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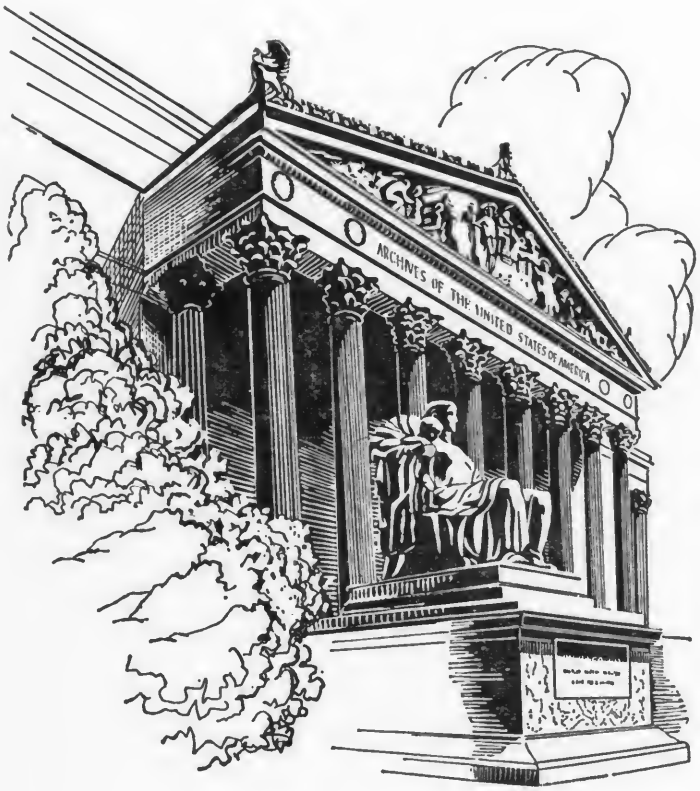

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

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Title 3—THE PRESIDENT

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INSPECTION OF INCOME, ESTATE, AND GIFT TAX RETURNS BY THE SENATE COMMITTEE ON RULES AND ADMINISTRATION

By virtue of the authority vested in me by section 6103(a) of the Internal Revenue Code of 1954 (68A Stat. 753; 26 U.S.C. 6103(a)), it is hereby ordered that any income, estate, or gift tax return for the years 1956 to 1965, inclusive, shall, during the Eighty-ninth Congress, be open to inspection by the Senate Committee on Rules and Administration or any duly authorized subcommittee thereof, in connection with its study and investigation of (1) any financial or business interests or activities and any other interests or activities of any officer or employee or former officer or employee of the Senate and (2) the interests or activities of members or former members of the Senate, pursuant to Senate Resolution 212, 88th Congress, agreed to October 10, 1963, and Senate Resolution 367, agreed to September 10, 1964. Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 6132, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955.

This order shall be effective upon its filing for publication in the FEDERAL REGISTER.

LYNDON B. JOHNSON

THE WHITE HOUSE,
January 13, 1965.

[F.R. Doc. 65-549; Filed, Jan. 14, 1965; 12:20 p.m.]

Rules and Regulations

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Order 292, Docket No. R-269]

PART 4—LICENSES, PERMITS, AND DETERMINATION OF PROJECT COSTS

Hydroelectric Licenses; Applications; Recreation Plan Exhibits

JANUARY 8, 1965.

Since June 1, 1963,[1] the Commission has required applications for major licenses under Part I of the Federal Power Act to be accompanied by a recreation plan. This order effects a clarification of the requirement by specifying with more particularity the information which these exhibits should contain. The present rule, set out in § 4.41 of the regulations under the Federal Power Act (18 CFR 4.41) provides:

Exhibit R. A proposed plan for full public utilization of project waters and adjacent project lands for recreational purposes so far as consistent with proper operation of the project for the development of water power and other public purposes. For projects where lands of the United States will be affected, the proposed plan shall be prepared after consultation with the agency having supervision over those lands. On other lands, the plan shall be prepared after consultation with appropriate State and local agencies. The plan shall show the location of the project lands and waters proposed by the applicant for camping, picnicking, bathing, boating, fishing, hunting and similar recreational activities. It shall include provisions for sanitary facilities, boat-launching ramps and access roads and trails. The applicant shall indicate the facilities it proposes to provide at its own cost consistent with the economics of the project and the potential recreational opportunities.

The purpose of the retirement is to enable the Commission to determine whether the recreational potential of the national resources to be devoted to licensed projects will be adequately developed, consistent with power development and other public purposes, in compliance with the directive in section 10(a) of the Federal Power Act. To be adequate for its purpose, the Exhibit R should include:

(1) A map of the project area; (2) a statement of the extent of consultation and cooperation with appropriate Federal, State, and local recreation authorities; (3) notations on the map of the location and nature of the present and planned facilities and which of these are to be supplied by the licensee; and, (4) estimates of public recreational utilization of the project.

[1] Order No. 260-A, Docket No. R-223, 29 FPC 777, 28 F.R. 4092.

The experience of the Commission indicates that under the present text of the rule, applicants are uncertain as to the nature of the requirement. Of the 64 Exhibit R filings received to date, only 35 at most could be considered acceptable. Though some have included maps, many have not, probably as a result of the absence of the word "map" in the present rule. In addition, many of the exhibits filed gave no indication of the extent of consultation and cooperation with appropriate government agencies, which is clearly directed by the present rule.

Our conclusion that a clarification of the requirement will bring about the submission of acceptable Exhibit R's is supported by the fact that those applicants who have been advised by letter that their original Exhibit R's were not acceptable have cooperated fully in furnishing to us the additional material needed to complete their filings.

The Commission further finds:

(1) This clarification of an existing rule which was adopted in compliance with the requirements of section 4 of the Administrative Procedure Act in a rulemaking proceeding (Docket No. R-223) after notice and the opportunity to submit written comments, which were received and considered by the Commission, does not require further prior notice to be consistent and in compliance with that act.

(2) In view of the foregoing, it is necessary and appropriate for the purposes of the Federal Power Act that Exhibit R be clarified as set forth below.

The Commission, acting pursuant to the Federal Power Act, as amended, particularly sections 4, 9, 10, and 309 thereof (41 Stat. 1065, 1068; 49 Stat. 858; 16 U.S.C. 797, 802, 803, 825h), orders:

(A) The text following the first sentence of Exhibit R, § 4.41, Subchapter B, Chapter I, Title 18 of the Code of Federal Regulations is amended as set out below. As so amended, the paragraph will read:

§ 4.41 Required exhibits.

* * * * *

Exhibit R. A proposed plan for full public utilization of project waters and adjacent lands for recreational purposes so far as consistent with proper operation of the project for the development of water power and other public purposes. The exhibit shall include:

(1) A map or maps on an appropriate scale, one of which covers the entire project area, clearly delineating by use of symbols, shading, cross-hatchings, etc.:

(a) The location of project lands and waters (i) already developed, (ii) designated for initial development, and (iii) those ultimately planned for recreational use.

(b) The location, type, and number of the various recreational facilities in existence and those planned for immediate development, i.e., access roads and trails, and facilities for camping, picknicking, bathing, boating and boat launching, fishing, hunting, and similar recreational activities, as well as provisions for sanitation and waste disposal.

(c) The location, type, and number of the various recreational facilities planned for future development according to anticipated demand. (These plans may be revised during the license period subject to approval by the Commission.)

(2) On the map, or on separate sheets to be filed as part of the exhibit, the following information:

(a) Which of the facilities shown are to be provided by the applicant or licensee at its sole cost, or in cooperation with others, consistent with the economics of the project and the potential recreational opportunities.

(b) Estimated present or initial recreational use and projected ultimate recreational use, in daytime or overnight visits. (These figures will be used in the economic analysis of the project.)

(c) The nature and extent of consultation and cooperation with Federal agencies having supervision over lands of the United States affected by the project and with appropriate State and local agencies. Copies of cooperative agreements entered into with such agencies shall be included as part of the Exhibit R.

(3) Except to the extent and in such particulars as the requirements may be expressly waived or modified by the Commission, Exhibit R maps are to be filed in conformity with the specifications for drawings contained in § 4.42.

(B) The amendment herein ordered shall be effective upon issuance of this order.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 65-451; Filed, Jan. 14, 1965; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6792]

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

Minimum Standard Deduction

On November 24, 1964, notice of proposed rule making with respect to the amendments of the Income Tax Regulations (26 CFR Part 1) under section 141 and various other sections of the Internal Revenue Code of 1954 to conform the regulations to changes made by sections 112 (a), (b) and (c), 232(f) (1), and 301(b) of the Revenue Act of 1964 (78 Stat. 23, 24, 111, 140), and to reflect in § 1.3 statutory provisions; optional tax if adjusted gross income is less than $5,000 regulations thereunder to be issued later), the amendment made

by section 301(a) of such Act (78 Stat. 129) was published in the FEDERAL REGISTER (29 F.R. 15763). No objection to the rules proposed having been received during the 30-day period prescribed in the notice, the regulations as proposed are hereby adopted.

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

Approved: January 12, 1965.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 141 and certain other related sections of the Internal Revenue Code of 1954 to sections 112 (a), (b), and (c), 232(f)(1), and 301(b) of the Revenue Act of 1964 (78 Stat. 23, 24, 111, 140), and to reflect in § 1.3 statutory provisions; optional tax if adjusted gross income is less than $5,000 (regulations thereunder to be issued later), the amendment made by section 301(a) of such Act (78 Stat. 129), such regulations are amended as follows:

PARAGRAPH 1. Section 1.2 is amended by revising section 2(a) and by adding a historical note. The amended and added provisions read as follows:

§ 1.2 Statutory provisions; tax in case of joint return or return of surviving spouse.

SEC. 2. *Tax in case of joint return or return of surviving spouse*—(a) *Rate of tax.* In the case of a joint return of a husband and wife under section 6013, the tax imposed by section 1 shall be twice the tax which would be imposed if the taxable income were cut in half. For purposes of this subsection, section 3, and section 141, a return of a surviving spouse (as defined in subsection (b)) shall be treated as a joint return of a husband and wife under section 6013.

* * * * *

[Sec. 2 as amended by sec. 112(b), Rev. Act 1964 (78 Stat. 24)]

PAR. 2. Section 1.2–2 is amended by revising paragraph (a) to read as follows:

§ 1.2–2 Definition of surviving spouse.

(a) If a taxpayer is eligible to file a joint return (either under the Internal Revenue Code of 1939 without regard to section 51(b)(4) thereof or under the Internal Revenue Code of 1954 without regard to section 6013(a)(3) thereof) for the taxable year in which his spouse dies, his return for each of the next two taxable years following the year of the death of the spouse shall be treated as a joint return for purposes of sections 2(a), 3, and 141 if all three of the following requirements are satisfied:

(1) He has not remarried before the close of the taxable year the return for which is sought to be treated as a joint return, and

(2) He maintains as his home a household which constitutes for the taxable year the principal place of abode as a member of such household of a person who is (whether by blood or adoption) a son, stepson, daughter, or stepdaughter of the taxpayer, and

(3) He is entitled for the taxable year to a deduction under section 151 (relating to deductions for dependents) with respect to such son, stepson, daughter, or stepdaughter.

A return of a surviving spouse may not be treated as a joint return unless it is for a taxable year beginning after December 31, 1953, and ending after August 16, 1954.

* * * * *

PAR. 3. Section 1.3 is amended by revising section 3 and adding a historical note. The amended and added provisions read as follows:

§ 1.3 Statutory provisions; optional tax if adjusted gross income is less than $5,000.

SEC. 3. *Optional tax if adjusted gross income is less than $5,000*—(a) *Taxable years beginning in 1964.* In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning on or after January 1, 1964, and before January 1, 1965, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 and who has elected for such year to pay the tax imposed by this section, a tax as follows:

TABLE I—SINGLE PERSON—NOT HEAD OF HOUSEHOLD

Taxable Years Beginning in 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—						
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7 or more
		The tax is—						The tax is—						
$0	$900	$0	$0	$0	$0	$2,450	$2,475	$261	$140	$26	$0	$0	$0	$0
900	925	2	0	0	0	2,475	2,500	266	144	30	0	0	0	0
925	950	6	0	0	0	2,500	2,525	270	148	34	0	0	0	0
950	975	10	0	0	0	2,525	2,550	275	152	38	0	0	0	0
975	1,000	14	0	0	0	2,550	2,575	279	156	42	0	0	0	0
1,000	1,025	18	0	0	0	2,575	2,600	284	160	46	0	0	0	0
1,025	1,050	22	0	0	0	2,600	2,625	288	165	50	0	0	0	0
1,050	1,075	26	0	0	0	2,625	2,650	293	169	54	0	0	0	0
1,075	1,100	30	0	0	0	2,650	2,675	297	173	58	0	0	0	0
1,100	1,125	34	0	0	0	2,675	2,700	302	178	62	0	0	0	0
1,125	1,150	38	0	0	0	2,700	2,725	306	182	66	0	0	0	0
1,150	1,175	42	0	0	0	2,725	2,750	311	187	70	0	0	0	0
1,175	1,200	46	0	0	0	2,750	2,775	315	191	74	0	0	0	0
1,200	1,225	50	0	0	0	2,775	2,800	320	195	78	0	0	0	0
1,225	1,250	54	0	0	0	2,800	2,825	324	200	82	0	0	0	0
1,250	1,275	58	0	0	0	2,825	2,850	329	204	86	0	0	0	0
1,275	1,300	62	0	0	0	2,850	2,875	333	208	90	0	0	0	0
1,300	1,325	66	0	0	0	2,875	2,900	338	213	94	0	0	0	0
1,325	1,350	70	0	0	0	2,900	2,925	343	217	99	0	0	0	0
1,350	1,375	74	0	0	0	2,925	2,950	348	222	103	0	0	0	0
1,375	1,400	78	0	0	0	2,950	2,975	353	226	107	0	0	0	0
1,400	1,425	82	0	0	0	2,975	3,000	358	230	111	0	0	0	0
1,425	1,450	86	0	0	0	3,000	3,050	365	237	117	4	0	0	0
1,450	1,475	90	0	0	0	3,050	3,100	374	246	125	12	0	0	0
1,475	1,500	94	0	0	0	3,100	3,150	383	255	134	20	0	0	0
1,500	1,525	99	0	0	0	3,150	3,200	392	264	142	28	0	0	0
1,525	1,550	103	0	0	0	3,200	3,250	401	273	150	36	0	0	0
1,550	1,575	107	0	0	0	3,250	3,300	410	282	158	44	0	0	0
1,575	1,600	111	0	0	0	3,300	3,350	419	291	167	52	0	0	0
1,600	1,625	115	2	0	0	3,350	3,400	428	300	176	60	0	0	0
1,625	1,650	119	6	0	0	3,400	3,450	437	309	184	68	0	0	0
1,650	1,675	123	10	0	0	3,450	3,500	446	318	193	76	0	0	0
1,675	1,700	127	14	0	0	3,500	3,550	455	327	202	84	0	0	0
1,700	1,725	132	18	0	0	3,550	3,600	464	336	211	92	0	0	0
1,725	1,750	136	22	0	0	3,600	3,650	473	345	219	101	0	0	0
1,750	1,775	140	26	0	0	3,650	3,700	482	355	228	109	0	0	0
1,775	1,800	144	30	0	0	3,700	3,750	491	365	237	117	4	0	0
1,800	1,825	148	34	0	0	3,750	3,800	500	375	246	125	12	0	0
1,825	1,850	152	38	0	0	3,800	3,850	509	385	255	134	20	0	0
1,850	1,875	156	42	0	0	3,850	3,900	518	395	264	142	28	0	0
1,875	1,900	160	46	0	0	3,900	3,950	527	405	273	150	36	0	0
1,900	1,925	165	50	0	0	3,950	4,000	536	415	282	158	44	0	0
1,925	1,950	169	54	0	0	4,000	4,050	545	425	291	167	52	0	0
1,950	1,975	173	58	0	0	4,050	4,100	554	434	300	176	60	0	0
1,975	2,000	178	62	0	0	4,100	4,150	563	443	309	184	68	0	0
2,000	2,025	182	66	0	0	4,150	4,200	572	452	318	193	76	0	0
2,025	2,050	187	70	0	0	4,200	4,250	581	461	327	202	84	0	0
2,050	2,075	191	74	0	0	4,250	4,300	590	470	336	211	92	0	0
2,075	2,100	195	78	0	0	4,300	4,350	599	479	345	219	101	0	0
2,100	2,125	200	82	0	0	4,350	4,400	608	488	355	228	109	0	0
2,125	2,150	204	86	0	0	4,400	4,450	617	497	365	237	117	4	0
2,150	2,175	208	90	0	0	4,450	4,500	626	506	375	246	125	12	0
2,175	2,200	213	94	0	0	4,500	4,550	635	515	385	255	134	20	0
2,200	2,225	217	99	0	0	4,550	4,600	644	524	395	264	142	28	0
2,225	2,250	222	103	0	0	4,600	4,650	653	533	405	273	150	36	0
2,250	2,275	226	107	0	0	4,650	4,700	662	542	415	282	158	44	0
2,275	2,300	230	111	0	0	4,700	4,750	671	551	425	291	167	52	0
2,300	2,325	235	115	2	0	4,750	4,800	680	560	435	300	176	60	0
2,325	2,350	239	119	6	0	4,800	4,850	689	569	445	309	184	68	0
2,350	2,375	243	123	10	0	4,850	4,900	698	578	455	318	193	76	0
2,375	2,400	248	127	14	0	4,900	4,950	707	587	465	327	202	84	0
2,400	2,425	252	132	18	0	4,950	5,000	716	596	475	336	211	92	0
2,425	2,450	257	136	22	0									

