrative Law Judge James S. Keith, Docket 24518 (served October 10, 1972).

⁴ We do not consider the fact that CSA failed to seek renewal of its permit in a timely fashion to militate against a finding of fitness on the basis of its compliance disposition. It is clear that this failure was caused by an oversight with no intent to circumvent the Board's rules or its processes.

⁵ Should the United States and Czechoslovakia effect another Exchange of Notes extending the agreement without change during the pendency of this proceeding, we would expect to modify the termination date of the permit in our final order consistent with the agreement between the two governments.

specimen permit attached hereto⁶ and to such other reasonable terms, conditions and limitations required by the public interest as may from time to time be prescribed by the Board; and

(e) A hearing on the application of Ceskoslovenske Aerolinie is not required by the public interest.

All interested persons will be given 20 days following the adoption of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific issues, and to support such objections with detailed analyses. If an evidentiary hearing is requested, the objectors should name the specific markets or other issues with respect to which a hearing is requested and should state, in detail, why such a hearing is necessary and what relevant and material facts he would expect to establish through such a hearing. Vague, general, or unsupported objections will not be entertained.

Accordingly, it is ordered, That: 1. All interested persons be and they hereby are directed to show cause why the Board should not make final the tentative findings and conclusions herein and why an order should not be issued, subject to approval by the President pursuant to section 801 of the Act, issuing a renewed foreign air carrier permit to Ceskoslovenske Aerolinie in the specimen form.⁷

2. Any interested persons having objections to the issuance of an order making final the tentative findings and conclusions herein, or to the issuance of the proposed renewed foreign air carrier permit, shall, within 20 days after adoption of this order, file with the Board and serve on the persons named in paragraph 5 a statement of objections specifying the part or parts of the tentative findings or conclusions objected to, together with a summary of testimony, statistical data and such evidence expected to be relied upon to support the statement of objections;

3. If timely and properly supported objections hereto are filed, full consideration will be accorded the matters or issues raised therein before further action is taken by the Board: *Provided*, That the Board may proceed to enter an order in accordance with the tentative findings and conclusions herein if it determines that there are no factual issues presented that warrant the holding of an evidentiary hearing;⁸

⁶ The specimen permit is identical in all substantive aspects to the permit issued pursuant to Order 73-2-12 including the provisions (a) requiring CSA to appoint Pan American as its general sales agent and airport ground handling agent in the United States and (b) stipulating that CSA shall not operate more than two round-trip scheduled flights per week between Czechoslovakia and the United States unless prior approval for additional scheduled flights is obtained.

⁷ Specimen form filed as part of the original document.

⁸ Since provision is made for the filing of objections to this order, petitions for reconsideration will not be entertained.

4. In the event no objections are filed to this order, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions herein; and

5. This order shall be served upon Ceskoslovenske Aerolinie; Pan American World Airways, Inc.; the Ambassador of the Czechoslovak Socialist Republic; and the Department of State.

This order shall be published in the FEDERAL REGISTER and transmitted to the President.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-7330 Filed 3-19-75; 8:45 am]

[Docket 25280; Agreement C.A.B. 24981;
Order 75-3-45]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates

Issued under delegated authority March 14, 1975.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement names additional specific commodity rates, as set forth below, reflecting reductions from general cargo rates, and was adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated February 24, 1975.

Specific
commodity
item num-
ber:

	Description and rate
0821 ---	Catfish:
	93 cents per kg., minimum weight 200 kgs.; 78 cents per kg., minimum weight 1,000 kgs.; from Honolulu to Tokyo.
	98 cents per kg., minimum weight 200 kgs.; 83 cents per kg., minimum weight 1,000 kgs.; from Honolulu to Osaka.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, It is ordered, that Agreement C.A.B. 24981 be and hereby is approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein

for purposes of tariff publications, provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

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

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

This order will be published in the FEDERAL REGISTER.

By: JAMES L. DEEGAN,
Chief,

Passenger and Cargo Rates
Division, Bureau of Economics.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-7329 Filed 3-19-75; 8:45 am]

DELAWARE RIVER BASIN COMMISSION

WATER RESOURCES PROJECTS

Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, March 26, 1975, commencing at 2 p.m. The hearing will be held in Room 1600 of the Municipal Services Building, 15th and J. F. Kennedy Blvd. in Philadelphia, Pa. The subjects of the hearing will be as follows:

A. Applications for approval of proposed projects listed below. The Commission will consider these applications as amendments to the Comprehensive Plan pursuant to Article 11 of the Compact and/or as project approvals pursuant to § 3.8 of the Compact.

1. *Pen Argyl Municipal Authority (D-75-28 CP)*. Expansion of the Authority's existing sewage treatment plant serving the Borough of Pen Argyl and sections of Plainfield and Washington Townships, Northampton County, Pa. An interceptor relief sewer and force main are part of the project. The expanded facility will provide removal of 90 percent of BOD, and suspended solids from a sewage flow of 1.55 million gallons per day. Treated effluent will discharge to an unnamed tributary of Waltz Creek in the Martins Creek Basin.

2. *Borough of South Coatesville (D-74-39 CP)*. Expansion of an existing sewage treatment plant serving the Borough of South Coatesville and adjacent areas in Chester County, Pa. The expanded facility will provide removal of 95 percent of BOD, from a sewage flow of 1.2 million gallons per day. Treated effluent will discharge to the West Branch Brandywine Creek.

3. *West Goshen Sewer Authority (D-74-13 CP)*. Expansion of the Authority's existing sewage treatment plant serving West and East Goshen Townships, Chester County, Pa. The expanded facility will provide removal of 94 percent of BOD, and 90 percent of suspended solids from a sewage flow of 4.5 million gallons per day. Treated effluent will discharge to Goose Creek, a tributary of Chester Creek.

4. *Broad Run Sewer Co. (D-74-150 CP)*. A sewage treatment project serving development areas in West Bradford Township, Chester County, Pa. The facility will remove 96 percent of BOD, and 92 percent of suspended solids from a sewage flow of 150,000 gallons per day. Treated effluent will discharge to the East Branch Brandywine Creek.

5. *Kittatinny Regional Board of Education (D-74-154 CP)*. A sewage treatment project to serve the Kittatinny Regional High School in Hampton Township, Sussex County, N.J. The facility would provide removal of 96 percent of BOD, and 98 percent of suspended solids from a sewage flow of 50,000 gallons per day. Treated effluent will discharge to the Paulins Kill.

6. *Borough of Woodstown (D-75-27 CP)*. A well water supply project to augment public water supplies in the Borough of Woodstown, Salem County, N.J. Designated as Well No. 3, the new facility is expected to yield one million gallons per day.

7. *Borough of Clementon (D-75-26 CP)*. A well water supply project to augment public water supplies in the Borough of Clementon, Camden County, N.J. Designated as Well No. 10, the new facility is expected to yield one million gallons per day.

8. *Pennsylvania Fish Commission (D-74-181 CP)*. A small boat access ramp to serve the Neshaminy State Park marina in Bristol Township, Bucks County, Pa. The access area will occupy approximately 14 acres. The ramp will be 75 feet wide and permit simultaneous use by five boats.

9. *Delaware County Regional Water Control Authority (D-74-88 CP)*. A sewage pumping station serving the City of Chester and numerous adjacent boroughs and townships in Delaware County, Pa. As a unit in the regional plan for the area, the pumping station is designed to handle a volume of 38 million gallons per day.

10. *Borough of Morrisville (D-74-72 CP)*. An increase in surface water withdrawal to augment public water supplies in the Borough of Morrisville and adjacent townships, Bucks County, Pa. The authorized increased withdrawal would be 6 million gallons per day. Water would be withdrawn from the Delaware River.

11. *New Castle Soil Conservation Dist. (D-75-31 CP)*. Enlargement and structural improvements to two recreation lakes in Banning Park, New Castle County, Del. One lake will be dredged to greater depth and the outlet structure for both lakes will be modified to improve use of water-based recreation facilities.

12. *Knoll International (D-74-162)*. A wastewater treatment project to modify the treatment and disposal procedures at the Company's facility in Upper Hanover Township, Montgomery County, Pa. Process wastewater will continue to be batch treated. Sanitary sewage will be separated and holding tanks will be used until local sewers are available. Treated process wastewater (0.01 mgd) will be combined with non-contact cooling water (0.06 mgd) until the process wastewater can be discharged into the local sewerage system.

13. *Riggin & Robbins (D-74-129)*. A well water supply project to be used at the company's seafood processing plant in the City of Millville, Cumberland County, N.J. The new facility is expected to yield about 187,000 gallons per day.

14. *J. Coleman Totten (D-74-182)*. A well water supply project to provide water for irrigation at the subject farm in Upper Freehold Township, Monmouth County, N.J. The farm well is expected to yield about 580,000 gallons per day.

15. *Windy Acres Nursery (D-74-149)*. A farm well to be used for irrigation purposes at the subject farm in Deerfield Township, Cumberland County, N.J. The new well is expected to yield 200,000 gallons per day.

16. *Albert Powell (D-74-125)*. An irrigation pond to be used at the subject farm in Oldmans Township, Salem County, N.J. A yield from the pond of about 135,000 gallons per day will be utilized during the growing season for irrigation purposes.

17. *Port Norris Marina, Inc. (D-74-191)*. A small boat marina located in the community of Port Norris, Commercial Township, Cumberland County, N.J. The facility will provide 60 small boat slips and a launching ramp.

B. Applications for water quality certification for the projects listed below pursuant to Section 401 of the Federal Water Pollution Control Act:

1. *Township of Mount Holly*. Maintenance dredging in the North Branch Rancocas Creek, Mount Holly, Burlington County, N.J. Approximately 56,000 cubic yards of shoaled material will be removed and deposited either in the Township sanitary landfill or Iron Works Park.

2. *Cape May Board of Chosen Freeholders*. Replacement of a timber bridge on County Road 57 over Sluice Creek, Cape May County, N.J.

3. *N.J. Dept. of Transportation*. Culvert replacement at Route 130 and South Branch Little Timber Creek, Logan Township, Gloucester County, N.J.

4. *Borough of Bristol Water and Sewer Authority*. A 54-inch diameter storm sewer outfall at the end of Green Lane in Bristol Borough, Bucks County, Pa.

Documents relating to the items on this hearing notice may be examined at the Commission's offices. Persons wishing to testify are requested to notify the Secretary prior to the hearing.

W. BRINTON WHITALL,
Secretary.

MARCH 14, 1975.

[FR Doc.75-7261 Filed 3-19-75;8:45 am]

**ENERGY RESEARCH AND
DEVELOPMENT ADMINISTRATION
COMMITTEE OF SENIOR REVIEWERS
Meeting**

MARCH 12, 1975.

The Committee of Senior Reviewers will hold a meeting on April 7 and 8, 1975, in Building 802, Room 229, Sandia Laboratories, Albuquerque, New Mexico. The subjects scheduled for discussion involve weapons and special nuclear material safeguards and other topics concerned with Restricted Data and National Security Information.

This meeting will be closed to the public under the authority of section 10(d) of Pub. L. 92-463 (the Federal Advisory Committee Act).

I have determined, in accordance with section 10(d) of Pub. L. 92-463, that the discussions will concern Restricted Data which is exempt from disclosure under 5 U.S.C. 552(b) (1) and (3) and other National Security Information which is exempt from disclosure under 5 U.S.C. 552(b) (1). It is essential to close the meeting to protect such classified information.

R. G. ROMATOWSKI,
Advisory Committee
Management Officer.

[FR Doc.75-7244 Filed 3-19-75;8:45 am]

**FEDERAL COMMUNICATIONS
COMMISSION**

[Docket No. 20103, File No. BPH-7907;
Docket No. 20104, File No. BPH-8118]

**TOTAL RADIO, INC. AND
EVANGEL MINISTRIES, INC.**

Memorandum Opinion and Order

In re Applications of Total Radio, Inc., Neenah-Menasha, Wisconsin, and Evangel Ministries, Inc., Neenah-Menasha, Wisconsin, For Construction Permits.

1. Before the Review Board is a petition to enlarge, change and delete issues, filed August 5, 1974, by Total Radio, Inc. (Total), requesting the addition of numerous issues against Evangel Ministries, Inc. (Evangel), and the deletion and/or modification of certain issues designated by the Chief of the Broadcast Bureau, acting pursuant to delegated authority (Order, Mimeo No. 26058, released July 15, 1974).¹

¹ Also before the Review Board for consideration are: (a) the Broadcast Bureau's partial opposition, filed September 19, 1974; (b) opposition, filed September 23, 1974; (c) reply, filed November 5, 1974; and (d) the Broadcast Bureau's motion for leave to file supplemental pleading and supplement, filed December 30, 1974; (e) petition for leave to file supplemental pleading and supplement to (c), filed January 27, 1975, by Total; (f) comments on (d), filed January 27, 1975, by Total; and (g) comments, filed February 3, 1975, by Evangel. Supplemental pleading (e) merely notes the recent filing by the applicants of a joint petition for approval of agreement, and comments on the possible implications of that petition. See paragraph 11, *infra*. The motion for leave to accept it will be granted.

**RULE 1.65, DECEPTION AND ABUSE OF
PROCESS ALLEGATIONS**

2. Total alleges that Evangel intentionally failed to inform the Commission of the unavailability of its proposed transmitter site, and requests the addition of Rule 1.65, deception, and abuse of process issues against Evangel. In support of its request, Total relates that on January 29, 1973, Evangel amended its application to specify a new transmitter site, anticipating that the designated land would be rezoned for such use. However, petitioner continues, commencing on March 5, 1973, a series of requests by Evangel for the necessary rezoning were denied by appropriate local agencies, ultimately resulting in a decision that the land could not be used for the proposed transmitter site.² Despite the obvious unavailability of the site as early as March 1973, Total alleges, Evangel deliberately failed to inform the Commission of its site loss until April 30, 1974.³ In its opposition, Evangel alleges that despite the initial denial of its rezoning request, it, nonetheless, had reasonable assurance that the rezoning would ultimately be approved, and it continued to treat its lease option for the site as binding.⁴ As a consequence, Evangel contends, it concluded in good faith that it had no obligation to inform the Commission of the rezoning actions taken with respect to its proposed transmitter site.⁵

3. The Review Board is of the view that a substantial question has been raised as to whether Evangel violated Rule 1.65 by failing to inform the Commission of the unavailability of its antenna site between the time its final request for rezoning was denied in March 1973, and April 1974 when the applicant

² As support for its requests, petitioner attaches the following: (1) the minutes of the March 5, 1973 meeting of the Menasha Planning Committee during which the initial denial of Evangel's rezoning request occurred; (2) a certified copy of the minutes of the Menasha Town Board meeting on March 12, 1974, which contains the rezoning denial; (3) the recommended denial by the Winnebago County Zoning Committee on March 20, 1973, of Evangel's request; and (4) a certified copy of the minutes of the Winnebago County Board of Supervisors' denial of the rezoning request, on March 20, 1973.

³ Petitioner acknowledges that on April 30, 1974, Evangel amended its application to reflect the selection of a new transmitter site.

⁴ In support, Evangel attached the affidavit of its president, Reverend Arthur Gregg, who states that his belief that the rezoning request would ultimately be allowed was predicated upon, *inter alia*: (1) his opinion that many of the reasons proffered for the denial of the request were unfounded; and (2) his contention that a perusal of the minutes of the March 5, 1974, meeting of the Menasha Planning Committee indicates that the Committee was sympathetic to Evangel's position.

⁵ Evangel asserts that this good faith belief was based in part upon an opinion rendered by its engineer, Robert A. Jones, that the Board of Supervisors' erroneous decision would subsequently be reversed, and that the applicant need not inform the Commission of the Board's ruling. In support of this contention, Evangel submits a letter from Mr. Jones, dated September 17, 1974.

specified a new transmitter site. See *Bezar Broadcasting Co., Inc.*, 15 FCC 2d 641, 15 RR 2d 772 (1969). The Board notes that, despite Evangel's contention that it had a reasonable assurance that the rezoning request would be eventually granted, Evangel failed either to seek judicial review of the decision or file a motion for reconsideration by the Board of Supervisors. Rather, Evangel, by its own admission, let the zoning authority's decision stand unchallenged and amended its application (approximately one year later) only after its counsel warned of the possibility of the addition of a site availability issue. Therefore, an appropriate issue will be specified. The question of Evangel's candor and whether it intended to deceive the Commission can be explored under the issue being added herein, however, and the Board perceives no basis for adding a separate issue in this regard. Nor does the Board find any basis for adding an abuse of process issue, and the request for that issue will accordingly be denied.

DISCRIMINATORY HIRING, SELLING, AND PROGRAMMING PRACTICES QUESTION

4. In its petition, Total asserts that an inquiry is necessary to determine whether Evangel will engage in illegal discriminatory hiring, commercial, and programming practices in light of Reverend Gregg's written statement contained in a letter distributed to numerous residents of Neenah-Menasha in which he declared in pertinent part:

We dare to be Selective: Selective in programs—Air time will be sold only to those who uphold the Gospel of Christ.

Selective in Artists: Within our ability only Christian artists will have their songs aired.

Selective in Sponsors: Only business houses whose products or services we can approve of shall have their names or products mentioned.

We Dare to Be Conservative: Conservative in Doctrine—Cults or groups of Doctrines of Error will not be sold time.

Conservative in Conduct: Nothing unbecoming to the Christian Testimony shall be allowed.

Conservative in Personnel: Staff and advisers shall be those with a profession of Faith in Christ.¹

With respect to Evangel's purported intent to employ discriminatory employment practices, petitioner argues that Reverend Gregg's proposed policy to limit Evangel's entire staff to individuals adhering to a belief in Christ is in direct conflict with the Commission's Rules recently upheld in *King's Garden, Inc.*² which limits employment discrimination by religious licensees to those duties "connected with the espousal of the licensee's religious views."³ Moreover, Total asserts that Reverend Gregg's

¹The letter, according to Evangel, was written by its principal, Rev. Gregg, about March 1, 1973.

²30 RR 2d 258, 498 F.2d 51 (D.C. Cir.), 43 U.S.L. Week 3280 (U.S. Nov. 12, 1974).

³Total acknowledges that Evangel amended its application March 21, 1974, to include an equal opportunity employment statement. However, Total contends that the amendment does not resolve the issue since the applicant conspicuously neglected to notify the Commission of its earlier discriminatory statement.

aformentioned statement requires an inquiry to determine whether Evangel improperly will refuse to sell air time to, or broadcast the work of, non-Christians.

5. In opposition, Evangel argues that its equal employment policy statement, filed March 21, 1974, supersedes Reverend Gregg's unofficial letter;⁴ and, moreover, even if Reverend Gregg's statement were to be deemed to be indicative of a discriminatory intent, the equal employment statement would serve to repudiate any such intent. And, in any event, Evangel contends, its present hiring proposal is in full compliance with both the spirit and the letter of the decision in *King's Garden*.⁵ Additionally, Evangel affirms that it will offer fair and balanced programming. Specifically, denying that it will utilize its proposed station exclusively for the propagation of its own religious viewpoints, Evangel contends that it will not unreasonably refuse access to the station or to sell air time to individuals who do not agree with Evangel's religious beliefs.⁶ Finally, Evangel affirms that it will meet the requirements of the Fairness Doctrine as clearly and unequivocally as possible.

6. The requested issue(s) will be denied. As an initial matter, we note that petitioner's allegations consist primarily of speculation about Evangel's intentions concerning its future compliance with Commission rules and regulations. However, but for the submission of a decidedly-ambiguous letter written by Reverend Gregg before the retention of communi-

⁴Also, Evangel argues that, contrary to Total's allegations, Reverend Gregg's letter was only distributed among twelve friends and neighbors of Mr. Stielow, the owner of the proposed transmitter site, and did not constitute a detailed statement of Evangel's proposed policy but rather was a hastily drafted document.

⁵In this connection, Evangel states that although virtually all of its employees will be engaged in the preparation or broadcasting of religious programming and thus fall within the exception approved in *King's Garden*, it has nevertheless made no attempt to bring any of its staff within this entirely appropriate exemption. However, Evangel states that it expects its employees to adhere to the moral and ethical, but not religious, teachings of the Judeo-Christian religions.

⁶In support, Evangel notes that although its own conservative views will be broadcast, it will gladly air programs reflecting more liberal viewpoints, including programs exploring the difference between liberal and conservative religious doctrines. Additionally, Reverend Gregg points out that since a substantial number of its contributors are not affiliated with the Evangel Ministries Church, a discriminatory policy would result in a considerable loss in its financial support. Finally, Reverend Gregg asserts that the proposed station will not unjustly deny access to artists, unless "their personal lives are so inconsistent with the religious music they sing as to make a mockery of their performing religious music."

cations counsel.⁷ Petitioner has submitted no evidence, whatsoever, which would suggest that Evangel cannot be relied upon to comply fully with Commission policies. In short, Total has not alleged that any of Evangel's practices or proposals submitted to the Commission (from employment to anticipated commercial practices) would violate Commission policies, if effectuated.⁸ Moreover, the applicant has filed its equal opportunity employment statement and expressed its intention to abide by the Commission's employment rules;⁹ and on March 21, 1974 and on April 26, 1974, it amended its application to indicate that it will abide by the strictures of the Fairness Doctrine and provide air time for all major viewpoints on controversial issues.¹⁰ Accordingly, the request must be denied.

AVAILABILITY OF FUNDS ISSUE

7. Petitioner requests that an inquiry be conducted to determine whether Evangel has adequate funds available to finance the construction and first year operating expenses for its proposed station. Total initially questions the availability of a loan of \$20,000 from the Bank of Menasha, in light of the alleged failure of the bank to specify in its commitment letter, dated February 11, 1974, the precise nature of the real estate it will accept as collateral for the second mortgage loan. Next, petitioner argues that the availability of a \$20,000 loan from a Mr. Robert Knox is subject to doubt since the assets relied upon by Knox are listed as the joint property of both Mrs. Knox and himself, and the applicant has not supplied any evidence of Mrs. Knox's willingness to extend the loan.¹¹ Finally, Total maintains that a

⁷In this regard, we refer to Reverend Gregg's uncontradicted statement that at the time he wrote the letter in controversy, Evangel was not represented by experienced communications counsel, and that at that time he honestly, albeit mistakenly, believed that faith in God was a reasonable prerequisite for employment by a religious broadcasting station.

⁸In this connection we note that Evangel's stated intention to sell air time to all religious denominations, but to refuse to sell air time only to those individuals promoting goods, services and advertising techniques (e.g., X rated movies and false or misleading advertising) that the Evangel Ministries cannot endorse and does not wish to be associated with, has not been shown to be violative of Commission policies. In any event, if the licensee were to engage in discriminatory action in this regard the Commission could take appropriate action only if such conduct were shown to have occurred.

⁹Contrary to Total's assertion, there is no indication that Evangel intends to discriminate against women in its employment practices; the use of the term "men" in one of the applicant's submissions cannot be regarded as other than an appropriate use of a commonly-accepted generic term.

¹⁰Further, on April 29, 1974, Evangel amended its application to include a statement declaring its intention to provide time for the presentation of non-Christian religious programs and viewpoints.

¹¹A balance sheet attached to Mr. Knox's letter of commitment lists the joint assets and liabilities of both Mr. and Mrs. Knox. However, Knox's commitment does not contain any mention of Mrs. Knox's agreement to the loan.

serious question exists as to whether a substantial number of the loans pledged by its financial contributors are available, arguing that because of the unrealistically low costs estimated by Evangel, many of the applicant's financial supporters did not anticipate that the full amount of their loans would be called upon. As a consequence, Total contends, many of Evangel's supporters would be either unable or unwilling to meet their original commitments.

8. The requested inquiry into the availability of Evangel's funds will be denied. First, Evangel has allayed any doubt which may have existed concerning the Knox loan by submitting a letter with its opposition in which Mr. and Mrs. Knox express their mutual assent to the loan.²⁷ Second, the applicant has satisfactorily clarified any ambiguity as to the precise collateral for its proposed loan from the Bank of Menasha in an amendment accepted on February 25, 1975 (FCC 75M-358); the amendment contains a letter from the Bank of Menasha, dated January 23, 1975, committing itself to lend Evangel \$27,000.00, which shall be secured by a second mortgage on the applicant's main church building. Finally, Total's allegations clearly fail to warrant an inquiry into whether or not a significant number of Evangel's financial contributors intend to fulfill their commitments to the applicant. Contrary to the specificity requirements of Rule 1.229(c), petitioner's allegations in this regard are purely speculative and totally devoid of merit.

FIRST YEAR ESTIMATED COSTS

9. Petitioner also seeks an inquiry into the reasonableness of Evangel's estimated first year operating and construction costs. Initially, Total alleges that even though Evangel amended its application on April 30, 1974 to reflect an increase in the estimated cost of its transmitter tower and antenna system from \$1300 to \$13,300, the cost is still grossly underestimated.²⁸ Petitioner also argues that the estimate is speculative and must be disregarded, since no basis has been supplied for it, as required by Form 301, part III, paragraph 1b.²⁹ Additionally,

²⁷ Additionally, Evangel has submitted a letter from an attorney in which he states that Wisconsin law permits one spouse to commit a couple's jointly-held property (other than homestead) without the approval of the other spouse. Petitioner has not attempted to challenge this statement.

²⁸ Total submits the affidavit of Mr. Ralph Evans, an experienced radio engineer, who disputes Evangel's estimates and states that the cost of a new 335 foot tower in the Neenah-Menasha area is \$56,000. Additionally, the affiant notes that the cost of merely reassembling a used tower is \$24,000, exclusive of the expense of disassembling and transporting the tower, and of the tower itself. Furthermore, Total alleges that Evangel's latest estimate fails to take into account (1) the cost of modifying the antenna as originally designated (6 bay antenna FMC-6) to the present specification (7 bay antenna, Gates FMC-7A) approximately \$2133, and (2) the cost of reimbursing a local station for switching channels.

²⁹ For example, petitioner notes that, when Evangel amended its application to indicate the additional allocation it made the allegedly unrealistic and unsupported state-

Total maintains that Evangel's estimated allocation of \$23,367.36 for its first year operating expenses is not only inadequate,³⁰ but that contrary to the requirement of Commission Form 301, Evangel has failed to submit a complete and itemized list of its projected operating costs for its first year. Consequently, petitioner requests the addition of an appropriate issue.

10. Opposing enlargement, Evangel asserts that it has sufficient funds to meet costs, including the cost of a new transmitter tower. In support, Evangel transmits Reverend Gregg's affidavit, which contains an explanation of certain estimates³¹ and an amended proposal of its first year operating and construction costs. Included in this revision is a proposed allocation of \$21,000 for a new transmitter tower. As shown by Evangel, this estimate is based upon a bid recently received from a tower distributor for a new self-supporting 315 foot tower.³² With respect to its estimated operating costs, Evangel provides a detailed and itemized list of its projected operating expenses, including allocations, inter alia, for personnel, telephone, insurance costs and legal fees, totaling \$23,500. According to Evangel, the combined construction and operating cost estimates are substantially less than the funds available for Evangel to meet all of its first-year expenses.

11. The request for a general cost estimates issue will be denied. The Board is of the view that even if Total's estimates for the proposed tower and antenna system were to be accepted at face value, the applicant would, nevertheless, have sufficient funds to meet its itemized costs of construction and first-year operations; specifically, the applicant would have \$95,818.00³³ to meet maximum alleged expenses of \$79,367.36³⁴ and \$12,000

ment that "[i]t expects to be able to obtain an appropriate tower at a reduced price just as it was earlier able to obtain a 200 foot, self-supporting tower for \$500."

³⁰ Total asserts that it is clear that \$23,367.36 is not sufficient to operate an independent station 112 hours a week with proposals for 5 hours of news programs and 5 hours of public affairs each week. Moreover, petitioner avers that, although Evangel has increased its staffing proposal, there has been no corresponding adjustment in its proposed operating costs.

³¹ For example, Evangel explains that 3 out of 7 of its proposed staff members will work without compensation.

³² Despite the inclusion of the \$21,000 estimate, Evangel contends that it still anticipates obtaining a suitable used tower at little or no cost. In fact, Evangel states that it appears that it will be able to obtain a tower for \$500 from an unnamed local station. Additionally, Evangel attaches a statement from its consulting engineer, Robert A. Jones, who estimates that the cost of modifying the facilities of Station WTCH-FM to permit the utilization of Channel 261A in Neenah-Menasha would be modest, not exceeding \$5,000.

³³ This figure is contained in Evangel's recent amendment, which was adopted by the Administrative Law Judge on February 25, 1975, FCC 75M-358.

³⁴ The \$79,367.36 figure is the sum of the estimates advanced by Total in its petition to enlarge, i.e., first-year operating expenses of \$23,367.36 and the cost of a new 335 foot tower, in the amount of \$56,000.

for the reimbursement payment to Total which would be occasioned by a grant of the applicant's joint petition for approval of agreement, leaving a surplus of approximately \$5,000. However, Evangel has not included within its enumeration of first-year operating costs an allocation for the first-year programming expenses and the Board is unable to conclude that Evangel's surplus of approximately \$5,000, is adequate to meet the cost of financing Evangel's extensive first-year local programming proposal. In short, since the Board cannot conclude that an allocation of this amount for programming is reasonable on its face a limited cost estimates issue will be specified against Evangel.³⁵

SUBURBAN ISSUE

12. Total first contends that Evangel's proposed programming is insufficient to meet the community needs and problems disclosed by Evangel's surveys. Specifically, petitioner asserts that contrary to Q. and A. 29 of the Commission's *Primer on the Ascertainment of Community Problems*, 27 FCC 2d 650, 21 RR 2d 1507 (1971), Evangel has failed to delineate the community problems which will be treated by its programming format.³⁶ Secondly, Total alleges that although United States Census figures reveal that 146 Blacks reside in Winnebago County, Evangel has not contacted any Black community representatives, as required by the *Primer, supra*. Finally, relying on an affidavit of Scott Carpenter, the petitioner maintains that a serious doubt exists as to whether Evangel's community leader survey was conducted through face to face consultations, rather than through the mail.³⁷

13. Evangel, joined by the Broadcast Bureau, opposes the petitioner's request. Initially, both the Bureau and Evangel contend that the latter's daily public affairs program is adequate to treat the entire spectrum of the community's needs and problems. Next, the Bureau and Evangel agree that the Black population in Winnebago County is too small to be included in Evangel's community leader survey. Regarding the allegation

³⁵ In contrast, the Board is of the view that Total has failed to raise a question as to the adequacy of Evangel's remaining costs of operation, since none of the estimates has been shown to be unreasonable on its face and petitioner's allegations do not meet the specificity and/or substantiation requirements of Rule 1.229.

³⁶ According to Total, the primary program proposed by Evangel to deal with local problems and needs is a one hour telephone talk show to be broadcast every weekday.

³⁷ In his statement Carpenter declares that while he was conducting face to face interviews with community leaders for WYNE, Appleton, Wisconsin, he met with both George L. Buckley, Mayor of Appleton and Jim Adams, Mayor of Menasha. During both of these meetings, the interviewees showed Mr. Carpenter a copy of a written form from Evangel, asking for a statement of the local needs and problems, to be returned to Evangel. According to petitioner, Evangel's utilization of pre-printed forms raises substantial doubt as to whether Evangel conducted the required personal interviews.

that Evangel's community leader survey was not conducted in compliance with the *Primer*, Evangel alleges that Reverend Gregg met personally with the community leaders referred to in its survey, including George Buckley and James Adams.²²

14. The Review Board will add a Suburban issue against Evangel. After reviewing Evangel's application, we are of the opinion that a substantial question exists as to whether the applicant's programming proposal meets the specificity requirements outlined in Q. and A. 29 of the *Primer*. Rather than setting forth its proposal in a specific and concise manner, Evangel's plan, which consists primarily of a daily telephone talk show, is couched in a vague and generalized fashion. Specifically, we note that the applicant has neither indicated the program's anticipated time segment, nor, more importantly, shown which ascertained problems its talk show will treat.²³ See, *Middle Georgia Broadcasting Co.*, 30 FCC 2d 796, 22 RR 2d 524. (1971). Moreover, Evangel's statement that its talk show will be used "to treat the full range of problems and needs confronting the community" runs counter to the prohibition in Q. and A. 29 against catch-all programming proposals. Consequently, Evangel's programming proposal is too vague to insure that the results of the community surveys will play a substantive role in the shaping of the programs to be aired. See *Cosmos Broadcasting Corp.*, 31 FCC 2d 200, 22 RR 2d 723 (1971), and *Southeast Arkansas Radio, Inc.* 47 FCC 2d 835, 30 RR 2d 769 (1974). However, we find Total's remaining allegations unpersuasive. First, we agree with Evangel and the Bureau that, given the small number of Blacks in Winnebago County (less than 1 percent) Total has not shown by specific factual allegations that Evangel failed to consult with a significant segment of the population. See *Time-Life Broadcasting, Inc.*, 33 FCC 2d 1065, 23 RR 2d 1129 (1972), and *Radio-Hio, Inc.*, 38 FCC 2d 721, 26 RR 2d 327 (1973). Finally, we also conclude that petitioner's request for an inquiry to determine whether Evangel failed to personally consult community leaders is unwarranted. Not only does Evangel satisfactorily refute the allegations in its opposition (see footnote 27, *supra*), but, Total's contentions fail to indicate a violation of the *Primer*. Petitioner merely contends that Evangel utilized printed forms in conducting its community leaders survey without alleging that Evangel

²² In addition to Reverend Gregg's own supporting affidavit, Evangel submits a statement from Mayor Adams, in which the affiant recalls his consultation with Reverend Gregg in January, 1972. Also, Evangel proffers a statement from George Buckley, who, although having no recollection of his actual meeting the Reverend, states that he has no reason to doubt the truthfulness of Evangel's representations.

²³ Although Evangel has listed 18 community problems in exhibit 8b of its April 30, 1974 amendment, it has not indicated how these problems and needs will be treated on its daily talk show.

relied exclusively on these forms. The *Primer* and Commission precedent clearly indicate that written questionnaires may be used in conjunction with personal interviews. See Q. and A. 17 of the *Primer*, and *Stone v. FCC*, 24 RR 2d 2105, 466 F.2d 316 (D.C. Cir. 1972).

DELETION, MODIFICATION OR CHANGE OF SUBURBAN ISSUE

15. According to Total, the Chief of the Broadcast Bureau, acting pursuant to delegated authority, designated a general Suburban issue against petitioner because of Total's failure to specify in its application who conducted its general public survey. Now, Total, arguing that the *Primer, supra*, does not require an applicant to reveal who conducted the general public survey, requests the deletion of the Suburban issue. In the alternative, Total requests the Board to limit the general Suburban issue to the question of who conducted the survey.

16. The Review Board will deny Total's request. With respect to the deletion request, the Board notes that Q. and A. 11(b) of the *Primer* sets forth specific instructions as to who may conduct the survey of the general public, and the failure to include such information in the application is clearly grounds for specification of an issue. Total's alternative request for modification will also be denied. As explained in our recent Memorandum Opinion and Order in this proceeding (FCC 74R-440, released December 12, 1974), other deficiencies in the showing appear to exist, and therefore the general Suburban issue specified against Total is appropriate.

17. Accordingly, *It is ordered*, That the Broadcast Bureau's motion for leave to file supplemental pleading, filed on December 30, 1974, is granted, and that the petition to enlarge, change and delete issues, filed on August 5, 1974, by Total Radio, Inc., is granted to the extent herein indicated; and is denied in all other respects; and

18. *It is further ordered*, That the issues in this proceeding are enlarged by the addition of the following issues:

(a) To determine whether Evangel Ministries, Inc., failed to notify the Commission of the unavailability of its proposed site, as required by § 1.65 of the Commission's rules, and, if so, to determine the effect thereof upon the applicant's basic and/or comparative qualifications.

(b) To determine the costs of Evangel Ministries, Inc.'s, programming proposal; the basis and reasonableness thereof, and in light of the foregoing, whether the applicant is financially qualified.

(c) To determine whether Evangel Ministries, Inc., has adequately related its proposed broadcast matter to the ascertained community problems, and whether, in light of the evidence adduced, Evangel Ministries, Inc., has complied with Question and Answer 29 of the Commission's *Primer on the Ascertainment of Community Problems*, 27 FCC 2d 650, 21 RR 2d 1507 (1971).

19. *It is further ordered*, That the burden of proceeding with respect to issue (a), above shall be on Total Radio,

Inc., and that the burden of proceeding with the introduction of evidence with respect to issues (b) and (c) above, and the burden of proof with respect to all of the above issues shall be on Evangel Ministries, Inc.²⁴

Adopted: March 5, 1975.

Released: March 12, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.
[FR Doc.75-7287 Filed 3-19-75;8:45 am]

RADIO TECHNICAL COMMISSION FOR AERONAUTICS Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of the Radio Technical Commission for Aeronautics Special Committee 126, Airborne OMEGA Receivers. It is to be held on April 17, 1975, in Conference Room 6A and B, FAA Headquarters Building, 800 Independence Avenue SW., Washington, D.C. commencing at 9:30 a.m.

AGENDA

1. Chairman's Opening Comments—I. Lublin.
2. Introduction of members and guests.
3. Approval of Minutes of the Second Meeting of SC-126 held on 15 January 1975.
4. Special announcements.
5. Report of subcommittees: a. Low Performance Aircraft. b. High Performance Aircraft.
6. New Business: a. OMEGA Systems Specifications and Performance Measurement Standardization. b. Accuracy Specifications.
7. Other Business.
8. Date and place of next meeting.

The meeting is open to the public on a space available basis. Any member of the public may file a written statement with the Commission either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the Commission prior to the meeting.

Those desiring more specific information may contact the RTCA Secretariat, Suite 655, 1717 H Street NW., Washington, D.C. 20006, or phone, Area Code 202-296-0484.

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

[FR Doc.75-7288 Filed 3-19-75;8:45 am]

RADIO TECHNICAL COMMISSION FOR AERONAUTICS Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of the Radio

²⁴ Although Total argues that the Board should not place the burden of proceeding upon Total because of the pending joint petition, the Board, consistent with past practice, will assign the burdens as herein indicated. Any questions regarding the implications of the assignment of the burdens upon the joint petition should be dealt with in the first instance by the Administrative Law Judge.

Technical Commission for Aeronautics Special Committee 129—Future Civil Aviation Spectrum Requirements. The meeting is to be held on April 10-11, 1975 in Conference Room 8210, 2025 M Street, NW., Washington, D.C. The meeting will commence each day at 9:30 a.m.

The Agenda is as follows:

1. Opening comments from the Chairman.
2. Review Terms of Reference.
3. Review structure of U.S. planning for International Frequency Spectrum coordination.
4. Identify Special Committee work program: a. Collection of information and establishment of required studies. b. Consideration of task assignments.
5. Other Business.
6. Date and place of next meeting.

Meetings of Special Committee 129 are open to the public on a space available basis. Any member of the public may file a written statement with the Commission concerning this Notice, and either before or after any meeting. Any members of the public wishing to make an oral statement at a meeting must consult with the Commission prior to that meeting.

Those desiring to attend a meeting or specific information should contact the RTCA Secretariat, Suite 655, 1717 H Street, NW., Washington, D.C. 20006, or telephone area code (202) 296-0484.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-7286 Filed 3-19-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

CRUDE PETROLEUM PRODUCTION MONTHLY REPORT

FEA-90 Availability of Reporting Form

The Federal Energy Administration, pursuant to Title 10 of the Code of Federal Regulations, § 212.126 hereby gives notice of the issuance of a Form FEA-90. Form FEA-90 supersedes Part V of Form CLC-90. There have been no changes in the reporting requirements of those firms required to report Parts I through IV of the Form CLC-90. This form should be completed as in the past.

A firm which is a producer-operator of any property which produced and sold new oil at prices exceeding the ceiling price is required to file Form FEA-90 on a monthly basis.

On February 13, 1975 the FEA mailed Form FEA-90 to firms which have produced new domestic crude petroleum. Firms which are producer-operators of any property which produced new oil and have sold such new oil at prices exceeding the ceiling price, and which have not received Form FEA-90, should contact the Federal Energy Administration, Code 2895, Washington, D.C. 20461.

Should you have any questions pertaining to either Form FEA-90 or CLC-90, please call (202) 961-8033.

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

MARCH 15, 1975.

[FR Doc.75-7279 Filed 3-19-75;8:45 am]

FUEL BURNING INSTALLATIONS Identification Requirements

Pursuant to section 13 of the Federal Energy Administration Act of 1974 (Pub. L. 93-275), the Federal Energy Administration (FEA) hereby requires that major fuel burning installations, other than powerplants, provide to FEA the identifying information specified below in paragraphs numbered 1-5.

For the purposes of this notice, "powerplant" means a fossil-fuel fired steam electric generating unit that produces electric power for purposes of sale or exchange, and includes any person who owns, leases, operates, controls or supervises any such unit; and "major fuel burning installation" means an installation or unit other than a powerplant that has or is a fossil-fuel fired boiler, burner, or other combustor of fuel, or any combination thereof at a single site, that has a design firing rate of 100 million Btu's per hour or greater, and includes any person who owns, leases, operates, controls or supervises any such installation or unit. "Person" means any association, firm, company, corporation, estate, individual, joint-venture, partnership, or sole proprietorship or any other entity however organized including charitable, educational, or other eleemosynary institutions.