TABLE II—HEAD OF HOUSEHOLD

Taxable Years Beginning in 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—						
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7 or more
		The tax is—						The tax is—						
$0	$900	$0	$0	$0	$0	$2,450	$2,475	$258	$138	$26	$0	$0	$0	$0
900	925	2	0	0	0	2,475	2,500	263	142	30	0	0	0	0
925	950	6	0	0	0	2,500	2,525	267	146	34	0	0	0	0
950	975	10	0	0	0	2,525	2,550	272	150	38	0	0	0	0
975	1,000	14	0	0	0	2,550	2,575	276	154	42	0	0	0	0
1,000	1,025	18	0	0	0	2,575	2,600	280	158	46	0	0	0	0
1,025	1,050	22	0	0	0	2,600	2,625	285	162	50	0	0	0	0
1,050	1,075	26	0	0	0	2,625	2,650	289	167	54	0	0	0	0
1,075	1,100	30	0	0	0	2,650	2,675	293	171	58	0	0	0	0
1,100	1,125	34	0	0	0	2,675	2,700	298	175	62	0	0	0	0
1,125	1,150	38	0	0	0	2,700	2,725	302	180	66	0	0	0	0
1,150	1,175	42	0	0	0	2,725	2,750	307	184	70	0	0	0	0
1,175	1,200	46	0	0	0	2,750	2,775	311	188	74	0	0	0	0
1,200	1,225	50	0	0	0	2,775	2,800	315	193	78	0	0	0	0
1,225	1,250	54	0	0	0	2,800	2,825	320	197	82	0	0	0	0
1,250	1,275	58	0	0	0	2,825	2,850	324	202	86	0	0	0	0
1,275	1,300	62	0	0	0	2,850	2,875	328	206	90	0	0	0	0
1,300	1,325	66	0	0	0	2,875	2,900	333	210	94	0	0	0	0
1,325	1,350	70	0	0	0	2,900	2,925	337	215	98	0	0	0	0
1,350	1,375	74	0	0	0	2,925	2,950	342	219	102	0	0	0	0
1,375	1,400	78	0	0	0	2,950	2,975	347	223	106	0	0	0	0
1,400	1,425	82	0	0	0	2,975	3,000	352	228	110	0	0	0	0
1,425	1,450	86	0	0	0	3,000	3,050	358	234	116	4	0	0	0
1,450	1,475	90	0	0	0	3,050	3,100	367	243	124	12	0	0	0
1,475	1,500	94	0	0	0	3,100	3,150	375	252	132	20	0	0	0
1,500	1,525	98	0	0	0	3,150	3,200	384	261	140	28	0	0	0
1,525	1,550	102	0	0	0	3,200	3,250	392	269	148	36	0	0	0
1,550	1,575	106	0	0	0	3,250	3,300	401	278	156	44	0	0	0
1,575	1,600	110	0	0	0	3,300	3,350	410	287	164	52	0	0	0
1,600	1,625	114	2	0	0	3,350	3,400	418	296	173	60	0	0	0
1,625	1,650	118	6	0	0	3,400	3,450	427	304	182	68	0	0	0
1,650	1,675	122	10	0	0	3,450	3,500	435	313	191	76	0	0	0
1,675	1,700	126	14	0	0	3,500	3,550	444	322	199	84	0	0	0
1,700	1,725	130	18	0	0	3,550	3,600	452	331	208	92	0	0	0
1,725	1,750	134	22	0	0	3,600	3,650	461	340	217	100	0	0	0
1,750	1,775	138	26	0	0	3,650	3,700	469	349	226	108	0	0	0
1,775	1,800	142	30	0	0	3,700	3,750	478	359	234	116	4	0	0
1,800	1,825	146	34	0	0	3,750	3,800	487	368	243	124	12	0	0
1,825	1,850	150	38	0	0	3,800	3,850	495	378	252	132	20	0	0
1,850	1,875	154	42	0	0	3,850	3,900	504	387	261	140	28	0	0
1,875	1,900	158	46	0	0	3,900	3,950	512	395	269	148	36	0	0
1,900	1,925	162	50	0	0	3,950	4,000	521	406	278	156	44	0	0
1,925	1,950	167	54	0	0	4,000	4,050	529	415	287	164	52	0	0
1,950	1,975	171	58	0	0	4,050	4,100	538	424	296	173	60	0	0
1,975	2,000	175	62	0	0	4,100	4,150	546	432	304	182	68	0	0
2,000	2,025	180	66	0	0	4,150	4,200	555	441	313	191	76	0	0
2,025	2,050	184	70	0	0	4,200	4,250	563	449	322	199	84	0	0
2,050	2,075	188	74	0	0	4,250	4,300	572	458	331	208	92	0	0
2,075	2,100	193	78	0	0	4,300	4,350	581	467	340	217	100	0	0
2,100	2,125	197	82	0	0	4,350	4,400	589	475	349	226	108	0	0
2,125	2,150	202	86	0	0	4,400	4,450	598	484	359	234	116	4	0
2,150	2,175	206	90	0	0	4,450	4,500	606	492	368	243	124	12	0
2,175	2,200	210	94	0	0	4,500	4,550	615	501	378	252	132	20	0
2,200	2,225	215	98	0	0	4,550	4,600	623	509	387	261	140	28	0
2,225	2,250	219	102	0	0	4,600	4,650	632	518	397	269	148	36	0
2,250	2,275	223	106	0	0	4,650	4,700	640	526	406	278	158	44	0
2,275	2,300	228	110	0	0	4,700	4,750	649	535	416	287	164	52	0
2,300	2,325	232	114	2	0	4,750	4,800	658	544	425	296	173	60	0
2,325	2,350	237	118	6	0	4,800	4,850	666	552	435	304	182	68	0
2,350	2,375	241	122	10	0	4,850	4,900	675	561	444	313	191	76	0
2,375	2,400	245	126	14	0	4,900	4,950	683	569	454	322	199	84	0
2,400	2,425	250	130	18	0	4,950	5,000	692	578	463	331	208	92	0
2,425	2,450	254	134	22	0									

TABLE III—MARRIED PERSONS FILING JOINT RETURNS

Taxable Years Beginning in 1964

If adjusted gross income is—		And the number of exemptions is—			If adjusted gross income is—		And the number of exemptions is—					
At least	But less than	2	3	4 or more	At least	But less than	2	3	4	5	6	7 or more
		The tax is—					The tax is—					
$0	$1,600	$0	$0	$0	$2,800	$2,825	$195	$82	$0	$0	$0	$0
1,600	1,625	2	0	0	2,825	2,850	199	86	0	0	0	0
1,625	1,650	6	0	0	2,850	2,875	203	90	0	0	0	0
1,650	1,675	10	0	0	2,875	2,900	207	94	0	0	0	0
1,675	1,700	14	0	0	2,900	2,925	212	98	0	0	0	0
1,700	1,725	18	0	0	2,925	2,950	216	102	0	0	0	0
1,725	1,750	22	0	0	2,950	2,975	220	106	0	0	0	0
1,750	1,775	26	0	0	2,975	3,000	224	110	0	0	0	0
1,775	1,800	30	0	0	3,000	3,050	230	116	4	0	0	0
1,800	1,825	34	0	0	3,050	3,100	238	124	12	0	0	0
1,825	1,850	38	0	0	3,100	3,150	247	132	20	0	0	0
1,850	1,875	42	0	0	3,150	3,200	255	140	28	0	0	0
1,875	1,900	46	0	0	3,200	3,250	263	148	36	0	0	0
1,900	1,925	50	0	0	3,250	3,300	271	156	44	0	0	0
1,925	1,950	54	0	0	3,300	3,350	280	164	52	0	0	0
1,950	1,975	58	0	0	3,350	3,400	288	172	60	0	0	0
1,975	2,000	62	0	0	3,400	3,450	296	181	68	0	0	0
2,000	2,025	66	0	0	3,450	3,500	304	189	76	0	0	0
2,025	2,050	70	0	0	3,500	3,550	313	197	84	0	0	0
2,050	2,075	74	0	0	3,550	3,600	321	205	92	0	0	0
2,075	2,100	78	0	0	3,600	3,650	329	214	100	0	0	0
2,100	2,125	82	0	0	3,650	3,700	338	222	108	0	0	0
2,125	2,150	86	0	0	3,700	3,750	347	230	116	4	0	0
2,150	2,175	90	0	0	3,750	3,800	356	238	124	12	0	0
2,175	2,200	94	0	0	3,800	3,850	364	247	132	20	0	0
2,200	2,225	98	0	0	3,850	3,900	373	255	140	28	0	0
2,225	2,250	102	0	0	3,900	3,950	382	263	148	36	0	0
2,250	2,275	106	0	0	3,950	4,000	391	271	156	44	0	0
2,275	2,300	110	0	0	4,000	4,050	399	280	164	52	0	0
2,300	2,325	114	2	0	4,050	4,100	407	288	172	60	0	0
2,325	2,350	118	6	0	4,100	4,150	415	296	181	68	0	0
2,350	2,375	122	10	0	4,150	4,200	423	304	189	76	0	0
2,375	2,400	126	14	0	4,200	4,250	430	313	197	84	0	0
2,400	2,425	130	18	0	4,250	4,300	438	321	205	92	0	0
2,425	2,450	134	22	0	4,300	4,350	446	329	214	100	0	0
2,450	2,475	138	26	0	4,350	4,400	454	338	222	108	0	0
2,475	2,500	142	30	0	4,400	4,450	462	347	230	116	4	0
2,500	2,525	146	34	0	4,450	4,500	470	356	238	124	12	0
2,525	2,550	150	38	0	4,500	4,550	478	364	247	132	20	0
2,550	2,575	154	42	0	4,550	4,600	486	373	255	140	28	0
2,575	2,600	158	46	0	4,600	4,650	493	382	263	148	36	0
2,600	2,625	162	50	0	4,650	4,700	501	391	271	156	44	0
2,625	2,650	166	54	0	4,700	4,750	509	399	280	164	52	0
2,650	2,675	170	58	0	4,750	4,800	518	408	288	172	60	0
2,675	2,700	174	62	0	4,800	4,850	526	417	296	181	68	0
2,700	2,725	179	66	0	4,850	4,900	534	426	304	189	76	0
2,725	2,750	183	70	0	4,900	4,950	542	434	313	197	84	0
2,750	2,775	187	74	0	4,950	5,000	550	443	321	205	92	0
2,775	2,800	191	78	0								

TABLE IV—MARRIED PERSONS FILING SEPARATE RETURNS

10 PERCENT STANDARD DEDUCTION

Taxable Years Beginning in 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—							
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7	8 or more
		The tax is—						The tax is—							
$0	$675	$0	$0	$0	$0	$2,325	$2,350	$251	$147	$49	$0	$0	$0	$0	$0
675	700	3	0	0	0	2,350	2,375	255	150	52	0	0	0	0	0
700	725	7	0	0	0	2,375	2,400	259	154	56	0	0	0	0	0
725	750	10	0	0	0	2,400	2,425	263	158	59	0	0	0	0	0
750	775	14	0	0	0	2,425	2,450	267	161	63	0	0	0	0	0
775	800	17	0	0	0	2,450	2,475	271	165	67	0	0	0	0	0
800	825	21	0	0	0	2,475	2,500	275	169	70	0	0	0	0	0
825	850	25	0	0	0	2,500	2,525	279	173	74	0	0	0	0	0
850	875	28	0	0	0	2,525	2,550	283	177	77	0	0	0	0	0
875	900	32	0	0	0	2,550	2,575	287	181	81	0	0	0	0	0
900	925	35	0	0	0	2,575	2,600	291	185	85	0	0	0	0	0
925	950	39	0	0	0	2,600	2,625	295	189	88	0	0	0	0	0
950	975	43	0	0	0	2,625	2,650	299	193	92	0	0	0	0	0
975	1,000	46	0	0	0	2,650	2,675	303	197	96	0	0	0	0	0
1,000	1,025	50	0	0	0	2,675	2,700	307	201	100	3	0	0	0	0
1,025	1,050	53	0	0	0	2,700	2,725	311	205	103	7	0	0	0	0
1,050	1,075	57	0	0	0	2,725	2,750	315	209	107	10	0	0	0	0
1,075	1,100	61	0	0	0	2,750	2,775	320	213	111	14	0	0	0	0
1,100	1,125	64	0	0	0	2,775	2,800	324	217	114	17	0	0	0	0
1,125	1,150	68	0	0	0	2,800	2,825	328	220	118	21	0	0	0	0
1,150	1,175	71	0	0	0	2,825	2,850	332	224	122	25	0	0	0	0
1,175	1,200	75	0	0	0	2,850	2,875	336	228	126	28	0	0	0	0
1,200	1,225	79	0	0	0	2,875	2,900	340	232	129	32	0	0	0	0
1,225	1,250	82	0	0	0	2,900	2,925	344	236	133	35	0	0	0	0
1,250	1,275	86	0	0	0	2,925	2,950	349	240	137	39	0	0	0	0
1,275	1,300	90	0	0	0	2,950	2,975	353	244	140	43	0	0	0	0
1,300	1,325	93	0	0	0	2,975	3,000	358	248	144	46	0	0	0	0
1,325	1,350	97	1	0	0	3,000	3,050	365	254	150	52	0	0	0	0
1,350	1,375	101	4	0	0	3,050	3,100	374	262	157	59	0	0	0	0
1,375	1,400	105	8	0	0	3,100	3,150	383	270	165	66	0	0	0	0
1,400	1,425	108	11	0	0	3,150	3,200	392	278	173	73	0	0	0	0
1,425	1,450	112	15	0	0	3,200	3,250	401	286	180	80	0	0	0	0
1,450	1,475	116	19	0	0	3,250	3,300	410	295	188	88	0	0	0	0
1,475	1,500	119	22	0	0	3,300	3,350	419	303	196	95	0	0	0	0
1,500	1,525	123	26	0	0	3,350	3,400	428	311	204	103	6	0	0	0
1,525	1,550	127	29	0	0	3,400	3,450	437	319	212	110	13	0	0	0
1,550	1,575	131	33	0	0	3,450	3,500	446	327	220	118	20	0	0	0
1,575	1,600	134	37	0	0	3,500	3,550	455	335	228	125	28	0	0	0
1,600	1,625	138	40	0	0	3,550	3,600	464	344	236	132	35	0	0	0
1,625	1,650	142	44	0	0	3,600	3,650	473	353	243	140	42	0	0	0
1,650	1,675	145	47	0	0	3,650	3,700	482	362	251	147	49	0	0	0
1,675	1,700	149	51	0	0	3,700	3,750	491	371	259	155	56	0	0	0
1,700	1,725	153	55	0	0	3,750	3,800	500	380	268	162	64	0	0	0
1,725	1,750	157	58	0	0	3,800	3,850	509	389	276	170	71	0	0	0
1,750	1,775	160	62	0	0	3,850	3,900	518	398	284	178	78	0	0	0
1,775	1,800	164	65	0	0	3,900	3,950	527	407	292	186	85	0	0	0
1,800	1,825	168	69	0	0	3,950	4,000	536	416	300	194	93	0	0	0
1,825	1,850	172	73	0	0	4,000	4,050	545	425	308	201	100	4	0	0
1,850	1,875	176	76	0	0	4,050	4,100	554	434	316	209	108	11	0	0
1,875	1,900	180	80	0	0	4,100	4,150	563	443	324	217	115	18	0	0
1,900	1,925	184	84	0	0	4,150	4,200	572	452	332	225	122	25	0	0
1,925	1,950	188	87	0	0	4,200	4,250	581	461	341	233	130	32	0	0
1,950	1,975	192	91	0	0	4,250	4,300	590	470	350	241	137	40	0	0
1,975	2,000	196	95	0	0	4,300	4,350	599	479	359	249	145	47	0	0
2,000	2,025	199	98	2	0	4,350	4,400	608	488	368	257	152	54	0	0
2,025	2,050	203	102	5	0	4,400	4,450	617	497	377	265	160	61	0	0
2,050	2,075	207	106	9	0	4,450	4,500	626	506	386	273	167	68	0	0
2,075	2,100	211	109	13	0	4,500	4,550	635	515	395	281	175	76	0	0
2,100	2,125	215	113	16	0	4,550	4,600	644	524	404	289	183	83	0	0
2,125	2,150	219	117	20	0	4,600	4,650	653	533	413	297	191	90	0	0
2,150	2,175	223	121	23	0	4,650	4,700	662	542	422	305	199	98	1	0
2,175	2,200	227	124	27	0	4,700	4,750	671	551	431	313	207	105	8	0
2,200	2,225	231	128	31	0	4,750	4,800	680	560	440	322	215	113	16	0
2,225	2,250	235	132	34	0	4,800	4,850	689	569	449	330	222	120	23	0
2,250	2,275	239	135	38	0	4,850	4,900	698	578	458	338	230	127	30	0
2,275	2,300	243	139	41	0	4,900	4,950	707	587	467	347	238	135	37	0
2,300	2,325	247	143	45	0	4,950	5,000	716	596	476	356	246	142	44	0

TABLE V—MARRIED PERSONS FILING SEPARATE RETURNS

MINIMUM STANDARD DEDUCTION

Taxable Years Beginning in 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—							
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7	8 or more
		The tax is—						The tax is—							
$0	$800	$0	$0	$0	$0	$2,400	$2,425	$270	$148	$34	$0	$0	$0	$0	$0
800	825	2	0	0	0	2,425	2,450	275	152	38	0	0	0	0	0
825	850	6	0	0	0	2,450	2,475	279	156	42	0	0	0	0	0
850	875	10	0	0	0	2,475	2,500	284	160	46	0	0	0	0	0
875	900	14	0	0	0	2,500	2,525	288	165	50	0	0	0	0	0
900	925	18	0	0	0	2,525	2,550	293	169	54	0	0	0	0	0
925	950	22	0	0	0	2,550	2,575	297	173	58	0	0	0	0	0
950	975	26	0	0	0	2,575	2,600	302	178	62	0	0	0	0	0
975	1,000	30	0	0	0	2,600	2,625	306	182	66	0	0	0	0	0
1,000	1,025	34	0	0	0	2,625	2,650	311	187	70	0	0	0	0	0
1,025	1,050	38	0	0	0	2,650	2,675	315	191	74	0	0	0	0	0
1,050	1,075	42	0	0	0	2,675	2,700	320	195	78	0	0	0	0	0
1,075	1,100	46	0	0	0	2,700	2,725	324	200	82	0	0	0	0	0
1,100	1,125	50	0	0	0	2,725	2,750	329	204	86	0	0	0	0	0
1,125	1,150	54	0	0	0	2,750	2,775	333	208	90	0	0	0	0	0
1,150	1,175	58	0	0	0	2,775	2,800	338	213	94	0	0	0	0	0
1,175	1,200	62	0	0	0	2,800	2,825	343	217	99	0	0	0	0	0
1,200	1,225	66	0	0	0	2,825	2,850	348	222	103	0	0	0	0	0
1,225	1,250	70	0	0	0	2,850	2,875	353	226	107	0	0	0	0	0
1,250	1,275	74	0	0	0	2,875	2,900	358	230	111	0	0	0	0	0
1,275	1,300	78	0	0	0	2,900	2,925	363	235	115	2	0	0	0	0
1,300	1,325	82	0	0	0	2,925	2,950	368	239	119	6	0	0	0	0
1,325	1,350	86	0	0	0	2,950	2,975	373	243	123	10	0	0	0	0
1,350	1,375	90	0	0	0	2,975	3,000	378	248	127	14	0	0	0	0
1,375	1,400	94	0	0	0	3,000	3,050	385	255	134	20	0	0	0	0
1,400	1,425	99	0	0	0	3,050	3,100	395	264	142	28	0	0	0	0
1,425	1,450	103	0	0	0	3,100	3,150	405	273	150	36	0	0	0	0
1,450	1,475	107	0	0	0	3,150	3,200	415	282	158	44	0	0	0	0
1,475	1,500	111	0	0	0	3,200	3,250	425	291	167	52	0	0	0	0
1,500	1,525	115	2	0	0	3,250	3,300	435	300	176	60	0	0	0	0
1,525	1,550	119	6	0	0	3,300	3,350	445	309	184	68	0	0	0	0
1,550	1,575	126	10	0	0	3,350	3,400	455	318	193	76	0	0	0	0
1,575	1,600	127	14	0	0	3,400	3,450	465	327	202	84	0	0	0	0
1,600	1,625	132	18	0	0	3,450	3,500	475	336	211	92	0	0	0	0
1,625	1,650	136	22	0	0	3,500	3,550	485	345	219	101	4	0	0	0
1,650	1,675	140	26	0	0	3,550	3,600	495	355	228	109	12	0	0	0
1,675	1,700	144	30	0	0	3,600	3,650	505	365	237	117	20	0	0	0
1,700	1,725	148	34	0	0	3,650	3,700	515	375	246	125	28	0	0	0
1,725	1,750	152	38	0	0	3,700	3,750	525	385	255	134	36	0	0	0
1,750	1,775	156	42	0	0	3,750	3,800	535	395	264	142	44	0	0	0
1,775	1,800	160	46	0	0	3,800	3,850	545	405	273	150	52	0	0	0
1,800	1,825	165	50	0	0	3,850	3,900	555	415	282	158	60	0	0	0
1,825	1,850	169	54	0	0	3,900	3,950	565	425	291	167	68	0	0	0
1,850	1,875	173	58	0	0	3,950	4,000	575	435	300	176	76	0	0	0
1,875	1,900	178	62	0	0	4,000	4,050	585	445	309	184	84	0	0	0
1,900	1,925	182	66	0	0	4,050	4,100	595	455	318	193	92	0	0	0
1,925	1,950	187	70	0	0	4,100	4,150	605	465	327	202	101	4	0	0
1,950	1,975	191	74	0	0	4,150	4,200	615	475	336	211	109	12	0	0
1,975	2,000	195	78	0	0	4,200	4,250	625	485	345	219	117	20	0	0
2,000	2,025	200	82	0	0	4,250	4,300	635	495	355	228	125	28	0	0
2,025	2,050	204	86	0	0	4,300	4,350	645	505	365	237	134	36	0	0
2,050	2,075	208	90	0	0	4,350	4,400	655	515	375	246	142	44	0	0
2,075	2,100	213	94	0	0	4,400	4,450	665	525	385	255	150	52	0	0
2,100	2,125	217	99	0	0	4,450	4,500	675	535	395	264	158	60	0	0
2,125	2,150	222	103	0	0	4,500	4,550	685	545	405	273	167	68	0	0
2,150	2,175	226	107	0	0	4,550	4,600	695	555	415	282	176	76	0	0
2,175	2,200	230	111	0	0	4,600	4,650	705	565	425	291	184	84	0	0
2,200	2,225	235	115	2	0	4,650	4,700	715	575	435	300	193	92	0	0
2,225	2,250	239	119	6	0	4,700	4,750	725	585	445	309	202	101	4	0
2,250	2,275	243	123	10	0	4,750	4,800	735	595	455	318	211	109	12	0
2,275	2,300	248	127	14	0	4,800	4,850	746	605	465	327	219	117	20	0
2,300	2,325	252	132	18	0	4,850	4,900	758	615	475	336	228	125	28	0
2,325	2,350	257	136	22	0	4,900	4,950	769	625	485	345	237	134	36	0
2,350	2,375	261	140	26	0	4,950	5,000	781	635	495	355	246	142	44	0
2,375	2,400	266	144	30	0										

(b) *Taxable years beginning after December 31, 1964.* In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1964, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 and who has elected for such year to pay the tax imposed by this section a tax as follows:

TABLE I—SINGLE PERSON—NOT HEAD OF HOUSEHOLD

Taxable Years Beginning After December 31, 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—						
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7 or more
		The tax is—						The tax is—						
$0	$900	$0	$0	$0	$0	$2,450	$2,475	$236	$124	$23	$0	$0	$0	$0
900	925	2	0	0	0	2,475	2,500	240	128	26	0	0	0	0
925	950	5	0	0	0	2,500	2,525	244	132	30	0	0	0	0
950	975	9	0	0	0	2,525	2,550	248	136	33	0	0	0	0
975	1,000	12	0	0	0	2,550	2,575	253	139	37	0	0	0	0
1,000	1,025	16	0	0	0	2,575	2,600	257	143	40	0	0	0	0
1,025	1,050	19	0	0	0	2,600	2,625	261	147	44	0	0	0	0
1,050	1,075	23	0	0	0	2,625	2,650	265	151	47	0	0	0	0
1,075	1,100	26	0	0	0	2,650	2,675	270	155	51	0	0	0	0
1,100	1,125	30	0	0	0	2,675	2,700	274	159	54	0	0	0	0
1,125	1,150	33	0	0	0	2,700	2,725	278	163	58	0	0	0	0
1,150	1,175	37	0	0	0	2,725	2,750	282	167	61	0	0	0	0
1,175	1,200	40	0	0	0	2,750	2,775	287	171	65	0	0	0	0
1,200	1,225	44	0	0	0	2,775	2,800	291	175	68	0	0	0	0
1,225	1,250	47	0	0	0	2,800	2,825	295	179	72	0	0	0	0
1,250	1,275	51	0	0	0	2,825	2,850	299	183	76	0	0	0	0
1,275	1,300	54	0	0	0	2,850	2,875	304	187	79	0	0	0	0
1,300	1,325	58	0	0	0	2,875	2,900	308	191	83	0	0	0	0
1,325	1,350	61	0	0	0	2,900	2,925	312	195	87	0	0	0	0
1,350	1,375	65	0	0	0	2,925	2,950	317	199	91	0	0	0	0
1,375	1,400	68	0	0	0	2,950	2,975	322	203	94	0	0	0	0
1,400	1,425	72	0	0	0	2,975	3,000	327	207	98	0	0	0	0
1,425	1,450	76	0	0	0	3,000	3,050	333	213	104	4	0	0	0
1,450	1,475	79	0	0	0	3,050	3,100	342	221	111	11	0	0	0
1,475	1,500	83	0	0	0	3,100	3,150	350	229	119	18	0	0	0
1,500	1,525	87	0	0	0	3,150	3,200	359	238	126	25	0	0	0
1,525	1,550	91	0	0	0	3,200	3,250	367	246	134	32	0	0	0
1,550	1,575	94	0	0	0	3,250	3,300	376	255	141	39	0	0	0
1,575	1,600	98	0	0	0	3,300	3,350	385	263	149	46	0	0	0
1,600	1,625	102	2	0	0	3,350	3,400	393	272	157	53	0	0	0
1,625	1,650	106	5	0	0	3,400	3,450	402	280	165	60	0	0	0
1,650	1,675	109	9	0	0	3,450	3,500	410	289	173	67	0	0	0
1,675	1,700	113	12	0	0	3,500	3,550	419	297	181	74	0	0	0
1,700	1,725	117	16	0	0	3,550	3,600	427	306	189	81	0	0	0
1,725	1,750	121	19	0	0	3,600	3,650	436	315	197	89	0	0	0
1,750	1,775	124	23	0	0	3,650	3,700	444	324	205	96	0	0	0
1,775	1,800	128	26	0	0	3,700	3,750	453	334	213	104	4	0	0
1,800	1,825	132	30	0	0	3,750	3,800	462	343	221	111	11	0	0
1,825	1,850	136	33	0	0	3,800	3,850	470	353	229	119	18	0	0
1,850	1,875	139	37	0	0	3,850	3,900	479	362	238	126	25	0	0
1,875	1,900	143	40	0	0	3,900	3,950	487	372	246	134	32	0	0
1,900	1,925	147	44	0	0	3,950	4,000	496	381	255	141	39	0	0
1,925	1,950	151	47	0	0	4,000	4,050	504	390	263	149	46	0	0
1,950	1,975	155	51	0	0	4,050	4,100	513	399	272	157	53	0	0
1,975	2,000	159	54	0	0	4,100	4,150	521	407	280	165	60	0	0
2,000	2,025	163	58	0	0	4,150	4,200	530	416	289	173	67	0	0
2,025	2,050	167	61	0	0	4,200	4,250	538	424	297	181	74	0	0
2,050	2,075	171	65	0	0	4,250	4,300	547	433	306	189	81	0	0
2,075	2,100	175	68	0	0	4,300	4,350	556	442	315	197	89	0	0
2,100	2,125	179	72	0	0	4,350	4,400	564	450	324	205	96	0	0
2,125	2,150	183	76	0	0	4,400	4,450	573	459	334	213	104	4	0
2,150	2,175	187	79	0	0	4,450	4,500	581	467	343	221	111	11	0
2,175	2,200	191	83	0	0	4,500	4,550	590	476	353	229	119	18	0
2,200	2,225	195	87	0	0	4,550	4,600	598	484	362	238	126	25	0
2,225	2,250	199	91	0	0	4,600	4,650	607	493	372	246	134	32	0
2,250	2,275	203	94	0	0	4,650	4,700	615	501	381	255	141	39	0
2,275	2,300	207	98	0	0	4,700	4,750	624	510	391	263	149	46	0
2,300	2,325	211	102	2	0	4,750	4,800	633	519	400	272	157	53	0
2,325	2,350	215	106	5	0	4,800	4,850	641	527	410	280	165	60	0
2,350	2,375	219	109	9	0	4,850	4,900	650	536	419	289	173	67	0
2,375	2,400	223	113	12	0	4,900	4,950	658	544	429	297	181	74	0
2,400	2,425	227	117	16	0	4,950	5,000	667	553	438	306	189	81	0
2,425	2,450	231	121	19	0									

TABLE II—HEAD OF HOUSEHOLD

Taxable Years Beginning After December 31, 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—						
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7 or more
		The tax is—						The tax is—						
$0	$900	$0	$0	$0	$0	$2,450	$2,475	$230	$121	$23	$0	$0	$0	$0
900	925	2	0	0	0	2,475	2,500	234	124	26	0	0	0	0
925	950	5	0	0	0	2,500	2,525	238	128	30	0	0	0	0
950	975	9	0	0	0	2,525	2,550	242	131	33	0	0	0	0
975	1,000	12	0	0	0	2,550	2,575	246	135	37	0	0	0	0
1,000	1,025	16	0	0	0	2,575	2,600	250	138	40	0	0	0	0
1,025	1,050	19	0	0	0	2,600	2,625	254	142	44	0	0	0	0
1,050	1,075	23	0	0	0	2,625	2,650	258	146	47	0	0	0	0
1,075	1,100	26	0	0	0	2,650	2,675	262	150	51	0	0	0	0
1,100	1,125	30	0	0	0	2,675	2,700	266	154	54	0	0	0	0
1,125	1,150	33	0	0	0	2,700	2,725	270	158	58	0	0	0	0
1,150	1,175	37	0	0	0	2,725	2,750	274	162	61	0	0	0	0
1,175	1,200	40	0	0	0	2,750	2,775	278	166	65	0	0	0	0
1,200	1,225	44	0	0	0	2,775	2,800	282	170	68	0	0	0	0
1,225	1,250	47	0	0	0	2,800	2,825	286	174	72	0	0	0	0
1,250	1,275	51	0	0	0	2,825	2,850	290	178	75	0	0	0	0
1,275	1,300	54	0	0	0	2,850	2,875	294	182	79	0	0	0	0
1,300	1,325	58	0	0	0	2,875	2,900	298	186	82	0	0	0	0
1,325	1,350	61	0	0	0	2,900	2,925	302	190	86	0	0	0	0
1,350	1,375	65	0	0	0	2,925	2,950	307	194	89	0	0	0	0
1,375	1,400	68	0	0	0	2,950	2,975	311	198	93	0	0	0	0
1,400	1,425	72	0	0	0	2,975	3,000	316	202	96	0	0	0	0
1,425	1,450	75	0	0	0	3,000	3,050	322	208	102	4	0	0	0
1,450	1,475	79	0	0	0	3,050	3,100	330	216	109	11	0	0	0
1,475	1,500	82	0	0	0	3,100	3,150	338	224	116	18	0	0	0
1,500	1,525	86	0	0	0	3,150	3,200	346	232	123	25	0	0	0
1,525	1,550	89	0	0	0	3,200	3,250	354	240	130	32	0	0	0
1,550	1,575	93	0	0	0	3,250	3,300	363	248	137	39	0	0	0
1,575	1,600	96	0	0	0	3,300	3,350	371	256	144	46	0	0	0
1,600	1,625	100	2	0	0	3,350	3,400	379	264	152	53	0	0	0
1,625	1,650	103	5	0	0	3,400	3,450	387	272	160	60	0	0	0
1,650	1,675	107	9	0	0	3,450	3,500	395	280	168	67	0	0	0
1,675	1,700	110	12	0	0	3,500	3,550	403	288	176	74	0	0	0
1,700	1,725	114	16	0	0	3,550	3,600	411	296	184	81	0	0	0
1,725	1,750	117	19	0	0	3,600	3,650	419	305	192	88	0	0	0
1,750	1,775	121	23	0	0	3,650	3,700	427	314	200	95	0	0	0
1,775	1,800	124	26	0	0	3,700	3,750	435	323	208	102	4	0	0
1,800	1,825	128	30	0	0	3,750	3,800	444	332	216	109	11	0	0
1,825	1,850	131	33	0	0	3,800	3,850	452	341	224	116	18	0	0
1,850	1,875	135	37	0	0	3,850	3,900	460	350	232	123	25	0	0
1,875	1,900	138	40	0	0	3,900	3,950	468	359	240	130	32	0	0
1,900	1,925	142	44	0	0	3,950	4,000	476	368	248	137	39	0	0
1,925	1,950	146	47	0	0	4,000	4,050	484	376	256	144	46	0	0
1,950	1,975	150	51	0	0	4,050	4,100	492	384	264	152	53	0	0
1,975	2,000	154	54	0	0	4,100	4,150	500	392	272	160	60	0	0
2,000	2,025	158	58	0	0	4,150	4,200	508	400	280	168	67	0	0
2,025	2,050	162	61	0	0	4,200	4,250	516	408	288	176	74	0	0
2,050	2,075	166	65	0	0	4,250	4,300	525	417	296	184	81	0	0
2,075	2,100	170	68	0	0	4,300	4,350	533	425	305	192	88	0	0
2,100	2,125	174	72	0	0	4,350	4,400	541	433	314	200	95	0	0
2,125	2,150	178	75	0	0	4,400	4,450	549	441	323	208	102	4	0
2,150	2,175	182	79	0	0	4,450	4,500	557	449	332	216	109	11	0
2,175	2,200	186	82	0	0	4,500	4,550	565	457	341	224	116	18	0
2,200	2,225	190	86	0	0	4,550	4,600	573	465	350	232	123	25	0
2,225	2,250	194	89	0	0	4,600	4,650	581	473	359	240	130	32	0
2,250	2,275	198	93	0	0	4,650	4,700	589	481	368	248	137	39	0
2,275	2,300	202	96	0	0	4,700	4,750	597	489	377	256	144	46	0
2,300	2,325	206	100	2	0	4,750	4,800	606	498	386	264	152	53	0
2,325	2,350	210	103	5	0	4,800	4,850	614	506	395	272	160	60	0
2,350	2,375	214	107	9	0	4,850	4,900	622	514	404	280	168	67	0
2,375	2,400	218	110	12	0	4,900	4,950	630	522	413	288	176	74	0
2,400	2,425	222	114	16	0	4,950	5,000	638	530	422	296	184	81	0
2,425	2,450	226	117	19	0									