To assist in the implementation of sections 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (Pub. L. 93-319), which authorizes FEA to prohibit certain major fuel burning installations from burning natural gas or petroleum products as their primary energy source, each major fuel burning installation, as defined above, shall identify itself to FEA by providing the following information:

1. Name (or other descriptive information) of major fuel burning installation.
2. Name of person who owns, leases, operates, controls or supervises the major fuel burning installation.
3. Location (street address, city, county, state, Zip Code).
4. Name of person to whom any FEA inquiries may be directed and telephone number.
5. Firing rate (If an installation consists of boilers, burners or other combustors of fuel that are at a single site and in combination have a total firing rate of 100 million Btu's per hour or greater, state the firing rate of each in-

dividual boiler, burner or other combustor of fuel at the site.)

The information shall be filed with FEA by not later than March 31, 1975. It should be sent to the following address, and labeled "Major Fuel Burning Installation Identification" on the outside of the envelope in which it is transmitted:

Federal Energy Administration, Code OFU,
Washington, D.C. 20461.

Hand-delivered documents may be submitted to:

Federal Energy Administration, Office of Fuel Utilization, 12th & Pennsylvania Avenue NW., Room 6109, Washington, D.C.

The normal business hours of the FEA National Office are 8 a.m. to 4:30 p.m.

(This request for information has been approved under B-181254(875020).)

Issued in Washington, D.C., on March 17, 1975.

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

[FR Doc.75-7401 Filed 3-18-75;12:08 pm]

FEDERAL MARITIME COMMISSION CITY OF LOS ANGELES ET AL

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 9, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Jack L. Wells
Assistant City Attorney
City of Los Angeles
P.O. Box 151
San Pedro, California 90733

Agreement No. T-3071 between the City of Los Angeles (City) and Japan Line, Ltd., Mitsui O.S.K. Lines, Ltd., and Yamashita-Shinnihon Steamship Co., Ltd. (the Lines) grants the Lines the nonexclusive preferential use of specified premises at Los Angeles Harbor for a term of ten years with renewal options. The Lines may also exercise the option to use additional property adjacent to that initially covered by the agreement. Compensation for the first 10-year period of the permit is a fixed sum per annum with adjustments to be made at the fifth and eighth year after the effective date. Provision is also made for additional compensation to cover the option. Port of Los Angeles applicable tariff will govern charges assessed against vessels and cargo with the Lines receiving credit towards the annual compensation from vessels and cargo handled by or on behalf of secondary users of the premises. This agreement will supersede F.M.C. Agreement No. T-2849 between the same parties.

Dated: March 14, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-7320 Filed 3-19-75;8:45 am]

CITY OF LOS ANGELES, ET. AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before April 9, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Jack L. Wells
Assistant City Attorney
City of Los Angeles
P.O. Box 151
San Pedro, California 90733

Agreement No. T-3071-A between the City of Los Angeles (City) and Japan Line, Ltd., Mitsui O.S.K. Lines, Ltd., and Yamashita-Shinnihon Steamship Co., Ltd. (the Lines) grants the Lines the preferential use of the container crane presently located at Berths 129-131 at Los Angeles Harbor. The crane is to be used in accordance with the provisions of Port of Los Angeles Tariff No. 3. The agreement provides for a maximum annual compensation to City of \$120,541. This agreement will supersede F.M.C. Agreement No. T-2849-A between the same parties.

Dated: March 14, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-7321 Filed 3-19-75;8:45 am]

[Docket No. 73-17 and 74-40]

SEA-LAND SERVICE, INC. & GULF PUERTO RICO LINES, INC.

Puerto Rico Maritime Shipping Authority—
Proposed ILA Rules on Containers

On September 13, 1974 the Commission issued its order instituting Docket No. 74-40 and consolidating that case with Docket No. 73-17. The subject matter of the consolidated proceedings consists of tariff matter in the tariffs of both Sea-Land Service, Inc. (Sea-Land) and Puerto Rico Maritime Shipping Authority (PRMSA) in the Puerto Rico trade setting forth the so called Rules on Containers which are derived from collective bargaining agreements with the International Longshoremen's Association (AFL-CIO) (hereafter ILA) and interpretations thereof for the period October 1, 1971 to September 30, 1974.

On February 14, 1975, PRMSA filed amendments to its tariff FMC-F No. 1 to become effective March 16, 1975 to replace the tariff matter which is being investigated in Docket No. 74-40. The amendments set forth new Rules on Containers which appear to be based upon the collective bargaining agreements with the ILA for the period October 1, 1974 to September 30, 1977.

While the substance of the tariff provisions appears to be generally unchanged, the form is considerably different. Thus, regardless of the language contained on page three of our order dated September 13, 1974 herein which requires that changes to the subject tariff matter be made a part of this investigation, we feel constrained to issue this order to make it clear that PRMSA's

amended Rules on Containers are to be included within this investigation and to thus avoid any further delay in resolving these matters.

Therefore, it is ordered, That pursuant to sections 18(a) and 22 of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933, the tariff matter set forth in Appendix A hereto is made a part of the investigation herein. If any of the matter included within this investigation is further changed, amended or reissued, such changes are hereby made a part of this investigation.

It is further ordered, That a copy of this order be forthwith served upon the parties to these proceedings and upon the presiding Administrative Law Judge.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

APPENDIX A

TARIFF FMC-F NO. 1

1st Revised Page 119.
1st Revised Page 120.
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1st Revised Page 122.
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1st Revised Page 125.
1st Revised Page 126.
1st Revised Page 127.
1st Revised Page 128.
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[FR Doc.75-7319 Filed 3-19-75;8:45 am]

CERTIFICATES OF FINANCIAL
RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and section 311(p) (1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner/operator and vessels
01019---	Hagb. Waage: Ruth.
01032---	The Graig Shipping Co. Ltd.: Graig/mon.
01077---	H.M. Wrangell & Co. A/S: <i>Hot Houw.</i>
01257---	Skibsaktieselskapet Akersviken: <i>Sira, Simoa, Se/ra.</i>
01330---	Shell Tankers (U.K.) Ltd.: <i>Hau-stellum.</i>
01354---	H.E. Hansen Tangen: <i>Sunchipper.</i>
01621---	Nestos Shipping Co. Ltd.: <i>Nestos.</i>
02035---	Transatlantic Shipping Corp.: <i>Olympia.</i>
02125---	Transoceanic Navigation Corp.: <i>Queen Anna Maria.</i>
02138---	Sioux City & New Orleans Barge Lines, Inc.: <i>Nebraska City.</i>
02198---	Peninsular & Oriental Steam Navigation Co.: <i>Orcades, Nevada, Chusan, Strathdare.</i>

Certificate No.	Owner/operator and vessels	Certificate No.	Owner/operator and vessels
02243	Astramar Compania Argentina de Navegacion, Sociedad Anonima Comercial: <i>Astra Mariner</i> .	05581	Latvian Shipping Co.: <i>Ventspils</i> .
02271	Amer-Tupakka Oy: <i>Finn-Amer</i> .	05631	Manson Construction & Engineering Co.: <i>Viking</i> .
02285	Atlan Lines, S.A.: <i>Atlan Zafiro</i> .	05729	Dominion Lines Ltd.: <i>Dominion Trader</i> .
02328	Saturn Shipping Co. Ltd.: <i>Star Kerry</i> .	05757	Cia de Transportes Maritimes Petroleros: <i>Germinal</i> .
02363	Rederiet Otto Danielsen: <i>Knud Danielsen</i> .	05758	Sunrise Shipping Co.: <i>Folaga</i> .
02446	Cosmopolitan Shipping Co. S.A.: <i>Stephante Conway</i> .	05854	Levin Metals Corp.: <i>DER-328, Procyon, Polaris, Maui, Leland E. Thomas, DER-389, DER-388, DE-1026, DE-1024, DE-1023, DE-699, DE-667, DD-884, DD-808</i> .
02571	Dover Shipping Co. Ltd.: <i>Dover</i> .	06305	E. T. Barber d.b.a. Neches Shell Co., Inc.: <i>NS 550</i> .
02832	Compania Transatlantica Aspanoia S.A.: <i>Begona</i> .	06409	India Steamship Co., Ltd.: <i>Indian Endeavour</i> .
02833	Joaquin Ponte Naya S.A.: <i>Joaquin Ponte Naya</i> .	06496	Whaling City Dredge & Dock Corp.: <i>No. 655</i> .
02975	Venture Shipping (Managers) Ltd.: <i>New Venture</i> .	06595	Kaiyo Sangyo Kabushiki Kaisha: <i>Daisy</i> .
02980	Rederi A/S Mimer and A/S Norfart: <i>Anmaj</i> .	06836	Societe Francaise D'Armement de Navires Transporteurs de Gaz: <i>Cap Martin</i> .
02984	Maremar Compania Naviera S.A. Panama R.P.: <i>Aetos</i> .	06885	Bewa Line A/S: <i>Kratten Bewa, Mette Bewa, Wivi Bewa, Nina Bewa, Sally Bewa, Rikke Bewa, Alice Bewa, Sonja Bewa, Anne Bewa, Betty Bewa, Lykke Bewa, Lita Bewa, Kls Bewa, Helga Bewa, Haslach Bewa, Conny Bewa</i> .
03118	Oceano Galante Navegacion S.A. Panama: <i>Aristofontis</i> .	07058	Southland Trading, Inc.: <i>Melissa K, George K</i> .
03276	Universe Tankships, Inc.: <i>Gem Star</i> .	07121	A/S Octav: <i>Saga Surf</i> .
03395	A/S Oljefart II and Skibs A/S Motortank: <i>Jenny</i> .	07175	I/S Finship: <i>Binship</i> .
03420	Dainichi Kaiun Kabushiki Kaisha: <i>Miata Maru</i> .	07290	Hollywood Terminals, Inc.: <i>Guz-zetta 100</i> .
03441	Japan Line K.K.: <i>Richmond Maru, Bridgestone Maru No. 2, Katsi Maru</i> .	07532	Fomentos Armadora S.A.: <i>Mitsos, Michalis</i> .
03484	Sanko Kisen K.K.: <i>Bunko Maru, Hakuko Maru</i> .	07703	K.S. Merc Scandia VI: <i>Merc Maris</i> .
03489	Sanwa Shosen K.K.: <i>Kisohara Maru</i> .	07806	Lunamarin S.A. Panama: <i>Samos Island</i> .
03499	El-Yam Bulk Carriers (1967) Ltd., Israel: <i>Har Castel</i> .	07942	Solstad Rederi A/S: <i>Sol Pemko</i> .
03501	Osaka Shosen Mitsus Senpaku K.K.: <i>Kasugasan Maru, Tama Maru</i> .	07943	Skipps A/S Solhav & Co.: <i>Sol Laila</i> .
03596	Compania Naviera Del Vapor Albia, S.A.: <i>Albia</i> .	07966	Aspella Enterprise Shipping Co. Ltd.: <i>Enterprise</i> .
03614	A/S Kristian Jebsens Rederi: <i>Brunes</i> .	08026	Good Trader Navigation Co. Ltd.: <i>Good Trader</i> .
03631	Seatrains Lines, Inc.: <i>Seatrains Georgia</i> .	08070	Eltanin Navigation Corp.: <i>Canton</i> .
03735	Penrod Drilling Co.: <i>Penrod 42</i> .	08071	Anglo Nordic Bulkships (Management) Ltd.: <i>Naess Mariner, Naess Leader</i> .
03845	Montpellier Tanker Co.: <i>American Victory</i> .	08096	Sea Navigation Corp.: <i>Ivy</i> .
04004	Koninklijke Java-China-Paketaart Lijnen N.V.: <i>Asian Enterprise</i> .	08149	Epidavros Shipping Co. Ltd.: <i>Massillon</i> .
04037	C. F. Bean Corp.: <i>Tide Mar XXI, Bean No. 18</i> .	08200	Partrederiet of 22.10.71: <i>Mero Orientalis</i> .
04087	Merichem Co.: <i>ETT 121</i> .	08375	Daniel Dize, Inc.: <i>Marylander</i> .
04128	Skipps A/S Westray: <i>Ruma</i> .	08467	Petrola Hellas S.A.: <i>R/K Ennea</i> .
04136	Thomas Marine Co.: <i>M-1</i> .	08690	Krethan Shipping Co., S.A. Panama: <i>Paraskevi H</i> .
04164	M/G Transport Services Inc.: <i>BA 2016, BA 2020</i> .	08738	Internare Transport Ltd. Cyprus: <i>Aegis Diligence</i> .
04212	Nilo Barge Line, Inc.: <i>WTC 553</i> .	08761	Mare Nostrum Navigation Co. Ltd.: <i>Dennis B</i> .
04404	Lars Rej Johansen: <i>Joruna</i> .	08833	General Metals of Tacoma, Inc.: <i>USS Shea</i> .
04409	Burco Shipping Corp.: <i>Trojan</i> .	09019	Del Monte Del Ecuador, C.A.: <i>Artito Maid</i> .
04424	International Navigation Corp.: <i>East River</i> .	09052	Cayman Tankers Ltd.: <i>Westgate, Cayman Trader</i> .
04564	Yamashita Shinnihon Kisen Kaisha: <i>Tosaharu Maru</i> .	09074	Zuito Shipping Co. Ltd.: <i>Woko Maru, Wako Maru</i> .
04599	Transeca Carriers Ltd.: <i>Petroqueen</i> .	09510	Paducah Diesel Service: <i>OR 947</i> .
04770	Texaco Panama Inc.: <i>Texaco Veraguas</i> .	09545	Maytide Line Co., Ltd.: <i>Southern Mariner</i> .
04784	Eplilla I Shipping Co. S.A. Panama: <i>Elisabeth</i> .	09735	Alaska Lumber & Pulp Co. Inc.: <i>ZB-27</i> .
04803	Brent Towing Co. Inc.: <i>ETT-109</i> .	09792	United Fair Agencies Ltd.: <i>Jade City</i> .
05095	Esso Tankvaart Maatschappij B.V.: <i>Esso Den Haag</i> .		
05279	Peralta Carriers Corp.: <i>William R. Adams</i> .		
05496	Heron Navigation Co. Ltd.: <i>Izumo</i> .		
05520	Union Carbide Corp.: <i>NMS-1312, Debbie</i> .		
05532	Silver Star Shipping Co. S.A. Panama: <i>Silver Star</i> .		
05537	Empresa Navegacion Mambisa: <i>Ignacio Agramonte</i> .		
05577	Far Eastern Shipping Co.: <i>Vitufles</i> .		
05579	Black Sea Shipping Co.: <i>Kapitan Alekseev</i> .		

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-7322 Filed 3-19-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-9260]

KANSAS GAS AND ELECTRIC CO.

Filing and Suspending Rate Increase and Establishing Procedures

MARCH 12, 1975.

On February 10, 1975, Kansas Gas and Electric Company (KG&E) submitted for filing proposed supplements¹ to its existing rate schedules revising the rates and charges for firm power service to Coops. The proposed revisions result in an increase in charges of \$778,284 for the twelve months ending September 30, 1975. In support of KG&E's proposed supplements, KG&E states that the present revenues are inadequate to provide a fair return on its investment. KG&E states that its earnings must be increased to assure continued confidence in the integrity of the business which will enable it to maintain its credit and attract the necessary additional capital on reasonable terms to finance what KG&E maintains is its approximate \$545 million construction program through 1979.

The proposed rate schedule supplements include: (1) a minimum bill provision, (2) a fuel adjustment clause, (3) a tax adjustment clause, and (4) a power factor adjustment.

KG&E submitted, on behalf of each of the eight cooperatives, concurrence in the filing. Notice of the filing was on February 21, 1975, with comments, protests, or petitions to intervene due on or before March 4, 1975. No protests or petitions to intervene were received.

Our review of KG&E's proposed fuel adjustment clause indicates that it does not conform with Commission Order No. 517 in that: (1) paragraph 1(a) of the fuel clause, which includes a break down of the total fuel expenses experienced by KG&E, contains no provision for the treatment of nuclear fuel costs; and (2) included as part of KG&E's total fuel expenses are two items which are not specified as allowable fuel expenses in Account No. 151 of the Commission's regulations, namely, the cost of products added prior to or in the burning cycle, and other materials used to control emission of products of combustion. Therefore, the proposed rates and charges may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful within the meaning of the Federal Power Act. Accordingly, we will accept KG&E's filing, suspend it for one day, and allow the proposed rates to become effective subject to refund. Furthermore, we shall order a hearing to be held on the lawfulness of KG&E's proposed changes in its FPC tariff.

The Commission finds. (1) It is necessary and appropriate in the public interest and to aid in the enforcement of the Federal Power Act, particularly Section 205 thereof, that the Commission enter upon a hearing concerning the lawfulness of the proposed rates, charges and conditions of service contained in KG&E's proposed supplements to its existing rate schedules.

¹ See Appendix A.

(2) Good cause exists to accept for filing and suspend KG&E's proposed supplements for one day to become effective March 14, 1975, subject to refund.

The Commission orders. (A) Pursuant to the authority of the Federal Power Act, particularly section 205 thereof, the Commission's rules of practice and procedure, and the regulations under the Federal Power Act (18 CFR Chapter I), a public hearing shall be held on July 8, 1975, at 10 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, concerning the lawfulness of the proposed supplements to KG&E's existing rate schedules.

(B) Pending a hearing and a final decision thereon KG&E's proposed supplements are hereby accepted for filing and suspended for one day to become effective March 14, 1975.

(C) On or before May 27, 1975, the Commission Staff shall serve its prepared testimony and exhibits. On or before June 10, 1975, any Intervenor shall serve their testimony and exhibits. On or before June 24, 1975, KG&E shall serve its rebuttal testimony and exhibits.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose, (See Delegation of Authority, 18 CFR 3.5(d)), shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure.

(E) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(F) Prior to any rate change under the proposed tax adjustment clause, KG&E shall file, 30 days in advance appropriate data and calculations showing the basis for the change in rate.

(G) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

MARY B. KIDD,
Acting Secretary.

[Docket No. CP75-147]

**NATURAL GAS PIPELINE COMPANY
OF AMERICA**

**Granting Interventions, Granting in Part
Petition for Declaratory Order, Scheduling
Formal Hearings and Establishing
Procedures**

MARCH 13, 1975.

On November 19, 1974, Natural Gas Pipeline Company of America (Natural) filed a Petition for Declaratory Order and Waiver of Regulations (Petition) in the above-titled docket. Natural's Petition relates to a proposal under which Natural would purchase synthetic gas (methane) for use in its interstate pipeline system over a twenty five year term. The gas is to be produced by Calorific Recovery Anaerobic (sic) Process, Inc. (Calorific) through the anaerobic processing of animal waste. Facilities for production of the gas, which would be located near Hooker, Oklahoma, will be owned and operated by Calorific.¹ The sales contract between Natural and Calorific provides for initial deliveries not in excess of 3,500 Mcf per day, subject to increase if plant performance allows and the parties to the contract (Natural and Calorific) agree.² Title to, control over and possession of the gas passes to Natural at the tailgate of the Calorific plant.

The base contract price of the Calorific gas is \$1.33 per thousand cubic feet.³ The price is subject to adjustment for fluctuations in the Btu content of the gas. The price is further subject to various adjustment formulas to provide, first, for expected escalation in the cost of plant construction. The construction escalation formula applies to 70¢, or 52.63 percent of the base price, is geared to various Bureau of Labor Statistics indexes, and operates only once. A second, operation escalation formula applies to 54¢, or 40.60 percent of the base price, is also geared to Bureau of Labor Statistics indexes, and also operates only once. A third formula, also for operation escalations, applies to 54¢ of the base price, and would cause a price decrease for annual deliveries in excess of 819,802 Mcf. It would also cause the price to vary with the Bureau of Labor Statistics Consumer Price Index. The price of gas would be recalculated every twelve months under the third escalation formula. The base indexes for all three formulas are those for October, 1974. In addition, Natural will reimburse Calorific for new, additional, or increased taxes.

¹ The Petition contains no description of Calorific's ownership, the plant process, anticipated construction, operating, or feedstock costs.

² Gas volumes could range between 841,000 and 1,000,000 Mcf per year, according to the Petition.

³ The Petition offers no cost or other justification for the base price of the gas, or the escalation formulas hereafter described.

APPENDIX A

**RATE SCHEDULE DESIGNATIONS & DESCRIPTIONS E-9260, KANSAS GAS & ELECTRIC COMPANY,
FILER, FEBRUARY 10, 1975**

Designation	Description
(1) Supplement No. 23 to Rate Schedule FPC No. 45 (Supersedes Supplement No. 22 to Rate Schedule FPC No. 45).	Rate Schedule REC 375, Other Party: Sedgwick County ECA.
(2) Supplement No. 1 to Supplement No. 23 to Rate Schedule FPC No. 45.	Fuel Adjustment Clause, Other Party: Same as (1) above.
(3) Supplement No. 26 to Rate Schedule FPC No. 46 (Supersedes Supplement No. 25 to Rate Schedule FPC No. 46).	Rate Schedule REC 375, Other Party: Butler REC.
(4) Supplement No. 1 to Supplement No. 26 to Rate Schedule FPC No. 46.	Fuel Adjustment Clause, Other Party: Same as (3) above.
(5) Supplement No. 23 to Rate Schedule FPC No. 47 (Supersedes Supplement No. 22 to Rate Schedule FPC No. 47).	Rate Schedule REC 375, Other Party: Caney Valley ECA.
(6) Supplement No. 1 to Supplement No. 23 to Rate Schedule FPC No. 47.	Fuel Adjustment Clause, Other Party: Same as (5) above.
(7) Supplement No. 24 to Rate Schedule FPC No. 48 (Supersedes Supplement No. 23 to Rate Schedule FPC No. 48).	Rate Schedule REC 375, Other Party: Radiant ECA.
(8) Supplement No. 1 to Supplement No. 24 to Rate Schedule FPC No. 48.	Fuel Adjustment Clause, Other Party: Same as (7) above.
(9) Supplement No. 29 to Rate Schedule FPC No. 49 (Supersedes Supplement No. 28 to Rate Schedule FPC No. 49).	Rate Schedule REC 375, Other Party: Sumner-Cowley EC.
(10) Supplement No. 1 to Supplement No. 29 to Rate Schedule FPC No. 49.	Fuel Adjustment Clause, Other Party: Same as (9) above.
(11) Supplement No. 15 to Rate Schedule FPC No. 72 (Supersedes Supplement No. 14 to Rate Schedule FPC No. 72).	Rate Schedule REC 375, Other Party: Cooperative Electric Power & Light Co.
(12) Supplement No. 1 to Supplement No. 15 to Rate Schedule FPC No. 72.	Fuel Adjustment Clause, Other Party: Same as (11) above.
(13) Supplement No. 18 to Rate Schedule FPC No. 74 (Supersedes Supplement No. 17 to Rate Schedule FPC No. 74).	Rate Schedule REC 375, Other Party: Sekan ECA.
(14) Supplement No. 1 to Supplement No. 18 to Rate Schedule FPC No. 74.	Fuel Adjustment Clause, Other Party: Same as (13) above.
(15) Supplement No. 2 to Rate Schedule FPC No. 127 (Supersedes Supplement No. 1 to Rate Schedule FPC No. 127).	Rate Schedule REC 375, Other Party: Coffey County REC.
(16) Supplement No. 1 to Supplement No. 2 to Rate Schedule FPC No. 127.	Fuel Adjustment Clause, Other Party: Same as (15) above.

[FR Doc. 75-7245 Filed 3-19-75; 8:45 am]

Natural requests that it be allowed to recover the cost of gas purchased from Calorific under the Purchased Gas Adjustment (PGA) Clause of Natural's Tariff. It asks that our Regulations making PGA clauses inapplicable to synthetic gas, particularly footnote 1 of § 154.38 of the regulations be waived.⁴ Alternatively, Natural requests that the costs of purchased gas be accounted for by Natural as Research and Development expenses, even though Natural does not, and will not, own or operate the facilities used to produce the gas.

Natural would construct a six inch pipeline approximately one-half mile long (hereafter the one-half mile pipeline) to extend from the tailgate of the Calorific plant to pipeline facilities owned by the Dorchester Corporation (Dorchester).⁵ Natural also proposes to construct a 550 horsepower field compressor facility, and a metering facility. Dorchester, from whom Natural currently purchases natural gas, owns and operates natural gas pipeline gathering facilities connecting its wells near Optima, Oklahoma, with Natural's Hooker, Oklahoma compressor station. Gas delivered to Dorchester by Natural's proposed one-half mile pipeline would become commingled with natural gas in Dorchester's system. Dorchester would, apparently, deliver a mixture of the Calorific and natural gas to Natural's Hooker compressor station in quantities equivalent to the artificial gas volumes purchased by Natural from Calorific.⁶ Natural would pay Dorchester an as yet unspecified rate for the transportation service.

Petitions to intervene in this Docket have been filed by the Associated Natural Gas Company, Central Illinois Public Service Company, jointly by The Peoples Gas Light and Coke Company and North Shore Gas Company, and by the Illinois Power Company. Each petitioner is a Natural customer. None requests a hearing.

The Natural-Calorific proposal represents a novel effort to deal with the nation's acute natural gas shortage. It also raises unique legal and factual issues which may assume increasing signifi-

cance as movements to acquire new gas supplies continue.

The threshold legal consideration here involves whether the unmixed gas sold by Calorific to Natural, or the facilities used for its production, are jurisdictional. We think not.

The issue of the jurisdictionality of artificial or synthetic gas was first addressed in the Algonquin SNG case (Docket No. CP72-35). In Opinion 637, issued December 7, 1972, in Algonquin SNG, we held that gas produced by the reformation of naphtha was not "natural gas" within the meaning of the Natural Gas Act (Act). Our decision was based on the fact that the naphtha feedstock itself is not natural gas, contains no methane, and that to produce methane, the naphtha must be subject to "what is essentially a manufacturing process wherein the molecular structure of the components of the feedstock are rearranged and transformed." The reformation process, we held, makes gas produced from naphtha "artificial gas", which, until mixed with "natural gas," is not subject to Commission jurisdiction.

A similar analysis was involved in our jurisdictional determination in El Paso Natural Gas Company, et al., Docket Nos. CP73-131, et al., where, by Opinion No. 663, (issued September 4, 1973) we determined that gas produced from coal is not "natural gas" as contemplated by the Act, even though the coal feedstock commonly contains trace elements of methane, the primary constituent of natural gas. In the case of coal gasification, as with naphtha reformation, the feedstock undergoes a basic change in molecular structure, induced solely by human agency through a complex manufacturing process. The product gas is thus properly deemed artificial rather than natural gas.⁷

We think the Algonquin SNG and El Paso cases control the jurisdictional result here. The feedstock in this case, which apparently consists of animal waste exclusively is not commonly and cannot reasonably be deemed "natural gas".⁸ The Commission's particular and unique expertise, developed through long years of administering the Natural Gas Act, enables us to distinguish between animal waste and natural gas.⁹ The "waste" is presumably in a nongaseous form, and cannot, to our knowledge, be substituted for natural gas in any of the applications where gas is commonly employed. Furthermore, even if the feedstocks contain elements of methane, the end product gas results primarily from a process which basically transforms the

⁷ The methane remaining trapped in the coal is of such small quantity that at the point where the reformation is completed, it contributes substantially nothing to the volumes of gas produced.

⁸ While the type of "animal" supplying the "waste" is unspecified we do not think the jurisdictional result would vary for differing species.

⁹ But see, generally, assorted dissents by Moody, Commissioner.

molecular structure of the feedstock, and in so doing creates a product of radically different form, physical description, chemical makeup, appearance, and application than the material from which the gas is derived.¹⁰ Clearly, the product gas is artificially created by the agency of man, and beyond the contemplation of what Congress intended to regulate under the Act.

It follows from the Algonquin SNG and El Paso Opinions (and other cases cited therein) that the gas produced by Calorific and sold to Natural is not subject to our jurisdiction prior to becoming mixed with "natural gas". It is also clear from those cases that the facilities used to produce the gas, and to transport the product gas while unmixed with natural gas, and the sale of such gas to Natural are non-jurisdictional. Accordingly, the one-half mile pipeline, the compressor station and the metering facility Natural proposes to construct between the Calorific plant and the Dorchester pipelines is outside our jurisdictional ambit, so long as Natural's facilities continue (as the pleadings indicate will be the case) to carry only unmixed artificial gas. As to the unmixed gas and its sale, the Calorific plant, the one half mile pipeline, and appurtenant facilities, Natural's petition for a declaration of non-jurisdiction is, accordingly, granted.

Once the Calorific gas enters the Dorchester facilities, and becomes mixed with natural gas already flowing through the Dorchester lines, the jurisdictional complexion of the case changes. Jurisdiction attaches to the "mixed" gas by virtue of section 2(5) of the Act, which states that "[n]atural gas" means either natural gas unmixed, or any mixture of natural and artificial gas.

Natural tacitly acknowledges in its Petition that the price it charges for gas is subject to our scrutiny unless certain regulatory principals are waived. We are, for example, obligated to examine the rate at which the mixed artificial gas would be sold by Natural, which in this case involves examining the reasonableness of not only the initial or base rate, but also the escalation formulas by which it would increase or decrease.¹¹ We must further rule on Natural's request for waiver of our regulations prohibiting inclusion of synthetic gas costs in PGA clauses.

¹⁰ That the Calorific feedstock is not jurisdictional is even clearer than in cases involving the reformation of Hydrocarbons such as naphtha or coal. We can find nothing in the Act, and sense no practical reason why the public interest would require or even allow regulation of the feedstock from which gas is derived here. Moreover, we doubt our ability to adequately handle the subject feedstock, even if our inclination were to do so.

¹¹ While we do not have jurisdiction over the proposed sale by Calorific to Natural, it is incumbent upon us to explore the terms of that sale in determining the appropriateness of the rate Natural would charge in its subsequent sales of the natural gas-artificial gas mixture in interstate commerce for resale (Algonquin SNG, Opinion 637).

We are also confronted by the issue of whether the gas should be sold under separate incremental rate schedules reflecting its full cost, as has been prescribed in other "exotic" gas projects, or sold at "rolled in" rates, as requested by Natural.

There are, as noted, unfortunate omissions in the information furnished in the Petition, which make it impossible to rule on Natural's requested rates and rate treatments at this time. Similarly, we are unable to evaluate the appropriateness, or foretell the possible effects of the escalation clauses governing the contract price of gas.¹³ Even the contractual "base price" proposed is unsupported by any cost or other data.

We shall, accordingly, schedule a formal hearing to afford Natural the opportunity to perfect its presentation by offering evidence to show whether the public convenience and necessity would be served by its transportation and sale for resale of the jurisdictional gas mixture in interstate commerce. In the interest of expedition, we shall not require Natural to file a further section 7 application for the jurisdictional sales proposed.¹⁴ Their evidentiary presentation should, however, furnish information sufficient to allow a determination on the section 7 issues involved, as described in the Act, our Rules and Regulations, this order, and other pertinent precedents.

The Commission further finds. It is appropriate in the public interest that the above named petitioners be allowed to intervene in these proceedings.

The Commission orders. (A) The above-named petitions to intervene are granted. *Provided, however,* That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *Provided, further,* That the admission of such interveners shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) Natural's Petition for Declaratory Order on jurisdictional issues is granted to the extent outlined in the body hereof.

(C) A formal hearing to address the pending issues outlined herein shall be convened in these proceedings in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. on April 21, 1975 at 10 a.m. The Chief Administrative Law Judge will designate an appropriate officer of the Commission to preside at the hearing, pursuant to the Commission's rules of practice and procedure.

(D) Natural Gas Pipeline Company of America and any interveners supporting

¹³ We have not condoned the use of such variable and open-ended escalation provisions in previous cases.

¹⁴ We believe the notice of Natural's Petition, issued November 27, and published in the FEDERAL REGISTER on December 5, 1974, (39 FR 42422) furnishes adequate public notice of the nature of Natural's proposed sales and the relief sought.

Natural shall, on or before April 1, 1975, file evidence in compliance with the informational requirements of our rules and regulations pertaining to application for certificates of public convenience and necessity; to allow a ruling on the unresolved issues discussed in the body hereof, and any other issues that may arise during the course of these proceedings; and to justify the authorizations requested.

(E) The Presiding Administrative Law Judge shall set dates for the filing of answering and rebuttal testimony if any, following cross-examination of the direct presentation of Natural and supporting interveners.

By the Commission.

[SEAL]

MARY B. KIDD,
Acting Secretary.

[FR Doc. 75-7246 Filed 3-19-75; 8:45 am]

[Docket No. CP74-290]

NORTHERN BORDER PIPELINE CO.
Second Supplement to Application

MARCH 13, 1975.

Take notice that on March 3, 1975, Northern Border Pipeline Company, a partnership, to be succeeded by Northern Border Pipeline Corporation (Applicant), 20 Montchanin Road, Wilmington, Delaware 19807, filed in Docket No. CP74-290 a second supplement to its application in said docket 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 to transport as a contract carrier natural gas in interstate commerce from the international border near Monchy, Saskatchewan, Canada, across approximately 1,619 miles to a point near Delmont, Pennsylvania, all as more fully set forth in the instant supplement which is on file with the Commission and open to public inspection.¹

With the original application, Applicant states that it filed Exhibits A through G-II and M, which exhibits basically cover Applicant's business organization and engineering. Additionally, Applicant states that it also filed the comprehensive environmental assessment report required by § 2.82 of the Commission's General Policy and Interpretations (18 CFR 2.82). By its first supplement, Applicant submitted Exhibit P, its proposed tariff, in compliance with § 157.14(a) (18) (i) of the Commission's regulations under the Natural Gas Act (18 CFR 157.14(a) (18) (i)). The instant second supplement is filed to comply with the Commission's order issued January 23, 1974, in this docket (53 FPC --).

Applicant states that by the second supplement it:

(1) Revises the projected date for commencement of operations of proposed first

¹ The application was noticed in the FEDERAL REGISTER on June 14, 1974 (39 FR 20819), and the first supplement thereto, filed on November 16, 1974, was noticed in the FEDERAL REGISTER on December 20, 1974 (39 FR 44092).

year facilities from July 1, 1978, to July 1, 1979, and for commencement of operation of proposed second year facilities from July 1, 1979, to July 1, 1980. Applicant submits that this change is consistent with the schedule now reflected in exhibits filed by Alaskan Arctic Gas Pipeline Company in the second supplement to its application in Docket No. CP74-239 and by Canadian Arctic Gas Pipeline Limited in the November 14, 1974, supplement to its application filed with the National Energy Board of Canada.

(2) Files updated revised Exhibits F, G, G-I, and G-II reflecting the location and flow design of Applicant's proposed facilities, which revision, Applicant asserts, reflects a change in construction schedule from the extended five-phase program constructed over a six-year period originally indicated to a two-phase program constructed over a three-year period. Applicant states that the actual build-up of volumes to the full capability of the pipeline facilities shown in the exhibits filed herewith, and construction of facilities to accommodate such volumes, will reflect the availability of gas to the pipeline under shipper contracts yet to be executed and that this could result in either a shorter or a longer build-up period than the two-phase program assumed by the exhibits filed herewith.

(3) Files Exhibits H (Gas Supply) and I (Market Data). Applicant relies on and incorporates by reference the estimates of recoverable reserves and deliverability for the Prudhoe Bay and MacKenzie Delta gas supply areas as set forth in Exhibit H of the third supplement to Alaskan Arctic Gas Pipeline Company's application in Docket No. CP74-239. Additionally, Applicant incorporates in Exhibit H by reference copies of the master gas agreement and joint venture agreement, both dated January 1, 1972, between Northern Natural Gas Company and B.P. Alaska filed November 29, 1972, with the Commission in Docket No. R-411 and the agreement between Columbia Gas Transmission Company and B.P. Oil Corporation, dated as of August 23, 1971, and filed as Exhibit R-5 in Docket No. RP72-36. With respect to market data, Applicant states that it relies upon the data set forth in §§ 1.1 and 8.1 of its environmental assessment report, heretofore filed in this docket, reflecting the supply of and demand for gas in the market areas served by the natural gas pipeline systems participating in the Northern Border project. Applicant states that this is supported by a report filed with the Commission pursuant to Guideline 10.3 for Environmental Reports. Additionally, Applicant has filed with the instant supplement a report, supplementing §§ 1.1 and 8.1 of the environmental assessment report, on the supply of gas available to the Northern Border Pipeline market 1974-84.

(4) Files Exhibits K, L, N, O, and P(1). Applicant estimates the total cost of the project to be \$1,964,000,000. Capital requirements under the proposed financing plan would be met through the investment of equity by the partners comprising Applicant and through the concurrent issuance of various debt securities. Applicant intends to refinance permanently the greater part of the short-term construction loans with the proceeds from the issuance and private sale of long-term debt to institutional lenders.

(5) Files Exhibit Z setting forth two possible alternative systems, which alternatives, Applicant states, basically would differ from the system proposed by Applicant in that they would utilize looped 42-inch pipe in lieu of 48-inch pipe. Applicant is not proposing either alternative at this time. Applicant states that while it is confident that its pipeline in due course will be loaded to the optimum volume for a fully powered 48-inch pipeline, and it continues to propose

the construction of the 48-inch system, it does not now know what volumes may be available to the pipeline initially. Applicant states further that in order to prevent delay in the presentation of evidence pertaining to a possible alternative, it is filing in Exhibit Z comprehensive technical and environmental exhibits pertaining to such alternatives.

(6) Files a supplemental environmental assessment report relating to the 42-inch alternative systems referred to above.

Any person desiring to be heard or to make any protest with reference to said supplement should on or before April 3, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Persons having heretofore filed protests, petitions to intervene, or notices of intervention in this docket or in the consolidated proceeding in Docket No. CP75-96, et al.,² need not do so again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7247 Filed 3-19-75; 8:45 am]

[Docket No. RP72-154]

NORTHWEST PIPELINE CORP.
Proposed Changes in FPC Gas Tariff

MARCH 12, 1975.

Take notice that Northwest Pipeline Corporation (Northwest) on March 5, 1975, tendered for filing proposed changes in its FPC revised tariff sheets which modify the Purchased Gas Cost Adjustment Provision (PGAC), as contained in Section 16 of the General Terms and Conditions of Northwest's FPC Gas Tariff, Original Volume No. 1.

Northwest states that the modifications proposed by the tendered tariff sheets will permit Northwest to: (1) reflect changes in purchase patterns, which have changed recently, due to substantial curtailments experienced at the Canadian border; (2) determine the annualized

² The application in the instant docket is consolidated for hearing in the proceeding in El Paso Alaska Company, et al., Docket No. GP75-98, et al.

cost of purchased gas from both domestic and Canadian sources by the same method; and (3) exclude from the PGAC gas purchased for sale under specific incremental pricing arrangements.

Northwest also filed, on February 26, 1975, a revised semi-annual PGAC, as originally filed on February 14, 1975 in Docket No. RP72-154, requesting an April 1, 1975 effective date, in accordance with the terms of Northwest's tariff. Northwest requests that the tendered revised tariff sheets be accepted and made effective as of Northwest's semi-annual PGAC adjustment date of April 1, 1975.

Northwest states that a copy of the instant filing has been mailed to all jurisdictional customers and affected state regulatory commissions.

Any person desiring to be heard or to make any protest with reference to this filing should, on or before March 24, 1975 file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7248 Filed 3-19-75; 8:45 am]

[Docket No. RPT8-92, PGA 75-2B]

RATON NATURAL GAS CO.

Change in Rates

MARCH 12, 1975.

Take notice that Raton Natural Gas Company (Raton) on March 6, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Volume No. 1, consisting of Sixth Revised Sheet No. 3a. The change in rates is for Jurisdictional Gas Service.

Raton states that the instant notice of change in rates is occasioned solely by, and will compensate Raton only for, increases in the cost of gas purchased from Colorado Interstate Gas Company (CIG).

The tracking of CIG gas cost increase of 5.73 cents results in increased commodity rate from 53.79 cents to 59.52 cents.

The annual revenue increase by reason of the tracking increased rate amounts to \$63,579.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 31, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-7249 Filed 3-19-75; 8:45 am]

[Docket No. CI61-592, etc.]

LADD PETROLEUM CORP.

Petition To Amend Orders Issuing Certificates of Public Convenience and Necessity

MARCH 12, 1975.