TABLE III—MARRIED PERSONS FILING JOINT RETURNS

Taxable Years Beginning After December 31, 1964

If adjusted gross income is—		And the number of exemptions is—			If adjusted gross income is—		And the number of exemptions is—					
At least	But less than	2	3	4 or more	At least	But less than	2	3	4	5	6	7 or more
		The tax is—					The tax is—					
$0	$1,600	$0	$0	$0	$2,800	$2,825	$172	$72	$0	$0	$0	$0
1,600	1,625	2	0	0	2,825	2,850	176	75	0	0	0	0
1,625	1,650	5	0	0	2,850	2,875	179	79	0	0	0	0
1,650	1,675	9	0	0	2,875	2,900	183	82	0	0	0	0
1,675	1,700	12	0	0	2,900	2,925	187	86	0	0	0	0
1,700	1,725	16	0	0	2,925	2,950	191	89	0	0	0	0
1,725	1,750	19	0	0	2,950	2,975	194	93	0	0	0	0
1,750	1,775	23	0	0	2,975	3,000	198	96	0	0	0	0
1,775	1,800	26	0	0	3,000	3,050	204	102	4	0	0	0
1,800	1,825	30	0	0	3,050	3,100	211	109	11	0	0	0
1,825	1,850	33	0	0	3,100	3,150	219	116	18	0	0	0
1,850	1,875	37	0	0	3,150	3,200	226	123	25	0	0	0
1,875	1,900	40	0	0	3,200	3,250	234	130	32	0	0	0
1,900	1,925	44	0	0	3,250	3,300	241	137	39	0	0	0
1,925	1,950	47	0	0	3,300	3,350	249	144	46	0	0	0
1,950	1,975	51	0	0	3,350	3,400	256	151	53	0	0	0
1,975	2,000	54	0	0	3,400	3,450	264	159	60	0	0	0
2,000	2,025	58	0	0	3,450	3,500	271	166	67	0	0	0
2,025	2,050	61	0	0	3,500	3,550	279	174	74	0	0	0
2,050	2,075	65	0	0	3,550	3,600	286	181	81	0	0	0
2,075	2,100	68	0	0	3,600	3,650	294	189	88	0	0	0
2,100	2,125	72	0	0	3,650	3,700	302	196	95	0	0	0
2,125	2,150	75	0	0	3,700	3,750	310	204	102	4	0	0
2,150	2,175	79	0	0	3,750	3,800	318	211	109	11	0	0
2,175	2,200	82	0	0	3,800	3,850	326	219	116	18	0	0
2,200	2,225	86	0	0	3,850	3,900	334	226	123	25	0	0
2,225	2,250	89	0	0	3,900	3,950	342	234	130	32	0	0
2,250	2,275	93	0	0	3,950	4,000	350	241	137	39	0	0
2,275	2,300	96	0	0	4,000	4,050	358	249	144	46	0	0
2,300	2,325	100	2	0	4,050	4,100	365	256	151	53	0	0
2,325	2,350	103	5	0	4,100	4,150	372	264	159	60	0	0
2,350	2,375	107	9	0	4,150	4,200	379	271	166	67	0	0
2,375	2,400	110	12	0	4,200	4,250	386	279	174	74	0	0
2,400	2,425	114	16	0	4,250	4,300	394	286	181	81	0	0
2,425	2,450	117	19	0	4,300	4,350	401	294	189	88	0	0
2,450	2,475	121	23	0	4,350	4,400	408	302	196	95	0	0
2,475	2,500	124	26	0	4,400	4,450	415	310	204	102	4	0
2,500	2,525	128	30	0	4,450	4,500	422	318	211	109	11	0
2,525	2,550	131	33	0	4,500	4,550	430	326	219	116	18	0
2,550	2,575	135	37	0	4,550	4,600	437	334	226	123	25	0
2,575	2,600	138	40	0	4,600	4,650	444	342	234	130	32	0
2,600	2,625	142	44	0	4,650	4,700	451	350	241	137	39	0
2,625	2,650	146	47	0	4,700	4,750	459	358	249	144	46	0
2,650	2,675	149	51	0	4,750	4,800	467	366	256	151	53	0
2,675	2,700	153	54	0	4,800	4,850	474	374	264	159	60	0
2,700	2,725	157	58	0	4,850	4,900	482	382	271	166	67	0
2,725	2,750	161	61	0	4,900	4,950	490	390	279	174	74	0
2,750	2,775	164	65	0	4,950	5,000	497	398	286	181	81	0
2,775	2,800	168	68	0								

TABLE IV—MARRIED PERSONS FILING SEPARATE RETURNS

10-PERCENT STANDARD DEDUCTION

Taxable Years Beginning After December 31, 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—							
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7	8 or more
		The tax is—						The tax is—							
$0	$675	$0	$0	$0	$0	$2,325	$2,350	$226	$131	$43	$0	$0	$0	$0	$0
675	700	3	0	0	0	2,350	2,375	229	134	46	0	0	0	0	0
700	725	6	0	0	0	2,375	2,400	233	137	49	0	0	0	0	0
725	750	9	0	0	0	2,400	2,425	237	141	52	0	0	0	0	0
750	775	12	0	0	0	2,425	2,450	241	144	55	0	0	0	0	0
775	800	15	0	0	0	2,450	2,475	245	148	58	0	0	0	0	0
800	825	18	0	0	0	2,475	2,500	249	151	61	0	0	0	0	0
825	850	22	0	0	0	2,500	2,525	252	155	65	0	0	0	0	0
850	875	25	0	0	0	2,525	2,550	256	158	68	0	0	0	0	0
875	900	28	0	0	0	2,550	2,575	260	162	71	0	0	0	0	0
900	925	31	0	0	0	2,575	2,600	264	166	74	0	0	0	0	0
925	950	34	0	0	0	2,600	2,625	268	169	78	0	0	0	0	0
950	975	37	0	0	0	2,625	2,650	272	173	81	0	0	0	0	0
975	1,000	40	0	0	0	2,650	2,675	275	176	84	0	0	0	0	0
1,000	1,025	44	0	0	0	2,675	2,700	279	180	88	3	0	0	0	0
1,025	1,050	47	0	0	0	2,700	2,725	283	184	91	6	0	0	0	0
1,050	1,075	50	0	0	0	2,725	2,750	287	187	95	9	0	0	0	0
1,075	1,100	53	0	0	0	2,750	2,775	291	191	98	12	0	0	0	0
1,100	1,125	56	0	0	0	2,775	2,800	294	194	101	15	0	0	0	0
1,125	1,150	59	0	0	0	2,800	2,825	298	198	105	18	0	0	0	0
1,150	1,175	62	0	0	0	2,825	2,850	302	202	108	22	0	0	0	0
1,175	1,200	66	0	0	0	2,850	2,875	306	205	111	25	0	0	0	0
1,200	1,225	69	0	0	0	2,875	2,900	310	209	115	28	0	0	0	0
1,225	1,250	72	0	0	0	2,900	2,925	314	212	118	31	0	0	0	0
1,250	1,275	75	0	0	0	2,925	2,950	318	216	122	34	0	0	0	0
1,275	1,300	79	0	0	0	2,950	2,975	323	220	125	37	0	0	0	0
1,300	1,325	82	0	0	0	2,975	3,000	327	223	128	40	0	0	0	0
1,325	1,350	86	1	0	0	3,000	3,050	333	229	133	45	0	0	0	0
1,350	1,375	89	4	0	0	3,050	3,100	342	236	140	51	0	0	0	0
1,375	1,400	92	7	0	0	3,100	3,150	350	244	147	58	0	0	0	0
1,400	1,425	96	10	0	0	3,150	3,200	359	252	154	64	0	0	0	0
1,425	1,450	99	13	0	0	3,200	3,250	367	259	161	70	0	0	0	0
1,450	1,475	102	16	0	0	3,250	3,300	376	267	169	77	0	0	0	0
1,475	1,500	106	19	0	0	3,300	3,350	385	275	176	84	0	0	0	0
1,500	1,525	109	23	0	0	3,350	3,400	393	282	183	91	5	0	0	0
1,525	1,550	113	26	0	0	3,400	3,450	402	290	190	97	12	0	0	0
1,550	1,575	116	29	0	0	3,450	3,500	410	298	197	104	18	0	0	0
1,575	1,600	119	32	0	0	3,500	3,550	419	305	205	111	24	0	0	0
1,600	1,625	123	35	0	0	3,550	3,600	427	313	212	118	30	0	0	0
1,625	1,650	126	38	0	0	3,600	3,650	436	322	219	124	37	0	0	0
1,650	1,675	129	41	0	0	3,650	3,700	444	330	226	131	43	0	0	0
1,675	1,700	133	45	0	0	3,700	3,750	453	339	234	138	49	0	0	0
1,700	1,725	136	48	0	0	3,750	3,800	462	348	242	145	56	0	0	0
1,725	1,750	140	51	0	0	3,800	3,850	470	356	249	152	62	0	0	0
1,750	1,775	143	54	0	0	3,850	3,900	479	365	257	159	68	0	0	0
1,775	1,800	146	57	0	0	3,900	3,950	487	373	265	166	75	0	0	0
1,800	1,825	150	60	0	0	3,950	4,000	496	382	272	173	82	0	0	0
1,825	1,850	154	64	0	0	4,000	4,050	504	390	280	181	88	3	0	0
1,850	1,875	157	67	0	0	4,050	4,100	513	399	287	188	95	9	0	0
1,875	1,900	161	70	0	0	4,100	4,150	521	407	295	195	102	16	0	0
1,900	1,925	164	73	0	0	4,150	4,200	530	416	303	202	109	22	0	0
1,925	1,950	168	77	0	0	4,200	4,250	538	424	310	209	115	28	0	0
1,950	1,975	172	80	0	0	4,250	4,300	547	433	319	217	122	35	0	0
1,975	2,000	175	83	0	0	4,300	4,350	556	442	328	224	129	41	0	0
2,000	2,025	179	87	2	0	4,350	4,400	564	450	336	231	136	47	0	0
2,025	2,050	182	90	5	0	4,400	4,450	573	459	345	239	142	54	0	0
2,050	2,075	186	93	8	0	4,450	4,500	581	467	353	247	149	60	0	0
2,075	2,100	190	97	11	0	4,500	4,550	590	476	362	254	157	66	0	0
2,100	2,125	193	100	14	0	4,550	4,600	598	484	370	262	164	73	0	0
2,125	2,150	197	104	17	0	4,600	4,650	607	493	379	270	171	79	0	0
2,150	2,175	200	107	20	0	4,650	4,700	615	501	387	277	178	86	1	0
2,175	2,200	204	110	24	0	4,700	4,750	624	510	396	285	185	93	7	0
2,200	2,225	208	114	27	0	4,750	4,800	633	519	405	293	193	100	14	0
2,225	2,250	211	117	30	0	4,800	4,850	641	527	413	300	200	106	20	0
2,250	2,275	215	120	33	0	4,850	4,900	650	536	422	308	207	113	26	0
2,275	2,300	218	124	36	0	4,900	4,950	658	544	430	316	214	120	33	0
2,300	2,325	222	127	39	0	4,950	5,000	667	553	439	325	221	127	39	0

TABLE V—MARRIED PERSONS FILING SEPARATE RETURNS

MINIMUM STANDARD DEDUCTION

Taxable Years Beginning After December 31, 1964

If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—							
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7	8 or more
		The tax is—						The tax is—							
$0	$800	$0	$0	$0	$0	$2,400	$2,425	$244	$132	$30	$0	$0	$0	$0	$0
800	825	2	0	0	0	2,425	2,450	248	136	33	0	0	0	0	0
825	850	5	0	0	0	2,450	2,475	253	139	37	0	0	0	0	0
850	875	9	0	0	0	2,475	2,500	257	143	40	0	0	0	0	0
875	900	12	0	0	0	2,500	2,525	261	147	44	0	0	0	0	0
900	925	16	0	0	0	2,525	2,550	265	151	47	0	0	0	0	0
925	950	19	0	0	0	2,550	2,575	270	155	51	0	0	0	0	0
950	975	23	0	0	0	2,575	2,600	274	159	54	0	0	0	0	0
975	1,000	26	0	0	0	2,600	2,625	278	163	58	0	0	0	0	0
1,000	1,025	30	0	0	0	2,625	2,650	282	167	61	0	0	0	0	0
1,025	1,050	33	0	0	0	2,650	2,675	287	171	65	0	0	0	0	0
1,050	1,075	37	0	0	0	2,675	2,700	291	175	68	0	0	0	0	0
1,075	1,100	40	0	0	0	2,700	2,725	295	179	72	0	0	0	0	0
1,100	1,125	44	0	0	0	2,725	2,750	299	183	76	0	0	0	0	0
1,125	1,150	47	0	0	0	2,750	2,775	304	187	79	0	0	0	0	0
1,150	1,175	51	0	0	0	2,775	2,800	308	191	83	0	0	0	0	0
1,175	1,200	54	0	0	0	2,800	2,825	312	195	87	0	0	0	0	0
1,200	1,225	58	0	0	0	2,825	2,850	317	199	91	0	0	0	0	0
1,225	1,250	61	0	0	0	2,850	2,875	322	203	94	0	0	0	0	0
1,250	1,275	65	0	0	0	2,875	2,900	327	207	98	0	0	0	0	0
1,275	1,300	68	0	0	0	2,900	2,925	331	211	102	2	0	0	0	0
1,300	1,325	72	0	0	0	2,925	2,950	336	215	106	5	0	0	0	0
1,325	1,350	76	0	0	0	2,950	2,975	341	219	109	9	0	0	0	0
1,350	1,375	79	0	0	0	2,975	3,000	346	223	113	12	0	0	0	0
1,375	1,400	83	0	0	0	3,000	3,050	353	229	119	18	0	0	0	0
1,400	1,425	87	0	0	0	3,050	3,100	362	238	126	25	0	0	0	0
1,425	1,450	91	0	0	0	3,100	3,150	372	246	134	32	0	0	0	0
1,450	1,475	94	0	0	0	3,150	3,200	381	255	141	39	0	0	0	0
1,475	1,500	98	0	0	0	3,200	3,250	391	263	149	46	0	0	0	0
1,500	1,525	102	2	0	0	3,250	3,300	400	272	157	53	0	0	0	0
1,525	1,550	106	5	0	0	3,300	3,350	410	280	165	60	0	0	0	0
1,550	1,575	109	9	0	0	3,350	3,400	419	289	173	67	0	0	0	0
1,575	1,600	113	12	0	0	3,400	3,450	429	297	181	74	0	0	0	0
1,600	1,625	117	16	0	0	3,450	3,500	438	306	189	81	0	0	0	0
1,625	1,650	121	19	0	0	3,500	3,550	448	315	197	89	4	0	0	0
1,650	1,675	124	23	0	0	3,550	3,600	457	324	205	96	11	0	0	0
1,675	1,700	128	26	0	0	3,600	3,650	467	334	213	104	18	0	0	0
1,700	1,725	132	30	0	0	3,650	3,700	476	343	221	111	25	0	0	0
1,725	1,750	136	33	0	0	3,700	3,750	486	353	229	119	32	0	0	0
1,750	1,775	139	37	0	0	3,750	3,800	495	362	238	126	39	0	0	0
1,775	1,800	143	40	0	0	3,800	3,850	505	372	246	134	46	0	0	0
1,800	1,825	147	44	0	0	3,850	3,900	514	381	255	141	53	0	0	0
1,825	1,850	151	47	0	0	3,900	3,950	524	391	263	149	60	0	0	0
1,850	1,875	155	51	0	0	3,950	4,000	533	400	272	157	67	0	0	0
1,875	1,900	159	54	0	0	4,000	4,050	543	410	280	165	74	0	0	0
1,900	1,925	163	58	0	0	4,050	4,100	552	419	289	173	81	0	0	0
1,925	1,950	167	61	0	0	4,100	4,150	562	429	297	181	89	4	0	0
1,950	1,975	171	65	0	0	4,150	4,200	571	438	306	189	96	11	0	0
1,975	2,000	175	68	0	0	4,200	4,250	581	448	315	197	104	18	0	0
2,000	2,025	179	72	0	0	4,250	4,300	590	457	324	205	111	25	0	0
2,025	2,050	183	76	0	0	4,300	4,350	600	467	334	213	119	32	0	0
2,050	2,075	187	79	0	0	4,350	4,400	609	476	343	221	126	39	0	0
2,075	2,100	191	83	0	0	4,400	4,450	619	486	353	229	134	46	0	0
2,100	2,125	195	87	0	0	4,450	4,500	628	495	362	238	141	53	0	0
2,125	2,150	199	91	0	0	4,500	4,550	638	505	372	246	149	60	0	0
2,150	2,175	203	94	0	0	4,550	4,600	647	514	381	255	157	67	0	0
2,175	2,200	207	98	0	0	4,600	4,650	657	524	391	263	165	74	0	0
2,200	2,225	211	102	2	0	4,650	4,700	666	533	400	272	173	81	0	0
2,225	2,250	215	106	5	0	4,700	4,750	676	543	410	280	181	89	4	0
2,250	2,275	219	109	9	0	4,750	4,800	685	552	419	289	189	96	11	0
2,275	2,300	223	113	12	0	4,800	4,850	696	562	429	297	197	104	18	0
2,300	2,325	227	117	16	0	4,850	4,900	707	571	438	306	205	111	25	0
2,325	2,350	231	121	19	0	4,900	4,950	718	581	448	315	213	119	32	0
2,350	2,375	236	124	23	0	4,950	5,000	729	590	457	324	221	126	39	0
2,375	2,400	240	128	26	0										

[Sec. 3, as amended by sec. 301(a), Rev. Act 1964 (78 Stat. 129)]

PAR. 4. Section 1.4 is amended by revising subsections (a), (c), and (f) of section 4 and by adding a historical note. The amended and added provisions read as follows:

§ 1.4 Statutory provisions; rules for optional tax.

SEC. 4. *Rules for optional tax*—(a) *Number of exemptions.* For purposes of the tables in section 3, the term "number of exemptions" means the number of the exemptions allowed under section 151 as deductions in computing taxable income.

* * * * *

(c) *Husband or wife filing separate return.* (1) A husband or wife may not elect to pay the optional tax imposed by section 3 if the tax of the other spouse is determined under section 1 on the basis of taxable income computed without regard to the standard deduction.

(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be—

(A) For taxable years beginning in 1964, the lesser of the tax shown in Table IV or Table V of section 3(a), and

(B) For taxable years beginning after December 31, 1964, the lesser of the tax shown in Table IV or Table V of section 3(b).

(3) Neither Table V of section 3(a) nor Table V of section 3(b) shall apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction; except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate)—

(A) To pay the tax shown in Table V of section 3(a) in lieu of the tax shown in Table IV of section 3(a), and

(B) To pay the tax shown in Table V of section 3(b) in lieu of the tax shown in Table IV of section 3(b).

For purposes of this title, an election under the preceding sentence shall be treated as an election made under section 141(d)(2).

(4) For purposes of this subsection, determination of marital status shall be made under section 143.

* * * * *

(f) *Cross references.* (1) For other applicable rules (including rules as to the change of an election under section 3), see section 144.

(2) For disallowance of certain credits against tax, see section 36.

(3) For rule that optional tax is not to apply if individual chooses the benefits of income averaging, see section 1304(b).

(4) For nonapplicability of Table V in section 3(a) and Table V in section 3(b) in case where tax is not computed by taxpayer, see section 6014(a).

[Sec. 4 as amended by secs. 232(f)(1) and 301(b)(1) and (3), Rev. Act 1964 (78 Stat. 111, 140)]

PAR. 5. Section 1.4–3 is amended to read as follows:

§ 1.4–3 Husband and wife filing separate returns.

(a) *In general.* If the separate adjusted gross income of a husband is less than $5,000 and the separate adjusted gross income of his wife is less than $5,000, and if each is required to file a return, the husband and the wife must each elect to pay the optional tax imposed under section 3 or neither may so elect. If the separate adjusted gross income of each spouse is $5,000 or more, then neither spouse can elect to pay the optional tax imposed under section 3. If the adjusted gross income of one spouse is $5,000 or more and that of the other spouse is less than $5,000, the election to pay the optional tax imposed under section 3 may be exercised by the spouse having adjusted gross income of less than $5,000 only if the spouse having adjusted gross income of $5,000 or more, in computing taxable income, uses the standard deduction provided by section 141. If the spouse having adjusted gross income of $5,000 or more does not use the standard deduction, then the spouse having adjusted gross income of less than $5,000 may not elect to pay the optional tax and must compute taxable income without regard to the standard deduction. Accordingly, if the spouse having adjusted gross income of $5,000 or more itemizes the deductions allowed by sections 161 and 211 in computing taxable income, the spouse having adjusted gross income of less than $5,000 must also compute taxable income by itemizing the deductions allowed by sections 161 and 211, and must pay the tax imposed by section 1. For rules relative to the election to take the standard deduction by husband and wife, see part IV (section 141 and following), subchapter B, chapter 1 of the Code, and the regulations thereunder.

(b) *Taxable years beginning after December 31, 1963.* (1) In the case of a husband and wife filing a separate return for a taxable year beginning after December 31, 1963, the optional tax imposed by section 3 shall be—

(i) For taxable years beginning in 1964, the lesser of the tax shown in Table IV (relating to the 10-percent standard deduction for married persons filing separate returns) or Table V (relating to the minimum standard deduction for married persons filing separate returns) of section 3(a), and

(ii) For taxable years beginning after December 31, 1964, the lesser of the tax shown in Table IV (relating to the 10-percent standard deduction for married persons filing separate returns) or Table V (relating to the minimum standard deduction for married persons filing separate returns) of section 3(b).

(2) If the tax of one spouse is determined with regard to the 10-percent standard deduction provided for in Table IV of section 3(a) or 3(b) or if such spouse in computing taxable income uses the 10-percent standard deduction provided for in section 141(b), then the minimum standard deduction provided for in Table V of section 3(a) or 3(b) shall not apply in the case of the other spouse, if such spouse elects to pay the optional tax imposed under section (3). Thus, if a husband and wife compute their tax with reference to the standard deduction, one cannot elect to use the 10-percent standard deduction and the other elect to use the minimum standard deduction. However, an individual described in section 141(d)(2) may elect pursuant to such section and the regulations thereunder to pay the tax shown in Table V of section 3(a) or 3(b) in lieu of the tax shown in Table IV of section 3(a) or 3(b). See section 141(d) and the regulations thereunder for rules relating to the standard deduction in the case of married individuals filing separate returns.

(c) *Determination of marital status.* For the purpose of applying the restrictions upon the right of a married person to elect to pay the tax under section 3, the determination of marital status is made as the close of the taxpayer's taxable year or, if his spouse died during such year, as of the date of death, and a person legally separated from his spouse under a decree of divorce or separate maintenance on the last day of his taxable year (or the date of death of his spouse, whichever is applicable) is not considered married. See section 143 and the regulations thereunder.

PAR. 6. Section 1.141 is amended by revising section 141 and by adding a historical note. The amended and added provisions read as follows:

§ 1.141 Statutory provisions; standard deduction.

SEC. 141. *Standard deduction*—(a) *Standard deduction.* Except as otherwise provided in this section, the standard deduction referred to in this title is the larger of the 10-percent standard deduction or the minimum standard deduction. The standard deduction shall not exceed $1,000, except that in the case of a separate return by a married individual the standard deduction shall not exceed $500.

(b) *Ten-percent standard deduction.* The 10-percent standard deduction is an amount equal to 10 percent of the adjusted gross income.

(c) *Minimum standard deduction.* The minimum standard deduction is an amount equal to the sum of—

(1) $100, multiplied by the number of exemptions allowed for the taxable year as a deduction under section 151, plus

(2) (A) $200, in the case of a joint return of a husband and wife under section 6013,

(B) $200, in the case of a return of an individual who is not married, or

(C) $100, in the case of a seperate return by a married individual.

(d) *Married individuals filing separate returns.* Notwithstanding subsection (a)—

(1) The minimum standard deduction shall not apply in the case of a separate return by a married individual if the tax of the other spouse is determined with regard to the 10-percent standard deduction.

(2) A married individual filing a separate return may, if the minimum standard deduction is less than the 10-percent standard deduction, and if the minimum standard deduction of his spouse is greater than the 10-percent standard deduction of such spouse, elect (under regulations prescribed by the Secretary or his delegate) to have his tax determined with regard to the minimum standard deduction in lieu of being determined with regard to the 10-percent standard deduction.

[Sec. 141 as amended by sec. 112(a), Rev. Act 1964 (78 Stat. 23)]

PAR. 7. Section 1.141–1 is amended to read as follows:

§ 1.141–1 Standard deduction.

(a) *In general.* The standard deduction referred to in this section is:

(1) For taxable years beginning before January 1, 1964, the 10-percent standard deduction, and

(2) For taxable years beginning after December 31, 1963, the larger of the 10-percent standard deduction or the minimum standard deduction.

The taxpayer may elect to take, in addition to the deductions from gross income allowable in computing adjusted gross income and the deduction described in section 151, relating to personal exemptions, a standard deduction in lieu of all deductions other than those described in section 62 and in lieu of certain credits allowable to the taxpayer, had he not so elected. See section 36. Such credits include: The credit provided by section 33 for taxes imposed by foreign countries and possessions of the United States; the credit provided by section 32 for tax withheld at source under section 1451 by the obligor on tax-free covenant bonds with respect to interest on such bonds; and the credit provided by section 35 with respect to interest on United States obligations and interest on obligations of instrumentalities of the United States. Such standard deduction, however, may in no event exceed $1,000, or $500 in the case of a separate return by a married individual. For determination of marital status see § 1.143–1. See section 4 and the regulations thereunder for rules relating to standard deduction in respect of optional tax. The optional tax tables provided for in section 3 reflect the standard deduction provided for in section 141.

(b) *Ten-percent standard deduction.* The 10-percent standard deduction is (except for the limitation in paragraph (a) of this section) an amount equal to 10 percent of the taxpayer's adjusted gross income. In the case of a joint return, there is only one adjusted gross income and only one 10-percent standard deduction. For example, if a husband has an income of $15,000 and his spouse has an income of $12,000 for the taxable year for which they file a joint return, and they have no deductions allowable for the purpose of computing adjusted gross income, the adjusted gross income is $27,000, and the 10-percent standard deduction is $1,000 (and not $2,000).

(c) *Minimum standard deduction.* The minimum standard deduction is (except for the limitation in paragraph (a) of this section) an amount equal to the sum of—

(1) $100, multiplied by the number of exemptions allowed for the taxable year as a deduction under section 151,

(2) In addition,

(i) $200, in the case of a joint return of a husband and wife under section 6013,

(ii) $200, in the case of a return of an individual who is not married, or

(iii) $100, in the case of a separate return of a married individual.

The return of a surviving spouse is treated as a joint return for purposes of subdivision (i) of this subparagraph. See section 2, and the regulations thereunder, with respect to the definition of a surviving spouse.

(d) *Married individuals filing separate returns for taxable years beginning after December 31, 1963.* (1) In the case of a married individual filing a separate return in a taxable year beginning after December 31, 1963, the minimum standard deduction shall not apply if the tax of the other spouse is determined with regard to the 10-percent standard deduction or is computed by the Internal Revenue Service pursuant to section 6014.

(2) A married individual filing a separate return in a taxable year beginning after December 31, 1963, may elect to determine his tax with regard to the minimum standard deduction in lieu of determining it under the 10-percent standard deduction, although his minimum standard deduction is less than the 10-percent standard deduction, if the minimum standard deduction of his spouse is greater than the 10-percent standard deduction of such spouse. A taxpayer shall signify on his return his election to determine his tax with regard to the minimum standard deduction by claiming thereon the deduction in the amount provided for in section 141(c) instead of the amount provided for in section 141(b).

(3) For rules relating to the election to pay the optional tax imposed by section 3 when married individuals file separate returns, see section 4(c) and the regulations thereunder.

(e) *Short taxable year due to death of taxpayer.* An election to take the standard deduction may be made for a taxable year which is less than 12 months on account of the death of the taxpayer.

PAR. 8. Section 1.142–1 is amended by revising paragraph (b) to read as follows:

§ 1.142–1 Husband and wife.

* * * * *

(b) If each spouse files a separate individual income tax return (Form 1040 or 1040A), both spouses must elect to take the standard deduction or both spouses are denied the standard deduction. Thus, if one spouse files a return on Form 1040 and does not elect to take the standard deduction, the other spouse may not elect to take the standard deduction and, hence, may not file a return on Form 1040A. For example, if A and his wife B have adjusted gross incomes of $6,000 and $3,500, respectively, from wages subject to withholding and A files a return on Form 1040 and does not elect thereon to take the standard deduction, B may not file her return on Form 1040A, but must file on Form 1040 and compute her tax without regard to the standard deduction. In such case, however, if both elect to take the standard deduction either taxpayer may file on Form 1040 or 1040A, but B's tax must be computed on the basis of the applicable tax table in section 3. See § 1.4–3 for rules relating to the computation of the optional tax when a husband and wife file separate returns.

* * * * *

PAR. 9. Section 1.144 is amended by revising section 144(b), by adding a new subsection (c) to section 144 and by adding a historical note. The amended and added provisions read as follows:

§ 1.144 Statutory provisions; election of standard deduction.

SEC. 144. *Election of standard deduction.* * * *

(b) *Change of election.* Under regulations prescribed by the Secretary or his delegate, a change of election with respect to the standard deduction for any taxable year may be made after the filing of the return for such year. If the spouse of the taxpayer filed a separate return for any taxable year corresponding, for purposes of section 142(a), to the taxable year of the taxpayer, the change shall not be allowed unless, in accordance with such regulations—

(1) The spouse makes a change of election with respect to the standard deduction for the taxable year covered in such separate return, consistent with the change of election sought by the taxpayer, and

(2) The taxpayer and his spouse consent in writing to the assessment, within such period as may be agreed on with the Secretary or his delegate, of any deficiency, to the extent attributable to such change of election, even though at the time of the filing of such consent the assessment of such deficiency would otherwise be prevented by the operation of any law or rule of law.

This subsection shall not apply if the tax liability of the taxpayer's spouse, for the taxable year corresponding (for purposes of section 142(a)) to the taxable year of the taxpayer, has been compromised under section 7122.

(c) *Change of election defined.* For purposes of this title, the term "change of election with respect to the standard deduction" means—

(1) A change of an election to take (or not to take) the standard deduction;

(2) A change of an election to pay (or not to pay) the tax under section 3; or

(3) A change of an election under section 141(d)(2).

[Sec. 144 as amended by sec. 112(c), Rev. Act 1964 (78 Stat. 24)]

PAR. 10. Section 1.144–2 is amended by revising the section heading, by revising paragraph (a) and by adding a new paragraph (d). The amended and added provisions read as follows:

§ 1.144–2 Change of election with respect to the standard deduction.

(a) A change of the election with respect to the standard deduction for any taxable year may be made before or after the time prescribed for filing the return for the taxable year. However, the period of time prescribed in section 6511 within which claim for credit or refund of tax must be made is not extended by the right to effect a change of election.

* * * * *

(d) A change of election with respect to the standard deduction means:

(1) A change of election to take, or not to take, the standard deduction;

(2) A change of an election to pay, or not to pay, the tax under section 3; or,

(3) In the case of a taxable year beginning after December 31, 1963, a change of an election under section 141(d)(2).

PAR. 11. Section 1.6014 is amended by revising section 6014(a) and the historical note. The amended provisions read as follows:

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

SEC. 6014. *Income tax return—tax not computed by taxpayer*—(a) *Election by taxpayer.* An individual entitled to elect to pay the tax imposed by section 3 whose gross income is less than $5,000 and includes no income other than remuneration for services performed by him as an employee, dividends or interest, and whose gross income other than wages, as defined in section 3401(a), does not exceed $100, shall at his election not be required to show on the return the tax imposed by section 1. Such election shall be made by using the form prescribed for purposes of this section and shall constitute an election to pay the tax imposed by section 3. In such case the tax shall be computed by the Secretary or his delegate who shall mail to the taxpayer a notice stating the amount determined as payable. In determining the amount payable, the credit against such tax provided for by section 37 shall not be allowed. In the case of a head of household (as defined in section 1(b)) or a surviving spouse (as defined in section 2(b)) electing the benefits of this subsection, the tax shall be computed by the Secretary or his delegate without regard to the taxpayer's status as a head of household or as a surviving spouse. In the case of a married individual filing a separate return and electing the benefits of this subsection, neither Table V in section 3(a) nor Table V in section 3(b) shall apply.