Take notice that on February 18, 1975, Ladd Petroleum Corporation (Petitioner) filed in Docket No. CI61-592, et al., a petition to amend the orders issuing certificates of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act in said dockets to LVO Corporation by authorizing Petitioner to continue without change sales of natural gas in interstate commerce for resale authorized in said dockets to be made by LVO Corporation, all as more fully set forth in the appendix hereto and in the petition to amend which is on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before March 25, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

APPENDIX—LVO Corporation certificates and FPC Gas Rate Schedules

LVO Gas Rate Schedule No.	Certificate Docket No.	Purchaser	Location of Sale		
			Field	County or Parish	State
1	CI61-1557	Oklahoma Natural Gas Gathering Corp.	Ringwood	Major	Oklahoma
2	CI63-1544	Cities Service Gas Co.	Northeast Enid	Garfield	Do.
3	CI61-1545	Oklahoma Natural Gas Gathering Corp.	Ringwood	Major	Do.
4	CI61-1553	do	do	do	Do.
5	CI61-1561	do	do	do	Do.
6	CI61-1693	do	do	do	Do.
7	CI61-1712	do	do	do	Do.
8	CI61-1740	do	do	do	Do.
9	CI61-1747	do	do	do	Do.
10	CI64-679	Kansas Nebraska Natural Gas Co.	Bradshaw	Hamilton	Kansas
10	CI74-19	do	Wedel	do	Do.
13	CI61-692	Cities Service Gas Co.	West Palmer	Barber	Do.
16	CI63-1230	Arkansas Louisiana Gas Co.	North Cooper	Blaine	Oklahoma
17	CI61-900	Cities Service Gas Co.	West Palmer	Barber	Kansas
20	CI61-1122	do	Lucien	Noble	Oklahoma
22	CI62-1067	do	do	do	Do.
25	CI67-295	Panhandle Eastern Pipe Line Co.	South Peak	Ellis	Do.
27	CI67-286	Kansas Nebraska Natural Gas Co.	Bradshaw	Hamilton	Kansas
28	CI71-490	United Gas Pipe Line Co.	East Lake Verret	Assumption	Louisiana
30	CI72-224	do	Josquin	Shelby and Panola	Texas
31	CI72-194	Cities Service Gas Co.	Grant	Grant	Oklahoma
32	CI72-450	Northern Natural Gas Co.	Northwest Beaver	Beaver	Do.
33	CI72-450	do	Dover	Do.	Do.
35	CI72-450	Natural Gas Pipe Line Co. of America	Perryton	Ochiltree	Texas
36	CI72-450	do	Southeast Boyd	Beaver	Oklahoma
36	CI72-450	Arkansas Louisiana Gas Co.	North Cooper	Blaine	Do.
37	CI72-450	Northern Natural Gas Co.	Camrick	Beaver	Do.
40	CI72-450	do	Catesby	Ellis	Do.
41	CI72-450	do	Camrick	Beaver	Do.
42	CI72-450	do	do	Ochiltree	Do.
43	CI72-450	do	Perryton	Ochiltree	Texas
44	CI72-450	Oklahoma Natural Gas Gathering Corp.	Ringwood	Major	Oklahoma
45	CI72-450	Arkansas Louisiana Gas Co.	Kinta	Leflore	Do.
46	CI73-147	Florida Gas Transmission Corp.	NW Bayou Choctaw	Iberville	Louisiana
47	CI73-355	Kansas Nebraska Natural Gas Co.	Bradshaw	Hamilton	Kansas
48	CI74-656	do	do	do	Do.
49	CI75-146	Texas Eastern Transmission Corp.	South Thornwell	Cameron	Louisiana

(FR Doc.75-7127 Filed 3-19-75; 8:45 am)

**FEDERAL RESERVE SYSTEM
BANKSHARES OF FLORIDA, INC.**

Formation of Bank Holding Company

Bankshares of Florida, Inc., Hollywood, Florida, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of the following banks with respective voting share ownerships: Eollywood National Bank, Hollywood, Florida (99.60 percent); First National Bank of Hollywood, Hollywood, Florida (94.93 percent); First National Bank of Hallandale, Hallandale, Florida (99.55 percent); First National Bank of Moore Haven, Moore Haven, Florida (100 percent); and First National Bank of Miramar, Miramar, Florida (80 percent). The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 11, 1975.

Board of Governors of the Federal Reserve System, March 12, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

(FR Doc.75-7264 Filed 3-19-75; 8:45 am)

B.O.C. CORP.

Order Approving Formation of Bank Holding Company

B.O.C. Corporation, Sheridan, Wyoming, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through the acquisition of 86.66 percent or more of the voting shares of Bank of Commerce, Sheridan, Wyoming ("Bank").

Notice of the application, affording an opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments has expired, and the application and all comments received have been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was organized for

the purpose of becoming a bank holding company through the acquisition of Bank Bank (deposits of \$34.2 million)¹ is the largest of three banks² in Sheridan, Wyoming. Upon acquisition of Bank, Applicant would control 2.6 percent of total commercial bank deposits in Wyoming. The proposal represents a corporate reorganization, with no change in the management of Bank. Since Applicant has no present operations, consummation of the proposal would have no effect on existing or potential competition, nor would it increase the concentration of banking resources or have an adverse effect on other banks in the relevant market. Thus, competitive considerations are consistent with approval of the application.

The future prospects of Applicant are entirely dependent upon the financial resources of Bank. Applicant proposes to service the debt incurred as a result of this proposal over a 12-year period through dividends from Bank averaging approximately 26 percent of Bank's projected net income. In light of the past earnings of Bank and its anticipated growth, the projected earnings of Bank appear to provide Applicant with the necessary financial flexibility to meet its annual debt servicing requirements and to maintain an adequate capital position for Bank. Therefore, considerations relating to banking factors are consistent with approval of the application. Although consummation of the proposal would not alter the banking services offered by Bank, the considerations relating to the convenience and needs of the community to be served are consistent with approval. It has been determined that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City, pursuant to delegated authority.

By order of the Secretary of the Board, acting pursuant to delegated authority for the Board of Governors, effective March 11, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

(FR Doc.75-7262 Filed 3-19-75; 8:45 am)

¹ All banking data are as of June 30, 1974.

² In addition two *de novo* banks were recently opened in Sheridan, Wyoming; Bank of Wyoming, N.A., and Wyoming Security Bank, on August 1, 1974, and November 6, 1974, respectively.

FIRST TENNESSEE NATIONAL CORP.
Order Approving De Novo Expansion of
Insurance Agency Activities

First Tennessee National Corporation, Memphis, Tennessee, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c) (8) of the Act and section 225.4(b) of the Board's Regulation Y, to engage de novo in certain additional insurance activities through its subsidiary, Crown Finance Company ("Crown"), St. Louis County, Missouri. Applicant is seeking approval for Crown to expand its insurance agency activities to include acting as agent for the sale of: (1) joint-spouse credit life insurance on a reducing term basis and (2) physical damage insurance on personal property pledged as collateral for an extension of credit.¹ Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a) (9)). The Board has reviewed the instant proposal in order that it might be assured that the specific coverages applied for under § 225.4(a) (9) were of the kind deemed permissible under its insurance regulation.

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 28189). The time for filing comments and views has expired, and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c) (8) of the Act (12 U.S.C. 1843(c) (8)).

Applicant, the largest banking organization in Tennessee, controls 12 subsidiary banks with aggregate deposits of \$1.2 billion, representing approximately 10.6 percent of total deposits in commercial banks in that State.² Applicant also controls numerous nonbank subsidiaries that engage in a variety of activities, including mortgage banking, investment and management services, personal property leasing, trust services, and reinsuring credit life and credit accident and health insurance.

On June 21, 1973, the Board approved Applicant's acquisition of Crown (38 FR 17542). Crown and 85 of its subsidiaries engage in the activities of making personal loans and purchasing installment sales finance contracts. Crown conducts its finance company activities in seven States: Illinois, Indiana, Iowa, Kansas,

Missouri, Ohio, and Oklahoma. In addition, through its insurance brokerage and agency subsidiaries, Crown currently engages in the sale of credit life and credit accident and health insurance in connection with extensions of credit by its finance company subsidiaries in each of the above-mentioned States.³ Through another subsidiary, Crown indirectly engages in the underwriting, as reinsurer, of credit life and credit accident and health insurance directly related to extensions of credit by its subsidiaries.

In this application, Applicant seeks approval to engage de novo in the sale of two additional types of insurance not contemplated by Applicant in the original application to acquire Crown, and consequently not encompassed in the Board's Order of June 21, 1973. Applicant proposes to act as agent with respect to the sale of joint-spouse credit life insurance on a reducing term basis in connection with extensions of credit by Crown's finance offices in the States of Indiana, Iowa, Kansas,⁴ Missouri, and Oklahoma;⁵ and to act as agent with re-

¹ The Board's Order of June 21, 1973, noted that Crown's insurance activities in Illinois would not involve the licensing of Crown's subsidiaries as insurance agents in view of a possible prohibition under State law. Although not specifically noted in the Order, a virtually identical situation existed with respect to Crown's Oklahoma offices. Therefore, Applicant proposed, with respect to Crown's offices in these two States, that Crown's employees would enroll customer-debtors for credit insurance under group credit life and group credit accident and health policies issued to Crown as policyholder. It was understood that Crown would not receive commissions, but might receive premium adjustments.

Notwithstanding the fact that Crown acts as neither agent nor broker in offering credit life or credit accident and health insurance on a group basis to its borrowers in Oklahoma and Illinois, the Board views this activity as the functional equivalent of acting as agent or broker in the sale of credit life insurance. Therefore, the Board deems this activity to be a permissible activity for purposes of § 225.4(a) (9) (11) (a) of Regulation Y. In either situation the offering of such insurance is directly related to an extension of credit, it insures the same type of interest, and it results in the same public benefit to the consumer.

² In view of a new Kansas statute (K.S.A. 9-507) prohibiting the performance of non-banking activities by multibank holding companies, Applicant has committed that it will cease all of its nonbanking activities in that State by the date on which that statute becomes effective.

³ Applicant proposes that employees of Crown's offices in Oklahoma will enroll debtors of Crown or its subsidiaries for credit insurance under a group policy issued to Crown as the policyholder. Crown would not receive commissions, but might receive premium adjustments computed on the basis of loss experience. The Oklahoma Insurance Commissioner has stated, in a written opinion, that credit life and credit accident and health policies can be sold under the group form and that a creditor under a group policy is not required to be licensed as an insurance agent to enroll members. Applicant confirms that Crown's present insurance activities in Oklahoma conform with Oklahoma

spec to the sale of physical damage insurance on personal property pledged as collateral for extensions of credit by Crown's finance offices in the States of Indiana, Iowa, Kansas, and Missouri.

The Board has previously found joint-spouse credit life insurance, like other forms of credit life insurance, to be directly related to an extension of credit,⁶ and has permitted the sale of such insurance in cases in which the credit extension was dependent upon the income of both the husband and wife. Such insurance is designed to assure repayment of an extension of credit in the event of death of a co-signer or co-maker of a note. Since each of the co-signers or co-makers may be individually responsible for repayment of the credit extension, the Board regards insurance covering each to be directly related to an extension of credit.

The Board also has previously found that various forms of insurance that protect the collateral in which a subsidiary has a security interest as a result of an extension of credit are directly related to an extension of credit within the meaning of § 225.4(a) (9) of Regulation Y. A secured extension of credit is usually granted in reliance upon the value of the collateral securing the loan. Thus, insurance is essential from the lender's standpoint to assure that the value of the collateral will not be impaired by physical damage. The direct relationship of the insurance transaction and the extension of credit is further apparent in that the presence or lack of insurance protecting the loan collateral constitutes an essential element of the lender's credit evaluation. This finding is in accord with the Board's Interpretation pertaining to insurance that supports the lending transactions of a bank or bank-related firm in a holding company system (12 CFR 225.128).

Since Applicant's proposal involves the de novo provision of additional types of credit-related insurance at offices of Crown which are presently owned by Applicant, it appears that consummation of this proposal would not result in any adverse effects upon actual or probable future competition. Furthermore, it is anticipated that approval of this application would enable Crown to provide its customers with a convenient, alternative source for these additional types of insurance.

There is no evidence in the record indicating that consummation of the proposal would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects.

laws and with this Ruling of the Insurance Commissioner, and commits that Crown's future insurance activities in Oklahoma will continue to be in conformance with Oklahoma law.

⁶ See Order of May 21, 1973, approving application of Northwest Bancorporation to acquire Banco Credit Life Insurance Company (38 F.R. 14205), and Order of November 12, 1973, approving application of Irwin Union Corporation to acquire Irwin Union Credit Insurance Company (60 Bulletin 138).

¹ The activities which Applicant proposes to conduct through Crown's Oklahoma offices differ slightly from the above-described activities. Applicant does not propose that Crown sell physical damage insurance on personal property in Oklahoma. Also, with respect to joint-spouse credit life insurance, Applicant proposes that the employees of Crown's offices in Oklahoma enroll customer-debtors for credit insurance coverage under group policies issued to Crown as policyholder.

² All banking data are as of June 30, 1974, and reflect holding company formations and acquisitions approved through January 31, 1975.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provisions of section 4(c) (8), that consummation of this proposal can reasonably be expected to result in benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of St. Louis, pursuant to authority hereby delegated.

By order of the Board of Governors,
effective March 12, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 75-7266 Filed 3-19-75; 8:45 am]

FIRST TENNESSEE NATIONAL CORP.
Order Approving Acquisition of Pioneer Bank and Valley Company

First Tennessee National Corporation, Memphis, Tennessee, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3 (a) (3) of the Act (12 U.S.C. 1842(a) (3)) to acquire all of the voting shares of the successor by merger to Pioneer Bank, Chattanooga, Tennessee ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Applicant has also applied for the Board's approval, under section 4(c) (8) of the Act and section 225.4(b) (2) of the Board's Regulation Y, to acquire all of the voting shares of Valley Company, Chattanooga, Tennessee, a company that, through its wholly-owned subsidiary, Oneida Life Insurance Company (OLIC), also of Chattanooga, Tennessee, engages in the activity of underwriting credit life and credit accident and health insurance which is directly related to extensions of credit by Bank. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4 (a) (10)).

* Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, Wallich, and Coldwell. Absent and not voting: Chairman Burns.

Notice of the applications, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 18336). The time for filing comments and views has expired, and the Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and the public interest factors set forth in section 4(c) (8) of the Act (12 U.S.C. 1843(c)).

Applicant, the largest banking organization in Tennessee, controls twelve banks with aggregate deposits of approximately \$1.2 billion, representing 10.6 percent of the total deposits in commercial banks in the State.¹ Applicant also controls a number of nonbanking subsidiaries which are variously engaged in data processing, mortgage banking, international banking, consumer finance, credit-card financing, personal property and equipment leasing, trust services, investment and financial management, advising a real estate investment trust, and the sale of credit life and credit accident and health insurance in connection with extensions of credit by Applicant's lending subsidiaries.² Acquisition of Bank would increase Applicant's share of total deposits in the State by less than one percentage point and would not significantly increase the concentration of banking resources in Tennessee.

Bank holds deposits of approximately \$101 million, representing 10.2 percent of the total deposits in commercial banks in the relevant market, and thereby ranks as the third largest of nine banks operating therein.³ Applicant's banking subsidiary closest to Bank is located 96 miles away in Cookeville. It appears that no meaningful competition presently exists between any of Applicant's subsidiary banks and Bank, nor is any competition likely to develop in view of the distances involved and Tennessee's branching laws. Although Applicant is not prohibited from entering the market de novo, such alternative entry appears unlikely due to other recently-granted charters for de novo banks. Furthermore, under the relevant Tennessee banking law, Bank is the smallest bank in the market that Applicant could acquire prior to 1976. Therefore, the Board concludes that Applicant's acquisition of Bank would not

¹ All banking data are as of June 30, 1974 and reflect holding company formations and acquisitions approved through January 31, 1975.

² Applicant also has a nonbanking subsidiary, Investor's Mortgage Service, Inc., St. Louis, Missouri, engaged in real estate management and land development. This company (which was acquired by Applicant on January 17, 1969) may not be retained by Applicant, under the provisions of § 4(a) (2) of the Act, beyond December 31, 1980 without prior Board approval.

³ The relevant geographic market for purposes of analyzing the competitive effects of the proposed transaction is the Chattanooga banking market, which is approximated by Hamilton County, Tennessee and Walker County, Georgia.

have significantly adverse effects on existing or potential competition in any relevant area, and that the competitive considerations are consistent with approval of the application to acquire Bank.

The financial condition and managerial resources of Applicant, its subsidiaries and Bank are considered generally satisfactory, and the future prospects for each appear favorable. Thus, the banking factors are consistent with approval of the application to acquire Bank. Affiliation with Applicant will provide Bank with access to Applicant's financial and managerial resources and thereby enable Bank to provide additional banking services to the residents of the Chattanooga area. Accordingly, considerations relating to the convenience and needs of the community to be served lend some weight toward approval of this application. It is the Board's judgment that consummation of this transaction would be in the public interest and that the application to acquire Bank should be approved.

In conjunction with the acquisition of Bank, Applicant proposes to acquire Valley Company, a corporation whose sole activity is operating its wholly-owned subsidiary OLIC.⁴ OLIC engages in the activity of acting as underwriter with respect to credit life and credit accident and health insurance directly related to extensions of credit by Bank. Credit life and credit accident and health insurance is generally made available by banks and other lenders and such insurance is designed to assure repayment of a loan in the event of death or disability of the borrower. Since OLIC only engages in this activity with respect to extensions of credit by Bank, consummation of the proposal would not have any adverse effects on existing or potential competition in any relevant market.

Applicant has stated that following approval of its proposal, OLIC would offer various types of credit insurance at rates below those presently charged for such coverage. In particular, OLIC would reduce the present premium rate for credit life insurance from \$0.75 per 100 to \$0.70 per 100; and would reduce by 5 percent its current premiums for credit accident and health insurance. The Board regards Applicant's proposed reductions of premium rates for such insurance as being in the public interest. Furthermore, there is no evidence in the record indicating that consummation of the proposed acquisition would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest.

Based on the foregoing and other considerations reflected in the record, the Board has determined that the considerations affecting the competitive fac-

⁴ Applicant has stated its intention to sell the assets of OLIC on or shortly after its acquisition. In this event, such credit insurance activities would be underwritten by Applicant's indirect subsidiary, Corona Life Insurance Company.

tors under section 3(c) of the Act and the balance of the public interest factors the Board must consider under section 4(c)(8) both favor approval of Applicant's proposals.

Accordingly, the applications are approved for the reasons summarized above. The acquisition of Bank shall not be made before the thirtieth calendar day following the effective date of this Order; and neither the acquisition of Bank nor the acquisition of Valley Company shall be made later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of St. Louis. The determination as to Applicant's insurance activities is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modification or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,^{*} effective March 12, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-7267 Filed 3-19-75; 8:45 am]

FIRST UNION CORP.

Formation of Bank Holding Company

First Union Corporation, Stillwater, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 per cent or more of the voting shares of The First National Bank and Trust Company of Stillwater, Stillwater, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 7, 1975.

Board of Governors of the Federal Reserve System, March 12, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-7265 Filed 3-19-75; 8:45 am]

PFISTER, INC.

Formation of Bank Holding Company

Pfister, Inc., Clifton, Kansas, has applied for the Board's approval under sec-

* Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, Wallich, and Coldwell. Absent and not voting: Chairman Burns.

tion 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 92.4 percent of the voting shares of The First National Bank of Clifton, Kansas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Pfister, Inc., Clifton, Kansas has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire Pfister Insurance, Clifton, Kansas. Notice of the application was published on January 2, 1975 in The Clifton News-Tribune, a newspaper circulated in Clifton, Kansas.

Applicant states that it would engage in the activities of a general insurance agency business in Clifton, Kansas, a community with a population of less than 5,000 persons. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 15, 1975.

Board of Governors of the Federal Reserve System, March 13, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-7268 Filed 3-19-75; 8:45 am]

WEST POINT FIRST NATIONAL CO.

Formation of Bank Holding Company

West Point First National Co., Lincoln, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 84 per cent or more of the voting shares of The First National Bank of West Point, West Point, Nebraska. The factors that are considered in acting on the

application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 14, 1975.

Board of Governors of the Federal Reserve System, March 13, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-7269 Filed 3-19-75; 8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

GENERAL ADVISORY COMMITTEE AD HOC ISOTOPES SUBCOMMITTEE

Meeting

In accordance with the purposes of section 26 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2036), the Isotopes Subcommittee of the General Advisory Committee will hold a meeting at the Stanford Research Institute in Menlo Park, California, on April 7 and 8, 1975, for the purpose of discussing the laser isotopes separation programs at the Los Alamos Scientific Laboratory and the Lawrence Livermore Laboratory.

The meeting will not be open to the public under the authority of Section 10(d) of Pub. L. 92-463 (Federal Advisory Committee Act). I have determined that it is necessary to close the meeting to discuss certain information that is classified and falls within exemptions (1) and (3) of 5 U.S.C. 552(b); and to exchange opinions and formulate recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). Further, any nonexempt material that will be discussed during the meeting will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close the meeting to protect such classified information and to protect the free interchange of internal views and avoid undue interference with Administration and Subcommittee operations.

R. G. ROMATOWSKI,
Advisory Committee
Management Officer.

MARCH 14, 1975.

[FR Doc.75-7349 Filed 3-19-75; 8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 75-21]

NASA WAGE COMMITTEE

Meeting

Pursuant to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the National Aeronautics and Space Administration Wage Committee will be held on April 11, 1975.

The meeting will convene at 1:30 p.m. and will be held in Room 226-B, 600 Independence Avenue, Washington, D.C. 20546.

The Committee's primary responsibility is to consider and make recommendations to the Director of Personnel, National Aeronautics and Space Administration, on all matters involved in the development and authorization of a wage schedule for the Cleveland, Ohio, wage area pursuant to Pub. L. 92-392.

The approved agenda of the Committee provides that it will review the survey specifications for the Cleveland, Ohio, wage area which were recommended by the Local Wage Committee and will determine whether to recommend acceptance or modification of those survey specifications.

Dated: March 17, 1975.

DUWARD L. CROW,
Assistant Administrator for
DOD and Interagency Affairs,
National Aeronautics and
Space Administration.

[FR Doc.75-7196 Filed 3-19-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[License No. 5-16414-1E]

FIRE ALERT, INC.

Issuance of Byproduct Material License

Please take notice that the Nuclear Regulatory Commission has, pursuant to § 32.26 of 10 CFR Part 32, issued License No. 5-16414-1E to Fire Alert, Incorporated, 10604 WI-70, North Service Road, Wheat Ridge, Colorado 80033, which authorizes the distribution of fire detectors to persons exempt from the requirements for a license pursuant to § 30.20 of 10 CFR 30.

1. The devices are designed to detect incipient fire by responding to the products of combustion produced by thermal decomposition of building materials or contents prior to the appearance of visible smoke, flame, or appreciable heat. The sensitive element of each detector is an ionization chamber in which air flowing into the chamber is made conductive by alpha particles emitted by americium 241.

2. The byproduct material incorporated in each detector is americium in the oxide form contained in foils manufactured by Nuclear Radiation Developments (Model A-001) or Amersham/Searle (AMM-1001). The maximum activity contained in the unit is 3.5 microcuries.

3. Each exempt unit will have a label identifying the manufacturer, Fire Alert, Inc., and the byproduct material, americium 241, contained in the unit and recommending that the unit be returned to Fire Alert, Inc., for repair or disposal.

A copy of the license and license application containing additional information are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

Dated at Bethesda, Maryland, March 13, 1975.

For the Nuclear Regulatory Commission.

BERNARD SINGER,
Chief, Materials Branch, Office
of Nuclear Material Safety
and Safeguards.

[FR Doc.75-7243 Filed 3-19-75;8:45 am]

NUCLEAR ENERGY CENTER SITE SURVEY AND SECURITY AGENCY STUDY

Request for Public Comments

Section 207 of the Energy Reorganization Act of 1974 (the Act) directs the Nuclear Regulatory Commission to make a national survey to locate and identify possible nuclear energy center sites. The Act defines nuclear energy center sites as any site, including a site not restricted to land, large enough to support utility operations or other elements of the total nuclear fuel cycle, or both, including, if appropriate, nuclear fuel reprocessing facilities, nuclear fuel fabrication plants, retrievable nuclear waste storage facilities and uranium enrichment facilities.

The survey will include a regional evaluation of natural resources available for nuclear energy center sites; estimates of future electric power requirements that can be served by each nuclear energy center site; an assessment of the economic impact of each site; and consideration of other relevant factors such as population distribution, proximity to electric load centers and other elements of the fuel cycle, transmission line rights-of-way, and the availability of other fuel resources.

In addition, the survey will evaluate the environmental impact likely to result from construction and operation of such nuclear energy centers and will evaluate whether such centers will result in greater or lesser environmental impacts than separate siting of the reactors and/or fuel cycle facilities. Finally, the survey will consider the use of federally owned property and other public use lands for energy center sites.

The Act directs the Nuclear Regulatory Commission to conduct the survey in cooperation with other interested Federal, State, and local agencies. It also requires that the views of interested persons, including electric utilities, citizens' groups, and others, shall be solicited and considered.

A report on the results of the survey will be published and transmitted to the Congress and the Council on Environmental Quality not later than October 11, 1975. The report will include the Commission's evaluation of the results of the survey and any conclusions and recommendations which the Commission may have concerning the feasibility and practicality of locating nuclear facilities on nuclear energy center sites. The Commission will update the report from time to time thereafter as it deems advisable.

In addition to the study described

above, section 204(b) of the Act imposes on the Nuclear Regulatory Commission the duty to review safeguards for materials and facilities licensed under the Atomic Energy Act of 1954 insofar as associated with processing, transport and handling of nuclear materials, including: "... assessing the need for, and the feasibility of, establishing a security agency within the office for the performance of the safeguards functions ..." A report with recommendations on the assessment must be prepared within one year from the effective date of the Act and promptly transmitted to Congress. While the Act does not mandate public input to this study, the Commission judges such input to be of value in the conduct of the study.

The Commission is placing information in the Public Document Room that describes in more detail the plans for the studies. Interested persons who wish to offer comments on the plans for the studies, or to provide other pertinent information relevant to the studies, should address their comments to the Director, Office of Special Studies, Nuclear Regulatory Commission, Washington, D.C. 20555. Comments will be considered in the conduct of the studies and the preparation of the reports. In view of the short time allowed by the Act for completion of the studies, comments should be submitted as soon as possible.

For the Nuclear Regulatory Commission.

SEYMOUR H. SMILEY,
Director,
Office of Special Studies.

[FR Doc.75-7347 Filed 3-18-75;10:23 am]

[Dockets Nos. 50-250, 50-251]

FLORIDA POWER AND LIGHT CO.

Proposed Issuance of Amendments to Facility Operating Licenses

The Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses Nos. DPR-31 and DPR-41 issued to Florida Power and Light Company (the licensee), for operation of the Turkey Point Nuclear Generating Units 3 and 4, located in Dade County, Florida.

The amendments would revise the Technical Specifications in accordance with the licensee's application dated February 10, 1975. The revisions would modify those provisions in the Technical Specifications relating to fuel residence time, control rod insertion limits, and limiting safety system settings. The revisions will allow operation of Turkey Point Nuclear Generating Unit 4, following refueling, at 2250 psia until the extended fuel residence time is reached. The operating limits for Unit 3 set forth in its Technical Specifications will remain unchanged although the Technical Specifications will be modified to reflect the revisions to the Unit 4 Technical Specifications.

Prior to issuance of the proposed license amendments, the Commission will

have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By April 29, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendments to the subject facility operating licenses. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Jack R. Newman, Esquire, Lowenstein, Newman, Reis and Axelrad, 1025 Connecticut Avenue NW., Washington, D.C. 20006, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendments dated February 10, 1975, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Lilly Lawrence Bow Public Library, 212 NW. First Avenue, Homestead, Florida. The license amendments and the Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request

addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 11th day of March 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch #3, Division of Reactor
Licensing.

[FR Doc.75-7193 Filed 3-19-75; 8:45 am]

[Docket Nos. 50-275 OL, 50-323 OL]

PACIFIC GAS AND ELECTRIC CO.

Order Relative to Prehearing Conference

Take Notice, a prehearing conference will be held on April 10, 1975, commencing at 9:30 a.m. (local time) at The County Board of Supervisors Chambers (Ground Floor), County of San Luis Obispo Courthouse Annex on Palm Street, San Luis Obispo, California.

The Board will expect the NRC Regulatory Staff to state the release dates for the Addendum to the Final Environmental Statement and the Supplemental Safety Evaluation Report. The Board intends to discuss scheduling—including discovery. The Board will request a report from counsel for PG and E and Staff on the ongoing monitoring programs.

The Board would like to visit the site in the afternoon of April 9, 1975. We do not want a conducted tour but simply an escort to assure us access to the area from the gatehouse.

Dated at Bethesda, Maryland this 18th day of March 1975.

It is so ordered.

For the Atomic Safety and Licensing Board.

ELIZABETH S. BOWERS,
Chairman.

[FR Doc.75-7494 Filed 3-19-75; 10:03 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on March 17, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Economic Research Service, Survey of Consumers' Food-Related Behavior, Attitudes and Motives, other (see SF-88), persons with major responsibility for purchasing food. Sunderhauf, M. B., 395-4911.

DEPARTMENT OF COMMERCE

Bureau of the Census, Housing Vacancy Survey and Housing Vacancy Reinterview Survey, HVS-1, HVS-1(R), monthly, vacant living quarters in monthly CPS sample, Sunderhauf, M. B., 395-4911.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration: Cultural Barriers to the Utilization of Emergency Medical Services for Spanish Surname (Speaking Americans), ERABHSR 1125, single-time, households and provider groups in east Los Angeles, Collins, L., 395-3756.

Pretest of 1975 Master Facility Inventory Survey, Branch 012, single-time, sample of 300 nursing homes and other facilities, Collins, L., 395-3756.

Center for Disease Control, Study of Repeated Gonococcal Infections, CDC 1111, single-time, V.D. clinic patients, Collins, L., 395-3756

EXTENSIONS

DEPARTMENT OF COMMERCE

Bureau of East-West Trade, Exportation of Technical Data and Products (Reporting Requirement of Written Assurance by Foreign Importer), 379.4(1), on occasion, commercial exporters, Evinger, S. K., 395-3648.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-7396 Filed 3-19-75; 8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on March 14, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

ENVIRONMENTAL PROTECTION AGENCY

Evaluation of Odor and Noise Production From Two Sewage Treatment Plants Similar to Arlington East Sewage Treatment, Jacksonville, Fla., single-time, households located adjacent to two sewage treatment plants, Weiner, N., 395-4890.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Bibliographic Abstract Sheet, AID 590-1, on occasion, contractors, Lowry, R. L., 395-3772.

U.S. CIVIL SERVICE COMMISSION

Report on Federal Employees Occupational Health, Alcoholism, and Drug Abuse, Problems, annually, individuals, Reese, B. F., 395-5630.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health, Biomedical Manpower Supply and Demand, NIH-OD-6, annually, producers and employers of Bioscience, Ph.D.'s, Collins, L., 395-3756.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration, State Regulatory Agencies Questionnaires, single-time, private professional associations, Hall, George, 395-4697.

DEPARTMENT OF LABOR

Manpower Administration, Participant Interview, Wave I, CETA Section, 303 Participants, MT 1063, single-time, CETA section 303 program participants, Human Resources Division, 395-3532.

NATIONAL COMMITTEE FOR REVIEW OF FEDERAL AND STATE LAWS RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE

Survey of Security Officials, single-time, security officials, Hall, George, 395-4697.

EXTENSIONS

DEPARTMENT OF DEFENSE

Department of the Air Force, Transportation Data—(To Determine Governing and Applicable Freight Rates For Specification), AFF-126A, on occasion, Evinger, S. K., 395-3648.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-7397 Filed 3-19-75; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-4721-7-4726]

CAPITAL HOLDING CORP. ET AL

Application and Opportunity for Hearing

MARCH 14, 1975.

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

	File No.
Capital Holding Corp.....	7-4721
Lilly (Eli) & Co.....	7-4722
May Department Stores Co. (The)....	7-4723
Schering-Plough Corp.....	7-4724
United Telecommunications, Inc.....	7-4735
Whirlpool Corp.....	7-4726

Upon receipt of a request, on or before March 30, 1975 from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-7297 Filed 3-19-75; 8:45 am]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Nondisapproval of Amendments to Option Plan

Notice is hereby given that on March 11, 1975, the Commission considered and did not disapprove a proposed amendment to the Option Plan of the Chicago Board Options Exchange, Inc. (CBOE) pursuant to Rule 9b-1 under the Securities Exchange Act of 1934 (17 CFR 240.9b-1). The CBOE proposed to amend Rule 14.3 paragraph (e). The proposed change was originally noticed at 40 FR 6244 on February 10, 1975.

The proposed amendment to CBOE Rule 14.3(e) would allow the 40% discount from the non-member commission rate schedule to be made available to Canadian brokers which are members of a Canadian securities exchange or association acceptable to the CBOE.

All interested persons are invited to submit their views and comments on the rules amendments and deletions to CBOE's plan either before or after they have become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10-54. The rules amendments and deletions are, and all such comments will be,

available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street, NW, Washington, D.C.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MARCH 11, 1975.

[FR Doc.75-7301 Filed 3-19-75; 8:45 am]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Proposed Amendments to Option Plan

Notice is hereby given that the Chicago Board Options Exchange, Inc. ("CBOE") has filed amendments to its Option Plan pursuant to Rule 9b-1 under the Securities Exchange Act of 1934 (17 CFR 240.9b-1). The CBOE proposes to amend Rule 6.47, which deals with priority on split price transactions, and an amendment to Interpretation .01 of Rule 6.42, which concerns the fractions in which bids and offers may be made with respect to certain low priced options.

The first proposed amendment to Rule 6.47 as explained by CBOE would exclude bids and offers in the Board Broker's book from being subject to the priority now afforded to split price orders. This amendment according to CBOE will have the effect of making absolute the priority afforded public customer orders in the Board Broker's book under Rule 6.45. While CBOE believes that the concept of split price priority remains sound, it also believes that this priority should be subordinate to, rather than prevailing over, the priority accorded to public orders in the Board Broker's book. CBOE further explains that the proposed amendment would readdress the conflict between the two types of priority and would make clear that public orders in the Board Broker's book have priority in a split price situation.

The second proposed amendment to Rule 6.47 as explained by CBOE would provide that a member who purchases or sells a given number of options at a certain price may be accorded priority for the purchase or sale of a greater number of contracts than he purchased or sold in the previous transaction, as opposed to the present language which affords such priority only on a unit-for-unit basis. This proposed amendment is designed and would be expected to provide an incentive to make a better market than other members in a trading crowd by enabling the member on the other side of the transaction to purchase from or sell to the member with priority a greater number of contracts than was involved in the first transaction.

In addition there is a proposed amendment to Interpretation .01 to Rule 6.42. This amendment will raise the option price below which trading in $\frac{1}{16}$ ths is permitted to \$3.00 from the present \$2.00. CBOE believes that its experience generally and with the split price priority rule in particular has shown that, in respect of options trading between

\$2.00 and \$3.00, just as those trading below \$2.00, $\frac{1}{2}$ ¢ is a more realistic interval. The proposed amendment would, according to CBOE, provide investors with greater flexibility in trading lower priced options and will permit Market-Makers to make better, tighter markets in lower priced options.

All interested persons are invited to submit their views and comments on the proposed rule amendments to CBOE's plan either before or after they have become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10-54. The proposed rule amendments are, and all such comments will be, available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street, NW, Washington, D.C.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MARCH 13, 1975.

[FR Doc.75-7302 Filed 3-19-75; 8:45 am]

[811-1719]

COMPASS INCOME FUND, INC.

Filing of Application Declaring That Company Has Ceased To Be an Investment Company

MARCH 12, 1975.

Notice is hereby given that Compass Income Fund, Inc. ("Applicant"), registered under the Investment Company Act as a diversified open-end company, filed an application on November 25, 1974, and an amendment on February 20, 1975, pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

At the Special Meeting of Stockholders of Applicant on October 25, 1974, the stockholders approved the sale of substantially all of Applicant's assets in exchange for shares of Common Stock of Compass Growth Fund, Inc., ("Growth Fund") a diversified open-end company registered under the Act.

On November 1, 1974, the sale was consummated, the shares of Growth Fund Common Stock were distributed to the shareholders of Applicant and Growth Fund paid or assumed all liabilities of Applicant. Applicant filed a Certificate of Dissolution with the Office of the Secretary of the State of Delaware and was thereby dissolved.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than April 7, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following April 7, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-7298 Filed 3-19-75; 8:45 am]

[70-5638]

MIDDLE SOUTH UTILITIES, INC. AND ARKANSAS POWER & LIGHT CO.

Issue and Sale of Common Stock to Holding Company

MARCH 11, 1975.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), 225 Baronne Street, New Orleans, Louisiana 70112, a registered holding company, and Arkansas Power & Light Company ("Arkansas"), Ninth and Louisiana Streets, Little Rock, Arkansas 72203, its electric utility subsidiary, have filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), 10, and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Arkansas proposes to issue and sell to Middle South, and Middle South proposes to purchase from Arkansas, 2,400,000 presently authorized but unissued shares of Arkansas' common stock at a price of \$12.50 per share or \$30,000,000 in the aggregate. The funds to be used by Middle South for the purchase of the common stock are proposed to be pro-

vided through borrowings from banks (File No. 70-5637).

Arkansas proposes to utilize the net proceeds from the issuance and sale of the common stock to retire short-term debt outstanding which was incurred to finance its construction program. As of February 28, 1975, such short-term debt outstanding amounted to \$25,145,000.

The application states that the Arkansas Public Service Commission and the Tennessee Public Service Commission have jurisdiction over the proposed issue and sale of common stock and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses incident to the proposed transactions are estimated at \$6,000, including counsel fees of \$4,000.

Notice is further given that any interested person may, not later than April 4, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law request, and the issues of fact or law sires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-7290 Filed 3-19-75; 8:45 am]

[812-3759]

PUTNAM CONVERTIBLE FUND, INC. ET AL.

Filing of Application

MARCH 13, 1975.

Putnam Convertible Fund, Inc., Putnam Equities Fund, Inc., The George Putnam Fund of Boston, The Putnam Growth Fund, The Putnam Income Fund, Inc., Putnam Investors Fund, Inc., Putnam Mariner Fund, Inc., Putnam Vista Fund, Inc., and Putnam Voyager

Fund, Inc., 265 Franklin Street, Boston, Massachusetts 02110.

Notice is hereby given that Putnam Convertible Fund, Inc., Putnam Equities Fund, Inc., The George Putnam Fund of Boston, The Putnam Growth Fund, The Putnam Income Fund, Inc., Putnam Investors Fund, Inc., Putnam Mariner Fund, Inc., Putnam Vista Fund, Inc., and Putnam Voyager Fund, Inc. (collectively the "Applicants"), each registered under the Investment Company Act of 1940 (the "Act") as open-end diversified management investment companies, filed an application on February 5, 1975 and an amendment thereto on February 28, 1975, pursuant to section 6(c) of the Act for an order declaring that Mr. Avery Rockefeller, Jr. ("Rockefeller"), a nominee for director of each of the Applicants, shall not be deemed an "interested person" of the Applicants or The Putnam Management Company, Inc. ("Adviser"), investment adviser to the Applicants, or Putnam Fund Distributors, or Putnam Financial Services ("Underwriters"), principal underwriters of the Applicants, within the meaning of section 2(a) (19) of the Act, by reason of his being a director of The Home Insurance Company ("Home Insurance"). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Rockefeller, a proposed nominee for the position of director of each of the Applicants for election at their next meetings of stockholders to be held on or about April 30, 1975, is a Director of Home Insurance and of its subsidiary, Seaboard Surety Corporation. Home Capital Services, Inc. ("Home Capital"), another wholly-owned subsidiary of Home Insurance, is a registered broker-dealer under the Securities and Exchange Act of 1934 (the "1934 Act"), a member of the National Association of Securities Dealers, Inc. (the "NASD") and the Philadelphia-Baltimore-Washington Stock Exchange. Home Capital trades in the accounts of members of The Home Group and also acts as an underwriter and dealer in bonds. Applicants state that Rockefeller has no connection with Home Capital other than in his capacity as a Director of Home Insurance and Seaboard Surety Corp.

Section 2(a) (19) of the Act, in pertinent part, defines an "interested person" of an investment company, an investment adviser or a principal underwriter to include any broker or dealer registered under the 1934 Act or any affiliated person of such broker or dealer. Section 2(a) (3) of the Act, in pertinent part, defines an affiliated person of another person to include a director of such person and any person directly or indirectly controlling, controlled by or under common control with such other person.

By reason of Rockefeller's position as a director of Home Insurance, which owns Home Capital, Rockefeller might be considered, for the purposes of 2(a) (19), to be an affiliated person of Home Capital and, thus, an interested person of the

Applicants, the Adviser and the Underwriters.

Section 10(a) of the Act prohibits Applicants from having a Board of Directors which shall have more than 60 percent of the members of which are interested persons of the Applicants. Section 10(b) of the Act requires the Applicants to have a majority of its directors who are not interested persons of their principal underwriter.

Of the present Boards of Directors of the Applicants, more than 70 percent of the members are not interested persons of the Applicants, the Adviser or the Underwriters. The application has been submitted to preclude the possibility of non-compliance in the future, as well as to carry out the desires of the present Boards of Directors not to increase the number of directors who are interested persons.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants represent that Rockefeller's principal business is as Chairman of the Finance Committee, Senior Vice President-Finance and a Director of Grollier, Inc., a publishing firm, and that he is not involved in the day-to-day operation of Home Capital and does not control nor is controlled by Home Capital.

Furthermore, Applicants state that prior to the discussion of Rockefeller's nomination neither they nor the Adviser had ever done any business with Home Capital. Applicants undertake not to transact any business with Home Capital should they receive the exemption they have requested. In view of the large number of other bond dealers available, Applicants represent that their portfolio transactions would not be adversely affected by their undertaking.

Applicants submit that Rockefeller's independence in acting on their behalf would in no way be impaired because of his affiliation with Home Insurance.

It is further contended by Applicants that the requested exemption is no less appropriate in the public interest or consistent with the protection of investors because Rockefeller indirectly owns 4% of the voting securities of Dominick & Dominick, Inc., a broker-dealer registered under the 1934 Act. This stock ownership is subject to diminution through convertible and option rights of others. During the calendar year 1974, none of the Applicants did any brokerage business with Dominick & Dominick, Inc., and during the calendar year 1973, the Applicants paid Dominick & Dominick, Inc. approximately \$3,200 in brokerage commissions. The Putnam Advisory Company, Inc., an affiliate of the Adviser, did approximately the same amount of business with Dominick & Dominick, Inc. in 1973 and none in 1974. Under these circumstances, where Applicants have

done practically no business with Dominick & Dominick, Inc. during the past two years, and where Applicants further have no present intention of executing securities transactions with Dominick & Dominick, Inc. in the future, Applicants conclude that Rockefeller's stock ownership in Dominick & Dominick, Inc. will not be inconsistent with him taking an independent role in Applicant's affairs.