* * * * *

[Sec. 6014 as amended by secs. 201(d)(14) and 301(b)(2), Rev. Act 1964 (78 Stat. 32, 140)]

PAR. 12. Section 1.6014–1 is amended by adding a new paragraph (d). The added provision reads as follows:

§ 1.6014–1 Tax not computed by taxpayer with gross income less than $5,000.

* * * * *

(d) *Married individuals filing separate returns.* In the case of a married individual who files a separate return and who elects under this section not to show his tax on Form 1040A his tax shall be computed with reference to the 10-percent standard deduction rather than the minimum standard deduction.

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

[F.R. Doc. 65–483; Filed, Jan. 14, 1965; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1965 Crop of Upland Cotton—National Marketing Quota; National Allotment and National Reserve and Apportionment to the States and Counties; National Domestic Acreage Allotment; Referendum Date

REFERENDUM RESULT

(a) Section 722.263 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section announces the result of the marketing quota referendum for the 1965 crop of upland cotton.

(b) Since the only purpose of § 722.263 is to announce the referendum result, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003) is unnecessary. Accordingly, § 722.263 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.263 Result of the marketing quota referendum for the 1965 crop of upland cotton.

(a) *Date of referendum.* The marketing quota referendum for the 1965 crop of upland cotton was held on December 15, 1964, in accordance with § 722.205 of the Acreage Allotment Regulations for the 1964 and Succeeding Crops of Upland Cotton (28 F.R. 11041, 29 F.R. 11143) and § 722.259 (29 F.R. 14215).

(b) *Farmers voting.* 305,452 farmers engaged in the production of the 1964 crop of upland cotton voted in the referendum. Of those voting, 293,865 farmers, or 96.2 percent, favored the 1965 national marketing quota and 11,587 farmers, or 3.8 percent, opposed the 1965 national marketing quota.

(c) *1965 marketing quota continues in effect.* The national marketing quota for the 1965 crop of upland cotton of 14,733,000 bales proclaimed in § 722.254 (29 F.R. 14215) shall continue in effect since two-

thirds or more of the cotton farmers voting in the referendum favored the quota.

(Secs. 342, 343, 63 Stat. 670, as amended; 7 U.S.C. 1342, 1343)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on January 11, 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-479; Filed, Jan. 14, 1965; 8:47 a.m.]

PART 722—COTTON

Subpart—1965 Crop of Extra Long Staple Cotton—National Marketing Quota; National Allotment and Apportionment to the States and Counties; Referendum Date

REFERENDUM RESULT

(a) Section 722.355 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section announces the result of the marketing quota referendum for the 1965 crop of extra long staple cotton.

(b) Since the only purpose of § 722.355 is to announce the referendum result, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003) is unnecessary. Accordingly, § 722.355 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.355 Result of the marketing quota referendum for the 1965 crop of extra long staple cotton.

(a) *Date of referendum.* The marketing quota referendum for the 1965 crop of extra long staple cotton was held on December 15, 1964, in accordance with § 722.305 of the Acreage Allotment Regulations for the 1964 and Succeeding Crops of Extra Long Staple Cotton (28 F.R. 11034, 29 F.R. 11521) and § 722.352 (29 F.R. 14216).

(b) *Farmers voting.* 953 farmers engaged in the production of the 1964 crop of extra long staple cotton voted in the referendum. Of those voting, 764 farmers, or 80.2 percent, favored the 1965 national marketing quota and 189 farmers, or 19.8 percent, opposed the 1965 national marketing quota.

(c) *1965 marketing quota continues in effect.* The national marketing quota for the 1965 crop of extra long staple cotton of 84,400 bales proclaimed in § 722.349 (29 F.R. 14216) shall continue in effect since two-thirds or more of the extra long staple cotton farmers voting in the referendum favored the quota.

(Secs. 343, 347, 63 Stat. 670, as amended, 63 Stat. 675, as amended; 7 U.S.C. 1343, 1347)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on January 11, 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-478; Filed, Jan. 14, 1965; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. III, Amdt. 7]

PART 1483—WHEAT AND FLOUR

Subpart—Wheat Export Program—Payment in Kind (GR–345) Terms and Conditions

MISCELLANEOUS AMENDMENTS

The Terms and Conditions of the Wheat Export Program—Payment in Kind (GR–345) (27 F.R. 6415), as amended (27 F.R. 10741, 28 F.R. 7120, 29 F.R. 4077, 9431, 12067, and 15115) are further amended as follows:

1. Section 1483.101 *General statement* is amended to read as follows:

§ 1483.101 General statement.

Commodity Credit Corporation (hereinafter referred to as "CCC") pursuant to this subpart will conduct a Wheat Export Program (referred to in this subpart as the "program") under which a person or firm who has exported wheat produced in the United States may apply for an export payment in the form of a certificate which is redeemable in wheat upon the terms and conditions of this subpart or in any commodity offered for export sale under a CCC regulation or announcement that provides for redemption of such certificates. The program is designed to encourage the exportation through normal trade channels of wheat held in private inventories and in CCC stocks in order (a) to maintain and expand the market in friendly countries for United States produced wheat, (b) to obtain the benefits and fulfill the obligations of the United States under the International Wheat Agreement, (c) to aid the price support program by strengthening the domestic market price to producers, (d) to reduce the quantity of wheat which would otherwise be taken into CCC's stocks under its price support program, and (e) to promote the orderly liquidation of CCC stocks. This program will be administered by the Agricultural Stabilization and Conservation Service, United States Department of Agriculture and information pertaining to the program may be obtained from any ASCS Commodity Office listed in § 1483.180.

2. Section 1483.105 is amended by adding a new paragraph (j) to read as follows:

§ 1483.105 General conditions of eligibility.

* * * * *

(j) Unless otherwise specified in the announcement of rates (as referred to in § 1483.120), payment at rates provided in such announcement and payment at rates provided in a contract for the exportation of durum wheat shall be made only on wheat for which export marketing certificates are acquired and surrendered to CCC. The rate applicable to wheat for which such certificates are not acquired and surrendered to CCC shall be the announced rate, less the cost of export marketing certificates under the Export Wheat Marketing Certificate Regulations as of the date of the announcement of rates for exportations in the period to which the announced rate applies, or in the case of durum wheat the rate specified in the contract with CCC for the export of such wheat less the cost of export marketing certificates under such regulations as of the date of the durum contract for exportation in the period to which such rate applies. If in computing such difference there results a negative amount, such amount shall be a refund rate for the purpose of these regulations.

3. Section 1483.141 *Cancellation of sale or failure to export,* paragraph (b) is amended to read as follows:

§ 1483.141 Cancellation of sale or failure to export.

* * * * *

(b) If, after an exporter has been afforded the oportunity to present evidence, the Vice President determines that the exporter has cancelled the sale, or failed to export, or failed to discharge fully any other obligation under the program, the exporter shall pay on demand any damages resulting from such failure, and may be suspended or debarred from participating in this program or in any other program of CCC for such period and subject to such terms and conditions as may be provided pursuant to the suspension and debarment regulations of CCC (29 F.R. 10495, July 29, 1964, and any amendments thereto): *Provided,* That the exporter shall not be liable for such damages and shall not be suspended or debarred for such failure if he establishes to the satisfaction of the Vice President that his failure to discharge his obligations under the program was not due to his fault or negligence.

* * * * *

4. The undesignated center heading "Wheat Export Payment Certificate" preceding § 1483.145 is amended to read "Export Commodity Certificate".

5. Section 1483.145 *Application for wheat export payment* is amended to read as follows:

§ 1483.145 Application for wheat export payment.

For exportations of wheat (including durum wheat) an original and two (2) copies of Application for Wheat Export Payment, Form CCC–357, must be prepared and submitted together with the evidence of export as provided in § 1483.147 to the Kansas City ASCS Commodity Office. The exporter should submit the application as soon as possible

after exportation. Except in the case of wheat exported prior to sale, Form CCC–357 should be submitted to the Kansas City ASCS Commodity Office at the same time the exporter submits the related Report of Wheat Exported, Form CCC–518 which is required by the Export Wheat Marketing Certificate Regulations. The exporter should indicate on the Form CCC–357 or attachment thereto if he wishes the refund or credit against the amount payable by him for export marketing certificates to be made by CCC in kind. On any Form CCC–357 covering wheat exported prior to sale the exporter shall show both the Registration Number and the Export Unsold Number. Supplies of Form CCC–357 and detailed instructions regarding the preparation and submission of the form may be obtained from the ASCS Commodity Offices in Evanston and Kansas City.

6. Section 1483.146 *Issuance of certificate* is retitled and amended to read as follows:

§ 1483.146 Export commodity certificate.

(a) *Amount for which issued.* Upon receipt of an Application for Wheat Export Payment (Form CCC–357) and satisfactory evidence of export, the ASCS Commodity Office will determine the amount of payment due by multiplying the number of net bushels of wheat exported in accordance with the export contract with CCC by the applicable export payment rate. If the amount of the export payment exceeds the cost of export wheat marketing certificates due under the Export Wheat Marketing Certificate Regulations, a part of the export payment equal to the cost of such certificates shall constitute a refund or credit against the cost of such certificates. If the amount of the export payment does not exceed the cost of export wheat marketing certificates, the entire amount of the payment shall constitute the refund or credit. The amount of the refund or credit shall be applied in the manner specified in the Export Wheat Marketing Certificate Regulations. An Export Commodity Certificate (Form CCC–341), hereinafter referred to in this subpart as "certificate", will be issued to the exporter for the portion of the payment due the exporter which does not constitute a refund or credit against the cost of export wheat marketing certificates or for such amount plus the amount of the refund or credit against the cost of export wheat marketing certificates which the exporter elects to receive in the form of certificates if the exporter has acquired and surrendered to CCC export wheat marketing certificates for the amount of the refund or credit. The total of such amount shall be shown as the value on the certificate issued by CCC.

(b) *Payee.* Except as provided in § 1483.176, the certificate will be issued only to the exporter who has filed a Declaration of Sale and has obtained the Registration Number which shall be shown in the space provided in the certificate.

(c) *Date of issuance.* The date of issuance shown on the certificate will be the date the certificate is issued by the ASCS commodity office.

(d) *Transfer.* Certificates may be transferred by endorsement.

(e) *Redemption.* Unexpired certificates will be redeemed by CCC at face value in wheat upon the terms and conditions of § 1483.155 et seq. of this subpart or in any commodity available for export sale under and subject to the terms and conditions of a CCC regulation or announcement providing for redemption of such certificates.

(f) *Expiration.* Certificates shall expire if not presented for redemption within 365 days after date of issuance shown on the certificate and thereafter shall have no value, unless the period for redemption is extended in writing by CCC.

7. The undesignated center heading "Redemption of Wheat Export Certificate" preceding § 1483.155 is amended to read "Redemption of Export Commodity Certificates in Wheat."

8. Section 1483.155 *Submission of offers* is amended to read as follows:

§ 1483.155 Submission of offers.

Offers to purchase CCC wheat with certificates issued under this or any other CCC program may be submitted by letter, telegram, or orally to Evanston or Kansas City ASCS Commodity Office from which the exporter desires delivery. The offeror must specify the class, grade, quality and quantity desired, and the desired point of delivery. CCC reserves the right to determine the classes, grades, qualities and quantities and point of delivery for which offers will be considered, and to reject any offer in whole or in part.

9. Section 1483.158 *Payment terms and financial arrangements* paragraph (a) is amended to read as follows:

§ 1483.158 Payment terms and financial arrangements.

(a) The amount due CCC for wheat purchased hereunder shall be paid by the purchaser by surrender to CCC of properly endorsed certificate(s). If certificates having a value in excess of the purchase price are surrendered by the purchaser to CCC, the certificates having the earliest date of issuance shall be applied first to the purchase and any certificates not applied shall be returned to the purchaser. If the value of certificates applied to the purchase exceeds the purchase price, such excess will be adjusted by issuance and delivery to the purchaser of a balance certificate which may be used on a subsequent purchase from CCC. The date of issuance shown on the balance certificate will be the date shown on the original certificate, or if more than one certificate is applied to the purchase, the date of issuance shown on the balance certificate will be the latest date of issuance shown on a certificate applied to the purchase. The value of the balance certificate will be determined by deducting from the value of certificates surrendered to CCC, the purchase price of the wheat.

* * * * *

10. Section 1483.178 *Submission of reports* is amended to read as follows:

§ 1483.178 Submission of reports.

The Notice of Sale, Declaration of Sale, offer to export (Durum Wheat) and related reports required under this subpart to be submitted to the Director should be addressed as follows:

Wheat Subsidy and Market Branch,
Procurement and Sales Division,
Agricultural Stabilization and Conservation Service,
U.S. Department of Agriculture,
Washington 25, D.C. 20250

Delivery to the above office of telegraphic Notices of Sale will be expedited if addressed as follows:

Substaff, USDA (AG) Washington, D.C.

Exporters calling this office by long distance telephone may do so by direct dialing. The long distance area number for Washington, D.C., is 202. The telephone numbers of this office are DUdley 8–3261, 8–3262, 8–3927, and 8–3928. For example, exporters may dial 202 DU 8–3261.

11. A new § 1483.185 is added to read as follows:

§ 1483.185 Export marketing certificate.

"Export marketing certificate" means an export wheat marketing certificate issued under the wheat marketing allocation program and required by the Export Wheat Marketing Certificate Regulations (29 F.R. 7867 and any amendments thereto) to be purchased and surrendered to CCC by persons exporting wheat.

Effective date. This amendment shall be effective with respect to contracts for the making of a payment by CCC entered into on and after the date of filing this amendment with the Director, Office of the Federal Register.

Signed at Washington, D.C., on January 11, 1965.

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

[F.R. Doc. 65-480; Filed, Jan. 14, 1965; 8:47 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 214—NONIMMIGRANT CLASSES

PART 336—PROCEEDINGS BEFORE NATURALIZATION COURT

Miscellaneous Amendments

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

§ 214.2 [Amended]

1. The last sentence of subparagraph (1) *Without visas* of paragraph (c) *Transits* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is deleted.

2. The first sentence of subdivision (ii) *Petition for alien to perform other*

temporary service or labor of subparagraph (2) *Supporting evidence* of paragraph (h) *Temporary employees* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended to read as follows: "A United States Employment Service clearance order concerning the nonavailability of qualified persons in the United States and stating that its policies have been observed shall be attached to every submitted nonimmigrant visa petition to accord an alien a classification under section 101(a)(15)(H)(ii) of the Act, unless the petitioner has been informed by the Immigration and Naturalization Service that a clearance order for the beneficiary's occupation is not required."

Section 336.16a is amended to read as follows:

§ 336.16a Final hearing; execution of questionnaire.

Immediately prior to the commencement of the final hearing, each person filing a petition for naturalization in his own behalf, or in behalf of a child pursuant to section 322 or 323 of the Immigration and Nationality Act, said child being sixteen years of age or older on the date of the final hearing, shall execute the questionnaire on Form N–445 or Form N–445A.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to editorial changes and to agency procedure.

Dated: January 12, 1965.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 65–481; Filed, Jan. 14, 1965; 8:47 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 1 (Rev. 3)]

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

Conflicts of Interest

Pursuant to authority contained in sections 308 and 312 of the Small Business Investment Act of 1958, Public Law 85–699, 72 Stat. 694, as amended, there is amended, as set forth below, § 107.716 of Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946–16961.

Information and effective date. On December 2, 1964, a revised Notice of Proposed Rule Making was published in the FEDERAL REGISTER (29 F.R. 16094) concerning amendment of § 107.716 to accomplish more effective control of conflicts of interest pursuant to section 312 of the Act, added by the Small Business Investment Act Amendments of 1963, Public Law 88–273, 78 Stat. 147, approved February 28, 1964.

After due and careful consideration of the comments and expression of views received with regard to the proposals made, the Administration has determined to adopt the formal amendments, set forth below, as being in furtherance of the best interests of the SBIC program.

The revision of § 107.716, as finalized in the formal amendments published herewith, incorporates the text of the proposals published on December 2, 1964, except for two minor textual changes: (1) "employer" has been added immediately before the words, "or employee", in subparagraph (b)(3), and (2) "son-in-law, daughter-in-law" have been added immediately before the words, "brother-in-law or sister-in-law", in the definition of "close relative" appearing in subparagraph (b)(5).

The amendments shall become effective thirty (30) days after publication in the FEDERAL REGISTER.

The Regulations Governing Small Business Investment Companies are hereby amended by deleting § 107.716 in its entirety and substituting a new § 107.716. As amended, § 107.716 reads as follows:

§ 107.716 Conflicts of interest.

(a) *General.* Self-dealing to the prejudice of SBA, small business concerns financed by a Licensee, or shareholders of a Licensee, is prohibited.

(b) *Persons or concerns connected with the Licensee.* Without the prior written approval of SBA, a Licensee shall not, directly or indirectly, provide financing to:

(1) An officer, director, or investment adviser of such Licensee, or any person or firm regularly serving such Licensee in the capacity of attorney-at-law; or

(2) Any person or entity which owns or controls, directly or indirectly, 10 or more percent of the stock of such Licensee; or

(3) Any officer, director, partner, employer, or employee of any person or entity described in subparagraphs (1) and (2) of this paragraph; or

(4) Any person or entity which directly or indirectly controls, or is controlled by, or is under common control with, any person or entity described in subparagraphs (1) and (2) of this paragraph; or

(5) Any close relative (i.e., ancestor; lineal descendant; brother or sister, by the whole or half blood, and lineal descendants of either; spouse; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law) of any person described in subparagraphs (1) and (2) of this paragraph; or

(6) Any concern in which (i) any person described in subparagraphs (1) through (5) of this paragraph is an officer or director or (ii) any person or entity described in said subparagraphs (or group of two or more such persons or entities acting in concert) owns or controls, directly or indirectly, 10 or more percent equity interest (exclusive of any interest attributable solely to ownership of equity interests in the Licensee);

(7) For the purpose of this paragraph, any person or entity which has held any of the positions or relationships described in subparagraphs (1) through (6) of this paragraph within six months prior to the date of financing, or which holds any such positions or relationships within six months after the date of financing shall be deemed to have such position or relationship as of the date of financing.

(c) *Persons or concerns connected with Licensee by reason of 5 to 10 percent stock ownership.* Without prior SBA approval, a Licensee may not invest more than 25 percent of (1) its combined paid-in capital and paid-in surplus (including outstanding commitments and loans under § 107.301) or (2) its total assets, whichever is greater, in concerns in which—

(i) A person or entity which owns or controls, directly or indirectly, 5 or more (but less than 10) percent of the stock of such Licensee, also owns or controls, directly or indirectly, a 10 or more percent equity interest, or

(ii) A person or entity which owns or controls, directly or indirectly, 10 or more percent of the stock of such Licensee, also owns or controls, directly or indirectly, an equity interest of 5 or more (but less than 10) percent: *Provided, however,* That the equity interest, referred to in subdivision (i) of this subparagraph and this subdivision (ii) which a person or entity owns or controls in any such concern shall be exclusive of any interest attributable solely to ownership by such person or entity of equity interests in the Licensee.

For the purposes of this paragraph, any person or entity which has been related to both the Licensee and its portfolio concern at any time within 6 months prior to date of financing, as described in subdivisions (i) and (ii) of this subparagraph, shall be deemed to have been so related to them on the date of financing if such relationships are reacquired within 6 months after date of financing.

(d) *Persons or concerns connected with other Licensees.* (1) Without prior written approval of SBA, a Licensee shall not provide financing, directly or indirectly, to any person or entity connected with another Licensee in the manner described in paragraph (b) of this section, if any person or entity so connected with the Licensee providing such financing receives, or is about to receive, or has received, directly or indirectly, from any Licensee any financing or a commitment for financing.

(2) A Licensee shall not, directly or indirectly, provide financing to any person or entity connected with another Licensee in the manner described in paragraph (b) of this section, if there exists any express or implied understanding, agreement, or cross-dealing, reciprocal or circular arrangement, under which persons or entities connected with the first Licensee in the manner described in paragraph (b) of this section have re-

ceived or are to receive financing from another Licensee.

(e) *Borrowing.* Without prior written approval of SBA, no Licensee nor any of the persons or entities described in paragraph (b) of this section, shall directly or indirectly borrow money from:

(1) A concern financed by such Licensee; or

(2) An officer, director or owner of 10 or more percent equity interest in such concern, or a close relative (as defined in paragraph (b)(5) of this section) of such officer, director or equity owner.

(f) *Publication.* SBA will publish in a periodical bulletin, in summary form, each approval granted under this section. Within 10 days after the approval of an application filed by a Licensee under this section (or in case the Licensee qualifies for the exemption prescribed under paragraph (g) of this section), it shall publish in a newspaper of general circulation, in the locality most directly affected by the transaction, a notice specified by SBA describing the transaction, and shall furnish a copy of such notice to SBA within 10 days after publication.

(g) *Exemption for 1940 Act companies.* Licensees subject to the regulatory jurisdiction of the Securities and Exchange Commission under the Investment Company Act of 1940 which have, pursuant to a rule, regulation, order approving an application for exemption, or other Commission action, been granted an exemption from applicable provisions of said Act and/or implementing rules and regulations, with regard to a transaction which is also subject to paragraph (b) or (e) of this section, shall be exempt from the provisions of said paragraph (b) or (e) of this section, except for the publication requirements pertaining thereto specified under paragraph (f) of this section.

(h) *Protection of investment.* Nothing herein contained is intended to preclude a Licensee from permitting an officer, employee, or representative from serving as an officer, director, or in any other capacity in the management of a small business concern for the purpose of protecting its investment in or loan to such concern.

(i) *Standards governing approval of applications.* In determining whether a proposed transaction shall be approved under this section, SBA will take into consideration the following factors to the extent that may be applicable under the attendant circumstances:

(1) The extent and degree of common ownership and other relationships;

(2) The degree of independence of the board of directors of the Licensee;

(3) The comparability of the terms and conditions of the proposed transaction with those of other financings made by the Licensee, not subject to this section;

(4) The cost and recency of any investment in the small business concern by persons or entities connected with the Licensee in the manner described in the particular paragraph of this section pursuant to which application is made;

(5) The total number and amount of transactions subject to this section, previously entered into by the Licensee; and

(6) Such other facts or events as SBA finds are pertinent under the circumstances in connection with its ascertaining that approval will be consonant with statutory objectives and the best interests of the SBIC program.

(j) *Applicability, construction and effect.* (1) This section shall be applicable to and govern the legality of transactions subject to its provisions which are consummated after February 15, 1965.

(2) The legality of transactions of a continuing nature consummated prior to February 15, 1965 (the effective date hereof) shall be governed by the former provisions of § 107.716 in effect at the time that Licensee entered into said transactions. Nothing contained herein shall be construed as preventing SBA from taking or continuing appropriate enforcement action thereunder with respect to any transaction which the Licensee consummated prior to February 15, 1965, in violation of applicable provisions of former § 107.716.

Dated: January 8, 1965.

EUGENE P. FOLEY,
Administrator.

[F.R. Doc. 65-446; Filed, Jan. 14, 1965; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket Nos. 2095 and 3025; Amdts. 33-1 and 35-1]

PART 1—DEFINITIONS AND ABBREVIATIONS

PART 33—AIRWORTHINESS STANDARDS; AIRCRAFT ENGINES

PART 35—AIRWORTHINESS STANDARDS; PROPELLERS

Effective Date of Certain Recodified Rules and Repeal of Certain Special Regulations

The amendments adding Parts 33—Airworthiness Standards: Aircraft Engines (including amendment 1-5 adding certain definitions to Part 1) and 35—Airworthiness Standards: Propellers published in the FEDERAL REGISTER on June 10, 1964 (29 F.R. 7452 and 7458, respectively) did not contain effective dates for these parts.

As stated in the preamble to each of these parts the Agency could not assign an effective date until the effective date of Part 21—Certification Procedures for Products and Parts was known, since both the airworthiness standards and the procedural rules should become effective simultaneously. Part 21 was published in the FEDERAL REGISTER on October 24, 1964 (29 F.R. 14562) effective February 1, 1965.

In addition, while the provisions of all Special Civil Air Regulations in effect have either been restated as a part of the Federal Aviation Regulations or as Special Federal Aviation Regulations, and have therefore been impliedly repealed, some of them have not been specifically repealed. This amendment therefore to avoid any possible confusion, specifically repeals all existing Special Civil Air Regulations.

In consideration of the foregoing:

(1) Parts 33, 35, and amendment 1-5 to Part 1 of the Federal Aviation Regulations are made effective February 1, 1965.

(2) All Special Civil Air Regulations not heretofore repealed are hereby repealed effective April 1, 1965.

(Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C. on January 8, 1965.

N. E. HALABY,
Administrator.

[F.R. Doc. 65-491; Filed, Jan. 14, 1965; 8:48 a.m.]

Chapter V—National Aeronautics and Space Administration

PART 1209—BOARDS AND COMMITTEES

Subpart 1—Board of Contract Appeals

1. Subpart 1 revised in its entirety as follows:

Sec.
1209.100 Scope.
1209.101 Establishment of board.
1209.102 Functions of board.
1209.103 NASA representation.

AUTHORITY: The provisions of this Subpart 1 issued under 42 U.S.C. 2473.

§ 1209.100 Scope.

This subpart reconstitutes and continues the Board of Contract Appeals established to adjudicate appeals by NASA contractors arising from the findings of fact and final decisions of NASA contracting officers or their authorized representatives pursuant to the "Disputes" clause of a NASA contract.

§ 1209.101 Establishment of board.

(a) A Board of Contract Appeals for the National Aeronautics and Space Administration (NASA) was established pursuant to NASA Management Instruction 2-4-1, effective June 25, 1959, with offices located at NASA Headquarters, Washington, D.C.

(b)(1) The Board of Contract Appeals (hereinafter referred to as the Board) shall hereafter consist of five permanent members designated by the Administrator, one of whom shall be designated as Chairman and one as Vice-Chairman. The Vice-Chairman is empowered to exercise all the powers of the Chairman, as authorized by the Chairman, or in his absence.

(2) Additional members may be designated by the Administrator to serve on the Board on an ad-hoc basis for the adjudication of particular appeals.

(3) Membership on the Board shall be limited to persons admitted to the practice of law before the highest court

in the jurisdiction in which they are members of the bar.

(c) In the discretion of the Chairman, an appeal may be adjudicated by the full membership of the Board or by a panel of three members, including ad-hoc members. Two members of a panel shall constitute a majority of the Board for the appeal involved.

§ 1209.102 Functions of board.

(a) The Board is authorized to act for and exercise the full authority of the Administrator in all cases in which, by the terms of a contract, the contractor may appeal to the Administrator or his representative from the findings of fact and final decision of the contracting officer or his authorized representative. No member of the Board shall consider an appeal if he has participated in the awarding or administration of the contract in dispute.

(b) The Board shall have all powers necessary for the proper performance of its duties. This includes but is not limited to authority to conduct hearings, dismiss proceedings, order the production of documents and other evidence, take official notice of facts within general knowledge, and decide all questions of fact and law raised by the appeal. There shall be no administrative appeal from decisions of the Board.

§ 1209.103 NASA representation.

The General Counsel of the National Aeronautics and Space Administration shall designate counsel to represent the interests of the Government in proceedings before the Board.

Effective date. The provisions of Subpart 1 (§§ 1209.100–1209.103) are effective January 1, 1965.

JAMES E. WEBB,
Administrator.

[F.R. Doc. 65-482; Filed, Jan. 14, 1965; 8:47 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Fort Hall Indian Irrigation Project, Idaho

On November 13, 1964 there was published in the daily issue of the FEDERAL REGISTER, Volume 29, Number 222, Page 15264, Notice of Intention to amend § 221.32, Subchapter T, Chapter I of the Code of Federal Regulations Title 25. This section deals with the operation and maintenance charges on assessable lands under the Fort Hall Indian Irrigation Project, Fort Hall Indian Reservation, Idaho. Interested persons were thereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or argument in writing to R. D. Holtz, Area Director, within thirty days from the date of publication of the notice. No comments, suggestions or objections have been received and, accordingly § 221.32 of Title 25, Code of Federal Regulations, Chapter I, Bureau of Indian Affairs, Subchapter T, is amended as follows:

§ 221.32 Basic and other water charges.

(a) In compliance with the provisions of the acts of March 1, 1907 (34 Stat. 1024), and August 31, 1954 (68 Stat. 1026), the annual basic water charges for the operation and maintenance of the lands in non-Indian ownership and Indian-owned lands leased to a non-Indian or a non-member of the Shoshone-Bannock Tribe of the Fort Hall Indian Reservation, Idaho, to which water can be delivered for irrigation are hereby fixed for the calendar year 1965 and subsequent years until further notice as follows:

	Per acre
(1) For Hall Project:	
Basic rate	$4.25
(2) Michaud Division, Fort Hall Reservation:	
Basic rate	9.00
Additional rate for sprinkler irrigation when pressure is supplied by the project	3.00
(3) Minor Units, Fort Hall Reservation:	
Basic rate	1.50

(b) In addition to the foregoing charges, there shall be collected a minimum charge of $5.00 for the first acre or fraction thereof on each tract of land for which operation and maintenance bills are prepared. The minimum bill issued for any area will, therefore, be the basic rate per acre plus $5.00.

R. D. HOLTZ,
Area Director.

[F.R. Doc. 65-484; Filed, Jan. 14, 1965; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1135]

[Docket No. AO–300–A8]

MILK IN COLORADO SPRINGS-PUEBLO MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Colorado Springs, Colorado, on December 2, 1964, pursuant to notice thereof issued on November 21, 1964 (29 F.R. 15656).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator on December 21, 1964, (29 F.R. 18380; F.R. Doc. 64–13251) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issue on the record of the hearing relates to continuing the Class I price at its present level.

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

The present Class I pricing provisions of the order should be continued. These provide for a differential of $2.10 over the basic formula price (Minnesota-Wisconsin price series) subject to a supply-demand adjustor. The $2.10 Class I price differential has been in the order since November 1, 1961. Prior to that date the differential was $2.20. The supply-demand adjustor was incorporated in the order, effective August 1, 1963.

The Class I pricing provisions expire on January 31, 1965. This termination date was provided as a means of insuring that the pricing mechanism would be reviewed after the supply-demand adjustor had been in effect for a sufficient period of time to judge its effect on marketing conditions.

The principal cooperative association supplying the market proposed that the present Class I pricing provisions be continued without change. Handlers supported this position as it applied to the immediate future. They noted, however, that they have requested that a hearing be held at which consideration would be given to a substantial revision of the Colorado Springs-Pueblo order. They indicated that when such a hearing was held, it would be desirable to review again the level of the Class I price.

In recent years, the market generally has been supplied with an adequate, but not excessive, quantity of milk to meet its fluid requirements. In 1962, producer receipts were 122.4 percent of the Class I utilization, and in 1963 were 121.4 percent. During the first 10 months of 1964, receipts were 119.4 percent of Class I utilization. This compares favorably to percentages of 120.9 and 121.3 percent in like periods of 1962 and 1963, respectively.

A supply-demand adjustor was incorporated in the order on August 1, 1963. It is designed to increase the Class I price automatically whenever the supplies of producer milk available to the three Colorado markets (Eastern Colorado, Colorado Springs-Pueblo, and Western Colorado) are insufficient for the fluid needs plus a reasonable reserve, and to decrease the Class I price if supplies become excessive. Since its adoption, the supply-demand adjustor has been operative in only three months. It increased the Class I price by two cents per hundredweight in each of the months of February, March and April 1964. The Class I price under the Colorado Springs-Pueblo order is directly related to the Class I prices in the Eastern Colorado and Western Colorado markets. Thus it is clear that the present Class I differential has tended to maintain supplies in balance with the needs of the Colorado markets.

The present Class I pricing provisions have also maintained appropriate price alignment with markets in surrounding states. The differences in price that have existed between the Colorado Springs-Pueblo market and surrounding markets have been insufficient to cause any appreciable intermarket shift of producers. Few, if any, producers have transferred to the Colorado Springs-Pueblo market from surrounding milksheds. Likewise, the market has experienced little or no loss of producers to surrounding areas. The loss of producers which has occurred in recent months is due to their having given up dairying rather than to their having transferred to other markets.

The Class I price herein provided is necessary to maintain an adequate, but not excessive, supply of milk for the Colorado Springs-Pueblo marketing area. At the same time it will maintain an appropriate price alignment between the Colorado Springs-Pueblo market and surrounding markets.

No briefs or proposed findings and conclusions were filed on behalf of interested parties.

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

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

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

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

Rulings on exceptions. No exceptions to the recommended decision were filed.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Colorado Springs-Pueblo Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Colorado Springs-Pueblo Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

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

Determination of representative period. The month of November 1964 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Colorado Springs-Pueblo marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on January 12, 1965.

CHARLES S. MURPHY,
Acting Secretary.

Order[1] *Amending the Order Regulating the Handling of Milk in the Colorado Springs-Pueblo Marketing Area*

§ 1135.0 Findings and determinations.

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Colorado Springs-Pueblo marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

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

In § 1135.51(a), delete the following: "During the period of August 1, 1963, through January 31, 1965, the Class I price shall be".

[F.R. Doc. 65-496; Filed, Jan. 14, 1965; 8:49 a.m.]

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

[7 CFR Part 1137]

[Docket No. AO-326-A6]

MILK IN EASTERN COLORADO MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Denver, Colorado, on December 1, 1964, pursuant to notice thereof issued on November 21, 1964 (29 F.R. 15656).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator on December 21, 1964 (29 F.R. 18381; F.R. Doc. 64-13252) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issue on the record of the hearing relates to continuing the Class I price at its present level.