Applicants submit further that Rockefeller's past relationship with The Dominick Fund, Inc. ("Dominick Fund") as director, officer and shareholder does not affect the merits of the application. Dominick Fund sold substantially all of its assets to Putnam Investors Fund, Inc. ("Putnam Investors"), one of the Applicants, on October 7, 1974. Rockefeller participated in this transaction, initiated by Putnam Investors, as a director, officer and shareholder of Dominick Fund. Applicants represent that Rockefeller is in no way beholden to Applicant, the Adviser, or the Underwriters as a result of this transaction since he participated in this transaction solely in the interests of the shareholders of Dominick Fund, and in no way benefitted differently from any other shareholder of Dominick Fund. Applicants further state that although other Dominick Fund directors, during negotiations and after the Dominick Fund stockholder approval of the transaction, approached negotiators for Putnam Investors with the idea of considering Rockefeller for the position of Director of Putnam Investors, so as to provide some continuity of association with a director for the Dominick Fund stockholders who would become Putnam Investors stockholders, there was no provision relating to this suggestion in the Agreement and Plan of Reorganization.

Notice is further given, that any interested person may, not later than April 8, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following April 8, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including

the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-7300 Filed 3-19-75; 8:45 am]

VETERANS ADMINISTRATION INDEXES TO PUBLICATIONS

Order Concerning Publication and Distribution

Under section (a) (2) of the public information section of the Administrative Procedure Act (5 U.S.C. 552), known commonly as the "Freedom of Information Act," each agency has been required to "maintain and make available for public inspection and copying a current index providing identifying information for the public" as to the agency's so-called final opinions, orders, statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register, and administrative staff manuals and instructions to staff that affect any member of the public, unless such materials are promptly published and copies offered for sale. The Veterans Administration implemented this provision in § 1.552 of Title 38, Code of Federal Regulations. Under the 1974 Freedom of Information Act Amendments, however, Pub. L. 93-502 (88 Stat. 1561), of November 21, 1974, effective February 19, 1975 which amends section 552(a) (2), each agency is additionally required to "promptly publish, quarterly or more frequently, and distribute (by sale or otherwise) copies of each index or supplements thereto unless it determines by order published in the FEDERAL REGISTER that the publication would be unnecessary and impracticable, in which case the agency shall nonetheless provide copies of such index on request at a cost not to exceed the direct cost of duplication."

The VA is not a regulatory agency and its activities consist of providing services and benefits to eligible veterans, dependents and their beneficiaries. Most of the agency's directive, policy, and guideline materials are primarily for internal use and do not affect the public. However, policies and procedures which do implement statutes and which do affect the public are formulated into regulations, promulgated and published in the FEDERAL REGISTER, and incorporated in the Code of Federal Regulations. Both of these publications are offered for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

In accordance with the above statutory provisions, however, the Administrator of Veterans' Affairs has considered the need for and the mode in which to index Veterans Administration directive, policy and guideline materials, maintain such index, and make such index available to persons within and outside the Veterans Administration in a manner

which will best suit the needs of the agency, the general public, considerations of economy, and satisfy the letter and the spirit of the law. When § 1.552(a), Title 38, Code of Federal Regulations was first promulgated in July 1967 a review of all Veterans Administration publications was conducted and a determination was made that the public was welcome to inspect and copy any such materials upon request. The Veterans Administration at that time, and also at present, maintained and published an "Index to Veterans Administration Publications," VA Index I-03-1 (hereafter referred to as the "Index"), primarily for internal use but also available for public inspection and copying. Public interest in the Index, however, has been negligible, and it has not been placed on sale by the Superintendent of Documents.

The current needs of the agency and, apparently, the public have been adequately served by publishing this Index annually, distributing it agency-wide on a need-to-know basis, and maintaining a limited stock for transient requirements pending the next revision.

We do not anticipate any significant increase in need for this Index either for internal or external purposes or in the frequency of revision and publication. It will, however, continue to be made available for inspection and copying on request at any Veterans Administration Field station or Central Office. It will be published annually or oftener as the need justifies, and will be placed on sale by the Superintendent of Documents if the need ever justifies doing so.

All material listed in this Index is also available for public inspection and copying wherever located on request at any Veterans Administration field station or Central Office. Not all listed material, however, is maintained at every field station. Visitors to Central Office (810 Vermont Avenue NW., Washington, D.C.) for this purpose will be received by the Central Office Veterans Assistance Unit in room 132. Visitors to any VA field station will be assisted and informed where the Index may be inspected.

A list of VA Centers, Domiciliaries, Hospitals, Outpatient Clinics, Insurance Centers, Regional Offices, Supply Activities, and the Veterans Benefits Office (D.C.), listing the addresses and names of the station directors, is published annually in the United States Government Manual, issued by the Office of the Federal Register, National Archives and Records Service, General Services Administration, and offered for sale by the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

Pursuant to 5 U.S.C. 552(a) (4), the Veterans Administration has established reasonable standard charges for document search and duplication, providing for recovery of only the direct costs of such search and duplication (§ 1.555(h)). Documents and services will also be furnished without charge or at a reduced charge where the station heads or responsible Central Office officials determine that waiver or reduction of the fee

is in the public interest because furnishing the information can be considered as primarily benefiting the public (§ 1.555(g)).

For the foregoing reasons it is hereby ordered as follows:

1. It is administratively unnecessary and impracticable for the Veterans Administration to publish its Index quarterly or more frequently and distribute (by sale or otherwise) copies of each such Index or supplements thereto.

2. It is administratively necessary and practicable, however, that the Veterans Administration continue publishing its Index annually or more frequently, and distributing it agency-wide on a need-to-know basis.

3. Authority is delegated to the Manager, Administrative Services, to publish the Index at more frequent intervals, with or without supplements, and to distribute it (by sale or otherwise), as deemed appropriate.

4. Copies of the Index will nonetheless be provided on request at a cost not to exceed the direct cost of duplication.

Effective date. This order shall be effective as of February 19, 1975.

Approved: March 17, 1975.

[SEAL] R. L. ROUDEBUSH,
Administrator.

[FR Doc.75-7345 Filed 3-19-75; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 725]

ASSIGNMENT OF HEARINGS

MARCH 17, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 107012 Sub 213, North American Van Lines, Inc., Application dismissed.

MC 138952 Sub 1, Central City Express, Inc., continued to April 4, 1975, in the 4th Floor Hearing Room, Kentucky Department of Transportation, State Office Building, Frankfort, Kentucky.

MC 115279 Sub 7, Click Messenger Service, Inc., Continued to April 1, 1975 (1 day), at Gateway Downtowner, Raymond Boulevard at McCarter Highway, Newark, New Jersey, and April 2, 1975 (3 days), in Court Room A238 Court of Claims, 26 Federal Plaza, New York, New York.

MC 124154 Sub 62, Wingate Trucking Company, Inc., now being assigned April 22, 1975 (2 days), at Atlanta, Georgia; in a hearing room to be designated later.

MC 127834 Sub 105, Chorekee Hauling and Rigging, Inc., now being assigned April 24, 1975 (2 days), at Atlanta, Georgia; in a hearing room to be designated later.

MC 45786 Sub 44, Guignard Freight Lines, Inc., MC 116514 Sub 32, Edwards Trucking, Inc., MC 117416 Sub 44, Newman and Pemberton Corp., MC 136285 Sub 9, Southern Intermodal Logistics, Inc., and MC 139822, Food Carrier, Inc., now being assigned April 28, 1975 (1 week), at Atlanta, Georgia; in a hearing room to be designated later.

MC 140079, Southland Investment Corporation, now being assigned April 22, 1975 (2 days), at Columbus, Ohio, in a hearing room to be later designated.

MC 138960 Sub 3, Kobros Transportation System, Inc., now being assigned April 24, 1975 (2 days), at Columbus, Ohio, in a hearing room to be later designated.

MC 52857 Sub 721, Arco Auto Carriers, Inc., now being assigned April 28, 1975 (1 day), at Columbus, Ohio, in a hearing room to be later designated.

MC-F-12289, Duff Truck Line, Inc.—Control and Merger—Rumpf Truck Line, Inc., now being assigned April 29, 1975 (4 days), at Columbus, Ohio, in a hearing room to be later designated.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-7331 Filed 3-19-75;8:45 am]

[I.C.C. ORDER NO. P-1]

MISSOURI PACIFIC RAILROAD CO.
Passenger Train Operation

It appearing, That the National Railroad Passenger Corporation (Amtrak) has established through passenger train service between New Orleans, Louisiana, and Los Angeles, California; that the operation of these trains require the use of employees, tracks and other facilities of Southern Pacific Transportation Company (SP); that a portion of SP's line is temporarily out of service because of damage to a bridge in the vicinity of Berwick, Louisiana; that an alternate route is available between New Orleans and Los Angeles using tracks of The Texas and Pacific Railway Company between Avondale, Louisiana, and Livonia, Louisiana, the Missouri Pacific Railroad Company (MP) between Livonia and DeQuincy, Louisiana, and The Kansas City Southern Railway Company between DeQuincy and Beaumont, Texas; that there is no mutual agreement between the MP and Amtrak governing this operation of Amtrak trains over these MP tracks; that use by Amtrak of these MP tracks is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That: (a) Pursuant to the authority vested in me by order of the Commission served June 14, 1974; and of the authority vested in the Commission by section 402(c) of the Rail Passenger Service Act of 1970 (45 USC § 562(c)), the Missouri Pacific Railroad Company (MP) be, and it is hereby authorized to operate trains of the National Railroad Passenger Corporation (Amtrak) between a connection with The Texas and Pacific Railway Company at Livonia, Louisiana, and a connection

with The Kansas City Southern Railway Company at DeQuincy, Louisiana.

(b) In executing the provisions of this order, the common carriers involved shall proceed even though no agreements or arrangements now exist between them with reference to the compensation terms and conditions applicable to said transportation. The compensation terms and conditions shall be, during the time this order remains in force, those which are voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, the compensation terms and conditions shall be as hereafter fixed by the Commission upon petition of any or all of the said carriers, in accordance with pertinent authority conferred upon it by the Interstate Commerce Act and by the Rail Passenger Service Act of 1970, as amended.

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

(d) *Effective date*. This order shall become effective at 11:59 a.m., EDT, March 7, 1975.

(e) *Expiration date*. The provisions of this order shall expire at 11:59 p.m., CDT, March 22, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That this order shall be served upon the Missouri Pacific Railroad Company and upon the National Railroad Passenger Corporation (Amtrak), and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., March 7, 1975.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[FR Doc.75-7334 Filed 3-19-75;8:45 am]

[I.C.C. Order No. P-1-A]

MISSOURI PACIFIC RAILROAD CO.
Passenger Train Operation

Upon further consideration of I.C.C. Order No. P-1 (Missouri Pacific Railroad Company) and good cause appearing therefor:

It is ordered, That: Pursuant to the authority vested in me by order of the Commission served June 14, 1974; and of the authority vested in the Commission by section 402(c) of the Rail Passenger Service Act of 1970 (45 USC § 562(c)): I.C.C. Order No. P-1 be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall be served upon the Missouri Pacific Railroad Company and upon the National Railroad Passenger Corporation (Amtrak), and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., March 10, 1975.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[FR Doc.75-7336 Filed 3-19-75;8:45 am]

[Notice No. 250]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MARCH 19, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before April 8, 1975. 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-75696. By order of March 19, 1975, the Motor Carrier Board approved the transfer to CTL, an Arizona Corporation, of the operating rights in Certificates No. MC 128857 (Sub-No. 1), MC 128857 (Sub-No. 3), MC 128857 (Sub-No. 5), MC 128857 (Sub-No. 7), MC 123157 (Sub-No. 3), MC 123157 (Sub-No. 7), MC 123157 (Sub-No. 9), MC 123157 (Sub-No. 11), MC 123157 (Sub-No. 13), MC 123157 (Sub-No. 16), and MC 123157 (Sub-No. 18), issued March 5, 1968, November 25, 1970, April 4, 1973, January 28, 1975, July 5, 1962, October 16, 1964, September 27, 1965, October 7, 1966, December 28, 1966, May 17, 1971, and September 16, 1971, respectively to G. L. Gibbons, doing business as Gibbons Tricking Service, Rillito, Ariz., and Cement Transporters, Inc., Rillito, Ariz., authorizing the transportation of various commodities, from and to specified points and areas in Nevada, Arizona, New Mexico, Texas, Utah, and California. A. Michael Bernstein, 1327 United Bank Bldg., 3550 N. Central, Phoenix, Ariz., 85012, attorney for applicants.

No. MC-FC-75699. By order of March 19, 1975, the Motor Carrier Board approved the transfer to Tapit Express, Inc., Lincoln, R.I., of the operating rights in Permit No. MC 62423, issued September 28, 1970, to Leo P. Lavalle, doing business as Leo P. Lavalle Trucking Co., Pawtucket, R.I., authorizing the transportation of various commodities from and to specified points in Rhode Island and Massachusetts. Harvey J. Ryan, 1495 Newport Ave., Pawtucket, R.I. 02861, attorney for transferee. Russell B. Curnett, 826 Orleans Rd., Harwich, Mass. 02645, representative for transferor.

No. MC-FC-75703. By order entered March 19, 1975, the Motor Carrier Board approved the transfer to Charlie Phillips Trucking, Inc., Alvarado, Tex., of the operating rights set forth in Certificate No. MC 136169 (Sub-No. 1), issued by the

Commission March 27, 1973, to Charlie Phillips, doing business as Charlie Phillips Trucking, Alvarado, Tex., authorizing the transportation of gypsum rock, from points in Caddo County, Okla., to points in Ellis County, Tex. Mike Cotten, P.O. Box 1148, Austin, Tex. 78767, attorney for applicants.

No. MC-FC-75706. By order entered March 19, 1975, the Motor Carrier Board approved the transfer to Don Waldron, doing business as Donald Waldron Trucking, Franksville, Wis., of the operating rights set forth in Certificate No. MC 108520, issued September 5, 1973, to Lloyd Gahart, Jr., Gary D. Gahart, and Jeffrey T. Gahart, doing business as Gahart Transportation, Kenosha, Wis., authorizing the transportation of livestock, agricultural limestone, fertilizer, and feed, between points in Kenosha County, Wis., except Kenosha, Wis., on the one hand, and, on the other, points in Cook and Lake Counties, Ill.; and feed, from Milwaukee, Wis., to Russell, Ill. Richard C. Alexander, 710 North Plankinton Ave., Milwaukee, Wis. 53203, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.75-7332 Filed 3-19-75; 8:45 am]

[I.C.C. Order No. 189; Revised Service Order No. 994]

**PENN CENTRAL TRANSPORTATION CO.
Rerouting or Diversion Traffic**

To all railroads: In the opinion of R. D. Pfahler, Agent, the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees (PC) is unable to transport traffic over portions of its line between Bicknell, Indiana, and Vincennes, Indiana, because of track conditions.

It is ordered, That: (a) The PC being unable to transport traffic over portions of its line between Bicknell, Indiana, and Vincennes, Indiana, because of unsafe bridge conditions is hereby authorized to reroute or divert such traffic via any available route. Traffic necessarily diverted by authority of this order shall be rerouted so as to preserve as nearly as possible the participation and revenues of other carriers provided in the original routing.

(b) Concurrence of receiving roads to be obtained. The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers. Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said

Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said division shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 11:00 a.m., March 3, 1975.

(g) *Expiration date.* This order shall expire at 11:59 p.m., August 31, 1975, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., March 3, 1975.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-7333 Filed 3-19-75; 8:45 am]

[Notice No. 22]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

MARCH 14, 1975.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. 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 proceeding. A protest under these rules

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall 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 one (1) copy 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 requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

Notice: The following applications listed below are set for consolidated hearing as follows:

HEARING: April 7, 1975 (3 days) at 9:30 a.m. (Local Time) in Room 120 Internal Revenue Bldg., 412 S. Main St., Wichita, Kans.

MC 53965 (Sub-No. 107).
MC 111231 (Sub-No. 191).
MC 114284 (Sub-No. 65).
MC 123004 (Sub-No. 6).
MC 113678 (Sub-No. 584).
MC 114273 (Sub-No. 231).
MC 114569 (Sub-No. 115).

APPLICATIONS SET FOR HEARING

No. MC 53965 (Sub-No. 107), filed February 21, 1975. Applicant: GRAVES TRUCK LINE, INC., 2130 South Ohio, Salina, Kans. 67401. Applicant's repre-

representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between Wichita, Kans., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, restricted to traffic originating at or destined to Wichita, Kans.

NOTE.—If a hearing is deemed necessary, applicant requests it be held on consolidated record with a similar application filed by M. Bruenger & Company, at Wichita, Kans.

No. MC 111231 (Sub-No. 191), filed February 21, 1975. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. 72764. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between Wichita, Kans., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Texas, restricted to traffic originating at or destined to Wichita, Kans.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Wichita, Kans.

No. MC 114284 (Sub-No. 65), filed February 21, 1975. Applicant: FOX SMYTHE TRANSPORTATION CO., INC., P.O. Box 82307, Stockyards Station, Oklahoma City, Okla. 73108. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses and such commodities* as are used by meat packers in the conduct of their business, when destined to and for use by meat packers, as described in Sections A, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), between Wichita, Kans., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Iowa, Louisiana, Missouri, Nebraska, New Mexico, Nevada, Oklahoma, South Dakota, and Texas, restricted to traffic originating at or destined to Wichita, Kans.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Wichita, Kans.

No. MC 123004 (Sub-No. 6), filed February 21, 1975. Applicant: THE LUPER TRANSPORTATION COMPANY, 350 East 21st Street, Wichita, Kans. 67219. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between Wichita, Kans., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Iowa, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Washington, and Wyoming, restricted to traffic originating at or destined to Wichita, Kans.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Wichita, Kans.

No. MC 113678 (Sub-No. 584), filed February 14, 1975. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of MBPXL Corp., located at or near Wichita, Kans., to points in Arizona, California, Colorado, Idaho, Nevada, Oregon, Utah, and Washington, restricted to the transportation of traffic originating at the above-named origin and destined to the above-named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo., or Omaha, Nebr.

No. MC 114273 (Sub-No. 231), filed February 26, 1975. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I of the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between Wichita, Kans., on the one hand, and, on the other, points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minne-

sota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Texas, Vermont, Virginia, West Virginia, and District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114569 (Sub-No. 115), filed February 21, 1975. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, Pa. 17072. Applicant's representative: Stanley C. Geist (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, animal feed, animal feed ingredients, and commodities in bulk), from the plantsites and storage facilities of MBPXL Corporation at Wichita, Kans., to points in Maryland, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, District of Columbia, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and Delaware, restricted to the transportation of traffic originating at the above named origins and destined to the named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 111812 (Sub-No. 509) (Amendment), filed August 26, 1974, published in the FEDERAL REGISTER issue of September 26, 1974, and republished as amended, this issue. Applicant: MIDWEST COAST TRANSPORT, INC., 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57104. Applicant's representative: Ralph H. Jinks (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Clearfield, Utah, to points in California, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, Maryland, New Jersey, New York, Virginia, West Virginia, and Massachusetts, restricted to the transportation of traffic originating at the named origin or traffic which has had a prior movement by rail transportation and further restricted to traffic destined to the named destination states.

NOTE.—The purpose of this republication is to amend the restriction in the above proceeding.

Hearing: Application has been assigned Oral Hearing, commencing April 10, 1975, in Salt Lake City, Utah.

No. MC 531 (Sub-No. 307), filed February 24, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, P.O. Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E.

Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flavoring compounds*, in bulk, in tank vehicles, from Bardstown, Ky., to El Segundo, Calif.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Louisville, Ky. or New Orleans, La.

No. MC 2202 (Sub-No. 480), filed February 25, 1975. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William Slabaugh (same address as applicant). 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 those requiring special equipment), serving the plantsite and warehouse facilities of Whirlpool Corporation located at or near La Porte, Ind., as an off-route points in connection with carrier's regular route operation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 2962 (Sub-No. 57), filed Feb. 20, 1975. Applicant: A. & H. TRUCK LINE, INC., 1111 East Louisiana Street, Evansville, Ind. 47717. Applicant's representative: Robert H. Kinker, 711 McClure Building, P.O. Box 464, Frankfort, Ky. 40601. 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), (1) Between Cairo, Ill., and Paducah, Ky., as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points: From Cairo, Ill., over U.S. Highway 60, to Paducah, Ky., and return over the same route. (2) Between Wickliffe, and Mayfield, Ky., as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points, and serving Wickliffe, Ky., for the purpose of joinder only: From Wickliffe, Ky., over Kentucky State Highway 121 to Mayfield, Ky., and return over the same route.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 3252 (Sub-No. 93), filed February 28, 1975. Applicant: MERRILL TRANSPORT CO., a Corporation, 1037 Forest Avenue, Portland, Maine 04104. Applicant's representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, Mass. 02043. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Portsmouth, N.H., to points in Windsor and Orange Counties, Vt., those points in that part of Maine on and south of a line beginning at the Maine-New Hampshire State Boundary line and extending along U.S. Highway 202 to Alfred, Maine, thence along Maine Highway 111 to Biddeford, Maine, and thence along Maine Highway 208 to Biddeford Pool, Maine, and those points in that part of Massachusetts located on, east and north of a line beginning at the New Hampshire-Massachusetts State Boundary line and extending along U.S. Highway 3 to intersection Massachusetts Highway 128, and thence along Massachusetts Highway 128 to Gloucester, Mass.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine or Boston, Mass.

No. MC 8214 (Sub-No. 3), filed February 21, 1975. Applicant: PORT JERSEY TRANSPORTATION, Pulaski Street, Rt. 169, Bayonne, N.J. 07002. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such nonedible merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials, and supplies*, used in the conduct of such business, between the facilities of Hunt-Wesson Foods, Inc., at Bayonne and Jersey City, N.J., on the one hand, and, on the other, Philadelphia, Pa., and points in New York, New Jersey, and Connecticut within 30 miles of the City Hall, New York, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Newark, N.J.

No. MC 11018 (Sub-No. 7), filed February 14, 1975. Applicant: SERVICE TRANSPORTATION COMPANY, a Corporation, 250 State Highway No. 3, Secaucus, N.J. 07094. Applicant's representative: Joseph Selikowitz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in Practices in Motor Carriers of household goods, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between Philadelphia, Pa., on the one hand, and, on the other, Wilmington, Del., Baltimore, Md. and the District of Columbia.

NOTE.—Applicant states the purpose of this application is to eliminate the gateway of New Brunswick, N.J. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 16513 (Sub-No. 8), filed February 24, 1975. Applicant: REISCH TRUCKING & TRANSPORTATION CO., INC., 819 Union Avenue, Pennsauken,

N.J. 08110. Applicant's representative: L. C. Major, Jr., Suite 400, Overlook Office Bldg., 6121 Lincoln Road, Alexandria, Va. 22312. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages (beer)*, and *related advertising materials*, from South Volney, N.Y., to points in Maryland, New York, Pennsylvania, and Virginia; and (2) *materials, supplies and equipment*, used in the manufacture, sale and distribution of malt beverages, including *returned empty malt beverage containers*, from points in Maryland, New York, Pennsylvania, and Virginia, to South Volney, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.; Philadelphia, Pa., or Washington, D.C.

No. MC 19537 (Sub-No. 6), filed February 18, 1975. Applicant: VIRGIL BROOKS TUCKER and MARJORIE CLARK TUCKER, doing business as CLARK TRUCK LINE, 660 Carnation Avenue, Tupelo, Miss. 38801. Applicant's representative: Edward G. Grogan, Suite 2020, First National Bank Bldg., Memphis, Tenn. 38103. 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 New Albany, Miss., and Tupelo, Miss., serving all intermediate points: From New Albany over U.S. 78 to Tupelo, and return over the same route, serving all intermediate points; (2) Between Tupelo, Miss., and Baldwin, Miss., serving all intermediate points: From Tupelo, Miss., over U.S. 45 to Baldwin, and return over the same route, serving all intermediate points; (3) Between Tupelo, Miss., and Belmont, Miss., serving all intermediate points, and the off-route points of Marietta, Miss., Dorsey, Miss., and Mantachie, Miss.: From Tupelo, Miss., over U.S. 78 to its junction with Mississippi Highway 25, thence over Mississippi Highway 25 to Belmont, Miss., and return over the same route, serving all intermediate points, and the off-route points of Mantachie, Miss., Marietta, Miss., and Dorsey, Miss.; and (4) Between Fulton, Miss., and the Alabama-Mississippi State line, serving all intermediate points: From Fulton over U.S. 78 to the Mississippi-Alabama State Line and return over the same route, serving all intermediate points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Tupelo, Miss., or Memphis, Tenn.

No. MC 19945 (Sub-No. 53), filed February 13, 1975. Applicant: BEHNKEN TRUCK SERVICE, INC., Route No. 13, New Athens, Ill. 62264. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Flue dust*, in bulk, in dump vehicles, from the plantsite

and storage facilities of Armco Steel Co. at Kansas City, Mo., to Frif Industries, Inc. located at Humboldt, Iowa, and (2) *ammonium nitrate*, in bulk, (a) from Seneca, Illinois, to the mine sites and storage facilities of Amax Coal Company located in Indiana and Kentucky; (b) from Palmyra and Selma, Missouri, to the mine sites and storage facilities of Amax Coal Company located in Indiana, Kentucky, and Illinois; and (c) between the mine sites and storage facilities of Amax Coal Company located in Indiana, Kentucky, and Illinois.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, Mo., or Indianapolis, Ind.

No. MC 31600 (Sub-No. 673), filed February 24, 1975. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154. Applicant's representative: David F. McAllister, 215 East Waterloo Rd., Akron, Ohio 44319. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic Granules in bulk*, in tank vehicles, from Pittsfield, Mass., to Mount Vernon, Ind.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass., or Washington, D.C.

No. MC 40176 (Sub-No. 5), filed February 24, 1975. Applicant: WAYNE TRUCK LINE, INC., Touristville, Ky. 42651. Applicant's representative: Fred F. Bradley, P.O. Box 773, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A & B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment): (1) Between Louisville, Ky. and Monticello, Ky.: From Louisville, Ky. over Interstate Highway 64 to junction Interstate Highway 75, thence over Interstate Highway 75 to junction U.S. Highway 25W, thence over U.S. Highway 25W to junction Kentucky Highway 90, thence over Kentucky Highway 90 to junction U.S. Highway 27, thence over U.S. Highway 27 to junction Kentucky Highway 92, thence over Kentucky Highway 92 to Monticello, Ky., and return over the same route, serving no intermediate points, but serving the junctions of Interstate Highway I-75 with U.S. Highway 25W; U.S. Highway 27 with Kentucky Highway 92; and Kentucky Highway 80 with Interstate Highway I-75, for purposes of joinder only; (2) Between the junction of Interstate Highway I-75 and U.S. Highway 25W and the junction of U.S. Highway 27 and Kentucky Highway 92, north of Stearns, Ky.: From the junction of Interstate Highway 75 and U.S. Highway 25W over Interstate Highway 75 to junction Kentucky Highway 92, thence over Kentucky Highway 92 to junction U.S. Highway 27, thence over U.S. Highway 27 to junction Kentucky Highway 92, north of Stearns, Ky., and return over the same route, serving no intermediate points; and (3)

Between the junction of Kentucky Highway 80 and Interstate Highway 75 and Monticello, Ky.: From the junction of Kentucky Highway 80 and Interstate Highway 75 over Kentucky Highway 80 to junction U.S. Highway 127 at Russell Springs, Ky., thence over U.S. Highway 127 to junction Kentucky Highway 90, thence over Kentucky Highway 90 to Monticello, Ky., and return over the same route, serving no intermediate points, but serving Russell Springs, Ky. for purposes of interchange only.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 48221 (Sub-No. 4), filed February 14, 1975. Applicant: W. N. MOREHOUSE TRUCK LINES, INC., 4010 Dahlman Ave., Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 7100 West Center Road, 530 Univac Bldg., Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Idaho, Colorado, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr.; Kansas City, Mo., or Chicago, Ill.

No. MC 53965 (Sub-No. 106), filed February 21, 1975. Applicant: GRAVES TRUCK LINE, INC., 2130 South Ohio, Salina, Kans. 67401. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas, Memphis, Tenn., St. Louis, Missouri-East St. Louis, Illinois Commercial Zone, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 58923 (Sub-No. 43), filed May 19, 1974. Applicant: GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Road, S.E., Atlanta, Ga. 30315. Applicant's representative: John C.

Henderson (same address as applicant). Applicant presently holds authority as a *common carrier*, by motor vehicle, transporting *general commodities* (except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)—(A) Over regular routes between the following termini: (1) between LaGrange, Ga., and Rome, Ga.; (2) between Carrollton, Ga. and Tenna, Ga.; (3) between Dalton, Ga., and Chatsworth, Ga.; (4) between Hogansville, Ga., and Luthersville, Ga.; (5) between LaGrange, Ga., and Savannah, Ga.; (6) Between junction Georgia Highway 29 and U.S. Highway 80 near Dublin, Ga., and junction Georgia Highway 29 and U.S. Highway 280; (7) between Soperton, Ga., and junction Georgia Highway 46 and U.S. Highway 80; (8) between Harris, Ga., and Vienna, Ga.; (9) between Thomas-ton, Ga., and Ellaville, Ga.; (10) between Cordele, Ga., and Hawkinsville, Ga.; (11) between Americus, Ga., and Blythe, Ga.; (12) between LaGrange, Ga., and Columbus, Ga.; (13) between Cusseta, Ga., and Cedar Springs, Ga.; (14) Between Dawson, Ga., and Bronwood, Ga.; (15) between Albany, Ga., and Blakely, Ga.; (16) between Camilla, Ga., and Albany, Ga.; (17) between Albany, Ga., and Clyattville, Ga.; (18) between Tifton, Ga., and Moultrie, Ga.; (19) between Ochlocknee, Ga., and Cairo, Ga.; (20) between Bainbridge, Ga., and Boston, Ga.

(21) Between LaGrange, Ga., and Florence, Ala.; (22) between Roanoke, Ala., and Florence, Ala.; (23) between Oxford, Ala., and Talladega, Ala.; (24) between Anniston, Ala., and junction Alabama Highway 202 and U.S. Highway 78, near Anniston Ordnance Depot; (25) between Attalla, Ala., and Ft. Payne, Ala.; (26) between Decatur, Ala., and junction U.S. Highway 231 and U.S. Highway 278; (27) between Sheffield, Ala., and Huntsville, Ala.; (28) between Heflin, Ala., and Russellville, Ala.; (29) between Jasper, Ala., and Phil Campbell, Ala.; (30) between Athens, Ala., and Mobile, Ala.; (31) between junction U.S. Highway 29 and Georgia Highway 238, near LaGrange, Ga., and Claud, Ala.; (32) between White Plains, Ala., and LaFayette, Ala.; (33) between Opelika, Ala., and Bessemer, Ala.; (34) between Lanett, Ala., and Camp Hill, Ala.; (35) between Dadeville, Ala., and junction Alabama Highways 49 and 14; (36) between Auburn, Ala., and Troy, Ala.; (37) between Fairfax, Ala., and Brewton, Ala.; (38) between junction Alabama Highways 63 and 229, and junction Alabama Highways 14 and 229; (39) between Tuskegee, Alabama, and Mobile, Ala.; (40) between Opelika, Ala., and Hurtsboro, Ala.; (41) between Seale, Ala., and junction U.S. Highway 29 and Alabama Highway 223, near Troy, Ala.; (42) between Phoenix City, Ala., and Dothan, Ala.; (43) between Blakely, Ga., and Opp, Ala.

(44) Between Abbeville, Ala., and Banks, Ala.; (45) between Laverne, Ala., and Greenville, Ala.; (46) between

Greenville, Ala., and Junction U.S. Highway 31 and Alabama Highway 185, south of Sandy Ridge, Ala.; (47) between Brundidge, Ala., and Dothan, Ala.; (48) between Opp, Ala., and Dothan, Ala.; (49) between Opp, Ala., and junction Alabama Highway 134 and U.S. Highway 231; (50) between junction U.S. Highway 231 and Alabama Highway 123, near Ozark, Ala., and junction Alabama Highways 123 and 134; (51) between Daleville, Ala., and Clayhatchee, Ala.; (52) Between Atlanta, Ga., and Heflin, Ala.; and (53) between Atlanta, Ga., and Gadsden, Ala.; subject to the following conditions: (a) All service is restricted to the transportation of traffic moving from, to, or through Atlanta, Ga., or LaGrange, Ga., and (b) the authority granted under the regular routes herein shall not be severable, by sale or otherwise, from applicant's irregular-route authority. Applicant seeks to modify (A) (a) above by broadening its restriction to also permit its traffic to move from, to, or through Albany, Ga., or Rome, Ga.

(B) In addition, applicant seeks to broaden its irregular route authority by adding the same two additional points indicated in (B) above on the commodities named above so that its authority would read as follows: (1) between LaGrange, Ga., Atlanta, Ga., Rome, Ga., and Albany, Ga., on the one hand, and, on the other, points in Alabama; and (2) between LaGrange, Ga., Atlanta, Ga., Rome, Ga., and Albany, Ga., on the one hand, and, on the other, points in Georgia, restricted in (B) (1) and (B) (2) against interchange with other motor carriers at Atlanta, Ga. with respect to traffic originated at or destined to points in that part of northeast Georgia bounded on the north by U.S. Highway 23, on the west by U.S. Highway 41, and on the south by U.S. Highway 80, and further restricted against shipments moving between points served by its regular route authority.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 59655 (Sub-No. 4), filed February 20, 1975. Applicant: SHEEHAN CARRIERS, INC., 62 Lime Kiln Road, Suffern, N.Y. 10901. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Containers*, and (2) *materials and supplies*, used or useful in the manufacture, distribution or sale of containers, in roller bed equipment (except commodities in bulk), between points in Massachusetts, Rhode Island, Connecticut, Maine, New Hampshire, Vermont, New York, New Jersey, Pennsylvania, Maryland, and Delaware, restricted to shipments originating at or destined to warehouses, plantsites or customers of National Can Co., or its subsidiaries.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 64932 (Sub-No. 545), filed February 24, 1975. Applicant: ROGERS

CARTAGE, CO., a Corporation, 10735 South Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint oil and industrial soybean oil*, in bulk, in tank vehicles, from the plant site of Spencer Kellogg Division of Textron, Inc., at or near Bellevue, Ohio, to points in Illinois, Indiana, Michigan, Iowa, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 72442 (Sub-No. 44), filed June 4, 1974. Applicant: AKERS MOTOR LINES, INCORPORATED, P.O. Box 10303, Charlotte, N.C. 28237. Applicant's representative: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036. Applicant presently holds authority 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, tobacco, liquor, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), between the following termini: (1) between Greensboro, N.C., and Thomasville, Ga.; (2) between Raleigh, N.C., and Charlotte, N.C.; (3) between Statesville, N.C., and Hazelwood, N.C.; (4) between Kings Mountain, N.C., and Asheville, N.C.; (5) between Conover, N.C., and Monroe, N.C.; (6) between Salisbury, N.C., and Albemarle, N.C.; (7) between Asheville, N.C., and junction U.S. Highway 25 and South Carolina Highway 121 near Trenton, S.C.; (8) between Hendersonville, N.C., and Whitmire, S.C.; (9) between Charlotte, N.C., and Albany, Ga.; (10) between Concord, N.C., and Augusta, Ga.; (11) between Gastonia, N.C., and Augusta, Ga.; (12) between North Augusta, S.C., and Fairfax, S.C.; (13) between Camden, S.C., and Charleston, S.C.; (14) between Columbia, S.C., and Sumter, S.C.; (15) between junction U.S. Highways 176 and 21 near Sandy Run, S.C., and Wells, S.C.; (16) between Pineville, N.C., and Kershaw, S.C.; (17) between Chester, S.C., and Lancaster, S.C.; (18) between Spartanburg, S.C., and Laurens, S.C.; (19) between Greenville, S.C., and Newberry, S.C.; (20) between Greenville, S.C., and Calhoun Falls, S.C.;

(21) Between Clemson, S.C., and Laurens, S.C.; (22) between Whitmire, S.C., and Athens, Ga.; (23) between Seneca, S.C., and Monroe, Ga.; (24) between Atlanta, Ga., and Augusta, Ga.; (25) between Atlanta, Ga., and Jesup, Ga.; (26) between Echeconnee, Ga., and Albany, Ga.; (27) between Cordele, Ga., and Valdosta, Ga.; (28) between Madison, Ga., and Woodbury, Ga.; (29) between Zebulon, Ga., and Barnesville, Ga.; (30) between Fort Valley, Ga., and Eastman, Ga.; (31) between Camilla, Ga., and Moultrie, Ga.; (32) between Gray, Ga., and Warrenton, Ga.; (33) between Macon, Ga., and Eastman, Ga.; and (34) Serving Cooleemee, Eden (Leakesville-Spray), Norwood and Mt. Gilead, N.C.,

and points in North Carolina within 25 miles of Gastonia, N.C.; Catechee, Cherokee Falls, Kings Creek, Pickens, Walhalla, Buffalo, Lockhart, Hampton, Fort Jackson, and Parris Island, S.C., points within 15 miles of Spartanburg, S.C., and points within 15 miles of Greenville, S.C., Bainbridge, Clarksville, Clayton, Clyattville, Claxton, Douglas, Habersham, Hawkinsville, Juliette, Millen, Milstead, Porterdale, Pottersville, Warm Springs, Warner Robins, and Woodland, Ga., and points in Chesterfield, Marlboro, Dillon, Marion, Florence, Darlington, Lee, and Kershaw Counties, S.C., as off-route points in connection with all the specified regular routes described herein, restricted (A) such that service at authorized points in South Carolina (other than those in Anderson, Oconee, Pickens, Greenville, Spartanburg, Cherokee, Laurens, Union, York, Greenwood, and Abbeville Counties) is restricted to traffic moving to or from points north of the North Carolina-Virginia State line; (B) such that service at authorized points in Georgia (except for the pickup of cotton piece goods) is restricted to traffic moving (a) from, to, or through points in the 11 South Carolina Counties named above, or; (b) from, to, or through Gastonia, N.C., and points in North Carolina within 25 miles of Gastonia, or (c) points north of the North Carolina-Virginia State Line; and (C) such that shipments moving between points in Georgia, on the one hand, and, on the other, points in North Carolina on and west of U.S. Highway 29 are restricted to movements through Gastonia, N.C., or points within 25 miles thereof.

By the instant application, applicant seeks to delete restriction (A) and (C) from its authority described above and modify restriction (B) to read as follows: "Service at authorized points in Georgia is restricted to traffic moving (a) from, to, or through points in South Carolina, or; (b) from, to, or through Gastonia, N.C. and points in North Carolina within 25 miles of Gastonia, or; (c) points north of the North Carolina-Virginia State line.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 73688 (Sub-No. 65), filed February 21, 1975. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, Post Office Box 7182, Memphis, Tenn. 38107. Applicant's representative: Robert E. Tate, Post Office Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, and Classes A and B explosives), between the Yellow Creek Port Terminal and Industrial area located in Tishomingo County, Miss., on the one hand, and, on the other, points in Mississippi and Tennessee, and points in Alabama on and north of U.S. Highway 278 and west of Interstate Highway 65.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Washington, D.C.

No. MC 75320 (Sub-No. 179), filed February 24, 1975. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., P.O. Box 807, Springfield, Mo. 65801. Applicant's representative: John A. Crawford, 700 Petroleum Bldg., P.O. Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs* (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration from Springfield, Mo., to Houston, Tex., restricted to traffic originating at the plant site or other facilities of Kraft Foods at or near Springfield, Mo., and destined to Houston, Tex., and points within its commercial zone.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 76449 (Sub-No. 25), filed February 24, 1975. Applicant: NELSON'S EXPRESS, INC., 675 Market Street, Millersburg, Pa. 17061. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. 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 Allentown and Easton, Pa., as off-route points in connection with applicant's authorized regular route operations, restricted to interchange traffic only, and further restricted to traffic originating at or destined to points on applicant's presently authorized regular routes located in Pennsylvania.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 79142 (Sub-No. 6), filed February 24, 1975. Applicant: T & T TRUCKING & TRANSPORTATION CO., INC., 43-06 54th Road, Maspeth, N.Y. 11378. Applicant's representative: Morton E. Klel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by a manufacturer of perfumes, and *materials, supplies and equipment* used in the conduct of such business (except in bulk), from Piscataway, N.J., to points in the New York, N.Y., Commercial Zone.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 80430 (Sub-No. 155) (correction), filed July 22, 1974, published in the FEDERAL REGISTER issue of August 29, 1974 as MC 45657 (Sub-No. 52), republished February 20, 1975, and in third publication as corrected this issue. Applicant: GATEWAY TRANSPORTATION CO., INC., 455 Park Plaza Drive,

P.O. Box 85, La Crosse, Wis. 54601. Applicant's representative: F. Neil Aschmeyer (same address as applicant). 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 FMC Corp. located near Tupelo, Miss., as an off-route point in connection with carrier's authorized regular route operations.

NOTE.—The purpose of this republication is to indicate the correct applicant's representative. If a hearing is deemed necessary, applicant requests it be held at Tupelo, Miss.

No. MC 82079 (Sub-No. 41), filed February 18, 1975. Applicant: KELLER TRANSFER LINE, INC., 5635 Clay Avenue SW, Grand Rapids, Mich. 49508. Applicant's representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods and frozen foods*, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of Saluto Foods at Benton Harbor, Mich., to points in Ohio, Illinois, Indiana and Michigan.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 82492 (Sub-No. 118), filed February 18, 1975. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., P.O. Box 2853, 2109 Olmstead Road, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Decatur, Ind., to points in Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and those points in New York in and west of Alleghany, Livingston, and Monroe Counties, and those points in Pennsylvania located in and west of U.S. Highway 219.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.; Indianapolis, Ind., or Washington, D.C.

No. MC 94201 (Sub-No. 131), filed February 19, 1975. Applicant: BOWMAN TRANSPORTATION, INC., P.O. Box 17744, Atlanta, Ga. 30316. Applicant's representative: Maurice F. Bishop, 601-09 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailer hitches and couplers, iron or steel, and parts and accessories* thereof, from the plantsite and storage and warehouse facilities of Valley Tow-Rite Manufacturing Company at or near Shelbyville, Ky., to points in Mississippi, Tennessee, Alabama, Georgia, and Florida.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 95540 (Sub-No. 924), filed February 14, 1975. Applicant: WATKINS MOTOR LINES, INC., 1940 Monroe Drive, P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities and hides in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 99149 (Sub-No. 11), filed February 18, 1975. Applicant: MIDWAY MOTOR FREIGHT LINES, INC., 822 East Sixth Street, Little Rock, Ark. 72203. Applicant's representative: Charles J. Lincoln, II, 1550 Tower Bldg., Little Rock, Ark. 72201. 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 Hot Springs, Ark., and Memphis, Tenn.: From Hot Springs over U.S. Highway 70 to junction U.S. Highway 70 and Interstate Highway 30, thence over Interstate Highway 30 to junction Interstate Highway 40, thence over Interstate Highway 40 to Memphis, Tenn., and return over the same route, serving no intermediate points (except the Little Rock North-Little Rock, Ark., Commercial Zone); and (2) Between Amity and Curtis, Ark.: From Amity over Arkansas State Highway 8 to junction U.S. Highway 67, thence over U.S. Highway 67 to Curtis, and return over the same route, serving all intermediate points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Memphis, Tenn., or Little Rock, Ark., or Shreveport, La.

No. MC 105045 (Sub-No. 57), filed February 14, 1975. Applicant: R. L. JEFFRIES TRUCKING CO., INC., P.O. Box 3277, Evansville, Ind. 47701. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Recycled nonferrous metals, nonferrous metals, aluminum dross, aluminum fluxes, aluminum slag, silicone and metallic sili-*

cone (except commodities in bulk and commodities which requires the use of special equipment due to size or weight), between Checotah, Okla., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 106398 (Sub-No. 725), filed February 21, 1975. Applicant: NATIONAL TRAILER CONVOY, INC., 525 South Main, Tulsa, Okla. 74103. Applicant's representative: Irvin Tull (same address as applicant). 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, from points in Bossier Parish, La., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 106433 (Sub-No. 7), filed February 24, 1975. Applicant: ANTRIM TRANSPORTATION CO., INC., 7-11 Suffern Place, Suffern, N.Y. 10901. Applicant's representative: John L. Alfano, 550 Mamaroneck Avenue, Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials*, from South Volney, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont; (2) *materials, supplies, and equipment* used in the manufacture, sale and distribution of malt beverages, including returned empty malt beverage containers, from points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, to South Volney, N.Y.; and (3) *crushed glass*, from South Volney, N.Y., to Brockport, N.Y., and Brockway, Pa.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 106497 (Sub-No. 111), filed Feb. 24, 1975. Applicant: PARKHILL TRUCK COMPANY, a Corporation, P.O. Box 912 (Bus Tre 1-44 East), Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs, P.O. Box 113, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cooling towers, and fluid coolers, and parts and accessories*, for cooling towers and fluid coolers, between Houston, Tex., Henderson, Ky., Tulsa, Okla., and points in Sonoma County, Calif., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); and (2) *materials, equipment, and supplies*, used in the manufacture, sale and distribution of the commodities in (1) above (except in bulk), between

points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Reno, Nev.

No. MC 106644 (Sub-No. 204), filed February 24, 1975. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., P.O. Box 916, 30301. Atlanta, Ga. 30318. Applicant's representative: W. Randall Tye, 1500 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal forming presses*, from the plantsite of E. W. Bliss Co., at or near Hastings, Mich., to points in Alabama, Arkansas, Arizona, California, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Detroit, Mich., or Washington, D.C.

No. MC 106920 (Sub-No. 58), filed February 24, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, West Monroe Street, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles; burlap articles; paper articles; and materials, equipment and supplies* used or useful in the sale, manufacture and distribution of plastic articles; burlap articles; and paper articles (except commodities in bulk), from Newark, N.J., to points in Ohio, Kentucky, Tennessee, Michigan, Arkansas, Missouri, West Virginia, Indiana, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Kansas, Oklahoma, Wyoming, Montana, and Colorado.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Newark, N.J.

No. MC 106920 (Sub-No. 59), filed February 24, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, West Monroe Street, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 666 11th Street, NW, Suite 805, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles, burlap articles; paper articles; and materials, equipment and supplies* used or useful in the sale, manufacture and distribution of plastic articles, burlap articles, and paper articles (except commodities in bulk), from Atlanta, Ga., to points in Kentucky, West Virginia, Tennessee, Ohio, Arkansas, Oklahoma, Indiana, Michigan, Illinois, Missouri, Kansas, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Wyoming, Montana, and Colorado.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Newark, N.J.

No. MC 107295 (Sub-No. 759), filed February 20, 1975. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles*, from the plantsite and storage facilities of Evans Products Company at or near Chesapeake, Va., to points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 760), filed February 20, 1975. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, particleboard, and wood products* (except in bulk), from Bon Wier, Cleveland, and Silsbee, Tex., to points in the United States (except Alaska, Hawaii, and Texas, and except particleboard from Silsbee, Tex., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Oklahoma, and Tennessee).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 107496 (Sub-No. 992), filed February 20, 1975. Applicant: RUAN TRANSPORT CORPORATION, Third at Keosauqua Way, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry sugar*, in bulk, from Chalmette, La., to points in Tennessee; (2) *petroleum resin*, in bulk, in tank vehicles, from Burlington, Iowa, to points in Alabama; (3) *distiller solubles*, in bulk, from Atchison, Kans., to points in Arkansas, Iowa, Kentucky, and Nebraska; (4) *liquid feed and feed supplements*, in bulk, in tank vehicles, from Blair, Nebr., to points in California and Arizona; (5) *chemicals*, in bulk, from Omaha, Nebr., to points in Indiana and Illinois; (6) *weed killing compounds*, liquid, in bulk, from Lafayette, Ind., to points in Illinois and Iowa; and (7) *anhydrous ammonia*, in bulk, in tank vehicles, from points in Missouri (except Birds Point and points within four miles thereof, Kansas City, La Grange, Malden, Palmyra, Selma and points within five miles thereof, South River, Cape Girardeau and points within ten miles thereof, and Alexandria, Mo.), to points in Illinois and Iowa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 107906 (Sub-No. 33), filed February 24, 1975. Applicant: TRANSPORT MOTOR EXPRESS, INC., P.O. Box 958, Fort Wayne, Ind. 46801. Applicant's representative: Leonard R. Kofkin, 39 South La Salle Street, Chicago, Ill. 60603. 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 Jacksonville, Ill., and Springfield, Ill.: From Jacksonville over U.S. Highway 36 to Springfield, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110683 (Sub-No. 104), filed December 19, 1974. Applicant: SMITH'S TRANSFER CORPORATION, a Corporation, P.O. Box 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McInerney, 1000 Sixteenth Street NW., Washington, D.C. 20036. 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 Columbus, Ohio and Cleveland, Ohio: From Columbus, Ohio over Interstate Highway 71 to Cleveland, Ohio and return over the same route, serving Columbus, Ohio for the purpose of joinder only; (2) Between the junction of Interstate Highway 71 and U.S. Highway 30, approximately three miles east of Mansfield, and Youngstown, Ohio: From the junction of Interstate Highway 71 and U.S. Highway 30, over U.S. Highway 30 to Canton, Ohio, thence over U.S. Highway 62 to Youngstown, Ohio and return over the same route; (3) Between Canton, Ohio and Cleveland, Ohio: From Canton, Ohio over Interstate Highway 77 to Cleveland, Ohio and return over the same route; (4) Between Youngstown, Ohio and Cleveland, Ohio: From Youngstown, Ohio over U.S. Highway 422 to Cleveland, Ohio and return over the same route; (5) Between Conneaut, Ohio and Youngstown, Ohio: From Conneaut, Ohio over Ohio Highway 7 to Youngstown, Ohio and return over the same route; (6) Between Warren, Ohio and Kinsman, Ohio: From Warren, Ohio over Ohio Highway 5 to Kinsman, Ohio and return over the same route; (7) Between Cleveland, Ohio and Conneaut, Ohio: From Cleveland, Ohio over Interstate Highway 90 and also U.S. Highway 20 to Conneaut, Ohio and return over the same route; (8) Between Salem, Ohio

and Cleveland, Ohio: (A) From Salem, Ohio over Ohio Highway 14 to Cleveland, Ohio; and (B) From Salem, Ohio over U.S. Highway 62 to junction Interstate Highway 80, thence over Interstate Highway 80 to Cleveland, Ohio, and return over the same routes as indicated in (A) and (B) above; and (9) Between Wooster, Ohio and Cleveland, Ohio: From Wooster, Ohio over Ohio Highway 83 to junction Ohio Highway 57, thence over Ohio Highway 57 to Elyria, Ohio, thence over U.S. Highway 20 to Cleveland, Ohio and return over the same routes, in (1) through (9) above, serving all intermediate points, and serving off route points in, Cuyahoga Summit, Trumbull, Mahoning, Stark, Ashtabula, Lake, Portage, Medina, Lorraine, and Geauga Counties, Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C. or Cleveland, Ohio.

No. MC 111812 (Sub-No. 514), filed Feb. 18, 1975. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks, 900 West Delaware, Sioux Falls, S. Dak. 57104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packing-houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to the transportation of traffic originating at the above origin, and destined to the above-named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 112304 (Sub-No. 94), filed February 18, 1975. Applicant: ACE DORAN HAULING AND RIGGING CO., 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John D. Herbert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Modular mausoleum crypt systems*, (a) from Allen County, Ohio, to points in Missouri, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Tennessee, Kentucky, West Virginia, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Michigan, Indiana, Illinois, on and south of U.S. Interstate Highway 80, and the District of Columbia; and (b) from Baltimore, Md., to points in Pennsylvania, New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Virginia, West Virginia, Ohio, North

Carolina, South Carolina, Georgia, and Florida.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Chicago, Ill.

No. MC 112520 (Sub-No. 301), filed February 18, 1975. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between points in Florida, Georgia and Alabama.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga., or Jacksonville, Fla.

No. MC 112713 (Sub-No. 177), filed February 21, 1975. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kans. 66207. Applicant's representative: David B. Schneider (same address as applicant). 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 Montgomery, Minn., as an off-route point in connection with carrier's regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 112801 (Sub-No. 170), filed February 20, 1975. Applicant: TRANSPORT SERVICE CO., a Corporation, 2 Salt Creek Lane, Hinsdale, Ill. 60521. Applicant's representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Kingsbury, Ind., to points in Illinois, Indiana, Iowa, Michigan, Kentucky, Wisconsin, and Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112822 (Sub-No. 366), filed February 18, 1975. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Greenville, Miss., to points in Oregon, Washington, Idaho, Montana, Wyoming, Utah, North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, and Illinois.

NOTE.—If a hearing is deemed necessary, applicant's representative: Carl L. Steiner, La. or Little Rock, Ark.

No. MC 112822 (Sub-No. 367), filed February 21, 1975. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products dealt in by wholesale and retail grocers*, from the facilities of Hunt-Wesson Foods, Inc., located at or near Fullerton, Hayward, Davis, and Oakdale, Calif., to points in Oregon, Washington, and Idaho.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, or San Francisco, Calif.

No. MC 113459 (Sub-No. 96), filed February 21, 1975. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City Okla. 73109. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum ingots, scrap and slag, zinc and zinc alloy ingots and scrap*, from Checotah, Okla., to points in Alabama, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Texas, Wisconsin, and Arkansas; and (2) *Materials and supplies* used in the manufacture of articles in (1) above, parts (1) and (2) above, restricted against the transportation of commodities in bulk, from the destinations in (1) above to Checotah, Okla.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 113528 (Sub-No. 24), filed February 21, 1975. Applicant: MERCURY FREIGHT LINES, INC., 67 Midtown Park East, P.O. Box 1247, Mobile, Ala. 36601. Applicant's representative: Drew L. Carraway, 618 Perpetual Building, Washington, D.C. 20004. 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, livestock, commodities in bulk, and those requiring special equipment), Between Dallas, Tex. and Baton Rouge, La.: From Dallas over Interstate Highway 20 (also over U.S. Highway 80) to junction U.S. Highway 71 at or near Shreveport, La., thence over U.S. Highway 71 to junction U.S. Highway 190 at or near Krotz Springs, La., thence over U.S. Highway 190 to Baton Rouge, and return over the same route, serving no intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 113678 (Sub-No. 583), filed February 14, 1975. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce

City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to the transportation of traffic originating at the above-origin and destined to the above-named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo. or Omaha, Nebr.

No. MC 113678 (Sub-No. 585), filed February 14, 1975. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies and products* used in or produced by the food processing industry (except commodities in bulk), (1) between Westfield, N.Y.; North East and Erie, Pa., on the one hand, and, on the other, Kennewick and Grandview, Wash.; and (2) from Grandview and Kennewick, Wash., to points in Colorado and Utah; and (3) from Kennewick and Grandview, Wash., to points in Oregon.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y. or Denver, Colo.

No. MC 113855 (Sub-No. 313), filed February 19, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road, S.E., Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unassembled furniture* in cartons, from Stockton, Calif., to points in and east of New Mexico, Colorado, Wyoming, South Dakota, and North Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 114097 (Sub-No. 6), filed February 18, 1975. Applicant: NIEDFELDT TRUCKING SERVICE, INC., 321 South Front Street, La Crosse, Wis. 54601. Applicant's representative: Fred C. Niedfeldt (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty metal beverage containers*, from the plantsite of the Continental Can Co., located at or near La Crosse, Wis., and the G. Helleman Brewing Co., Inc., Warehouse, La

Crosse, Wis., to the G. Helleman Brewing Co., Inc., located at Cincinnati, Ohio; Newport, Ky.; and Evansville, Ind., under a continuing contract or contracts with G. Helleman Brewing Co., Inc., La Crosse, Wis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at La Crosse, Wis.

No. MC 114123 (Sub-No. 42), filed February 20, 1975. Applicant: HERMAN R. EWELL, INC., East Earl, Pa. 17519. Applicant's representative: John M. Musselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products and syrup blends, molasses, honey, sugar, and sugar substitutes*, in bulk, between the plantsites and storage facilities of J. Stromeier Company at Baltimore, Md., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC-118661 and Sub-Nos. 4 and 5, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Harrisburg, Pa. or Washington, D.C.

No. MC 114211 (Sub-No. 242), filed February 12, 1975. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Mr. Charles W. Singer, 2440 E. Commercial Blvd., Fort Lauderdale, Fla. 33308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities*, as are dealt in, or used by, agricultural equipment, industrial equipment, and lawn and leisure product dealers (except commodities in bulk), (a) from the facilities of Deere & Company in Black Hawk, Dubuque, Polk, Scott, and Wapello Counties, Iowa; Rock Island County, Ill., and Dodge County, Wis., to points in Arizona, California, Colorado, Idaho, Kansas, Missouri, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming; (b) from the facilities of Deere & Company located in Black Hawk, Dubuque, Polk, Scott, and Wapello Counties, Iowa and Rock Island County, Ill., to points in Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin; (c) from the facilities of Deere & Company in Rock Island County, Ill., Black Hawk, Dubuque, and Scott Counties, Iowa and Dodge County, Wis., to points in Connecticut, Indiana, Maine, Massachusetts, Michigan, New Hampshire, New York, Ohio, Rhode Island, and Vermont.

(d) From the facilities of Deere & Company located in Black Hawk and Dubuque Counties, Iowa, and Dodge County, Wis., to points in Delaware, Kentucky, Maryland, New Jersey, Penn-

sylvania, Virginia, West Virginia, and the District of Columbia; (e) from the facilities of Deere & Company in Black Hawk and Dubuque Counties, Iowa, to points in Mississippi and Tennessee; (f) from the facilities of Deere & Company in Polk County, Iowa, to points in the Upper peninsula of Michigan; (g) from the facilities of Deere & Company in Rock Island County, Ill., and Black Hawk, Dubuque, Polk, Scott, and Wapello Counties, Iowa, and Dodge County, Wis., to points in Illinois; and (h) from the facilities of Deere & Company in Rock Island County, Ill., and Dubuque and Scott Counties, Iowa, and Dodge County, Wis., to points in Iowa; and (2) *Returned shipments* of the above-named commodities, from the destination states named in (1) above, to the facilities of Deere & Company named in (1) above. Restrictions: (A) The operations authorized in (1) above are restricted (a) to traffic originating at the named facilities of Deere & Company, and (b) to traffic destined to the points named, except that the restriction in (b) above shall not apply to traffic moving in foreign commerce; and (B) the operations authorized in (2) above are restricted to traffic destined to the named facilities of Deere & Company.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 114273 (Sub-No. 230) filed Feb. 26, 1975. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Bldg., 2720 First Avenue NE., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses* (except hides and commodities in bulk), as defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 786, from the plantsite and warehouse facilities of Wilson & Co., Inc., at Albert Lea, Minn.; and Cedar Rapids, Iowa, to points in Oklahoma and Texas, restricted to the transportation of traffic originating at the above named origins, and destined to the named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114290 (Sub-No. 75), filed February 21, 1975. Applicant: EXLEY EXPRESS, INC., 2610 S.E. 8th Ave., Portland, Ore. 97202. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products dealt in by wholesale and retail grocers*, from Fullerton, Hayward, Davis, and Oakdale, Calif., to points in Oregon, Washington, and Lewiston, Idaho.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 115311 (Sub-No. 174), filed February 13, 1975. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Studding, panels, doors, fiberboard, wallboard and vinyl covering, ceiling grid, building materials, and parts, materials and accessories* necessary for the installation and distribution thereof, from the plant and warehouse sites of Donn Products, Inc. in Gwinnett County, Ga., to points in Virginia, North Carolina, South Carolina, Florida, Alabama, Mississippi, Tennessee, Louisiana, Arkansas, Oklahoma, and Texas; and (2) *Commodities* used in the manufacture of the commodities named in (1) above, from the destination states named in (1) above, to the plant and warehouse sites of Donn Products, Inc. in Gwinnett County, Ga.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116273 (Sub-No. 189), filed February 18, 1975. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid pitch*, in bulk, in tank vehicles, from Lima, Ohio, to points in West Bend, Wis., and Birmingham, Ala.; (2) *liquid carbonized ink*, in bulk, in tank vehicles, from Sycamore, Ill., to Goshen, Ind.; and (3) (a) *hydraulic system fluid*, other than petroleum, in bulk, in tank vehicles, from St. Charles, Ill., to points in Indiana; and (b) *spent or waste hydraulic system fluid*, other than petroleum, in bulk, in tank vehicles, from points in Indiana to St. Charles, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 116519 (Sub-No. 29), filed February 26, 1975. Applicant: FREDERICK TRANSPORT LIMITED, a Corporation, R.R. 6, Chatham Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Agricultural implements agricultural machinery*; (b) *self-propelled industrial and construction machinery and equipment*; (c) *wheeled vehicles* other than automobiles, motor homes boats, commercial motor vehicles, and trailers designed primarily for the carriage of goods on the highway; and (d) *parts, attachments, and equipment* designed for use with the above articles when shipped in mixed loads with such articles, between the ports of entry on the International Boundary line between the United States and Canada located in Michigan, New York, Vermont, and Maine, on the one

hand, and, on the other, points in the United States (except Alaska, Arizona, California, Colorado, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming), restricted to the transportation authorized herein shall be restricted to foreign commerce.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 117366 (Sub-No. 5), filed December 12, 1974. Applicant: TRI-STATE TRANSPORT CORPORATION, 10 Bank Street, Wheeling, W. Va. 26001. Applicant's representative: Maxwell A. Howell, 1100 Investment Building, 1511 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel stampings and mine plate and materials and supplies* used or useful in the manufacture and installation thereof, between the plant site of Phillips Stamping Co., Inc. at or near Bellaire, Ohio on the one hand, and, on the other, points in Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia, under a continuing contract or contracts with Phillip Stamping Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 260) (correction), filed February 7, 1975, and published in the FEDERAL REGISTER issue of March 6, 1975, and republished as corrected this issue. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plantsite of Diamond International Corp., located at Passadumkeag, Maine, to points in Delaware, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Illinois, Indiana, Kentucky, and the District of Columbia, restricted to traffic originating at Passadumkeag, Maine, destined to points in the named states.

NOTE.—The purpose of this correction is to add the District of Columbia as a destination point. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 117574 (Sub-No. 264) (Correction), filed February 7, 1975, and published in the FEDERAL REGISTER issue of March 6, 1975, and republished as corrected this issue. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, 100 Pine Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polyvinyl chloride conduit and siding and attachments, fittings and materials* used in the installation of conduit and siding, between the

plantsite, warehouse, or storage facility of Certain-Feed Products Corporation, at or near Williamsport, Md., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to traffic originating at or destined to the plantsite or points mentioned above.

NOTE.—The purpose of this correction is to add Kansas to the above territorial description. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119639 (Sub-No. 15), filed February 18, 1975. Applicant: INCO EXPRESS, INC., 3600 South 124th Street, Seattle, Wash. 98168. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products dealt in by wholesale and retail grocers*, from Fullerton, Hayward, Davis, and Oakdale, Calif., to points in Oregon and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 119710 (Sub-No. 21), filed February 26, 1975. Applicant: SHUPE BROS. CO., a Corporation, P.O. Box 929, Greeley, Colo. 80631. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed*, from Duncan, Nebr., to points in Iowa; and (2) *feed ingredients*, from points in Iowa, to Duncan, Nebr., under a continuing contract or contracts with W. R. Grace & Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 119774 (Sub-No. 83), filed February 13, 1975. Applicant: EAGLE TRUCKING COMPANY, a Corporation, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, fabricated and unfabricated, from Birmingham, Ala.; on the one hand, and, on the other, points in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Birmingham, Ala., or Dallas, Tex.

No. MC 119968 (Sub-No. 76), filed February 19, 1975. Applicant: GREAT WESTERN TRUCKING CO., INC.,

Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal products*, (except those which by reason of size or weight require the use of special equipment) and *materials, equipment, and supplies* utilized in manufacture and distribution thereof, between the storage facilities and plant site of National Flange and Fitting Co., located in Harris County, Tex., on the one hand, and, on the other, points, in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 119988 (Sub-No. 78), filed February 21, 1975. Applicant: GREAT WESTERN TRUCKING CO., INC., Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood pulp* (except in bulk), from the plantsite of Temple-Eastex, Inc., located at or near Jasper County, Tex., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 140271 pending, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 121060 (Sub-No. 33), filed February 25, 1975. Applicant: ARROW TRUCK LINES, INC., P.O. Box 1416, Birmingham, Ala. 35201. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed matter*, from the facilities of R. R. Donnelley & Company at or near Gallatin, Tenn., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas; and (2) *materials, supplies and equipment* used in the manufacture or distribution of printed matter, from points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas to the facilities of R. R. Donnelley & Company at or near Gallatin, Tenn., restricted to the transportation of shipments originating at or destined to the facilities of R. R. Donnelley & Sons Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 121427 (Sub-No. 9), filed February 19, 1975. Applicant: MISSISSIPPI FREIGHT LINES, INC., 210 Beatty Street, Jackson, Miss. 39204. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty Bank Building (Box 22628), Jackson, Miss. 39205. Authority sought to operate as a *common carrier*,

by motor vehicle, over regular routes transporting: *General commodities* (except articles of unusual value, household goods, Classes A and B explosives, commodities in bulk, and commodities requiring special equipment), serving the New Clinton Industrial Park located at or near Clinton, Miss., as an off-route point in connection with applicant's regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Jackson, Miss.

No. MC 121450 (Sub-No. 9), filed January 20, 1975. Applicant: MCOMAS TRUCK LINES, INC., 604 North 2d Street, Chickasha, Okla. 73018. Applicant's representative: Robert A. Miller, 2505 City National Bank Tower, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*: (1) Between Duncan, Okla. and the junction of Oklahoma Highway 76 and U.S. Highway 70: From Duncan, Okla. over Oklahoma Highway 7 to junction Oklahoma Highway 76, thence over Oklahoma Highway 76 to junction U.S. Highway 70, and return over the same route, serving all intermediate points; (2) Between Waurika, Okla. and Ardmore, Okla.: From Waurika, Okla. over U.S. Highway 70 to Ardmore, Okla., and return over the same route, serving all intermediate points, restricted in (1) and (2) above against service to Wilson, Lone Grove, Healdton, Fox, Ringling, Clemstock, Ratliff City and Lawton, Okla., and further restricted against traffic between Ardmore, Okla., on the one hand, and, on the other, Oklahoma City, Moore, Norman, Noble, Lexington, Purcell and Wayne, Okla.; (3) Between Oklahoma City, Okla. and Comanche, Okla.: From Oklahoma City, Okla. over the H. E. Bailey Turnpike to junction Oklahoma Highway 53.

Thence over Oklahoma Highway 53 to Comanche, Okla., and return over the same route, serving all intermediate points; (4) Between Walters, Okla. and Waurika, Okla.: From Walters, Okla. over Oklahoma Highway 5 to Waurika, Okla., and return over the same route, serving all intermediate points; (5) Between El Reno, Okla. and Terral, Okla.: From El Reno, Okla. over U.S. Highway 81 to Terral, Okla., and return over the same route, serving all intermediate points; (6) Between Ryan, Okla. and Oscar, Okla.: From Ryan, Okla. over Oklahoma Highway 32 to junction unnumbered county road, thence over unnumbered county road to Oscar, Okla., and return over the same route, serving all intermediate points; (7) Between Oklahoma City, Okla. and El Reno, Okla.: From Oklahoma City, Okla. over U.S. Highway 66 (U.S. Highway 270) to El Reno, Okla., and return over the same route, serving all intermediate points; (8) Between Oklahoma City, Okla. and the junction of U.S. Highway 152 and U.S. Highway 81 at Union City, Okla.: From Oklahoma City, Okla. over U.S. Highway 152 to junction U.S. Highway 81 at Union City, Okla., and return over

the same route, serving all intermediate points; (9) Between Oklahoma City, Okla. and the junction of Oklahoma Highway 76 and Oklahoma Highway 7 at or near Ratliff City, Okla.: From Oklahoma City, Okla. over Interstate Highway 35 to junction Oklahoma Highway 74, thence over Oklahoma Highway 74 to junction Oklahoma Highway 29, thence over Oklahoma Highway 29 to junction Oklahoma Highway 76.

Thence over Oklahoma Highway 76 to junction Oklahoma Highway 7 at or near Ratliff City, Okla., and return over the same route, serving all intermediate points; (10) Between the junction of Interstate Highway 35 and U.S. Highway 77 and Wayne, Okla.: From the junction of Interstate Highway 35 and U.S. Highway 77 over U.S. Highway 77 to Wayne, Okla., and return over the same route, serving all intermediate points; (11) Between the junction of U.S. Highway 77 and Oklahoma Highway 39 at or near Purcell, Okla. and the junction of U.S. Highway 62 and the H. E. Bailey Turnpike: From the junction of U.S. Highway 77 and Oklahoma Highway 39 at or near Purcell, Okla. over Oklahoma Highway 39 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction H. E. Bailey Turnpike, and return over the same route, serving all intermediate points; (12) Between the junction of Oklahoma Highway 39 and Oklahoma Highway 76 and the junction of Oklahoma Highway 76 and Oklahoma Highway 37: From the junction of Oklahoma Highway 39 and Oklahoma Highway 76 over Oklahoma Highway 76 to junction Oklahoma Highway 37, and return over the same route, serving all intermediate points; (13) Between the junction of U.S. Highway 62 and Oklahoma Highway 92 and the junction of Oklahoma Highway 92 and Oklahoma Highway 37: From the junction of U.S. Highway 62 and Oklahoma Highway 92 over Oklahoma Highway 92 to junction Oklahoma Highway 37, and return over the same route, serving all intermediate points; (14) Between the junction of U.S. Highway 81 and Oklahoma Highway 37 and the junction of Oklahoma Highway 37, U.S. Highway 62 and the H. E. Bailey Turnpike: From the junction of U.S. Highway 81 and Oklahoma Highway 37 over Oklahoma Highway 37 to junction U.S. Highway 62 and the H. E. Bailey Turnpike, and return over the same route, serving all intermediate points; and (15) Between the junction of U.S. Highway 62, Oklahoma Highway 37 and the H. E. Bailey Turnpike, and the junction of U.S. Highway 62 (U.S. Highway 277) and Oklahoma Highway 39: From the junction of U.S. Highway 62, Oklahoma Highway 37, and the H. E. Bailey Turnpike over U.S. Highway 62 (U.S. Highway 277) to junction Oklahoma Highway 39, and return over the same route, serving all intermediate points.

NOTE.—Applicant states that the purpose of the above application is to convert the authority held in its Certificate of Registration to a Certificate of Public Convenience and Necessity. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla. or Wichita Falls, Tex.

No. MC 123255 (Sub-No. 47), filed February 24, 1975. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass, and materials, equipment and supplies*, used or useful in the manufacture, production and sale of glass (except commodities in bulk), between the plantsite and warehouse facilities of Guardian Industries, Corp., located at or near Upper Sandusky, Ohio, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 81968 Sub 19 and other subs, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 123407 (Sub-No. 224), filed February 18, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*: (1) from points in New Mexico and Arizona, to points in Iowa, Michigan, Wisconsin, Ohio, Illinois, Indiana, Kentucky, Pennsylvania, North Dakota, South Dakota, Nebraska, and Minnesota; and (2) from points in Colorado, to points in Iowa, Michigan, Wisconsin, Ohio, Illinois, Indiana, Kentucky, and Pennsylvania.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 124078 (Sub-No. 634), filed February 20, 1975. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 611 South 28 Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fly ash*, in bulk, in tank vehicles: (a) from points in Buffalo County, Wis., to points in Iowa and Minnesota; and (b) from points in Grant County, Wis., to points in Illinois, Iowa, and Minnesota; and (2) *mineral spirits*, in bulk, between Douglasville, Ga., on the one hand, and, on the other, points in Alabama (except Athens, Dolomite, and Prichard), Arkansas, Florida (except Jacksonville, Largo, Orlando, Pompano Beach, and Tampa), Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124796 (Sub-No. 143), filed February 13, 1975. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: R. A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501.

Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Furnaces, and parts and accessories* therefor, from Ft. Smith, Ark., to points in Oklahoma, New Mexico, Texas, Arizona, and California; and (2) *returned shipments* of the commodities in (1) above, from points in Oklahoma, New Mexico, Texas, Arizona, and California, to Ft. Smith, Ark., under a continuing contract or contracts with Carrier Corporation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 124947 (Sub-No. 38), filed February 24, 1975. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 417, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 223 Ciudad Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, particle board, and wood products*, from points in Arizona, Colorado, and New Mexico, to points in Iowa, Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.; Albuquerque, N. Mex.; Denver, Colo.; or Chicago, Ill.

No. MC 125023 (Sub-No. 28), filed February 27, 1975. Applicant: SIGMA-4 EXPRESS, INC., P.O. Box 9117, Erie, Pa. 16504. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages (beer)*, and related advertising materials, from South Volney, N.Y., to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia; and (2) *materials, supplies and equipment*, used in the manufacture, sale and distribution of malt beverages, including returned empty malt beverage containers, from points in Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia, to South Volney, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125785 (Sub-No. 27), filed February 14, 1975. Applicant: SATURN EXPRESS, INC., 7860 F Street, Omaha, Nebr. 68127. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ground, crushed or powdered glass and glass beads* (except in bulk); and (2) *materials, equipment and supplies* used in the application of highway marking strips (except in bulk), from Jackson, Miss., to points in Montana, Idaho, Utah, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Wisconsin, Illinois, and Kentucky, under a continuing contract or contracts with Ferro Corporation.

NOTE.—Applicant has pending common carrier authority in MC 139292 Sub Nos. 4 and 5, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Jackson, Miss., or Omaha, Nebr.

No. MC 127042 (Sub-No. 154) filed February 14, 1975. Applicant: HAGEN, INC., 3232 Highway 75 North, P.O. Box 98-Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Edward A. O'Donnell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Toilet preparations, shampoo, cleaning, buffing and polishing compounds, shaving cream and printed matter*, from the warehouse facilities utilized by Alberto-Culver Company at or near Sparks, Nev., to Los Angeles, Calif.; and (2) *foodstuffs*, moving in mixed shipments with articles named in (1) above (except commodities in bulk), from the warehouse facility utilized by Shulton, Inc., at or near Sparks, Nev., to points in Arizona, California, Idaho, Oregon, and Washington, restricted to shipments tendered by shipper and loaded into the same vehicle and at the same location from which within the previous 24 hours delivery was made of an inbound interstate shipment of 30,000 pounds or more.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127042 (Sub-No. 155), filed February 14, 1975. Applicant: HAGEN, INC., 3232 Highway 75 North, P.O. Box 98 Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Edward A. O'Donnell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen bakery goods and sandwiches*, from the facilities of Basic Commodities, Inc. at or near Plover, Wis., to points in Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming; and (2) *materials, supplies and equipment* used in the manufacture and distribution of frozen bakery goods and sandwiches, from points in (1) above, to the facilities of Basic Commodities, Inc., at or near Plover, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 127832 (Sub-No. 11), filed February 19, 1975. Applicant: C & S TRANSFER, INC., P.O. Box 5249, Macon, Ga. 31208. Applicant's representative: William Addams, Ste 212-5299 Roswell Road, NE, Atlanta, Ga. 30342. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, supplies and equipment* used in the operation of cafeterias and restaurants, between the storage facilities of State Wholesale Foods, Inc. at or near Macon, Ga., and Knoxville, Tenn., under a continuing contract or contracts with State Whole Food Co. If a hearing

is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 128273 (Sub-No. 173), filed February 13, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 S. Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric motors, lighting fixtures, and parts and accessories* thereof (except commodities which because of size or weight require the use of special equipment), from Tupelo and Philadelphia, Miss.; Memphis, Tenn.; Hayti and Kennett, Mo.; Rogers, Mena, and Paragould, Ark.; and Independence, Kans., to points in California, Oregon, Washington, Arizona, Nevada, Utah, Idaho, Montana, Colorado, Wyoming, New Mexico, and Nebraska.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or St. Louis, Mo.

No. MC 128273 (Sub-No. 174), filed February 13, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 S. Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products* (except in bulk), from points in Scott County, Mo., to points in the United States (except Alaska, Hawaii, and Missouri).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or Washington, D.C.

No. MC 114284 (Sub-No. 66), filed February 21, 1975. Applicant: FOX-SMYTHE TRANSPORTATION CO., INC., P.O. Box 82307, Stockyards Station, Oklahoma City, Okla. 73108. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128343 (Sub-No. 28), filed February 21, 1975. Applicant: C-LINE, INC., Tourtellot Hill Road, Chepachet, R.I. 02814. Applicant's representative: Ronald N. Corbet, 1730 M St. NW., Suite

501, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, plastic products, and supplies*, used in the manufacture and distribution of plastic materials and plastic products, between Hemingway, S.C., on the one hand, and, on the other, Jerome, Idaho; Halls, Tenn.; North Smithfield, R.I., and ports of entry on the International Boundary line between the United States and Canada, in Michigan, New York, and Vermont, under contract with The Tupperware Co.

NOTE.—Applicant holds common carrier authority in MC 138861, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 128607 (Sub-No. 8), filed February 18, 1975. Applicant: BOYD TRUCKING CO., a Corporation, P.O. Box 577, Cottonwood, Calif. 96022. Applicant's representative: Marvin Handler, 100 Pine Street, San Francisco, Calif. 94111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wood residuals*, from the plantsite of Kimberly Clark Corp., to Weyerhaeuser Company's mill, approximately 5 miles west of Klamath Falls, Oreg.; and (2) *pencil stock*, from the plantsite of the Worden Division of Hudson Lumber Company, at Worden, Oreg., to the plantsite of Hudson Lumber Company, at San Leandro, Calif.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 128607 (Sub-No. 9), filed February 18, 1975. Applicant: BOYD TRUCKING CO., a Corporation, P.O. Box 577, 1st Street and Cemetery Lane, Cottonwood, Calif. 96022. Applicant's representative: Marvin Handler, 100 Pine Street, Suite 2550, San Francisco, Calif. 94111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, forest products and wood products*, between points in California (except those in Butte and Inyo Counties). Restriction: No shipments shall be transported which originate at or are destined to points south of Woodland, Calif., except that shipments may be transported which originate at and are destined to points north and east of Stockton, Calif., including Stockton; no service shall be performed between Montague, Callahan and intermediate points; no service shall be performed between points on U.S. Highway 101 north of Alton, on the one hand, and, on the other, San Francisco Bay points; and carrier shall not transport any shipments of sawdust, wood shavings, wood chips, and wood pieces except when shipments thereof have a prior or subsequent movement by for-hire, motor, or water carrier.

NOTE.—This application is for conversion of Certificate of Registration. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 128746 (Sub-No. 23), filed February 26, 1975. Applicant: D'AGATA NATIONAL TRUCKING CO., a Corporation, 3240 South 61st Street, Philadelphia, Pa. 19153. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages (beer) and related advertising materials*, from South Volney, N.Y., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia; and (2) *materials, supplies and equipment* used in the manufacture, sale and distribution of malt beverages, including returned empty malt beverage containers, from the destination points described in (1) above to Volney, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa., or Washington, D.C.

No. MC 129034 (Sub-No. 9), filed February 27, 1975. Applicant: LOOMIS COURIER SERVICE, INCORPORATED, 808 Burlway Road, Burlingame, Calif. 94010. Applicant's representative: John L. Glover (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cash letters, commercial documents, business records, accounting and audit media and automated data processing media*, between Ironwood (Gogebic County), Mich., and points in Ashland, Bayfield, Iron, and Price Counties, Wis., under a continuing contract with American Bank and Trust Company.

NOTE.—Applicant holds common carrier authority in MC 134386 Sub 1, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis, or Duluth, Minn.

No. MC 129624 (Sub-No. 4), filed February 24, 1975. Applicant: ROUTE MESSENGERS OF PENNSYLVANIA, INC., 4007 Ludlow Street, Philadelphia, Pa. 19104. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business forms and materials* used in accounting systems, no single parcel or package to exceed 25 lbs. in weight, from the facilities of Safeguard Business Systems, Inc., located in Lansdale, Pa., to points in New Castle County, Del.; Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties, N.J.; and (2) *returned shipments*, from the above described destination territory, to the above named origin point.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at (1) Philadelphia, Pa., or (2) Washington, D.C.

No. MC 129664 (Sub-No. 4), filed February 24, 1975. Applicant: COMET MESSENGER AND DELIVERY SERVICE,

INC., 7-11 South Avenue, Garwood, N.J. 07027. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business forms and materials* used in accounting systems, from the facilities of Safeguard Business Systems, Inc. at Lansdale, Pa., to points in New Jersey (except points in Atlantic, Burlington, Camden, Cumberland, Gloucester, Salem, and Cape May Counties), New York, N.Y., and points in Orange, Rockland, Nassau, Suffolk, and Westchester, Counties, N.Y.; and (2) *returned shipments*, from the above described destination points, to the above origin point, restricted against the transportation of any single parcel or package exceeding 25 pounds in weight.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 133591 (Sub-No. 16), filed February 24, 1975. Applicant: WAYNE DANIEL TRUCK, INC., P.O. Box 303, Mount Vernon, Mo. 65712. Applicant's representative: Harry Ross, 1403 South Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical appliances and parts and accessories* thereof; and *electric motors*, from Cape Girardeau, Mo., to points in Florida, Georgia, Alabama, North Carolina, South Carolina, and Mississippi.

NOTE.—Applicant holds contract carrier authority in MC 134494 Subs 1, 3, and 6, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark.

No. MC 133591 (Sub-No. 17), filed February 24, 1975. Applicant: WAYNE DANIEL TRUCK, INC., P.O. Box 303, Mount Vernon, Mo. 65712. Applicant's representative: Harry Ross, 1403 S. Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toys and games*, from Booneville, Ark., to points in Florida, Georgia, Alabama, North Carolina, South Carolina, and Mississippi.

NOTE.—Applicant holds motor contract carrier authority in No. MC-134494 (Sub-No. 1 and other subs), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 133690 (Sub-No. 4), filed February 18, 1975. Applicant: KINGSWAY DALEWOOD LIMITED, 123 Rexdale Boulevard, Rexdale, Ontario, Canada. Applicant's representative: Ronald J. Mastej, 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between International Falls, Minn., on the one hand, and, on the other, ports

of entry between the United States and Canada located in Minnesota, restricted to traffic moving in foreign commerce only.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC-136008 (Sub-No. 50), filed February 27, 1975. Applicant: JOE BROWN COMPANY, INC., P.O. Box 1669, Ardmore, Okla. 73401. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Bldg., 3535 N.W. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*: (1) from points in Arkansas, to points in Alabama, Kansas, Kentucky, Louisiana, Missouri, Oklahoma, Tennessee, and Texas; (2) from points in Kansas, to points in Arkansas, Missouri, and Oklahoma; (3) between points in Kansas; (4) from points in Missouri, to points in Arkansas, Kansas, and Oklahoma; (5) between points in Missouri; and (6) from points in Oklahoma, to points in Arkansas, restricted in (3) and (5) above to traffic having prior or subsequent movement by rail or water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 136220 (Sub-No. 15), filed Feb. 27, 1975. Applicant: ROY SULLIVAN, doing business as SULLIVAN TRUCKING CO., 1705 N.E. Woodland, Ponca City, Okla. 74601. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Bldg., 3535 N.W. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, (1) from points in Arkansas, to points in Alabama, Kansas, Kentucky, Louisiana, Missouri, Oklahoma, Tennessee, and Texas; (2) from points in Kansas, to points in Arkansas, Missouri, and Oklahoma; (3) between points in Kansas, restricted to traffic having a prior or subsequent movement by rail or water; (4) from points in Missouri, to points in Arkansas, Kansas, and Oklahoma; (5) between points in Missouri, restricted to traffic having a prior or subsequent movement by rail or water; (6) from points in Oklahoma to points in Arkansas, Kansas, and Texas; and (7) between points in Oklahoma, restricted to traffic having a prior or subsequent movement by rail or water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 136343 (Sub-No. 40), filed Feb. 20, 1975. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnel Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing paper*, from the facilities of Howard Paper Mills, at Dayton and Urbana, Ohio, to points in New

York, New Jersey, Delaware, Connecticut, Pennsylvania, Massachusetts, Rhode Island, Virginia, Maryland, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 96098 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 138308 (Sub-No. 5), filed February 18, 1975. Applicant: K.L.M. DISTRIBUTING, INC., 2102 Old Brandon Road, P.O. Box 6066, Jackson, Miss. 39208. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical appliances, and parts and accessories for electrical appliances* (except commodities in bulk and commodities which by reason of size or weight require the use of special equipment), from the facilities of Northern Electric Company at or near Hattiesburg, Miss., to points in Texas, New Mexico, Arizona, Nevada, California, Utah, Colorado, Kansas, Oklahoma, Nebraska, Iowa, Wyoming, Idaho, Oregon, South Dakota, North Dakota, Montana, and Washington.

NOTE.—Applicant holds motor contract carrier authority in No. MC-128592 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 138336 (Sub-No. 4), filed February 19, 1975. Applicant: CROSSLIN-GRADER CORPORATION, P.O. Box 5807, 1022 Sixth Ave., North, Nashville, Tenn. 37208. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Bldg., Memphis, Tenn. 38103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass, reinforcing mats, fiberglass fabric or cloth, fiberglass rovings, crushed or powdered glass, synthetic fiber wastes, and liquid plastic*, (1) from Nashville, Tenn., to points in Texas, Colorado, Washington, California, Oregon, Arizona, and New Mexico; (2) from Arlington, Tex., to points in Colorado; (3) from Huntington Beach, Calif., to points in Oregon and Washington, restricted against the transportation of commodities in bulk in tank vehicles, and under a continuing contract with Ferro Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Cleveland, Ohio, or Washington, D.C.

No. MC 138469 (Sub-No. 12), filed Feb. 18, 1975. Applicant: DONCO CARRIERS, INC., 1001 South Rockwell, P.O. Box 75354, Oklahoma City, Okla. 73107. Applicant's representative: Wm. L. Peterson, Jr., P.O. Box 917, Oklahoma City, Okla. 73101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile glass*, from Toledo, Ohio, to points in Arizona, California, Nebraska,

and points in Texas west of U.S. Highway 83.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio, or Oklahoma City, Okla.

No. MC 138480 (Sub-No. 4), filed February 21, 1975. Applicant: CENTRAL DELIVERY SERVICE, INC., 1101 Ripley Street, Silver Spring, Md. 20910. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter and related documents* used in and useful for the preparation of telephone directories, from Philadelphia, Pa., to the offices and facilities of the Chesapeake & Potomac Telephone Company of Maryland, located in Cambridge, Chestertown, Cumberland, Easton, Frederick, Hagerstown, La Plata, Leonardtown, Oakland, Salisbury, and Westminster, Md.

NOTE.—Applicant holds contract carrier authority in MC 140443, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 138971 (Sub-No. 1), filed February 18, 1975. Applicant: HOWARD LANE, 429 Knollwood Drive, Somerville, N.J. 08876. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobile internal combustion engines*, from Lima, Ohio, to Placentia, Calif., under a continuing contract or contracts with Guardian Marine, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 139091 (Sub-No. 7), filed February 25, 1975. Applicant: LOGAN MOTOR LINES, INC., Rte. 2, Box 174-A, Canyon, Tex. 79015. Applicant's representative: Gaylon Larsen, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vacuum bottles and fillers, lunch and picnic boxes and kit containers, travel bags, camping equipment, stoppers, plastic articles, jugs, cooling boxes and chests, tents, display racks, and insulating material*, (a) from the plant site and storage facilities of King-Seeley Thermos Co., at or near Macomb, Ill., to points in Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia; (b) from the plant site and storage facilities of King-Seeley Thermos Co., at or near Norwich, Conn., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, New York, Nebraska, Ohio, Pennsylvania and West Virginia; (2) *plastic articles*, from Alma, Mich., to the plant site and storage facilities of King-Seeley Thermos Co., at or near Macomb, Ill. and Norwich, Conn., parts (1) and (2) under a continuing contract or contracts with King-

Seeley Thermos Co. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Omaha, Nebr.

No. MC 139198 (Sub-No. 2), filed February 3, 1975. Applicant: PECOS VALLEY, INC., P.O. Box 280, Carlsbad, N. Mex. 88220. Applicant's representative: Jack A. Smith, 1627 National Bldg., 505 Marquette Ave. NW., Albuquerque, N. Mex. 87102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt, salt products, animal and poultry feeds and feed ingredients* and (2) *agricultural commodities* as described in section 203(b) (6) when moving in mixed loads with commodities described in (1) above, between points in Eddy County, N. Mex., Oklahoma, and those in that part of Texas on, west, and north of a line beginning at the Texas-Oklahoma State Boundary line and extending along U.S. Highway 83 to Abilene, Tex., thence along U.S. Highway 80 (and Interstate Highway 20) to junction with U.S. Highway 285 at or near Pecos, Tex., thence along U.S. Highway 285 to the Texas-New Mexico State Boundary line, under a continuing contract or contracts with Seven Rivers Cattle Co., Carlsbad, N. Mex., Inc., United Salt Corporation, Carlsbad, N. Mex., and Hi-Pro Feeds, Inc., Friona, Tex., in non-radial movements.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Albuquerque, N. Mex.

No. MC 139803 (Sub-No. 2), filed February 14, 1975. Applicant: MARVIN E. VAN NOY, 2000 North 14th Street, St. Louis, Mo. 63106. Applicant's representative: Richard D. Kinder, 2027 Broadway, P.O. Box 1150, Cape Girardeau, Mo. 63701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *All products* used in the operation and maintenance of a hospital, from St. Louis, Mo., to points in McCracken County, Ky.; and Randolph, Alexander, Williamson, Jefferson, and Saline Counties, Ill.; and Crawford County, Kans.; and (2) *return of shipments* by consignees, under a continuing contract or contracts with Norman & Associates.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or any place within 100 miles radius of St. Louis, preferably in Missouri.

No. MC 139857 (Amendment), filed May 14, 1974, published in the FEDERAL REGISTER issue of June 20, 1974, and republished as amended this issue. Applicant: T-W TRANSPORT, INC., 2124 Waterworks Way, Spokane, Wash. 99220. Applicant's representative: George H. Hart, 1100 IBM Bldg., Seattle, Wash. 98101. By Order of the Commission, Commissioner Murphy, the applicant has been granted leave to amend its application in this proceeding to read as follows: Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *Wine and malt beverages*, from points in Los An-

geles, Orange, San Francisco, San Mateo, Santa Clara, Fresno, Madera, Alameda, Stanislaus, and Napa Counties, Calif., to points in Washington in and east of Okanogan, Chelan, Kittitas, Yakima, and Klickitat Counties, Wash., and points in Nez Perce, Latah, Benewah Kootenai, Bonner, Boundary, Shoshone, Clearwater, Lewis, and Idaho Counties, Idaho.

NOTE.—The purpose of this republication is to indicate the additional origin at San Francisco County, Calif.; and protests should be addressed to this issue. Common control may be involved. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash., Seattle, Wash., or Portland, Ore.

No. MC 140015 (Sub-No. 1), filed February 5, 1975. Applicant: MUSCOGEE DISTRIBUTING COMPANY, INC., P.O. Box 4131, Columbus, Ga. 31904. Applicant's representative: William F. Pearce, Jr., 207 First National Bank Bldg., No. 8—Eleventh Street, Columbus, Ga. 31901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, including frozen food products, meat patties, french fries, fruit turnovers, fish portions, Canadian bacon, orange juice, grapefruit juice and tomato juice, in vehicles equipped with mechanical refrigeration, between Columbus, Ga., on the one hand, and, on the other, Valdosta, Albany, Warner Robins, Macon, Tifton, La Grange, Americus, and Atlanta, Ga., Montgomery, and Dothan, Ala., Phenix City, Ala., and Tallahassee, Fla., under a continuing contract or contracts with Mac Suppliers, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Columbus or Atlanta, Ga., or Washington, D.C.

No. MC 140033 (Sub-No. 7), filed February 21, 1975. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75220. Applicant's representative: E. Larry Wells, 4645 North Central Expressway, Dallas, Tex. 75220. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water closet bowls and tanks, sheet steel sinks and bathtubs*, from Hearne and Dallas, Tex., to points in Arizona, California, Colorado, Florida and New Mexico.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Fort Worth, Texas.

No. MC 140033 (Sub-No. 8), filed February 21, 1975. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75220. Applicant's representative: E. Larry Wells, 4645 North Central Expressway, Dallas, Tex. 75205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh hanging horse meat*, from Fort Worth, Tex., and Milwaukee, Wis., to points in New Jersey and New York.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Dallas or Fort Worth, Tex.

No. MC 140338 (Sub-No. 1), filed February 14, 1975. Applicant: FRANKLIN MILLING COMPANY, INC., South Main Street, Louisburg, N.C. 27549. Applicant's representative: Aubrey S. Tomlinson, Jr., 103 Church Street, Louisburg, N.C. 27549. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed supplements*, in bulk, in tank vehicles, from Savannah, Ga., to those points in North Carolina in and east of U.S. Highway 220.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 140370 (Sub-No. 1), filed February 13, 1975. Applicant: V. G. H. TRUCKING, INC., Highway 2 East, East Grand Forks, Minn. 56721. Applicant's representative: William J. Boyd, 600 Enterprise Drive, Suite 222, Oak Brook, Ill. 60521. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packing-houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant-site and storage facilities of or utilized by Farmland Foods, Inc. located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 140426 (Sub-No. 1) filed February 10, 1975. Applicant: TY-ROE ENTERPRISE, doing business as AIR CARGO DELIVERY SERVICE, a Corporation, 1004 Stockton Avenue, San Jose, Calif. 95110. Applicant's representative: Ralph I. Hattem, P.O. Box 3454, San Francisco, Calif. 94119. 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, commodities requiring special equipment), between San Jose, Calif., and San Francisco, Calif., serving all intermediate points; (1) From San Jose, Calif., northerly over U.S. Highway 101 to San Francisco and return over the same route; (2) From San Jose, Calif., southerly over California State Highway 17 to its junction with California State Highway 9 at Los Gatos, thence northerly over California State Highway 9 to its junction with California State Highway 85 at Saratoga, thence northerly over California State Highway 85 to its junction with Interstate Highway 280 at Cupertino, thence northwesterly over Interstate Highway 280 to San Francisco and return over the same route, restricted to the transportation of shipments having an immediately prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Jose or San Francisco, Calif.

No. MC 140441 (Sub-No. 2) filed February 14, 1975. Applicant: LAMAR M. LEIBY, R.D. #2, New Ringgold, Pa. 17960. Applicant's representative: S. Berne Smith, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, from points in East Penn Township, Carbon County, and West Penn Township, Schuylkill County, Pa., to points in Maryland and New York.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 140475 (Sub-No. 2), filed February 18, 1975. Applicant: W. H. HOUSTON, an individual, P.O. Box 205, Holcomb, Mo. 63852. Applicant's representative: Thomas P. Rose, Jefferson Bldg., P.O. Box 205, Jefferson City, Mo. 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, in bulk, from the storage facilities used by Cargill, Incorporated at or near New Madrid, Mo., to points in Arkansas, Illinois, Iowa, Kentucky and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, or Jefferson City, Mo.

No. MC 140506, filed December 10, 1974. Applicant: SURRATT FREIGHT LINES, INC., 603 West 3d, Beardstown, Ill. 62618. Applicant's representative: Robert Lee Fishel (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* Between Versailles, Ill. and a territory described as follows: beginning at the intersection of the Mississippi River and Illinois Highway 94 and extending northerly along Illinois Highway 94 to its intersection with the Hancock County Boundary line, thence easterly along the Hancock County Boundary line to its intersection with the McDonough County Boundary line, thence easterly along the McDonough County Boundary line to its intersection with Illinois Highway 41, thence southerly along Illinois Highway 41 to its intersection with Illinois Highway 9, thence easterly along Illinois Highway 9 to its intersection with the Fulton County Boundary line, thence southerly along the Fulton County Boundary line (Illinois River) to its intersection with the Masson County Boundary line, thence easterly and southerly along the Masson County Boundary line to its intersection with Illinois Highway 29, thence southerly along Illinois Highway 29 to Springfield, Mo., thence southerly along Illinois Highway 4 to its intersection with Illinois Highway 108, thence westerly along Illinois Highway 108 to its intersection with Illinois Highway 111, thence southerly along Illinois Highway 111 to its intersection with the Jersey County Boundary line, thence northerly along the Jersey County Boundary line to its intersection with the Greene County Boundary line, thence westerly along the

Greene County Boundary line to its intersection with the Illinois River, thence southerly along the Illinois River to its intersection with the Mississippi River, thence northerly along the Mississippi River to the point of beginning, and points on said line, (except those points in the Quincy and Keokuk, Ill. Commercial Zones in Iowa and Missouri), in non-radial movements.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 140564 (Sub-No. 2), filed February 20, 1975. Applicant: NORTHWEST TRANSPORT, a Corporation, 223 Erie Street, Pomona, Calif. 91768. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastic articles*, from the plant and facilities of Dolco Packaging Corp., located in the Dallas-Fort Worth Commercial Zone, to points in Kansas, Missouri, Nebraska, Colorado, Louisiana, Arkansas, Oklahoma, and New Mexico.

NOTE.—Applicant holds contract carrier authority in MC 138059 Subs 1 and 3, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex. or Los Angeles, Calif.

No. MC 140602 (Sub-No. 2), filed February 24, 1975. Applicant: GORDON PAUL, P.O. Box 545, Ottawa, Kans. 66067. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from the mine site and/or storage facilities of Lamb Coal Company, approximately 5 miles east of Altoona, Kans. to points in Missouri.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 140664 (Sub-No. 1), filed February 20, 1975. Applicant: PATRICK CARROLL ENTERPRISES, INC., Box 153, Lucinda, Pa. 16235. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Clarion County, Pa., to points in New York and Ohio, restricted to a transportation service under a continuing contract or contracts with Carroll Coal Trusts.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 140697, filed February 24, 1975. Applicant: JAMES W. BUCHANAN, Doing business as MAR-WEST TRUCKING, 9740 Foothill Boulevard, Cucamonga, Calif. 91730. Applicant's representative: Robert F. Schauer, 1047 West Sixth Street, P.O. Box 1515, Ontario, Calif. 91762. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting:

Hot water heaters, from Santa Monica, Calif., to Portland, Oreg.; Seattle, Kent, Spokane, Walla Walla, Bellevue and Everett, Wash.; and Phoenix and Tucson, Ariz., under a continuing contract or contracts with American Appliance Manufacturing Corporation, a subsidiary of Mar Flo Industries, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

PASSENGER APPLICATIONS

No. MC 118848 (Sub-No. 18), filed February 13, 1975. Applicant: DOMENICO BUS SERVICE, INC., 75 New Hook Access Road, Bayonne, N.J. 07002. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, between the Borough of Brooklyn, N.Y. and the site of the New Jersey Sports and Exposition Authority at or near East Rutherford, N.J.: From the Borough of Brooklyn over the Verrazano-Narrows Bridge to the Borough of Staten Island, thence over city streets in the Borough of Staten Island to the Goethals Bridge, thence over the Goethals Bridge to access roads to New Jersey Turnpike Interchange No. 13, thence over the New Jersey Turnpike to Interchange No. 16W, thence over access roads to the site of the New Jersey Sports and Exposition Authority at or near East Rutherford, N.J., and return over the same route, serving all intermediate points in the Boroughs of Brooklyn and Staten Island, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Staten Island, N.Y.

No. MC 140649, filed February 3, 1975. Applicant: GREENLAWN TRANSIT LINES, INC., 1640 East Fifth Avenue, Columbus, Ohio 43219. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter and special operations, in round trip sight-seeing and pleasure tours, beginning and ending at points in Delaware, Licking and Franklin Counties, Ohio, and extending to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

BROKER APPLICATION

No. MC 130299, filed February 10, 1975. Applicant: LONG'S TRAVEL AGENCY, 112 East Washington Street, Rockingham, N.C. 28379. Applicant's representative: Walter F. Long III (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Rockingham, N.C., to sell or offer to sell the transportation of *Passengers and their baggage*, in special and charter

operations, in all expense tours, by motor carriers, from points in Richmond County, N.C., to points in the United States including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Rockingham, Hamlet, or Charlotte, N.C.

WATER CARRIER APPLICATIONS

No. M-1285-Ex (Correction), filed December 19, 1974, published in the FEDERAL REGISTER issue of February 6, 1975, and republished as corrected, this issue. Applicant: DIAMOND MANUFACTURING COMPANY, INC., 645 Indian Street, P.O. Box 728, Savannah, Ga. 31402. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Applicant seeks authority by order under the provisions of section 302(e) of the Interstate Commerce Act exempting the furnishing for compensation under a charter, lease, or other agreement, of *tugs and barges* to B. F. Diamond Construction Company, Inc., to be used by that company in the transportation of its own equipment, materials and supplies between construction, dredging, storage, and repair sites along the Atlantic coastline, the Gulf of Mexico coastline, and their inland tributary waterways, non-radially.

NOTE.—The purpose of this republication is to clarify the authority originally requested. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga.

No. W-1286-EX (Correction), filed December 19, 1974, published in the FEDERAL REGISTER issue of February 13, 1975, and republished, as corrected this issue. Applicant: B. F. DIAMOND CONSTRUCTION CO., INC., 645 Indian Street, P.O. Box 727, Savannah, Ga. 31402. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Applicant seeks authority by order under the provisions of section 302 (e) of the Interstate Commerce Act exempting the furnishing for compensation, under a charter, lease, or other agreement, of *tugs and barges* to Diamond Manufacturing Company, Inc., to be used by that company in the transportation of its own equipment, materials and supplies between construction, dredging, storage, and repair sites along the Atlantic coastline, the Gulf of Mexico coastline, and their inland tributary waterways, non-radially.

NOTE.—The purpose of this republication is to clarify the authority originally requested. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-7215 Filed 3-19-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY ELIMINATION OF GATEWAY APPLICATIONS

MARCH 17, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065 (d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of *verified statements* in opposition with the Interstate Commerce Commission by April 21, 1975. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

MC 10788 (Sub-No. 9G), filed June 4, 1974. Applicant: TOM'S EXPRESS, INC., 555 West Federal Street, Youngstown, Ohio 44501. Applicant's representative: Paul F. Beery, 8 East Broad Street, Ninth Floor, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and manufactured products thereof*: (a) from points in West Virginia to points in Ohio west of a line beginning at the Ohio-West Virginia state line, thence north on Ohio Highway 43 to the intersection of Ohio Highway 43 and U.S. Highway 77, thence north on U.S. Highway 77 to the intersection of U.S. Highway 77 and Ohio Highway 82, thence west on Ohio Highway 82 to the intersection of Ohio Highway 82 and Ohio Highway 237, thence north on Ohio Highway 237 to Lake Erie.

(b) From points in West Virginia to points in New York bounded and described as follows, on the east by New York Highway 14, on the south by the New York-Pennsylvania state line, and on north and west of a line beginning at the New York-Pennsylvania state line, thence north and east on New York Highway 19 to the intersection of New York Highway 19 and New York Highway 17, thence north and east on New York Highway 17 to the intersection of New York Highway 17 and New York Highway 21 to the intersection of New York Highway 21 and New York Highway 36, thence north and east on New York Highway 36 to the intersection of New York Highway 36 and New York Highway 70, thence north and east on New York Highway 70 to the intersection of New York Highway 70 and U.S. Highway 15 to the intersection of U.S.

Highway 15 and New York Highway 54, thence north and east on New York Highway 54 to the intersection of New York Highway 14.

(c) From points in West Virginia east of a line beginning at the intersection of U.S. 119 and West Virginia state line, thence south of U.S. 119 to the intersection of U.S. 119 and U.S. 250, thence south on U.S. 250 to the intersection of U.S. 250 and the West Virginia line, to points in New York on and west of a line beginning at the shores of Lake Ontario, thence south on New York 14 to the intersection of New York 14 and New York 54, thence south on New York 54 to the intersection of New York 54 and U.S. 15 to the intersection of U.S. 15 and New York 70, thence west to New York route 70 to the intersection of New York 70 and New York 36, thence south on New York 36 to the intersection of New York 36 and New York 21, thence south on New York 21 to the intersection of New York 21 and New York 17, thence west on New York 17 to the intersection of New York 17 and New York 19, thence south on New York 19 to the New York state line.

(d) From points in West Virginia east of a line beginning at the Pennsylvania-West Virginia state line, thence south on U.S. 19 to the intersection of U.S. 19 and U.S. 79, thence south on U.S. 79 to the intersection of U.S. 79 and U.S. 19, thence south on U.S. 19 to the intersection of U.S. 19 and U.S. 60, thence south on U.S. 60 to the West Virginia-Virginia state line, to points in Pennsylvania.

(e) From points in West Virginia on, north, and west of a line beginning at the Pennsylvania-West Virginia state line, thence south on U.S. 19 to the intersection of U.S. 19 and U.S. 79, thence south on U.S. 79 to the intersection of U.S. 79 and U.S. 19, thence south on U.S. 19 to the intersection of U.S. 19 and U.S. 60 to the West Virginia-Virginia state line, to points in Pennsylvania bounded on the north by the Pennsylvania-New York state line, on the east by the Pennsylvania-New York-New Jersey state line, and on the south by a line beginning at the West Virginia-Pennsylvania state line, thence east on U.S. 22 to the intersection of U.S. 22 and Pennsylvania 60, thence north on Pennsylvania 60 and Pennsylvania 68, thence north on Pennsylvania 68 to the intersection of Pennsylvania 68 and U.S. 80, thence west on U.S. 80 to the intersection of U.S. 80 and Pennsylvania 66, thence north on Pennsylvania 66 to the intersection of Pennsylvania 66 and U.S. 6, thence north on U.S. 6 to the intersection of U.S. 6 and U.S. 219, thence south on U.S. 219 to the Pennsylvania-Maryland state line, thence east on the Pennsylvania-Maryland state line to the eastern boundary.

(f) From Marshall County, W. Va., to points in Pennsylvania in an area bounded and described as follows, on the west by the Pennsylvania-West Virginia state line, on the south by the Pennsylvania-West Virginia-Maryland state line, on the north by a line beginning at the West Virginia-Pennsylvania state line, thence east on U.S. 22 to the intersection of U.S.

22 and Pennsylvania 51, thence south on Pennsylvania 51 to the intersection of Pennsylvania 51 and U.S. 70, thence east on U.S. 70 to the intersection of U.S. 70 and U.S. 219, and on the east by U.S. 219. The purpose of this filing is to eliminate the gateway at Weirton, W. Va.

MC 14702 (Sub-No. 58G), filed June 4, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Ohio, on the one hand, and, on the other, points in that part of eastern New York east of a line extending from the shore of Lake Ontario along New York Highway 18 to Rochester, thence over U.S. Highway 15 from Rochester to Lakeville, thence over U.S. Highway 20-A from Lakeville to Leicester, thence over New York Highway 36 from Leicester to Mt. Morris, thence over New York Highway 408 from Mt. Morris to junction with New York Highway 16, near Hinsdale, thence over New York Highway 16 from said junction to Olean, and thence over New York Highway 16-A to the New York-Pennsylvania state line. The purpose of this filing is to eliminate the gateways at Warren and Blaine, Ohio.

MC 14702 (Sub-No. 60G), filed June 4, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, 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), between points in Ohio, on the one hand, and, on the other, points in Maryland. The purpose of this filing is to eliminate the gateways at Warren and Blaine, Ohio.

No. MC 30280 (Sub-No. 66G), filed January 29, 1975. Applicant: WATKINS CAROLINA EXPRESS, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except those of unusual value, class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those commodities requiring special equipment), (a) between points in Geor-

gia on the one hand, and, on the other, points in North Carolina between points within the territory bounded by a line extending east along the North Carolina-Virginia State line to junction U.S. Highway 1, thence along the U.S. Highway 1 to junction U.S. Highway 158, thence along U.S. Highway 158 to Warrenton, N.C., thence along North Carolina Highway 58 to Wilson, N.C., thence along U.S. Highway 301 to junction U.S. Highway 117, thence along U.S. Highway 117 to Wilmington, N.C., thence along U.S. Highway 421 to Fort Fisher, N.C., and bounded by a line extending west along the North Carolina-Tennessee State line to junction U.S. Highway 25, thence along U.S. Highway 25 to the North Carolina-South Carolina State line. The purpose of this filing is to eliminate the gateways of Charlotte and Greenville, N.C. (b) Between Danville, Virginia, and points within five miles thereof on the one hand, and, on the other, all points in South Carolina. The purpose of this filing is to eliminate the gateways of Reidsville, Mayfield, Charlotte and Greenville, N.C. (c) Between points in Lunenburg, Mecklenburg, Halifax, Charlotte, Prince Edward, and Nottoway Counties, Va., on the one hand, and, on the other, all points in South Carolina. The purpose of this filing is to eliminate the gateways of Henderson, Charlotte and Greenville, N.C.

No. MC 52579 (Sub-No. 141G), filed June 3, 1974. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: Irving Klein, 280 Broadway, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: 1. *Garments and wearing apparel*, on hangers, (A) from Akron and Cleveland, Ohio; Detroit, Mich.; Milwaukee, Wis. and points in Armstrong, Beaver, Butler, Fayette, Indiana, Lawrence, Mercer, Washington and Westmoreland Counties, Pa., to points in the United States (except Alaska and Hawaii); and (B) from Kansas City, Mo., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate a gateway at Chicago, Ill.

2. *Garments and wearing apparel*, on hangers, from St. Louis, Mo., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate a gateway at Chicago, Ill.

3. *Garments and wearing apparel*, on hangers, from Rochester and Buffalo, N.Y., to points in the United States (except Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Maine, Vermont, and Chicago, Ill., Alaska and Hawaii). The purpose of this filing is to eliminate a gateway at New York, N.Y.

4. *Wearing apparel*, on hangers, from points in California, to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate a gateway at Chicago, Ill.

5. *Wearing apparel*, on hangers, and *garments*, on hangers, from Minneapolis and St. Paul, Minn., to points in the United States (except Alaska and Ha-

wai). The purpose of this filing is to eliminate a gateway at Chicago, Ill.

6. *Wearing apparel and garments*, on hangers, from Greenfield and Dresden, Tenn. and Little Rock, Ark., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate gateways at Chicago, Ill. and New York, N.Y.

7. *Garments and wearing apparel*, from points in Texas, to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate a gateway at Chicago, Ill.

8. *Garments and wearing apparel*, on hangers, from Miami and Hialeah, Fla., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate gateways at Chicago, Ill. and New York, N.Y.

9. *Garments and wearing apparel*, on hangers, from points in Texas, to points in the United States (except Alaska, Hawaii, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Maine, Vermont, and Chicago, Ill.). The purpose of this filing is to eliminate gateways at New York, N.Y. and points in the New York, N.Y. Commercial Zone.

10. *Wearing apparel and garments*, on hangers, from Racine, Wis., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate a gateway at Chicago, Ill.

11. *Wearing apparel*, on hangers, from Halls, Tenn., to points in the United States (except Alaska, Hawaii, Pennsylvania, Maine and Vermont, and Chicago, Ill.). The purpose of this filing is to eliminate gateways at New York, N.Y., and points within the New York, N.Y. Commercial Zone.

12. *Garments and wearing apparel*, on hangers, from points in Alabama, Georgia and Florida, to points in the United States (except Alaska, Hawaii, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Maine, Vermont and Chicago, Ill.). The purpose of this filing is to eliminate gateways at New York, N.Y., and points within the New York, N.Y. Commercial Zone.

13. *Wearing apparel and garments*, on hangers, from points in North Carolina, South Carolina and Tennessee, to points in the United States (except Alaska, Hawaii, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Maine and Vermont, and Chicago, Ill.). The purpose of this filing is to eliminate gateways at New York, N.Y. and points within the New York, N.Y. Commercial Zone.

14. *Garments and wearing apparel*, on hangers, from Rutherford and Trenton, Tenn. and Brownsville and Morgantown, Ky., to points in the United States. The purpose of this filing is to eliminate a gateway at Chicago, Ill.

No. MC 52861 (Sub-No. 34G), filed June 5, 1974. Applicant: WILLS TRUCKING, INC., 5755 Granger Road, Cleveland, Ohio 44151. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Ferro alloys*, in bulk, in dump vehicles, (1) between points in Ohio, on the one hand, and, on the other, points in Michigan within forty (40) miles of Monroe, Mich., (2) between points in Michigan and Ohio within forty (40) miles of Monroe, Mich., on the one hand, and, on the other, points in Illinois, (3) between points in Ohio within forty (40) miles of Monroe, Mich., on the one hand, and, on the other, points in Michigan, (4) between points in Wayne and Monroe Counties, Mich. and Ottawa County, Ohio, within forty (40) miles of Monroe, Mich., on the one hand, and, on the other, points in Indiana, and (5) between points in Michigan and Ohio within forty (40) miles of Monroe, Mich., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, and Ohio. The purpose of this filing is to eliminate the gateway of Toledo, Ohio.

No. MC 52861 (Sub-No. 33G), filed June 4, 1974. Applicant: WILLS TRUCKING, INC., 5755 Granger Road, Cleveland, Ohio 44151. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro alloys*, in bulk, in dump vehicles, from points in Michigan within forty (40) miles of Monroe, Mich., to points in New York, Maryland, and Pennsylvania. The purpose of this filing is to eliminate the gateways of Toledo, Ohio and Ashtabula, Ohio.

No. MC 52861 (Sub-No. 35G), filed June 4, 1974. Applicant: WILLS TRUCKING, INC., 5755 Granger Road, Cleveland, Ohio 44151. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, (1) from points in Ohio within forty (40) miles of Monroe, Mich., to points in Indiana, Illinois, Iowa, Kentucky, Ohio, Missouri, New York, Pennsylvania, Wisconsin, and West Virginia. Restriction: The operations authorized immediately above are restricted against the transportation of lime and limestone products, in bags, to points in Ohio and (2) from Huron, Ohio, to points in Indiana, Illinois, Iowa, Kentucky, Ohio, Missouri, New York, Pennsylvania, Wisconsin, and West Virginia. Restriction: The operations authorized immediately above are restricted against the transportation of lime and limestone products, in bags, to points in Ohio. The purpose of this filing is to eliminate the gateway of River Rouge, Mich.

No. MC 72243 (Sub-No. 49G), filed February 3, 1975. Applicant: AETNA FREIGHT LINES, INC., 2507 Youngstown Rd., S.E., Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Pennsylvania Ave. & 13th St. N.W., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Iron, steel, and iron or steel articles*, and

burial vaults, dies, die parts, drawing compounds, and machinery, which are also size and weight commodities, restricted against the transportation of iron and steel, and iron or steel articles which originate at Anniston, Birmingham, Decatur, Gadsden and Tuscaloosa, Ala., or points within 10 miles thereof, Between points in Alabama, Arkansas, Louisiana, Kentucky, Mississippi and Tennessee, on the one hand, and, on the other, points in Ohio, West Virginia, New York, Pennsylvania, Massachusetts, Connecticut, New Jersey, Maryland, Delaware, the District of Columbia, and Richmond, Va. The purpose of this filing is to eliminate the gateways of Wayne County, and Boyd County, Ky.; and Lawrence County, Ohio; and the New York, N.Y. Commercial Zone, a point in Pennsylvania within 150 miles of Philadelphia, and New Castle County, Del.

(b) *Iron and steel articles*, fabricated beyond the primary stage and requiring specialized handling or rigging because of size or weight, restricted against the transportation of iron or steel, and steel articles, which originate at Anniston, Birmingham, Decatur, Gadsden and Tuscaloosa, Ala., or points within 10 miles thereof, Between points in Alabama, Arkansas, Kentucky, Louisiana, Mississippi and Tennessee, on the one hand, and, on the other, points in that part of Illinois, Indiana, Iowa, and Wisconsin within 300 miles of Chicago, Illinois, including Chicago, except that service to and from Kenosha, Milwaukee and Racine, Wisconsin is restricted against the transportation of steel articles. The purpose of this filing is to eliminate the gateways of Wayne County, and Boyd County, Ky. and Lawrence County, Ohio.

(c) *Iron and steel articles*, which because of size or weight require the use of special equipment, restricted against the transportation of iron and steel articles which originate at Anniston, Birmingham, Decatur, Gadsden, and Tuscaloosa, Ala., or points within 10 miles thereof, Between points in Alabama, Arkansas, Kentucky, Louisiana, Mississippi and Tennessee, on the one hand, and, on the other, points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, Wyoming and Michigan. The purpose of this filing is to eliminate the gateways of Wayne County, W. Va. and Boyd County, Ky. and Lawrence County, Ohio, Chicago, Illinois and a point in Illinois, restricted such that traffic originating in Michigan is restricted to iron and steel articles fabricated beyond the primary stage.

(d) *Machinery, equipment, materials and supplies* used in connection with, the discovery, development, production, refining, manufacture, processing, storage transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery materials, equipment and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, except in connection with main pipe lines.

(e) *Earth drilling machinery and*

equipment, and machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair servicing, maintenance and dismantling of drilling machinery and equipment, (b) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (c) the injection or removal of commodities into or from holes or wells, limited to iron, steel and iron or steel articles, restricted against the transportation of iron and steel and iron or steel articles which originate at Anniston, Birmingham, Decatur, Gadsden, and Tuscaloosa, Ala., or points within 10 miles thereof, and pipe, pipeline dope, and valves used in or in connection with the construction, operation, repair, maintenance, servicing or dismantling of pipelines, including the stringing or picking up of pipe in connection therewith. Between points in Texas, New Mexico, Kansas and Oklahoma, on the one hand, and, on the other, points in Alabama, Arkansas, Kentucky, Louisiana, Mississippi and Tennessee. The purpose of this filing is to eliminate the gateways of Wayne County, W. Va. and Boyd County, Ky. and Lawrence County, Ohio; the Chicago, Illinois, Commercial Zone, and a point in Kansas.

No. MC 73165 (Sub-No. 344G), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., 830 North 33rd Street, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which because of size or weight requires special equipment, (except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor, Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), (a) from points in Georgia to points in Texas; (b) from points in Tennessee on and east of U.S. Highway 27 to points in Texas; and (c) from points in Mississippi to points in Virginia. The purpose of this filing is to eliminate the gateways at Birmingham, Ala. and points within 10 miles thereof. (2) *Veneer mill lathes, lowboys* (in truckaway service, initial movements), and *cotton gin machinery and cotton gin machinery parts* (except those requiring special equipment), from points in Georgia, and that part of Tennessee on and east of U.S. Highway 27 to points in Texas.

(3) *Veneer mill lathes, and lowboy trailers* (in truckaway service, initial movements) (except those requiring special equipment), from points in Mississippi to points in Virginia. The purpose of this filing in (2) and (3) above, is to eliminate the gateway at Birmingham, Ala.

(4) *Asphalt*, in containers, from Good Hope, La., to points in Tennessee on and east of U.S. Highway 45. The purpose of this filing is to eliminate the gateway at Tuscaloosa, Ala.

(5) *Fibre pipe and fibre pipe fittings* (except those requiring special equipment), from points in Georgia, to points in Arkansas and Oklahoma.

(6) *Trailers, semi-trailers, and trailer chassis and semi-trailer chassis* (except those designed to be drawn by passenger automobiles and except those requiring special equipment), in initial or secondary movements, in truckaway service, (a) from points in Georgia to points in the United States, (including Alaska, but excluding Hawaii, Michigan, Wisconsin, Indiana, New York, Pennsylvania, Iowa, Ohio, Illinois, New Jersey, Maryland, Washington, D.C., Dallas and Garland, Tex., Richmond, Va., West Virginia, South Carolina, North Carolina, Virginia, Florida, Kentucky, and Tennessee); (b) from points in Tennessee on and west of U.S. Highway 41, to points in Florida and that part of Georgia on and south of U.S. Highway 80; (c) from points in Tennessee on and east of U.S. Highway 27, to points in Mississippi on and south of Interstate Highway 20; (d) from points in Mississippi, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Delaware, West Virginia, Virginia (except Richmond, Va.), North Carolina, and South Carolina; (e) between points in Mississippi on and north of U.S. Highway 82, on the one hand, and, on the other, points in Georgia on and south of U.S. Highway 80, and that part of Florida on and east of U.S. Highway 41; and (f) between points in Mississippi on and south of U.S. Highway 82, on the one hand, and, on the other, points in Georgia, on and north of U.S. Highway 78.

(7) *Trailers, semi-trailers, and trailer chassis and semi-trailer chassis* (except those designed to be drawn by passenger automobiles) in secondary movements, in truckaway service, restricted to commodities which because of size or weight require the use of special equipment, (a) from points in Georgia, South Carolina, North Carolina, and that part of Tennessee on and east of Interstate Highway 75 to points in Texas; and (b) from points in Louisiana, Mississippi, and that part of Texas on and north of U.S. Highway 80 to points in Virginia. The purpose of this filing in (5), (6), and (7) above, is to eliminate the gateway at Birmingham, Ala.

(8) *Pipe, conduit, tubing, and fittings and connections*, (except materials, equipment, and supplies used in, or in connection with, the discovery, storage, transmission, and distribution of natural gas and petroleum and their products and by-products), which by reason of their size or weight require the use of special equipment or handling, (a) from Dubuque, Iowa, and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on or north of Interstate Highway 74 to points in Alabama, Georgia, Florida, North Carolina, and South Carolina; and (b) from Dubuque, Iowa, and points in Wisconsin within 150 miles of Dubuque, and points in Illinois on and north of Interstate Highway 74 to points in Louisiana and

Mississippi. The purpose of this filing is to eliminate the gateway at Fairbury, Ill.

(9) *Glass containers*, (a) from New Orleans, La., and points in Texas and Mississippi to points in Indiana, Kentucky, and West Virginia; (b) from points in Texas and Arkansas to points in North Carolina and South Carolina; (c) from points in Arkansas on and south of a line beginning at West Memphis, Ark., and extending along Interstate Highway 40 to Little Rock, Ark., and thence along Interstate Highway 30 to Texarkana, Ark., to points in Kentucky, Indiana, and West Virginia; (d) from points in Alabama, Georgia, Florida, and Tennessee to points in Oklahoma; (e) from points in Tennessee to points in Louisiana (except New Orleans); and (f) from points in Florida and that part of Alabama on and south of U.S. Highway 84 to points in Indiana, (9) above is restricted to the following conditions: The authority granted herein is restricted against service from the plant site and warehouse facilities of Knox Glass Company located in Rankin County, Miss. Said authority is restricted against service between New Orleans, La., Atlanta, Ga., and Birmingham, Ala., and their commercial zones, as defined by the Commission, and points within a 65 mile radius of Birmingham, Ala. Said authority is restricted against service at Memphis, Tenn., and points in its commercial zone, as defined by the Commission. The purpose of this filing is to eliminate the gateway at Mineral Wells, Miss.

(10) *Glass containers* (except those requiring special equipment, those of unusual value, and household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467), (a) from the plantsite and warehouse facilities of Knox Glass Company located in Rankin County, Miss., to points in Tennessee on and east of U.S. Highway 41 and points in Georgia on and north of U.S. Highway 78; and (b) from Memphis, Tenn., to points in Florida, and that part of Georgia on and south of U.S. Highway 80. The purpose of this filing is to eliminate the gateways at Birmingham, Ala. and points within 10 miles thereof. (11) *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 such as are included in the first findings of the Commission in *T. E. Mercer and G. E. Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459 and 543), between points in New Mexico, Arizona, California, Nevada, Utah, Colorado, Nebraska, Wyoming, Idaho, Oregon, and Washington, on the one hand, and, on the other, points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin.

(12) *Iron and steel 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, such as are included in the first findings of the Commission in *T. E. Mercer and G. E. Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459 and 543), between points in Texas and Louisiana, on the one hand, and, on the other, points in the United States (except Alaska, Hawaii, Montana, North Dakota, South Dakota, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia). The purpose of this filing in (11) and (12) above, is to eliminate the gateway at the plantsite of Western Foundry, Division of Woodward Corporation, located at Tyler, Tex. (13) *Iron and steel pipe, tubing, and fittings*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Texas and Louisiana, to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways at Gilmer, Tex.

(14) *Aluminum articles*, (except those requiring special equipment), (a) from points in Mississippi on and south of U.S. Highway 82 to points in the Lower Peninsula of Michigan, Ohio, West Virginia, Virginia, Maryland, Delaware, District of Columbia, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, North Carolina, South Carolina, that part of Kentucky and Tennessee on and east of Interstate Highway 75, and points in Georgia on and north of U.S. Highway 78; (b) from points in Mississippi on and north of U.S. Highway 82, to points in Georgia on and north of U.S. Highway 80, points in South Carolina and North Carolina; (c) from points in Tennessee on and west of U.S. Highway 27, to points in Florida and that part of Alabama on and south of U.S. Highway 78; (d) from points in Tennessee on and west of U.S. Highway 41, to points in Georgia on and south of U.S. Highway 80; (e) from points in Tennessee on and east of U.S. Highway 27 to points in Mississippi on and south of U.S. Highway 82, and points in Louisiana, Texas, that part of Alabama on and south of a line extending from the Alabama-Mississippi State Line over U.S. Highway 78 to Birmingham, thence over U.S. Highway 31 to Montgomery, and thence along U.S. Highway 231 to the Alabama-Florida State Line, and points in Florida on and west of U.S. Highway 231; (f) from points in Georgia to points in Oklahoma, Texas, Kansas, Nebraska, South Dakota, and North Dakota; (g) from points in Georgia on and north of U.S. Highway 78 to points in Louisiana, that part of Arkansas on and south of Interstate Highway 40 and that part of Mississippi on and north of U.S. Highway 80; and (h) from points in Georgia on and south of U.S. Highway 78 to points in Arkansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, that part of Kentucky on and west of U.S. Highway 41, that part of Tennessee west of the Tennessee River, and that part of Mississippi on

and north of U.S. Highway 78. The purpose of this filing is to eliminate the gateway at the plantsite of Planet Corporation, Inc., at Birmingham, Ala.

(15) *Iron and steel articles*, consisting of: (A) *Equipment materials and supplies* used in the manufacture of mobile homes; (B) *material handling equipment, and equipment, materials and supplies* used in the manufacture of material handling equipment; and (C) *parts, attachments, and accessories*, used in connection with the commodities described in (A) and (B) above, (a) between points in Alabama, on the one hand, and, on the other, points in the United States (except Alaska, Hawaii, Mississippi, Louisiana, Texas, Georgia, Florida, Tennessee, Arkansas, Oklahoma, North Carolina, and South Carolina); (b) between points in Alabama on and north of U.S. Highway 80, on the one hand, and, on the other, points in Oklahoma; (c) between points in North Carolina and South Carolina, on the one hand, and, on the other, points in the United States in and west of Texas, Arkansas, Oklahoma, Kansas, Nebraska, Wyoming, and Montana, (except Alaska and Hawaii); and (d) between points in Maryland, Pennsylvania and New York, on the one hand, and, on the other, points in New Mexico, Arizona, Nevada, and California. The purpose of this filing is to eliminate the gateways at Winfield, Ala.

(16) *Iron and steel articles* consisting of: (A) *equipment, materials and supplies* used in the manufacture of mobile homes; (B) *material handling equipment, and equipment, materials and supplies* used in the manufacture of material handling equipment; and (C) *parts, attachments, and accessories*, used in connection with the commodities described in (A) and (B) above, (except commodities which because of size or weight require the use of special equipment), (a) between points in Georgia and Florida, on the one hand, and, on the other, points in the United States in and west of New Mexico, Oklahoma, Missouri, Illinois, Wisconsin, and Minnesota; and (b) between points in Florida, on the one hand, and, on the other, points in Indiana and Michigan. The purpose of this filing is to eliminate the gateways at Guntersville, Ala. and Winfield, Ala.

No. MC 83539 (Sub-No. 400G) (Amendment), published in the FR issue of November 5, 1974 as MC 83539 (Sub-No. 390G), and republished, in part, as amended, this issue. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James, (same address as applicant). Note: The purposes of this republication are (I) indicate the correct docket no. assigned to this proceeding as MC 83539 (Sub-No. 400G) in lieu of MC 83539 (Sub-No. 390G) as previously published; and (II) add the following authority to that originally published:

(1) *Heavy machinery*, which because of size or weight, requires the use of

special equipment, between points in New Hampshire on the one hand, and, on the other, points in Rhode Island. The purpose of this filing is to eliminate the gateway at Worcester, Mass.

(2) (A) *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment and related machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by the carrier of commodities, which because of size or weight, requires the use of special equipment;

(B) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts and, supplies moving in connection therewith, restricted to commodities which are transported on trailers,

(1) between points in Idaho on the one hand, and, on the other, points in Nebraska. The purpose of this filing is to eliminate the gateway at points in Montana west of Dupuyer and Butte, Mont.

(2) Between points in Idaho on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways at points in Montana west of Dupuyer and Butte, Mont., Nebraska and Kansas.

(3) between points in Mississippi on the one hand, and, on the other, points in Missouri. The purpose of this filing is to eliminate the gateways at points in Kansas and Illinois.

(4) between points in Oklahoma on the one hand, and, on the other, points in Utah. The purpose of this filing is to eliminate the gateways at Wichita, Kans. and points in Colorado.

(5) between points in South Dakota, on the one hand, and, on the other, points in Virginia. The purpose of this filing is to eliminate a gateway at Philadelphia, Pa., and points in Kansas and within 50 miles of Nashville, Tenn.

(6) between points in Washington, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateways at points in Montana west of Dupuyer and Butte, Mont., South Dakota, Iowa, and Illinois.

(C) *Commodities* named in 2(A) above,

(1) between points in Indiana on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateways at points in Kentucky, those within 50 miles of Nashville, Tenn., Georgia and North Carolina.

(2) between points in Colorado on the one hand, and, on the other, points in Delaware. The purpose of this filing is to eliminate the gateways at points in Wyoming and Philadelphia, Pa.

(3) between points in Alabama on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateways at points within 50 miles of Nashville, Tenn., Virginia, and Philadelphia, Pa.

The rest of the notice remains as originally published.

MC 88285 (Sub-No. 3G), filed June 3, 1974. Applicant: BRUCE & SON VAN &

STORAGE CO., a Corporation, 6035 Canyon Expressway, Box 7280, Amarillo, Tex. 79105. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Texas, New Mexico, Oklahoma, Kansas, Colorado, Louisiana, Arkansas, Arizona, Nebraska, Missouri, California, Nevada, Utah, Wyoming, Montana, Iowa, Illinois, Kentucky, Tennessee and Mississippi. The purpose of this filing is to eliminate the gateways at Pampa, Tex. and points in Texas.

No. MC 102567 (Sub-No. 175G), filed June 3, 1974. Applicant: McNAIR TRANSPORT, INC., 4295 Meadow Lane, P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Tom Wright, 2040 North Loop West, Houston, Tex. 77018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products* as are liquid chemicals (petrochemicals), in bulk, in tank vehicles, (a) from Henderson, Tex. and points in Texas which are within 150 miles of Henderson, Tex., to points in Alabama, Arkansas, Georgia, Louisiana, and Tennessee. The purpose of this filing is to eliminate the gateway of the plant-site of American Cyanamid Company at Avondale, La.

(b) From Henderson, Tex. and points in Texas which are within 150 miles of Henderson, Tex., to points in Illinois (except East St. Louis, Ill. and points in its commercial zone), Indiana, Kentucky, and North Carolina. The purpose of this filing is to eliminate the gateway at the site of the plant of American Cyanamid Company at Avondale, La.

(c) From points in Texas, Louisiana and Arkansas within a 150-mile radius of Henderson, Tex., to points in Alabama, Arkansas, Florida, Georgia, Illinois (except East St. Louis, Ill. and points in its commercial zone), Indiana, Kentucky, Louisiana, North Carolina and Tennessee. The purpose of this filing is to eliminate the gateway at any point in Texas within 150 miles of Henderson, Tex. and the gateway at the plant-site of American Cyanamid Company at Avondale, La.

(d) From points in Texas, Louisiana and Arkansas within 150 miles of Henderson, Tex., to points in Oklahoma, Tennessee, and Texas (except Houston, Tex. and points within a fifty-miles radius thereof). The purpose of this filing is to eliminate the gateway at the site of Dow Chemical, U.S.A. in Columbia County, Ark.

(2) *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles (except liquified petroleum gas, anhydrous ammonia, and asphalt), (a) from points in Texas, Arkansas and Louisiana within 150 miles of Henderson, Tex., to points in Florida. The purpose of this filing is to eliminate the gateways at Mt.

Pleasant, Tex., El Dorado, Ark., Wascom, Tex. and Cotton Valley, La.

(b) From points in Texas, Arkansas, and Louisiana within 150 miles of Henderson, Tex., to points in Tennessee (except points in Shelby County, Tenn.). The purpose of this filing is to eliminate the gateways at Mt. Pleasant, Tex., El Dorado, Ark., Waskom, Tex., and Cotton Valley, La.

(c) From Lake Charles, La. and points within 10 miles thereof; to points in Florida.

The purpose of this filing is to eliminate the gateway at El Dorado, Ark.

(3) *Petroleum products* (except liquified petroleum gases) as defined in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, (a) from points in Texas, Louisiana and Arkansas within 150 miles of Henderson, Tex., to points in Alabama, Georgia, Oklahoma, and Memphis, Tenn. and points within 10 miles of Memphis. The purpose of this filing is to eliminate the gateway of Cotton Valley, La. and points within 10 miles of Cotton Valley.

(b) From points in Texas, Louisiana and Arkansas within 150 miles of Henderson, Tex., to points in Texas which are south of and more than 150 miles from Henderson, Tex., and are located on and east of a line beginning at the United States-Mexico boundary line and extending along U.S. Highway 77 through Brownsville, San Benito, Kingsville, Sinton and Victoria, Tex., to junction U.S. Highway 87 (formerly portion U.S. Highway 77), thence along U.S. Highway 87 to Cuero, Tex., thence along U.S. Highway 77-A (formerly portion U.S. Highway 77), to Hallettsville, Tex., thence along U.S. Highway 77 through La Grange, Tex., to a point on U.S. Highway 77, 150 miles from Henderson, Tex. The purpose of this filing is to eliminate the gateways of Shreveport, Cotton Valley, and Bossier City, La.

(c) From Destrehan, La., to points in Arkansas. The purpose of this filing is to eliminate the gateway at any point in that part of Louisiana bounded by a line beginning at the junction of the Arkansas-Louisiana State line and the Louisiana-Texas State line and extending south along the Louisiana-Texas State line to junction U.S. Highway 84, thence east along U.S. Highway 84 to junction U.S. Highway 167, thence north along U.S. Highway 167 to the Arkansas-Louisiana State line, thence west along the Arkansas-Louisiana State line to the point of beginning including points on the specified boundary lines, which point is also within 150 miles of Henderson, Tex.

(d) from Lake Charles and Destrehan, La., to points in Missouri within 200 miles of Conway, Ark. except points on or west of Missouri Highway 5. The purpose of this filing is to eliminate the gateway at the site of Oklahoma-Mississippi River Products Line, Inc. near Conway, Ark.

(e) from points in Texas, Louisiana, and Arkansas within 150 miles of Hen-

derson, Tex., to points in Mississippi on and north of U.S. Highway 80. The purpose of this filing is to eliminate a gateway at any point in that part of Louisiana bounded by a line beginning at the junction of the Arkansas-Louisiana State line and the Louisiana-Texas State line and extending south along the Louisiana-Texas State line to junction U.S. Highway 84, thence east along U.S. Highway 84 to junction U.S. Highway 167, thence north along U.S. Highway 167 to the Arkansas-Louisiana State line, thence west along the Arkansas-Louisiana State line to the point of beginning including points on the specified boundary lines, which point is also within 150 miles of Henderson, Tex. and a gateway at the site of the pipeline terminal of the Oklahoma-Mississippi River Products Line, Inc. at or near West Memphis, Ark.

(f) From points in Texas, Louisiana, and Arkansas within 150 miles of Henderson, Tex., to points in that part of Arkansas north of a line beginning at the Arkansas-Oklahoma State line and extending east along U.S. Highway 270 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arkansas-Tennessee State line. The purpose of this filing is to eliminate the gateway of any point in that part of Louisiana bounded by a line beginning at the junction of the Arkansas-Louisiana State line and the Louisiana-Texas State line and extending south along the Louisiana-Texas State line to junction U.S. Highway 84, thence east along U.S. Highway 84 to junction U.S. Highway 167, thence north along U.S. Highway 167 to the Arkansas-Louisiana State line, thence west along the Arkansas-Louisiana State line to the point of beginning including points on the specified boundary lines, which point is also within 150 miles of Henderson, Tex.

(g) From points in that part of Louisiana bounded by a line beginning at the junction of the Arkansas-Louisiana State line and the Louisiana-Texas State line and extending south along the Louisiana-Texas State line to junction U.S. Highway 84, thence east along U.S. Highway 84 to junction U.S. Highway 167, thence north along U.S. Highway 167 to the Arkansas-Louisiana State line, thence west along the Arkansas-Louisiana State line to the point of beginning including points on the specified boundary lines to points in Mississippi on and north of U.S. Highway 80. The purpose of this filing is to eliminate the gateway of the site of the pipeline terminal of Oklahoma-Mississippi River Products Line, Inc., at or near West Memphis, Ark.

(h) From points in Texas, Louisiana and Arkansas within 150 miles of Henderson, Tex., to points in Missouri within 200 miles of Conway, Ark., except those on and west of Missouri Highway 5. The purpose of this filing is to eliminate the gateways at any point in that part of Louisiana bounded by a line beginning at the junction of the Arkansas-Louisiana State line and the Louisiana-Texas State line and extending south along the Louisiana-Texas State line to junction U.S.

Highway 84, thence east along U.S. Highway 84 to junction U.S. Highway 167, thence north along U.S. Highway 167 to the Arkansas-Louisiana State line, thence west along the Arkansas-Louisiana State line to the point of beginning including points on the specified boundary lines, which point is also within 150 miles of Henderson, Tex. and also the gateway at the site of pipeline terminal of the Oklahoma-Mississippi River Products Line, Inc., at or near Conway, Ark.

(4) *Petroleum products* (except liquefied petroleum gases), in bulk, in tank vehicles, (a) from points in Louisiana and Arkansas within 150 miles of Henderson, Tex., to points in Louisiana which are beyond 150 miles of Henderson and which are also south of U.S. Highway 84. The purpose of this filing is to eliminate the gateway at any point in Texas within 150 miles of Henderson, Tex.

(b) From points in Arkansas within 150 miles of Henderson, Tex., to points in Mississippi except those in Washington and Warren Counties, Miss. The purpose of this filing is to eliminate a gateway at any point in Texas and Louisiana which is within 150 miles of Henderson, Tex.

(5) *Such petroleum products* as are dry chemicals, in bulk, in tank vehicles, (a) from Henderson, Tex. and points in Texas which are within 150 miles of Henderson, to points in Alabama, Arkansas, Georgia, Louisiana, Mississippi, Oklahoma and Tennessee.

(b) From points in Texas, Louisiana, and Arkansas within 150 miles of Henderson, Tex., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. The purpose of this filing is to eliminate a gateway at a point in Texas within 150 miles of Henderson, Tex. and at Baton Rouge, La.

(c) From Destrehan and Lake Charles, La., to points in Arkansas. The purpose of this filing is to eliminate the gateways at a point in Texas within 150 miles radius of Henderson, Tex. and Baton Rouge, La.

(6) *Such petroleum products*, as are liquid chemicals (petrochemicals), as defined in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except liquefied petroleum gases), in bulk, in tank vehicles, (a) from Lake Charles and Destrehan, La., to points in Mississippi, Tennessee, and Texas (except Houston, Tex. and points within a fifty-mile radius thereof). The purpose of this filing is to eliminate the gateway of the plantsite of Dow Chemical U.S.A. in Columbia County, Ark.

(7) *Liquid chemicals*, in bulk, in tank vehicles, (a) from the plantsite of American Cynamid Company at Avondale, La., to points in Texas. The purpose of this filing is to eliminate the gateway at the plantsite of Dow Chemical U.S.A. in Columbia County, Ark.

(b) From the plantsite of Dow Chemical, U.S.A. in Columbia County, Ark., to points in Alabama, Arkansas, Illinois, Indiana, Kentucky, North Carolina, Georgia, and South Carolina. The purpose of this filing is to eliminate the

gateway at the plantsite of American Cynamid Company at Avondale, La.

No. MC 111401 (Sub-No. 419G), filed June 4, 1974. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, pesticides, and pesticide ingredients*, in bulk, (1) from points in Colorado, Kansas, Oklahoma, and that part of Texas on and north of U.S. Highway 66 from the Texas-New Mexico State Line to its junction with U.S. Highway 83, and on and east of U.S. Highway 83 from its junction with U.S. Highway 66 to the boundary line between Texas and Mexico, to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, and West Virginia and (2) from the plant site of Phillips Petroleum Company located at or near Hoag, Nebr., to points in Colorado. The purpose of this filing is to eliminate the gateways of Tulsa, Duncan, Altus, and Ardmore, Okla., Wichita and Lawrence, Kans., points in Kansas, Longview, Texas City, Kings Mill, Etter, and Sheerin, Tex.

No. MC 111545 (Sub-No. 199G), filed June 4, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Rd., Marietta, Ga. 30062. Applicant's representative: Robert E. Born, P.O. Box 6426, Marietta, Ga. 30062. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, (except knitting machines) the transportation of which because of size or weight, requires the use of special equipment, between points in Alabama within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Illinois, Indiana, Kansas, Michigan, Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., points in Georgia and Alabama within 50 miles thereof, and points in Oklahoma.

(2) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Alabama within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Missouri and West Virginia. The purpose of this filing is to eliminate the gateway of points in Georgia, and points in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(3) *Commodities* the transportation of which, by reason of size or weight, requires the use of special equipment, restricted against the transportation of any such commodities to be used in, or in connection with, main or truck pipelines,

(a) Between points in Arizona, on the one hand, and, on the other, points in Oklahoma, Mississippi, Tennessee, and Texas. The purpose of this filing is to eliminate the gateway of points in that part of Missouri within 100 miles of Kansas City, Kans., points in Iowa and Texas.

(b) From points in Arizona, to points in Arkansas, Illinois, and Minnesota. The purpose of this filing is to eliminate the gateways of points in that part of Missouri within 100 miles of Kansas City, Kans., and points in Arkansas and Iowa.

(4) *Commodities*, (except knitting machines) the transportation of which, by reason of size or weight, requires the use of special equipment, restricted against the transportation of any such commodities to be used in, or in connection with, main or truck pipelines, between points in Arizona, on the one hand, and, on the other, points in Alabama, within 175 miles of Chattanooga, Tenn. The purpose of this filing is to eliminate the gateways of points in that part of Kansas within 100 miles of Kansas City, Kans., and points in that part of Alabama within 50 miles of Atlanta, Cartersville, or Marietta, Ga.

(5) *Commodities*, the transportation of which because of size or weight requires the use of special equipment; and contractor's equipment, and related contractor's materials and supplies, when such transportation is incidental to the transportation by carrier of contractor's equipment between points in Arkansas, Indiana, Kentucky, the lower peninsula of Michigan, Ohio, and Tennessee, on the one hand, and, on the other, points in Illinois, Kansas (points within 300 miles of Ames, Iowa, only), Minnesota, Missouri, Nebraska, and Wisconsin. The purpose of this filing is to eliminate the gateway of points in Iowa.

(6) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Arkansas, on the one hand, and, on the other, points in Wyoming. The purpose of this filing is to eliminate the gateway of points in Iowa and Illinois.

(7) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, (except agricultural machinery and implements, other than hand, as defined by the Commission), from points in Florida to points in Arkansas. The purpose of this filing is to eliminate the gateway of Atlanta, Cartersville, Marietta, Ga., or points in Georgia within 50 miles thereof, and points in Oklahoma.

(8) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, from points in Connecticut, Delaware, District of Columbia, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia and West Virginia, to points in Arkansas. The purpose of this filing is to eliminate the gateways of Atlanta,

Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and points in Oklahoma, points in that part of North Carolina within 175 miles of Chattanooga, Tenn., and Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(9) *Commodities*; the transportation of which because of size or weight requires the use of special equipment, from points in Indiana, the lower peninsula of Michigan, and Ohio, to points in Arkansas. The purpose of this filing is to eliminate the gateways of points in Iowa, and Missouri.

(10) *Commodities*, the transportation of which because of size or weight requires the use of special equipment,

(a) Between points in Georgia, on the one hand, and, on the other, points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of points in that part of Georgia, and North Carolina or South Carolina within 175 miles of Chattanooga, Tenn.

(b) Between points in Georgia, on the one hand, and, on the other, points in Louisiana. The purpose of this filing is to eliminate the gateways of points in that part of Georgia and that part of South Carolina within 175 miles of Chattanooga, Tenn.

(11) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in Georgia, on the one hand, and, on the other, points in Texas. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and points in Oklahoma.

(12) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Iowa, on the one hand, and, on the other, points in Maine and Wyoming. The purpose of this filing is to eliminate the gateways of points in that part of Tennessee and that part of North Carolina within 175 miles of Chattanooga, Tenn.

(13) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in Kansas, on the one hand, and, on the other, points in Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Vermont, and Virginia. The purpose of this filing is to eliminate the gateway of Atlanta, Cartersville, or Marietta, Ga., or points within 50 miles thereof, and points in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(14) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, restricted against the transportation of any such commodities to be used in, or in connection with, main or truck pipelines, between points in Utah, on the one hand, and, on the other, points in Arkansas, Iowa, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateways of points in that part of Missouri within

100 miles of Kansas City, Kans., and points in Iowa.

(15) *Commodities* (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, restricted against the transportation of any such commodities to be used in, or in connection with, main or truck pipelines, between points in Utah, on the one hand, and, on the other, points in Massachusetts, New York, Pennsylvania, Vermont, and West Virginia. The purpose of this filing is to eliminate the gateways of points in that part of Kansas within 100 miles of Kansas City, Kans., and Charlotte, N.C.

(16) *Commodities* (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, from points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Virginia, to points in Colorado. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and points in Oklahoma and points in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(17) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, (a) From points in Iowa, to points in Colorado. The purpose of this filing is to eliminate the gateway of points in Missouri.

(b) From points in Kentucky and Tennessee, to points in Colorado. The purpose of this filing is to eliminate the gateways of points in Iowa and Missouri.

(18) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Kentucky within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Connecticut, Delaware, District of Columbia, Louisiana, Maryland, Pennsylvania, New York and Virginia. The purpose of this filing is to eliminate the gateways of points in that part of North Carolina or that part of South Carolina within 175 miles of Chattanooga, Tenn.

(19) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in Kentucky within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Texas. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and points in Oklahoma.

(20) *Commodities*, (other than machinery, equipment, materials, and supplies, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance,

and dismantling of pipelines, including the stringing and picking up thereof) the transportation of which because of size or weight requires the use of special equipment and related parts when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment.

(a) From points in Mississippi, to points in Illinois, Kansas, Minnesota, Nebraska, and Wisconsin. The purpose of this filing is to eliminate the gateways of points in Texas, Oklahoma, Arkansas and Iowa.

(b) Between points in Mississippi, on the one hand, and, on the other, points in Iowa, Missouri, and Oklahoma. The purpose of this filing is to eliminate the gateways of points in Texas and Missouri.

(21) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in Missouri, on the one hand, and, on the other, points in District of Columbia, Maine, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateways of points in Oklahoma, and Atlanta, Cartersville, or Marietta, Ga. or points in Georgia within 50 miles thereof.

(22) *Commodities*, the transportation of which because of size or weight requires the use of special equipment (except agricultural machinery and implements, other than hand, as defined by the Commission), between points in Missouri, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateway of points in Georgia.

(23) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Nebraska, on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia. The purpose of this filing is to eliminate the gateways of points in Iowa and points in that part of Tennessee and that part of North Carolina within 175 miles of Chattanooga, Tenn.

(24) *Commodities*, the transportation of which, by reason of size or weight requires the use of special equipment (except agricultural machinery and implements, other than hand, as defined by the Commission), between points in Nebraska, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateway of points in Georgia.

(25) *Commodities*, the transportation of which because of size or weight requires the use of special equipment,

(a) From points in Kentucky, to points in New Mexico. The purpose of this filing is to eliminate the gateways of points in Iowa and Missouri.

(b) From points in Florida, to points in New Mexico. The purpose of this filing is to eliminate the gateways of

Atlanta, Cartersville, or Marietta, Ga., or points within 50 miles thereof, and points in Oklahoma.

(26) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, from points in Alabama within 175 miles of Chattanooga, Tenn., points in New York, and points in Tennessee within 175 miles of Chattanooga, Tenn., to points in New Mexico. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga. or points in Alabama or Georgia within 50 miles thereof, and points in Oklahoma.

(27) *Commodities*, the transportation of which because of size or weight requires the use of special equipment,

(a) Between points in Illinois, on the one hand, and, on the other, points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(b) From points in Oklahoma and Texas to points in Illinois. The purpose of this filing is to eliminate the gateways of points in Oklahoma, Arkansas, and Iowa.

(28) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in Indiana, on the one hand, and, on the other, points in Maine and North Carolina. The purpose of this filing is to eliminate the gateway of Charlotte, N.C.

(29) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Indiana, on the one hand, and, on the other, points in Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of points in Iowa and Missouri.

(30) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in North Carolina, on the one hand, and, on the other, points in Indiana, Michigan, and Ohio. The purpose of this filing is to eliminate the gateway of Charlotte, N.C.

(31) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in Oklahoma, on the one hand, and, on the other, points in New York, Pennsylvania, and West Virginia. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and points in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(32) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, from points in Oklahoma, to points in Minnesota, Nebraska, and Wisconsin. The

purpose of this filing is to eliminate the gateways of points in Arkansas and Iowa.

(33) *Commodities*, the transportation of which, by reason of size or weight, requires the use of special equipment (except agricultural machinery and implements, other than hand, as defined by the Commission), between points in Oklahoma, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateway of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(34) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment,

(a) Between points in Virginia, on the one hand, and, on the other, points in Illinois, Indiana, and Wisconsin. The purpose of this filing is to eliminate the gateway of Charlotte, N.C.

(b) Between points in Virginia, on the one hand, and, on the other, points in Kansas. The purpose of this filing is to eliminate the gateway of points in North Carolina within 175 miles of Chattanooga, Tenn., and Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(c) Between points in Virginia, on the one hand, and, on the other, points in Missouri. The purpose of this filing is to eliminate the gateways of points in North Carolina within 175 miles of Chattanooga, Tenn., Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and of points in Oklahoma.

(35) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Virginia, on the one hand, and, on the other, points in Iowa, Minnesota, Missouri and Nebraska. The purpose of this filing is to eliminate the gateways of points in North Carolina and Tennessee within 175 miles of Chattanooga, Tenn., and of points in Iowa.

(36) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment between points in Louisiana, on the one hand, and, on the other, points in New York and Pennsylvania. The purpose of this filing is to eliminate the gateway of Columbia, S.C., or any point in South Carolina within 50 miles thereof.

(37) *Commodities*, (except knitting machines) the transportation of which because of size or weight requires the use of special equipment, between points in that part of Tennessee within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Indiana, Kansas, Michigan, Ohio, Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and points in Oklahoma.

(38) *Commodities*, the transportation of which because of size or weight requires the use of special equipment,

(a) Between points in Tennessee within 175 miles of Chattanooga, Tenn.,

on the one hand, and, on the other, points in Maryland, New York, and Pennsylvania. The purpose of this filing is to eliminate the gateways of points in Georgia or North Carolina within 175 miles of Chattanooga, Tenn.

(b) Between points in Tennessee, on the one hand, and, on the other, points in Illinois, Missouri, and Wisconsin. The purpose of this filing is to eliminate the gateway of points in Iowa.

(c) Between points in Tennessee within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Louisiana. The purpose of this filing is to eliminate the gateway of points in that part of South Carolina within 175 miles of Chattanooga, Tenn.

(d) Between points in Tennessee within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Virginia and West Virginia. The purpose of this filing is to eliminate the gateway of points in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(e) Between points in Tennessee within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateway of points in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(39) *Commodities*, the transportation of which, by reason of size or weight, requires the use of special equipment (except agricultural machinery and implements, other than hand, as defined by the Commission), between points in Texas, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateways of points in Oklahoma, and Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(40) *Commodities* (except knitting machines) the transportation of which because of size or weight requires the use of special equipment,

(a) Between points in Texas, on the one hand, and, on the other, points in New York and Pennsylvania. The purpose of this filing is to eliminate the gateways of points in Oklahoma, and Atlanta, Cartersville, or Marietta, Ga. or points in Georgia within 50 miles thereof.

(b) Between points in Texas, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateways of points in Oklahoma, and Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and points in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(41) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, from points in Texas, to points in Minnesota, Nebraska, and Wisconsin. The purpose of this filing is to eliminate the gateways of points in Oklahoma, Arkansas, and Iowa.

(42) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, between points in Wyoming, on the one

hand, and, on the other, points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateways of points in Illinois, Iowa, and points in those parts of Tennessee and North Carolina within 175 miles of Chattanooga, Tenn.

(43) Such as *tractors* (except tractors used in pulling commercial highway trailers), *scrapers*, *motor graders*, *wagons*, *engines* (except aircraft and missile engines), *generators*, *engines and generators combined*, *welders*, *road rollers* as may be transported under authority reading as follows: such *self-propelled articles*, each weighing 15,000 pounds or more, which may be included in machinery and contractors' equipment and related machinery, tools, parts, and supplies, moving in connection therewith, from points in Iowa, Illinois, Wisconsin, Minnesota, Nebraska, Kansas, and Missouri, within 300 miles of Ames, Iowa, to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. The purpose of this filing is to eliminate the gateway of the plantsite of Caterpillar Tractor Company at or near Peoria or Decatur, Ill.

(44) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies, moving in connection therewith (restricted to commodities which are transported on trailers),

(a) Between points in Alabama within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Illinois, Indiana, Kansas, Michigan, New York, Oklahoma, and Missouri. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia or Alabama within 50 miles thereof, and points in Oklahoma.

(b) Between points in Arkansas, Indiana, Kentucky, the lower peninsula of Michigan, Ohio, and Tennessee, on the one hand, and, on the other, points in Kansas within 300 miles of Ames, Iowa, and points in Illinois, Wisconsin, Minnesota, Nebraska, and Missouri. The purpose of this filing is to eliminate the gateway of points in Iowa.

(c) Between points in North Carolina within 150 miles of Charlotte, N.C., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Wisconsin, and Missouri. The purpose of this filing is to eliminate the gateways of points in that part of North Carolina within 175 miles of Chattanooga, Tenn., and Atlanta, Cartersville, or Marietta, Ga., or points within 50 miles thereof, and points in Iowa.

(d) Between points in South Carolina within 150 miles of Charlotte, N.C., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New Jersey, New York, Ohio, Oklahoma,

Pennsylvania, Wisconsin, and Missouri. The purpose of this filing is to eliminate the gateways of Columbia, S.C. or points in South Carolina within 50 miles thereof and points in that part of South Carolina within 175 miles of Chattanooga, Tenn.; and Columbia, S.C., or points in South Carolina within 50 miles thereof, and points in Iowa.

(e) From points in South Carolina, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, Rhode Island, Vermont, and the District of Columbia. The purpose of this filing is to eliminate the gateways of points in that part of South Carolina within 175 miles of Chattanooga, Tenn., and Toccoa, Ga.

(f) Between points in Texas, on the one hand, and, on the other, points in New York, Pennsylvania, Illinois, Indiana, Iowa, Kansas, Michigan, New Jersey, Ohio, Minnesota, Nebraska, and Missouri; restricted: The operations authorized next above are restricted against the transportation of machinery, equipment, material and supplies used in, or in connection with discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof. The purpose of this filing is to eliminate the gateways of points in that part of Mississippi within 175 miles of Chattanooga, Tenn., Atlanta, Cartersville, or Marietta, Ga. or points in Georgia within 50 miles thereof, and points in Iowa.

(g) Between points in Georgia within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Missouri. The purpose of this filing is to eliminate the gateway of Atlanta, Cartersville, or Marietta, Ga. or points in Georgia within 50 miles thereof, and points in Iowa.

(h) Between points in Tennessee within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Indiana, Michigan, Kansas, Oklahoma, Ohio, Pennsylvania, New York, New Jersey, and Wisconsin. The purpose of this filing is to eliminate the gateway of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(i) From points in Tennessee within 175 miles of Chattanooga, Tenn., to points in Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Maryland, Connecticut, Delaware, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Toccoa, Ga.

(j) Between points in Mississippi within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga.,

or points in Georgia within 50 miles thereof.

(k) From points in Oklahoma and Kansas to points in Connecticut, Delaware, District of Columbia, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Maryland. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof, and Toccoa, Ga.

(l) Between points in Kentucky within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in North Carolina and South Carolina located within 150 miles of Charlotte, N.C. The purpose of this filing is to eliminate the gateway of points in those parts of North Carolina or South Carolina within 175 miles of Chattanooga, Tenn.

(m) Between points in North Carolina and South Carolina within 150 miles of Charlotte, N.C., on the one hand, and, on the other, points in New Jersey, New York, and Pennsylvania. The purpose of this filing is to eliminate the gateway of Columbia, S.C. or points in South Carolina within 50 miles thereof.

(45) *Such commodities* as may be transported under a combination of the following descriptions:

(a) Heat exchangers or equalizers for air gas, or liquids,

(b) Machinery and equipment for heating, cooling, conditioning, humidifying, dehumidifying, and moving air, gas, or liquids, and

(c) Parts, attachments, and accessories for the use in installation and operations of items in (a) and (b) above (except commodities listed in items (a), (b) and (c) which because of size or weight require the use of special equipment), and

(46) *Commodities*, the transportation of which because of size or weight require the use of special equipment, from the plant and warehouse facilities of the Trane Company in Montgomery County, Tenn., to points in New York, Pennsylvania, and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in North Carolina.

(47) *Heavy machinery and air compressors*, the transportation of which, because of size or weight, requires the use of special equipment,

(a) From Arizona, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, New York, Oklahoma, South Carolina, Tennessee, Texas, Utah, Wisconsin, and Wyoming, to points in Alabama. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., points in that part of South Carolina within 175 miles of Chattanooga, Tenn., and Atlanta, Ga. and points in that part of Missouri within 100 miles of Kansas City, Kans.; and points in Illinois and points in Oklahoma and Atlanta, Ga.

(b) From New Jersey, North Carolina, Pennsylvania, Virginia, Maryland, and Vermont, to points in Tennessee. The purpose of this filing is to eliminate the gateway of Atlanta, Ga. and points

in that part of North Carolina within 175 miles of Chattanooga, Tenn.

(48) *Commodities*, the transportation of which because of size or weight require the use of special equipment,

(a) Between points in Alabama within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateway of points in that part of South Carolina within 175 miles of Chattanooga, Tenn.

(b) Between points in South Carolina, on the one hand, and, on the other, points in Texas. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

(c) Between points in Ohio, on the one hand, and, on the other, points in Texas. The purpose of this filing is to eliminate the gateway of points in Iowa, and points in Missouri.

(d) Between points in Georgia, on the one hand, and, on the other, points in Tennessee within 175 miles of Chattanooga, Tenn. The purpose of this filing is to eliminate the gateway of points in that part of Georgia within 175 miles of Chattanooga, Tenn.

(49) *Commodities* (except knitting machines), the transportation of which because of size or weight require the use of special equipment,

(a) From points in North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, West Virginia, and Virginia, to points in New Mexico. The purpose of this filing is to eliminate the gateways of points in Oklahoma, points in that part of North Carolina within 175 miles of Chattanooga, Tenn., and Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(b) Between points in Alabama within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateway of Atlanta, Cartersville, or Marietta, Ga., or points in Alabama or Georgia within 50 miles thereof.

(50) *Commodities* (except knitting machines, agricultural machinery and implements, other than hand, as defined by the Commission) the transportation of which because of size or weight requires the use of special equipment, between points in Florida, on the one hand, and, on the other, points in Indiana, Kansas, Michigan, Ohio, and Oklahoma. The purpose of this filing is to eliminate the gateway of Atlanta, Cartersville, or Marietta, Ga. or points in Georgia within 50 miles thereof.

(51) *Commodities*, the transportation of which because of size or weight require the use of special equipment (except knitting machines, agricultural machinery and implements, other than hand, and commodities to be used in, or in connection with, main or trunk pipelines), between points in Arizona, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateways of points in Georgia, and points in that part of Missouri within 100 miles of Kansas City, Kans.

(52) *Commodities* (except any such

commodities to be used in, or in connection with, main or trunk pipelines), the transportation of which because of size or weight require the use of special equipment, from points in Arizona, to points in Wisconsin. The purpose of this filing is to eliminate the gateways of points in that part of Missouri within 100 miles of Kansas City, Kans., and points in Arkansas and Iowa.

(53) *Commodities* (except knitting machines and commodities to be used in, or in connection with, main or trunk pipelines), the transportation of which because of size or weight require the use of special equipment,

(a) Between points in Arizona, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateway of points in that part of Kansas within 100 miles of Kansas City, Kans. and Charlotte, N.C.

(b) Between points in Arizona, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of points in that part of Missouri within 100 miles of Kansas City, Kans., and Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(54) *Self-propelled articles* each weighing 15,000 pounds or more, and related machinery, tools, parts and supplies moving in connection therewith,

(a) Between points in Texas, on the one hand, and, on the other, points in Alabama within 175 miles of Chattanooga, Tenn.; restricted: The operations authorized next above are restricted to commodities which are transported on trailers; and The operations authorized next above are restricted against the transportation of machinery, equipment, materials and supplies used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in or in connection with the construction, operation, repair, servicing, and picking up thereof. The purpose of this filing is to eliminate the gateway of points in that part of Mississippi within 175 miles of Chattanooga, Tenn.

(b) Between points in Mississippi within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in New Jersey, New York, Ohio, and Pennsylvania; restricted: The operations authorized herein are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of Atlanta, Cartersville, or Marietta, Ga., or points in Georgia within 50 miles thereof.

(55) *Such self-propelled articles*, each weighing 15,000 pounds or more, which may be included in crawler-type tractors, road-building, construction, and mining machinery and diesel engines, and related machinery, tools, parts, and supplies moving in connection therewith, from points in Iowa, Kansas within 300 miles of Ames, Iowa, Minnesota, Missouri and Nebraska, to points in Mercer, Mon-

roe, Wyoming, Summers, McDowell, Pocahontas, and Greenbrier Counties, W. Va.; restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of Peoria, Decatur, Joliet, Roanoke or Chicago, Ill.

(56) *Heavy machinery and air compressors*, the transportation of, which because of size or weight require the use of special equipment,

(a) From points in North Carolina, to points in Alabama. The purpose of this filing is to eliminate the gateway of points in that part of North Carolina within 175 miles of Chattanooga, Tenn., and Atlanta, Ga.

(b) From points in Virginia, to points in Tennessee, and Alabama. The purpose of this filing is to eliminate the gateway of points in that part of North Carolina within 175 miles of Chattanooga, Tenn., and Atlanta, Ga.

(57) *Machinery and contractors' equipment*, the transportation of which, because of size or weight requires the use of special equipment (except commodities to be used in, or in connection with, main or trunk pipelines),

(a) Between points in Utah, on the one hand, and, on the other, points in Iowa, Kansas, Minnesota, and Nebraska. The purpose of this filing is to eliminate the gateway of points in that part of Kansas or that part of Missouri within 10 miles of Kansas City, Kans.

(b) Between points in Arizona, on the one hand, and, on the other, points in Kansas and Nebraska. The purpose of this filing is to eliminate the gateway of points in that part of Kansas or that part of Missouri within 100 miles of Kansas City, Kans.

(58) *Machinery and contractors' equipment* (other than machinery, equip equipment (other than machinery, equipment, materials, and supplies, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof), the transportation of which, because of size or weight, requires the use of special equipment, between points in Mississippi, on the one hand, and, on the other, points in Illinois, Iowa, Kansas, Minnesota, Nebraska, and that part of Wisconsin within 300 miles of Ames, Iowa. The purpose of this filing is to eliminate the gateways of points in Texas, and Missouri.

(59) *Machinery and contractors' equipment*, the transportation of which, because of size or weight, requires the use of special equipment.

(a) Between points in Wyoming, on the one hand, and, on the other, points in Missouri, and that part of Wisconsin within 300 miles of Ames, Iowa. The purpose of this filing is to eliminate the gateway of points in Illinois.

(b) Between points in Oklahoma and Texas, on the one hand, and, on the other, points in Kansas, and Nebraska. The purpose of this filing is to eliminate the gateway of points in Missouri.

(c) From points in Kansas, to points in Colorado, and New Mexico. The purpose of this filing is to eliminate the gateway of points in Missouri.

(d) Between points in Kansas, on the one hand, and, on the other, points in Arkansas, Indiana, Kentucky, Ohio, Tennessee, and those in the lower peninsula of Michigan. The purpose of this filing is to eliminate the gateway of points in Iowa.

(60) *Machinery*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Virginia, on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC 112989 (Sub-No. 40G), filed January 28, 1975. Applicant: WEST COAST TRUCK LINES, INC., Route 4, P.O. Box 194-R, Eugene, Oregon 97405. Applicant's representative: Michael D. Crew, 620 Blue Cross Bldg., 100 S.W. Market St., Portland, Oregon 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, by reason of size or weight, requires the use of special equipment, and *Related machinery parts and related contractors' materials and supplies* when their transportation is incidental to the transportation of the commodities described above, between points in Oregon east of U.S. Highway 97, on the one hand, and, on the other, points in California east of Interstate Highway 5 and north of Interstate Highway 80. The purpose of this filing is to eliminate the gateway at Medford, Oreg. (Jackson County).

No. MC 113843 (Sub-No. 205G), filed June 4, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: William J. Boyd, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Frozen meats, meat products, and meat by-products*, as defined by the Commission, (A) (1) from Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to points in Illinois, Indiana, and Kentucky. The purpose of this filing is to eliminate the gateway at Detroit, Mich.

(A) (2) From Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to points in Missouri, Tennessee, and Wisconsin. The purpose of this filing is to eliminate the gateway at Detroit, Mich.

(A) (3) From Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to New York,

N.Y., Hampton, Va., and points in Connecticut, Massachusetts, New Jersey, Pennsylvania, and Rhode Island. The purpose of this filing is to eliminate the gateways at Buffalo, Rochester, and Syracuse, N.Y.

(A) (4) From Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to points in Connecticut, Illinois, Indiana, Kentucky, Maine, Massachusetts, New Hampshire, and Rhode Island. The purpose of this filing is to eliminate the gateway at Detroit, Mich.

(B) *Meats, meat products and meat by-products*, as defined by the Commission, (B) (1) from Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to Camden, Newark, and Jersey City, N.J., Philadelphia and Middletown, Pa. The purpose of this filing is to eliminate the gateway at Buffalo, N.Y.

(B) (2) From Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to Cambridge, Springfield, and Stoneham, Mass., Salisbury, Md., Philadelphia, Pa., and Roanoke, Va. The purpose of this filing is to eliminate the gateway at Rochester, N.Y.

(B) (3) From Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to points in Cattaraugus, Chautauqua, and Erie Counties, N.Y. The purpose of this filing is to eliminate the gateway at Buffalo, N.Y.

(B) (4) From Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to points in Vermont, New Hampshire, and that part of Maine on and south of Maine Highway 25. The purpose of this filing is to eliminate the gateway at Rochester (Monroe County) and Syracuse (Onondaga County), N.Y.

(C) *Fresh, cooked, preserved, salted, and smoked meats*, from Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to points in Connecticut, Massachusetts, and Rhode Island. The purpose of this filing is to eliminate the gateway at Buffalo, N.Y.

(D) *Fresh meats*, from Cincinnati, Cleveland, Fostoria, Piqua, Sandusky, Columbus, and Martins Ferry, Ohio, to points in Connecticut, Massachusetts, Rhode Island, Maine, and New Hampshire. The purpose of this filing is to eliminate the gateway at Detroit, Mich.

(E) *Frozen foods*, (E) (1) from points in Ohio to points in Cattaraugus, Chautauqua, and Erie Counties, N.Y. The purpose of this application is to eliminate the gateway at Buffalo, N.Y.

(E) (2) From points in Ohio to Portland and Bangor, Maine, Rutland, Vt., Manchester, N.H., and points in Virginia (other than Hampton and Richmond, Va.). The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

(E) (3) From points in Ohio to points in Delaware, Maryland, and West Virginia. The purpose of this filing is to eliminate the gateway at Buffalo and Brockport, N.Y.

(E) (4) From points in Ohio to points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, that part of Pennsylvania east of U.S. Highway 15, Rhode Island, Vermont, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway at Elmira, N.Y.

(E) (5) From points in Ohio to points in West Virginia. The purpose of this filing is to eliminate the gateway at Elmira, N.Y.

(E) (6) From points in Ohio to points in Vermont, New Hampshire, and that part of Maine on and south of Maine Highway 25. The purpose of this filing is to eliminate the gateway at Syracuse (Onondaga County), N.Y.

(E) (7) From Cleveland, Ohio, to points in Illinois, Indiana, and Kentucky. The purpose of this filing is to eliminate the gateway at Sturgis, Mich.

(E) (8) From Cleveland, Ohio, to points in Missouri, Tennessee, and Wisconsin. The purpose of this filing is to eliminate the gateway at Detroit, Mich.

(F) *Frozen fruits and vegetables*, (F) (1) from Cleveland, Toledo, Martins Ferry, and Columbus, Ohio, to Hampton and Richmond, Va., and points in Connecticut, Massachusetts, District of Columbia, New Jersey, Pennsylvania, and Rhode Island.

(F) (2) From Cleveland, Toledo, Martins Ferry, and Columbus, Ohio, to points in Cattaraugus, Chautauqua, and Erie Counties, N.Y. The purpose of this filing in (F) above is to eliminate the gateway at Buffalo, N.Y.

(G) *Frozen and prepared seafood*, from Cleveland, Ohio, to points in Missouri, Tennessee, and Wisconsin. The purpose of this filing is to eliminate the gateway at Detroit, Mich.

(H) *Frozen fruits, frozen berries, and frozen vegetables*, from points in Ohio to Williamsburg and Norfolk, Va., Manchester, N.H., Portland, Maine, Springfield, Ill., Louisville, Ky., Kenosha, Wis., and Kansas City and Vinita Park, Mo. The purpose of this filing is to eliminate the gateway at Dundee, N.Y.

(I) *Butter and butter substitutes*, from Cincinnati, Ohio, to Buffalo, N.Y. The purpose of this filing is to eliminate the gateway at Olean, N.Y.

(J) *Dairy products*, as defined by the Commission, (J) (1) from Cincinnati, Cleveland, Columbus, Toledo, Van Wert, Washington Court House, and Martins Ferry, Ohio, to points in Cattaraugus, Chautauqua, and Erie Counties, N.Y.

(J) (2) From Cincinnati, Cleveland, Columbus, Toledo, Van Wert, Washington Court House, and Martins Ferry, Ohio, to Springfield and Worcester, Mass. The purpose of this filing in (J) (1) and (J) (2) is to eliminate the gateway at Buffalo, N.Y.

(J) (3) From Cincinnati, Cleveland, Columbus, Toledo, Van Wert, Washington Court House, and Martins Ferry, Ohio, to points in Illinois, Indiana, and Kentucky. The purpose of this filing is to eliminate the gateway at Detroit, Mich.

(J) (4) from Cincinnati, Cleveland, Columbus, Toledo, Van Wert, Washington

Court House, and Martins Ferry, Ohio, to points in Vermont, New Hampshire, and that part of Maine on and south of Maine Highway 25. The purpose of this filing is to eliminate the gateway at Syracuse, N.Y.

(K) *Preserved foodstuffs* (except frozen foods, dairy products, candy and confectionery), from Archbold, Covington, Delphos, New Bavaria, Northwood, Orrville, Pemberville, and Rockford, Ohio, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island. The purpose of this filing is to eliminate the gateway at Milton, Pa.

(L) *Frozen juices, and frozen berries*, from points in Ohio to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway at Dundee and Penn Yan, N.Y.

(M) *Frozen fruit juices, and fruit concentrates*, from points in Ohio to points in Delaware, Maryland, and the District of Columbia. The purpose of this filing is to eliminate the gateway at Geneva, N.Y.

(N) *Frozen fruit juices*, from points in Ohio to points in Virginia (other than Hampton, Norfolk, and Richmond) on, east and south of a line beginning at the North Carolina-Virginia State line and extending along U.S. Highway 301 to Richmond, Va., thence along Virginia Highway 33 to Glens, Va., thence along U.S. Highway 17 to Saluda, Va., thence along Virginia Highway 227 to Harmony Village, Va., thence along Virginia Highway 200 to the Rappahannock River at or near Locklies, Va.

(O) *Frozen fruit concentrates*, from points in Ohio to points in Delaware, Maryland, Virginia, and the District of Columbia. The purpose of this filing in (N) and (O) above is to eliminate the gateways at Dundee and Penn Yan, N.Y.

(P) *Frozen foods*, (P) (1) from points in Indiana to points in Cattaraugus, Chautauqua, and Erie Counties, N.Y. The purpose of this filing is to eliminate the gateway at Buffalo, N.Y.

(P) (2) From points in Indiana to points in Pennsylvania, Ohio, Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway at Elmira, N.Y.

(P) (3) From points in Indiana to points in West Virginia. The purpose of this filing is to eliminate the gateway at Elmira, N.Y.

(P) (4) From points in Indiana to points in Delaware, Maryland, and West Virginia. The purpose of this filing is to eliminate the gateway at Brockport, N.Y.

(P) (5) From points in Indiana to points in Vermont, New Hampshire, and that part of Maine on and south of Maine Highway 25. The purpose of this filing is to eliminate the gateway at Syracuse, N.Y.

(P) (6) From points in Indiana to Portland and Bangor, Maine, Rutland, Vt., Manchester, N.H., and points in Virginia (except Hampton and Richmond, Va.). The purpose of this filing is to eliminate the gateway at Dundee, N.Y.

(Q) *Preserved foodstuffs* (except frozen foods, dairy products, candy and confectionery), from Austin and Portland, Ind., to points in Rhode Island, Connecticut, Massachusetts, Maine, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways at Milton, Pa.

(R) *Frozen fruits, frozen berries, and frozen vegetables*, from points in Indiana to Williamsburg and Norfolk, Va., Manchester, N.H., and Portland, Maine. The purpose of this filing is to eliminate the gateway at Dundee, N.Y.

(S) *Frozen juices, and frozen berries*, from points in Indiana to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway at Dundee or Penn Yan, N.Y.

(T) *Frozen foods*, from points in Pennsylvania on and west of U.S. Highway 15: (T) (1) to points in Cattaraugus, Chautauqua, and Erie Counties, N.Y. The purpose of this filing is to eliminate the gateway at Buffalo, N.Y.

(T) (2) To points in Arkansas, Colorado, Kansas, Minnesota, Nebraska, and Oklahoma.

(T) (3) To Portland and Bangor, Maine, Rutland, Vt., Manchester, N.H., Springfield, Ill., Louisville, Ky., St. Louis, Mo., Sioux City and Davenport, Iowa, Grand Forks, N. Dak., Sioux Falls, S. Dak., and points in Virginia (except Hampton and Richmond, Va.). The purpose of this filing in (T) (2) and (T) (3) above is to eliminate the gateway at Dundee, N.Y.

(T) (4) To points in Delaware, Maryland, Kentucky, West Virginia, Pennsylvania (east of U.S. Highway 15), Ohio, Indiana, Illinois, Missouri, Michigan, Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway at Elmira, N.Y.

(T) (5) To points in Colorado, Iowa, Minnesota, Nebraska, and Wisconsin. The purpose of this filing is to eliminate the gateway at Brockport, Morton and Le Roy, N.Y.

(T) (6) To points in Missouri, Tennessee, and Wisconsin. The purpose of this filing is to eliminate the gateway at Elmira, N.Y., and Detroit, Mich.

(T) (7) To points in Vermont, New Hampshire, and that part of Maine on and south of Maine Highway 25. The purpose of this filing is to eliminate the gateway at Syracuse, N.Y.

(U) *Frozen fruits, frozen berries, and frozen vegetables*, from points in Pennsylvania on and west of U.S. Highway 15, to Williamsburg and Norfolk, Va., Manchester, N.H., Portland, Maine, Springfield, Ill., Louisville, Ky., Kenosha, Wis., and Kansas City and Vinita Park, Mo. The purpose of this filing is to eliminate the gateway at Dundee, N.Y.

(V) *Frozen juices, and frozen berries*, (V) (1) from points in Pennsylvania on and west of U.S. Highway 15 to points in Delaware, Maryland, Kentucky, North Carolina, South Carolina, West Virginia, and Virginia (except those points in Virginia, other than Hampton, Norfolk, and Richmond, on, east and south of a line

beginning at the North Carolina-Virginia State line, and extending along U.S. Highway 17 to Saluda, Va., thence along Virginia Highway 227 to Harmony Village, Va., thence along Virginia Highway 200 to the Rappahannock River at or near Lockles, Va.). The purpose of this filing is to eliminate the gateway at Dundee and Penn Yan, N.Y.

(V) (2) From points in Pennsylvania on and west of U.S. Highway 15 to points in Delaware, Maryland, Kentucky, and West Virginia. The purpose of this filing is to eliminate the gateways at Buffalo and Westfield, N.Y.

(W) *Frozen fruits and berries, frozen fruit and berry concentrates*, from points in Pennsylvania on and west of U.S. Highway 15:

(W) (1) To points in Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, Texas, and Wisconsin. The purpose of this filing is to eliminate the gateways at Geneva or Penn Yan, N.Y.

(W) (2) To points in Arkansas, Colorado, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, Oklahoma, Texas, and Wisconsin. The purpose of this filing is to eliminate the gateways at Buffalo and Westfield, N.Y.

(W) (3) To points in Arkansas, Colorado, Iowa, Kansas, Minnesota, Nebraska, Oklahoma, Texas, and Wisconsin. The purpose of this filing is to eliminate the gateways at Elmira, N.Y.

(W) (4) To points in Iowa, Kentucky (except Louisville), Missouri (except Kansas City and Vinita Park), Texas, and Wisconsin. The purpose of this filing is to eliminate the gateway at Dundee, N.Y.

(X) *Frozen fruit juices, and fruit concentrates*, from points in Pennsylvania on and west of U.S. Highway 15 to points in Delaware, Maryland, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway at Geneva, N.Y.

(Y) *Frozen fruit juices*, from points in Pennsylvania on and west of U.S. Highway 15 to points in Virginia (other than Hampton, Norfolk, and Richmond) on, east and south of a line beginning at the North Carolina-Virginia State line and extending along U.S. Highway 301 to Richmond, Va.; thence along Virginia Highway 33 to Glens, Va., thence along U.S. Highway 17 to Saluda, Va., thence along Virginia Highway 227 to Harmony Village, Va., thence along Virginia Highway 200 to the Rappahannock River at or near Lockles, Va. The purpose of this filing is to eliminate the gateway at Dundee and Penn Yan, N.Y.

(Z) *Frozen fruit concentrates*, from points in Pennsylvania on and west of U.S. Highway 15 to points in Delaware, Maryland, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Dundee and Penn Yan, N.Y.

(AA) *Frozen prune juice*, from points in Pennsylvania on and west of U.S. Highway 15 to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. The purpose of this filing is to eliminate

the gateways at the plant sites and storage facilities of Duffy-Moff Co., Inc. at or near Hamlin, Holley, or Williamson, N.Y.

(BB) *Frozen foods*, from Pittsburgh, Pa., to points in Indiana, Illinois, and Kentucky. The purpose of this filing is to eliminate the gateway of Sturgis, Mich.

(CC) *Glass containers*, from Washington, Pa., to Buffalo, N.Y. The purpose of this filing is to eliminate the gateway at Dunkirk, N.Y.

No. MC 114868 (Sub-No. 3G), (Amendment), filed June 4, 1974, published in the FR issue of January 27, 1975, and republished as amended, this issue. Applicant: HARRY EARL NEWLON, JR., doing business as, NEWLON'S TRANSFER, 1511 North Nelson Street, Arlington, Va. 22201. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Maryland, Virginia and the District of Columbia; and (2) between points in Ohio, Illinois, Kentucky, Maryland, Virginia and the District of Columbia on the one hand, and, on the other, points in Connecticut, Delaware, Florida, Georgia, Indiana, Maine, Massachusetts, Michigan, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, West Virginia, Ohio, Illinois, Kentucky, Maryland, Virginia and the District of Columbia, restricted against movements between Kentucky and Illinois. The purpose of this filing is to eliminate the gateway at points in the District of Columbia.

NOTE.—The purpose of this republication is to amend the authority originally requested in (2) above.

MARCH 14, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination Rules* (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission within 10 days from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 7381 (Sub-No. E1), filed May 31, 1974. Applicant: WEBB'S TRANSFER, INC., P.O. Box 1189, Suffolk, Va. 23434. Applicant's representative: Elliott Bunce, 1111 E St. NW., Suite 618 Per-

petual Bldg., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from Baltimore, Md., and Philadelphia, Pa., to Richmond, Va. (points in that part of Essex County, Va., southeast of U.S. Highway 360, except points within one mile of U.S. Highway 360) *.

(2) *Canned goods*, from Hammonton, Swedesboro, and Camden, N.J., Townsend and Seaford, Del., Colorado, Rising Sun, Aberdeen, Havre de Grace, Frederick, Mt. Airy, and Baltimore, Md., to points in North Carolina on and east of a line beginning at the North Carolina-South Carolina State line and extending through King's Mountain and Hickory, N.C., to the North Carolina-Virginia State line (Richmond, Va.) *.

(3) *Peanuts*, from Conway, N.C., and points in North Carolina within 35 miles of Conway, to Harrisburg, Hershey, Elizabethtown, and Reading, Pa. (Franklin, Pa.) *.

(4) *Peanuts*, from points in North Carolina within 200 miles of Norfolk, Va., to Norfolk and Portsmouth, Va., Washington, D.C., Baltimore, Md., Harrisburg, Lebanon, and Philadelphia, Pa., Newark, N.J., and points in the New York, N.Y., commercial zone as defined by the Commission (Suffolk, Va.) *.

(5) *Peanuts*, raw, shelled or unshelled, from points in North Carolina within 200 miles of Norfolk, Va., to Boston, Cambridge, and Lawrence, Mass., Providence, Pawtucket, and Woonsocket, R.I., and Hartford, Conn. (Suffolk, Va.) *.

(6) *Peanuts*, raw, shelled or unshelled, from points in Georgia, to Harrisburg, Hershey, Elizabethtown, and Reading, Pa., Norfolk, and Portsmouth, Va., Washington, D.C., Baltimore, Md., Harrisburg, Lebanon, and Philadelphia, Pa., Newark, N.J., and points in the New York, N.Y., commercial zone, Boston, Cambridge, and Lawrence, Mass., Providence, Pawtucket, and Woonsocket, R.I., and Hartford, Conn. (Suffolk, Va.) *.

(7) *Salted peanuts*, from points in North Carolina within 200 miles of Norfolk, Va., to Cambridge, Mass. (Suffolk, Va.) *.

(8) *Building materials*, minimum 10,000 pounds from one consignor, from Baltimore, Md., Jersey City, N.J., and Philadelphia and Reading, Pa., to Richmond, Va. (points in that part of Essex County, Va., southeast of U.S. Highway 360, except points within one mile of U.S. Highway 360) *.

(9) *Scrap iron and metals, scrap paper and rags*, from points in North Carolina within 175 miles of Suffolk, Va., to Baltimore, Md., and Philadelphia, Pa., (Suffolk, Va.) *.

(10) (a) *Groceries*, in cans, from Norfolk, and Suffolk, Va., to Washington, D.C., Baltimore, Md., and Philadelphia, Pa. (points in Essex, King, and Queen Counties, Va.) *; (b) *Peanuts, peanut meal, and peanut oil*, from Norfolk, Va.,

to Washington, D.C., Baltimore, Md., Harrisburg, Lebanon, and Philadelphia, Pa., Newark, N.J., and points in the New York, N.Y., commercial zone (Suffolk, Va.)*.

(11) Tea, from Hoboken, N.J., to points in North Carolina and Washington, Carroll, Pittsylvania, Henry, Greensville, Surry, Isle of Wright, Halifax, Prince George, Southampton, Mecklenburg, Brunswick, Grayson, Patrick, James, and York Counties, Va., and Norfolk, Va. (Suffolk, Va.)*.

(12) (a) Canned fish and canned fish products, from points in Bertie, Northampton, Hertford, Gates, and Chowan Counties, N.C., to Baltimore, Md., Philadelphia, Pa., and Washington, D.C. (Richmond, Va., and points in that part of Essex County, Va., southeast of U.S. Highway 360, except points within one mile of U.S. Highway 360)*; (b) Fish and fish products, from points in Bertie, Northampton, Hertford, Gates, and Chowan Counties, N.C., to points in Virginia (Suffolk or Norfolk, Va.)*; (c) Lumber, minimum 10,000 pounds, from one consignor, from points in Bertie, Northampton, Hertford, Gates, and Chowan Counties, N.C., to Washington, D.C., and points in Maryland, Delaware, and Pennsylvania (Richmond, Va., and points in that part of Essex County, Va., southeast of U.S. Highway 360, except points within one mile of U.S. Highway 360)*.

(d) Agricultural commodities, from points in Bertie, Northampton, Hertford, Gates, and Chowan Counties, to Washington, D.C., Baltimore, Md., Philadelphia, Pa., and New York, N.Y. (Suffolk, Va.)*.

(13) (a) Farm tractors, farm tractor parts, agricultural implements, fertilizer, and building materials, except in bulk, and except commodities requiring special equipment, from Washington, D.C., Baltimore, Md., and Philadelphia, Pa., to points in Bertie, Northampton, Hertford, Gates, and Chowan Counties, N.C. (points in that part of Essex County, Va., southeast of U.S. Highway 360, except points within one mile of U.S. Highway 360, and Richmond, Va.)*; (b) Building materials, minimum 10,000 pounds from one consignor, from Jersey City, N.J., and Reading, Pa., to points in Bertie, Northampton, Hertford, Gates, and Chowan Counties, N.C. (points in that part of Essex County, Va., southeast of U.S. Highway 360, except points within one mile of U.S. Highway 360, and Richmond, Va.)*; (c) Used furniture, from Philadelphia, Pa., and Baltimore, Md., to points in Bertie, Northampton, Hertford, Gates, and Chowan Counties, N.C. (Suffolk, Va.)*.

(14) (a) Canned goods, from Bridgeton, N.J., to Richmond, Va., and Norfolk, Va. (Swedesboro, N.J.)*; (b) Canned goods, from Bridgeton, N.J., to Suffolk, Va. (Swedesboro, N.J., and Norfolk, Va.)*.

(15) Tea, instant tea, salad dressings, soup mix, and spaghetti sauce mix, over irregular routes, from Flemington Junction, N.J., to points in North Carolina, Norfolk, Virginia Beach, Chesapeake, Portsmouth, and Hampton, Va., and points in Southampton, York, Pittsyl-

vania, Henry, Nottaway, Prince Edward, Washington, Carroll, Halifax, Isle of Wight, Greenville, Surry, Sussex, Gloucester, Mecklenburg, Lunenburg, James City, Dinwiddie, Prince George, Arayson, Smyth, Patrick, Floyd, Campbell, and Franklin Counties, Va. (Suffolk, Va.)*.

The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 29886 (Sub-No. E36), filed May 10, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 W. Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodities, the transportation of which because of size or weight require the use of special equipment or special handling, and self-propelled articles each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith.

(1) between points in Iowa (except those in Louisa, Henry, Des Moines, Lee, and Van Buren Counties, Iowa), on the one hand, and, on the other, points in Ohio; (2) between points in Iowa, on the one hand, and, on the other, points in Ohio (except those in Mercer, Auglatze, Shelby, Darke, Miami, Champaign, Clark, Montgomery, Preble, Greene, Fayette, Clinton, Warren, Butler, Hamilton, Clermont, Highland, Brown, and Adams Counties, Ohio), and Indiana (except those in Porter, La Porte, Starke, St. Joseph, Marshall, Elkhart, Kosciusko, Lagrange, Noble, Whitley, Steuben, De Kalb, and Allen Counties, Ind.); (3) between points in Lyon, Osceola, Dickinson, Emmet, Kossuth, Winnebago, Worth, Mitchell, Howard, Winneshiek, Allamakee, Sioux, O'Brien, Clay, Palo Alto, Hancock, Cerro Gordo, Floyd, Chickasaw, Plymouth, Cherokee, Buena Vista, Pocahontas, Humboldt, Wright, Franklin, Woodbury, Ida, Sac, and Monona Counties, Iowa, on the one hand, and, on the other, points in Indiana; (4) between points in Missouri, on the one hand, and, on the other, (a) points in the Lower Peninsula of Michigan and those in the Upper Peninsula of Michigan on and east of a line beginning at Lake Huron and extending along Interstate Highway 75 to junction Michigan Highway 123, thence along Michigan Highway 123 to Lake Superior, and (b) those points in Indiana on and north of U.S. Highway 30. The purpose of this filing is to eliminate the gateways of those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to junction Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line.

No. MC 106401 (Sub-No. E4) (Correction), filed May 13, 1974, published in the FEDERAL REGISTER February 10, 1975. Ap-

plicant: JOHNSON MOTOR LINES, INC., P.O. Box 10877, Charlotte, N.C. 28234. Applicant's representative: Thomas G. Sloan (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, livestock and commodities injurious or contaminating to other lading), from Corning and New York, N.Y., Hagerstown, Md., Danville, Lynchburg, Roanoke, and Winchester, Va., points in Bergen, Burlington, Cumberland, Essex, Gloucester, Hudson, Mercer, Middlesex, and Passaic Counties, N.J., and points in that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line, thence along U.S. Highway 522 to Selinsgrove, Pa., thence along U.S. Highway 11 to the Pennsylvania-New York State line, and to points in South Carolina west or north of a line consisting of the western and northern boundaries of Horry, Georgetown, Williamsburg, Clarendon, Calhoun, Orangeburg, and Barrow Counties, S.C. (except points on a line beginning at the Georgia-South Carolina State line, thence along U.S. Highway 123 to Greenville, S.C.; points on a line beginning at the Georgia-South Carolina State line, thence along U.S. Highway 29 to Lyman, S.C., thence along Alternate U.S. Highway 29 to the South Carolina-North Carolina State line; points on U.S. Highway 1 between the Georgia-South Carolina State line and the South Carolina-North Carolina State line; points on U.S. Highway 76 between Columbia and Florence, S.C.; and points on a line beginning at Sumter, S.C., thence along U.S. Highway 15 to junction U.S. Highway 52, thence along U.S. Highway 52 to Cheraw, S.C.). Restriction: The authority described above is restricted against the transportation of uncrated store fixtures, uncrated hotel equipment, and uncrated kitchen equipment, from New York, N.Y. The purpose of this filing is to eliminate the gateways of Nicholson, Pa., Newark, N.J., and Charlotte, N.C. The purpose of this correction is to correct the exception, and to include the restriction above.

No. MC 106401 (Sub-No. E6), (Correction), filed May 13, 1974, published in the FEDERAL REGISTER February 10, 1975. Applicant: JOHNSON MOTOR LINES, INC., P.O. Box 10877, Charlotte, N.C. 28234. Applicant's representative: Thomas G. Sloan (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, livestock, and commodities injurious or contaminating to other lading), (2) from Corning, N.Y., and Danville and Lynchburg, Va., to

points in Buncombe, Burke, Caldwell, Catawba, Cleveland, Gaston, Henderson, Lincoln, McDowell, Mecklenburg, Polk, and Rutherford Counties, N.C. (except points on a line beginning at the South Carolina-North Carolina State line, thence along Alternate U.S. Highway 29 to Grover, N.C., thence along U.S. Highway 29 to junction North Carolina Highway 49, thence along North Carolina Highway 49 to the Mecklenburg-Cabarrus County line; and points on a line beginning at the Iredell-Catawba County line, thence along U.S. Highway 70 to junction U.S. Highway 321, thence along U.S. Highway 321 to junction Alternate U.S. Highway 321, thence along Alternate U.S. Highway 321 to Valmead, N.C.). Restriction: The authority described above is restricted against the transportation of uncrated store fixtures, uncrated hotel equipment, and uncrated kitchen equipment, from New York, N.Y. The purpose of this filing is to eliminate the gateways of Nicholson, Pa., Newark, N.J., and Charlotte, N.C. The purpose of this partial correction is to correct the exception and include the restriction above. The remainder of this letter-notice remains as previously published.

No. MC 106401 (Sub-No. E22). (Correction), filed May 13, 1974, published in the FEDERAL REGISTER February 10, 1975. Applicant: JOHNSON MOTOR LINES, INC., P.O. Box 10877, Charlotte, N.C. 28234. Applicant's representative: Thomas G. Sloan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, livestock, and commodities injurious or contaminating to other lading), between Corning and New York, N.Y., Hagerstown, Md., Danville, Lynchburg, Roanoke, and Winchester, Va., points in Bergen, Burlington, Cumberland, Essex, Gloucester, Hudson, Mercer, Middlesex, and Passaic Counties, N.J., and points in that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line, thence along U.S. Highway 522 to junction U.S. Highway 11 to the Pennsylvania-New York State line, on the one hand, and, on the other, points in that part of Georgia and South Carolina on a line beginning at Atlanta, Ga., thence along U.S. Highway 29 to Lyman, S.C., thence along Alternate U.S. Highway 29 to the South Carolina-North Carolina State line; points in that part of Georgia and South Carolina on a line beginning at Lawrenceville, Ga., thence along Georgia Highway 20 to junction U.S. Highway 23.

Thence along U.S. Highway 23 to junction U.S. Highway 123, thence along U.S. Highway 123 to Greenville, S.C.; points in that part of Georgia and South Carolina on a line beginning at Athens, Ga., thence along U.S. Highway 78 to junction U.S. Highway 1, thence along U.S. High-

way 1 to the South Carolina-North Carolina State line; points in that part of South Carolina on a line beginning at Columbia, S.C., thence along U.S. Highway 76 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 52, thence along U.S. Highway 52 to Cheraw, S.C.; points in that part of South Carolina on a line beginning at Sumter, S.C., thence along U.S. Highway 76 to junction U.S. Highway 52, thence along U.S. Highway 52 to Society Hill, S.C. Restriction: the authority described above is restricted against the transportation of uncrated store fixtures, uncrated hotel equipment, and uncrated kitchen equipment, to and from New York, N.Y. The purpose of this filing is to eliminate the gateways of Nicholson, Pa., Newark, N.J., and Pineville, N.C. The purpose of this correction is to correct the exception and to include the restriction above.

No. MC 106920 (Sub-No. E44), filed June 3, 1974. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street, N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities classified as dairy products* under B in the appendix to the report in *Modification of Permits of Motor Contract Carriers of Packerhouse Products*, 48 M.C.C. 628, from points in the Lower Peninsula of Michigan to points in Alabama, Florida, Georgia, those in Kentucky on and east of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 31W to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Ohio-Kentucky State line, those in Tennessee on and east of a line beginning at the Tennessee-Alabama State line and extending along U.S. Highway 43 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Interstate Highway 65, thence along Interstate Highway 65 to the Tennessee-Kentucky State line, and those in Mississippi on and south of a line beginning at the Mississippi-Arkansas State line and extending along U.S. Highway 82 to junction Natchez Trace National Parkway, thence along Natchez Trace National Parkway to junction U.S. Highway 78, thence along U.S. Highway 78 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateways of Darke, Mercer and Auglaize Counties, Ohio.

No. MC 113678 (Sub-No. E28), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats and meat products*, from the facilities of Producers Packing Co., near Garden City, Kans., to those points in Idaho on and west of U.S. Highway 93. Restriction: The authority granted herein is restricted to traffic

originating at the plant site of Producers Packing Company, near Garden City, Kans. The purpose of this filing is to eliminate the gateway of Teec Nos Pos, Ariz.

No. MC 113678 (Sub-No. E31), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Wilson and Co., Inc., at or near Cherokee, Iowa, to points in Oregon; those points in Washington on and west of a line beginning at the United States-Canada International Boundary line and extending along Interstate Highway 5 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 97, thence along U.S. Highway 97 to the Washington-Oregon State line; and to points in Idaho in and south of Adams, Valley, and Lemhi Counties, Idaho; (2) *Pickles*, from the origin described in (1) above, to points in Arizona and Utah. Restriction: The authority granted in (1) and (2) above, is restricted to the transportation of traffic originating at the plant site and storage facilities utilized by Wilson and Co., Inc., at or near Cherokee, Iowa. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 113678 (Sub-No. E32), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned pickles*, from New Freedom, Pa., to points in Arizona, Utah, and those points in Nebraska on and west of U.S. Highway 385 (Denver, Colo.); (2) *Canned goods* (except meats, cream and cream substitutes), from New Freedom, Pa., to points in Oregon, and those points in Washington on and west of a line beginning at the United States-Canada International Boundary line and extending along Washington Highway 9 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 97, thence along U.S. Highway 97 to the Washington-Oregon State line (Alturas, Calif.). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E34), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned pickles*, from points in Washington, Hancock, and Knox Counties, Maine, to points in Arizona, Utah, and those points in Nebraska on and west of U.S. High-

way 345 (Denver, Colo.)^{*}; (2) *Canned goods* (except meats, cream and cream substitutes), from points in Washington, Hancock, and Knox Counties, Maine, to points in Oregon, and those points in Washington on and west of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 97 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 395, thence along U.S. Highway 395 to the Washington-Oregon State line (Alturas, Calif.)^{*}. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E98), filed May 17, 1974. Applicant: CURTIS INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(A) *Frozen foods*; (1) from points in California to points in Wyoming and South Dakota (Stone, Idaho)^{*}; (2) from points in California (except those south and east of Interstate Highway 15 and U.S. Highway 395), to points in Nebraska (Stone, Idaho)^{*}; and (3) from those points in California on and north of Interstate Highway 80, to points in Colorado (Stone, Idaho)^{*}.

(B) *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766; (1) from points in California, to points in Maine, Michigan, New Hampshire, and Vermont (Stone, Idaho, and Rapid City, S. Dak.)^{*}; (2) from points in California on and north of a line from the Pacific Ocean, extending along California Highway G-16 to junction California Highway 101, thence along California Highway 101 to junction California Highway 198, thence along California Highway 198 to junction California Highway 33, thence along California Highway 33 to junction California Highway 180, thence along California Highway 180 to junction California Highway 145, thence along California Highway 145 to the California-Nevada State line, to points in Florida (Stone, Idaho, and Denver, Colo.)^{*}; and (3) from those points in California on, north, and west of U.S. Highway 395 to points in Ohio (Stone, Idaho, and Rapid City, S. Dak.)^{*}.

(B) *Frozen meats, frozen meat products, and frozen meat by-products, and frozen articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766; (1) from points in California, (a) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Stone, Idaho, and Lexington, Nebr.)^{*}, (b) to Chicago, Ill. (Stone, Idaho, and Omaha, Nebr.)^{*}, (c) to points in Wisconsin, Minnesota, and

points in Iowa on and west of U.S. Highway 169 (except Sioux City) (Stone, Idaho, and Greeley, Colo.)^{*}, and (d) to points in West Virginia, points in Iowa east of U.S. Highway 169, Sioux City, Iowa, and Chicago, Ill. (Stone, Idaho, and Denver, Colo.)^{*}; (2) from those points in California on and north of a line beginning at the Pacific Ocean and extending along California Highway G-16 to junction California Highway 101, thence along California Highway 101 to junction California Highway 198, thence along California Highway 198 to junction California Highway 33, thence along California Highway 33 to junction California Highway 180, thence along California Highway 180 to junction California Highway 145, thence along California Highway 145 to junction California Highway 168, thence along California Highway 168 to the California-Nevada State line, (a) to points in Alabama and South Carolina (Stone, Idaho, and Denver, Colo.)^{*}, and (b) to points in Kansas (Stone, Idaho, and Greeley, Colo.)^{*}; (3) from those points in California on, north, and west of U.S. Highway 395, (a) to points in Tennessee, those points in Kentucky on and east of U.S. Highway 231, and points in Illinois (except Chicago and points south of Illinois Highway 15)^{*}, and (b) to those points in Missouri on and north of U.S. Highway 36 (Stone, Idaho, and Greeley, Colo.)^{*}; (4) from those points in California on and north of Interstate Highway 80, to those points in Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 287 to junction Interstate Highway 45.

Thence along Interstate Highway 45 to the Gulf of Mexico (Stone, Idaho, and Greeley, Colo.)^{*}; (5) from those points in California on and north of a line beginning at the California-Nevada State line, and extending along U.S. Highway 6 to junction California Highway 120, thence along California Highway 120 to junction Interstate Highway 205, thence along Interstate Highway 205 to junction Interstate Highway 580, thence along Interstate Highway 580 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Pacific Ocean, to points in Louisiana, Arkansas, Mississippi, and those points in Georgia on and east of Interstate Highway 75 (Stone, Idaho, and Denver, Colo.)^{*}; and (6) from those points in California on and northwest of U.S. Highway 395, to points in North Carolina (Stone, Idaho, and Denver, Colo.)^{*}.

(C) *Frozen potato products and frozen corned beef hash*, from points in California to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Stone, Idaho, and Hastings, Nebr.)^{*}.

(D) *Frozen butter and cheese*, from points in California, to points in Massachusetts, Rhode Island, Connecticut, New Jersey, New York, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Stone, Idaho, and Norfolk, Nebr.)^{*}.

(E) *Frozen fish*, (1) from points in California to Baltimore, Md., and New York, N.Y. (Stone, Idaho, and Denver, Colo.)^{*}; and (2) from those points in California on, north, and west of U.S. Highway 395 to St. Louis, Mo. (Stone, Idaho, and Denver, Colo.)^{*}.

(F) *Frozen dairy products, frozen bakery products, frozen fruits, frozen vegetables, frozen berries, frozen french fries, frozen pizza pies, and pizza pie ingredients*, from those points in California on and north of Interstate Highway 80, to those points in Oklahoma on and east of U.S. Highway 281, and to those points in Texas on and east of a line beginning at the Texas-Oklahoma State line, and extending along U.S. Highway 45 to the Gulf of Mexico (Stone, Idaho, and Denver, Colo.)^{*}.

(G) *Canned goods* (except meats, cream and cream substitutes), from those points in California on and northwest of a line beginning at the California-Oregon State line and extending along U.S. Highway 395 to junction California Highway 299, thence along California Highway 299 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Interstate Highway 80, thence along Interstate Highway 80 to San Francisco, Calif., to points in Ohio (Portland, Ore.)^{*}.

(H) *Frozen foods*, when moving in the same vehicle with frozen meat, frozen meat products, and frozen meat by-products, (1) from those points in California to those points in Iowa east of U.S. Highway 169, and to Sioux City, Iowa (Stone, Idaho, and Denver, Colo.)^{*}; and (2) from those points in California on, north, and west of U.S. Highway 295 to points in Illinois (except Chicago and points south of Illinois Highway 15) (Stone, Idaho, and Denver, Colo.)^{*}. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E101), filed May 17, 1974. Applicant: CURTIS INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from Lake City and Erie, Pa., and Mt. Morris, N.Y. (1) to those points in Oklahoma on and northwest of U.S. Highway 56; points in El Paso, Hudspeth, and Culberson Counties, Tex.; and points in New Mexico (except those in Union, Quay, Curry, Roosevelt, Lea, Eddy, Chaves, De Baca, and Harding Counties), (Denver, Colo.)^{*}; and (2) to points in Oregon, Washington, Idaho, and Montana (points in Hall County, Nebr.)^{*}. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 114019 (Sub-No. E327), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Asbestos scrap, asphalt, automobile, body panels, asphalt flooring blocks, fibreboard and pulpboard (impregnated with asphalt), asbestos wall boards, bituminized burlap, tin roofing caps, carpet lining, cement (in packages), metal clamps, metal clips, cotton cloth (saturated with asbestos), roof coating (with asbestos, pitch tar, or rosin base), conduits, creosote (in packages), eave filler strips, roofing felt, asphalt composition flashing blocks, asbestos or felt paper insulating material, asbestos millboard, mineral wool, high temperature bonding mortar or cement (in packages), nails, asbestos packing, asphaltum, coal tar, asbestos, and coal tar paint, roofing paper, paving joints, cement pipe containing asbestos fiber, roofing pitch, asphalt paving planks, asbestos ridge rolls, roofing, asbestos sheathing, shingles, sheathings, shorts, asbestos and asphalt siding, concrete slabs, tin straps, roofing tar, asphalt floor tile, and wood preservatives*, restricted against the transportation of the above-named commodities, in bulk, from Joliet, Ill., to points in New York, and those in New Jersey within 20 miles of New York, N.Y., and Philadelphia, Pa.

The purpose of this filing is to eliminate the gateway of Gary, Ind.

No. MC 117344 (Sub-No. E4), filed May 17, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum chemicals*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Michigan on, east, and north of a line beginning at the Michigan-Ohio State line and extending along U.S. Highway 127 to Clare, thence along U.S. Highway 10 to Ludington. The purpose of this filing is to eliminate the gateway of Delaware County, Ohio.

No. MC 117344 (Sub-No. E36), filed May 22, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stiverson, 50 W. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paints, resins, and varnishes*, in bulk, in tank vehicles, from Dayton, Ohio, to Kansas City, Kans.,

and to points in Iowa, Minnesota, Missouri, Tennessee, and Wisconsin, and *synthetic liquid resins*, in bulk, in tank vehicles, from Dayton, Ohio, to points in Arkansas. The purpose of this filing is to eliminate the gateway of Covington, Ky.

No. MC 117344 (Sub-No. E65), filed May 21, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* which are chemicals, from points in Kentucky within 100 miles of Cincinnati, Ohio, to points in Michigan (except Grand Rapids, Kalamazoo, and the port of entry at or near Port Huron, Mich.). The purpose of this filing is to eliminate the gateways of Cincinnati, Ohio, and the plant site of the American Agriculture Chemical Co., near Cairo, Ohio.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-7336 Filed 3-19-75; 8:45 am]