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

The present Class I pricing provisions of the order should be continued. These provide for a differential of $2.10 over the basic formula price (Minnesota-Wisconsin price series) subject to a supply-demand adjustor. The $2.10 Class I price differential has been in the order since its inception. The supply-demand adjustor was incorporated in the order effective August 1, 1963.

The Class I pricing provisions expire on January 31, 1965. This termination date was provided as a means of insuring that the pricing mechanism would be reviewed after the supply-demand adjustor had been in effect for a sufficient period of time to judge its effect on marketing conditions.

Cooperative associations supplying the market proposed that the present Class I pricing provisions be continued without change. Handlers supported this position as it applied to the immediate future. They noted, however, that they have requested that a hearing be held at which consideration would be given to a substantial revision of the Eastern Colorado order. They indicated that when such a hearing was held, it would be desirable to review again the level of the Class I price.

Since the inception of the order, the market generally has been supplied with an adequate, but not excessive, quantity of milk to meet its fluid requirements. In 1962, producer receipts were 134 percent of the Class I utilization, and in 1963 were 131 percent. During the first 10 months of 1964, receipts were 137 percent of Class I utilization. This compares favorably to percentages of 136 and 134 percent in like periods of 1962 and 1963, respectively.

A supply-demand adjustor was incorporated in the order on August 1, 1963. It is designed to increase the Class I price automatically whenever the supplies of producer milk available to the three Colorado markets (Eastern Colorado, Colorado Springs-Pueblo, and Western Colorado) are insufficient for the fluid needs plus a reasonable reserve, and to decrease the Class I price if supplies become excessive. Since its adoption, the supply-demand adjustor has been operative in only three months. It increased the Class I price by two cents per hundredweight in each of the months of February, March and April 1964. Class I prices in the Colorado Springs-Pueblo and Western Colorado markets are directly related to the Class I price in the Eastern Colorado market. Thus, it is clear that the present Class I differential has tended to maintain supplies in balance with the needs of the Colorado markets.

The present Class I pricing provisions have also maintained appropriate price alignment with markets in surrounding states. The differences in price that have existed between Eastern Colorado and surrounding markets have been insufficient to cause any appreciable intermarket shift of producers. Few, if any, producers have transferred to the Eastern Colorado market from surrounding milksheds. Likewise, the market has experienced little or no loss of producers to surrounding areas.

The Class I price herein provided is necessary to maintain an adequate, but not excessive, supply of milk for the Eastern Colorado marketing area. At the same time it will maintain an appropriate price alignment between Eastern Colorado and surrounding markets.

The only brief filed supported the findings and conclusions contained herein.

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

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

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

and wholesome milk, and be in the public interest; and

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

Rulings on exceptions. No exceptions to the recommended decision were filed.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Eastern Colorado Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Eastern Colorado Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

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

Determination of representative period. The month of November 1964 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Eastern Colorado marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on January 12, 1965.

CHARLES S. MURPHY,
Acting Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Eastern Colorado Marketing Area

§ 1137.0 Findings and determinations.

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Eastern Colorado marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

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

In § 1137.51(a), delete the following: "During the period of August 1, 1963, through January 31, 1965, the Class I price shall be".

[F.R. Doc. 65-497; Filed, Jan. 14, 1965; 8:49 a.m.]

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

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 64-EA-69]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an en route transition area at Turkey, Ky.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA proposes to designate an en route transition area at Turkey, Ky. to provide protection for aircraft required to hold at the Turkey Intersection. If action is taken on this proposal, § 71.181 (29 F.R. 17643) would be amended by adding the Turkey, Ky. transition area as that airspace extending upward from 1,200 feet above the surface within 10 miles northeast and 7 miles southwest of the Whitesburg, Ky. VOR 301° True radial, extending from a point 25 miles northwest of the VOR to 52 miles northwest of the VOR.

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

Issued in Washington, D.C., on January 8, 1965.

D. E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-492; Filed, Jan. 14, 1965; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Depredation Order]

DEPREDATING GOLDEN EAGLES

Order Permitting Taking to Seasonally Protect Domestic Livestock in Certain Wyoming Counties

Pursuant to authority in section 2 of the Act of June 8, 1940 (54 Stat. 250; 16 U.S.C. 668), as amended, and in accordance with regulations under Part 11, Title 50, Code of Federal Regulations, the Secretary of the Interior has authorized the taking of golden eagles without a permit to seasonally protect domesticated livestock during the period from February 1, 1965, through June 30, 1965, in Wyoming, subject to the following conditions:

1. Golden eagles may be taken without a permit only for the protection of domesticated livestock and only by livestock owners and their agents.

2. Golden eagles may be taken by any suitable means or methods except by the use of poison or from aircraft.

3. Golden eagles or any parts thereof taken pursuant to this authorization may not be possessed, purchased, sold, traded, bartered, or offered for sale, trade, or barter.

4. Taking without a permit is authorized only in the Counties of Campbell, Carbon, Crook, Weston, Natrona, Big Horn, Niobrara and Albany.

5. Any person taking golden eagles pursuant to this authorization must at all reasonable times, including during actual operations, permit any Federal or State game law enforcement officer free and unrestricted access over the premises on which such operations have been or are being conducted; and shall furnish promptly to such officer whatever information he may require concerning such operations.

ABRAM V. TUNISON,
Acting Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 11, 1965.

[F.R. Doc. 65-477; Filed, Jan. 14, 1965; 8:47 a.m.]

Office of the Secretary

LESTER R. GAMBLE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of January 1, 1965.

Dated: December 22, 1964.

LESTER R. GAMBLE.

[F.R. Doc. 65-465; Filed, Jan. 14, 1965; 8:46 a.m.]

ANDREW PAT JONES

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of December 31, 1964.

Dated: December 18, 1964.

A. PAT JONES.

[F.R. Doc. 65-466; Filed, Jan. 14, 1965; 8:46 a.m.]

VIVAN B. JONES

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of January 4, 1965.

Dated: January 4, 1965.

VIVAN B. JONES.

[F.R. Doc. 65-467; Filed, Jan. 14, 1965; 8:46 a.m.]

CHARLES R. LEEVER

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) No change.
(2) Have purchased stock in Western Reserve Life Insurance Co.
(3) No change.
(4) No change.

This statement is made as of December 21, 1964.

Dated: December 21, 1964.

CHARLES R. LEEVER.

[F.R. Doc. 65-468; Filed, Jan. 14, 1965; 8:46 a.m.]

JOHN P. MADGETT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of December 15, 1964.

Dated: December 28, 1964.

JOHN P. MADGETT.

[F.R. Doc. 65-469; Filed, Jan. 14, 1965; 8:46 a.m.]

LILBERT A. MOLLMAN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of December 16, 1964.

Dated: December 16, 1964.

LILBERT A. MOLLMAN.

[F.R. Doc. 65-470; Filed, Jan. 14, 1965; 8:46 a.m.]

RIGGS SHEPPERD

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and

Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of December 14, 1964.

Dated: December 14, 1964.

RIGGS SHEPPERD.

[F.R. Doc. 65-471; Filed, Jan. 14, 1965; 8:46 a.m.]

STANLEY J. SICKEL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) I have acquired 100 shares Cessna Aircraft Co. common stock in name of Mrs. Margaret Sickel.
(2) I have disposed of 50 shares of Springfield Insurance Co. common stock held in the name of Mrs. Margaret Sickel.
(3) No change.
(4) No change.

This statement is made as of December 17, 1964.

Dated: December 17, 1964.

S. J. SICKEL.

[F.R. Doc. 65-472; Filed, Jan. 14, 1965; 8:46 a.m.]

WILLARD B. SIMONDS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of December 17, 1964.

Dated: December 17, 1964.

W. B. SIMONDS.

[F.R. Doc. 65-473; Filed, Jan. 14, 1965; 8:46 a.m.]

CHARLES E. WEBBER

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of December 31, 1964.

Dated: January 5, 1965.

CHARLES E. WEBBER.

[F.R. Doc. 65-475; Filed, Jan. 14, 1965; 8:47 a.m.]

ROLAND A. WHEALY

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of December 31, 1964.

Dated: January 4, 1965.

ROLAND A. WHEALY.

[F.R. Doc. 65-476; Filed, Jan. 14, 1965; 8:47 a.m.]

WILFORD D. WILDER

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of December 18, 1964.

Dated: December 18, 1964.

WILFORD D. WILDER.

[F.R. Doc. 65-474; Filed, Jan. 14, 1965; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

FRESH PEACHES GROWN IN GEORGIA

Findings and Determinations With Respect to Continuation in Effect of Amended Marketing Agreement and Order

Pursuant to the applicable provisions of Marketing Agreement No. 99, as amended, and Order No. 918, as amended (7 CFR Part 918), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), notice was given in the FEDERAL REGISTER (29 F.R. 16938) that a referendum would be conducted among the growers who, during the calendar year 1964 (which period was determined to be a representative period for the purpose of such referendum), were engaged, in Georgia, in the production of peaches for market to determine whether a majority of such growers favor the termination of the amended marketing agreement and order.

Upon the basis of the results of the aforesaid referendum, which was conducted during the period December 7 to December 15, 1964, both dates inclusive, it is hereby found and determined that the termination of the amended marketing agreement and order, regulating the handling of fresh peaches grown in Georgia, is not favored by the requisite majority of such growers.

Dated: January 12, 1965.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 65-495; Filed, Jan. 14, 1965; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 24-62]

PARIS-LABO

Order Terminating Indefinite Denial Order

In the matter of Paris-Labo, 7 rue du Cardinal-Lemoine, Paris 5, France, respondent; File No. 24-62.

An order dated November 2, 1964, effective as of November 5, 1964 (29 F.R. 15187) was entered against the above respondent denying it, for an indefinite period, all privileges of participating in exportations from the United States because it failed to answer interrogatories duly served in accordance with § 382.15 of the Export Regulations (15 CFR, Chapter III, Subchapter B) and without giving reasons for such failure. The said respondent has now responded to the interrogatories. Accordingly, it is ordered that the said order of November 2, 1964 be and the same is hereby terminated.

Dated: January 8, 1965.

FORREST D. HOCKERSMITH,
Director,
Office of Export Control.

[F.R. Doc. 65-488; Filed, Jan. 14, 1965; 8:48 a.m.]

Maritime Administration

[Report 48]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of

vessels which have arrived in Cuba since January 1, 1963, based on information received through January 6, 1965, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP

	Gross tonnage
Total all flags (223 ships)	1,585,229
British (73 ships)	538,945
**Amalia (now Maltese flag)	7,189
Amazon River	7,234
Antarctica	8,785
Ardenode	7,036
Ardgem	6,981
Ardmore	4,664
Ardpatrick	7,054
Ardrowan	7,300
Ardsirod	7,025
**Arlington Court (now Southgate—British flag).	
Athelcrown (Tanker)	11,149
Athelduke (Tanker)	9,089
Athelmere (Tanker)	7,524
Athelmonarch (Tanker)	11,182
Athelsultan (Tanker)	9,149
Avisfaith	7,868
Baxtergate	8,813
Canuk Trader	7,151
**Chipbee (now Stanwood—Liberian flag)	7,271
**Cosmo Trader (trip to Cuba under ex-name, Ivy Fair—British flag).	
Dairen	4,939
East Breeze	8,708
Eastfortune	8,789
Eirini	7,402
Free Enterprise	6,807
Free Merchant	5,237
**Garthdale (now Jeb Lee—British flag)	7,542
Grosvenor Mariner	7,026
Hazelmoor	7,907
Helka	2,111
Hemisphere	8,718
Ho Fung	7,121
Inchstaffa	5,255
**Ivy Fair (now Cosmo Trader—British flag)	7,201
**Jeb Lee (trip to Cuba under ex-name, Garthdale—British flag).	
Kinross	5,388
**Kirriemoor (now Jhelum—Pakistani flag)	5,923
La Hortensia	9,486
Linkmoor	8,236
Maratha Enterprise	7,166
Nancy Dee	6,597
Newdene	7,181
Newforest	7,185
Newgate	6,743
Newglade	7,368
Newgrove	7,172
Newheath	5,891
Newhill	7,855
Newlane	7,043
Newmeadow	5,654
Oceantramp	6,185
Oceantravel	10,477
Peony	9,037
Redbrook	7,388
Ruthy Ann	7,361
**St. Antonio (now Maltese flag)	6,704
Sandsend	7,236
Santa Granda	7,229
Sea Coral	10,421

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
British—Continued	
Sea Empress	10,074
Shienfoon	7,127
Shun Fung	7,148
Soclyve	7,291
**Southgate (previous trips to Cuba under ex-name, Arlington Court—British flag)	9,662
Stanwear	8,108
Suva Breeze	4,970
Swift River	7,251
**Thames Breeze	7,878
**Timios Stavros (now Maltese flag—Previous trips to Cuba under Greek flag)	5,269
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
West Breeze	8,718
Yungfutary	5,388
Yunglutaton	5,414
Zela M	7,237
Lebanese (57 ships)	381,410
Agia Sophia	3,106
Aiolos II	7,256
Ais Giannis	6,997
Akamas	7,285
Al Amin	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
Ares	4,557
Areti	7,176
Aristefs	6,995
Astir	5,324
Athamas	4,729
Carnation	4,884
**Christos (trip to Cuba under ex-name, Pamit—Greek flag).	
Claire	5,411
Cris	6,032
Dimos	7,187
Free Trader	7,067
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Aspiotis	7,297
Kalliopi D. Lemos	5,103
Katerina	9,357
Leftric	7,176
Malou	7,145
Mantric	7,255
*Maria Renee	7,203
Marichristina	7,124
Marymark	4,383
Mersinidi	6,782
Mimosa	7,314
Mousse	6,984
Nictric	7,296
Noelle	7,251
Noemi	7,070
Olga	7,199
Panagos	7,133
Parmarina	6,721
**Razani (broken up)	7,253
Rio	7,194
St. Anthony	5,349
St. Nicolas	7,165
San George	7,267
San John	5,172
San Spyridon	7,260
Stevo	7,066
Taxiarhis	7,349
Tertric	7,045
Theodoros Lemos	7,198
Theologos	6,529
Toula	4,561
Troyan	7,243
Vassiliki	7,192
Vastric	6,453
Vergolivada	6,339
Yanxilas	10,051

*Added to Report No. 47, appearing in the FEDERAL REGISTER issue of December 29, 1964.

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
Greek (40 ships)	287,898
Agios Therapon	5,617
Akastos	7,331
Alice	7,189
**Ambassade (sold Hong Kong shipbreakers)	8,600
Americana	7,104
Anacreon	7,359
Anatoli	7,178
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek flag)	6,712
Antonia	5,171
Apollon	9,744
Armathia	7,091
Athanassios K	7,216
Barbarino	7,084
Calliopi Michalos	7,249
Capetan Petros	7,291
**Embassy (broken up)	8,418
Everest	7,031
Flora M	7,244
Galini	7,266
**Gloria (now Helen—Greek flag)	7,128
**Helen (trip to Cuba under ex-name, Gloria—Greek flag).	
Irena	7,232
Istros II	7,275
Kapetan Kostis	5,032
Kyra Hariklia	6,888
Maria Theresa	7,245
Marigo	7,147
Maroudio	7,369
Mastro-Stelios II	7,282
**Nicolaos F. (previous trip to Cuba under ex-name, Nicolaos Frangistas—Greek flag).	
**Nicolaos Frangistas (now Nicolaos F.—Greek flag)	7,199
**Pamit (now Chistros—Lebanese flag)	3,929
Pantanassa	7,131
Paxoi	7,144
**Penelope (now Andromachi—Greek flag).	
**Plate Trader (trip to Cuba under ex-name, Stylianos N. Vlassopulos—Greek flag).	
**Presvia (broken up)	10,820
Propontis	7,128
Redestos	5,911
**Seirios (broken up)	7,239
Sophia	7,030
**Stylianos N. Vlassopulos (now Plate Trader—Greek flag)	7,244
**Timios Stavros (formerly British flag—now Maltese flag).	
Tina	7,362
Western Trader	9,268
Polish (14 ships)	94,647
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	6,987
Chorzow	7,237
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Kopalnia Bobrek	7,221
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Italian (13 ships)	104,492
Achille	6,950
Agostino Bertani	8,380
Andrea Costa (Tanker)	10,440
Aspromonte	7,154
Giuseppe Giulietti (Tanker)	17,519
*Mariasusanna	2,479
Montiron	1,595

FLAG OF REGISTRY, NAME OF SHIP—Continued	*Gross tonnage*
Italian—Continued	
Nazareno	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (Tanker)	12,461
Santa Lucia	9,278
Somalia	3,352
Yugoslav (7 ships)	49,926
Bar	7,233
Cavtat	7,266
Cetinje	7,200
Dugi Otok	6,997
Mojkovac	7,125
Promina	6,960
**Trebisnjica (wrecked)	7,145
French (6 ships)	16,391
Circe	2,874
Enee	1,232
Foulaya	3,739
Mungo	4,820
Nelee	2,874
Neve	852
Spanish (5 ships)	6,193
Escorpion	999
Sierra Andia	1,596
Sierra Aranzazu	1,600
Sierra Madre	999
Sierra Maria	999
Moroccan (5 ships)	35,828
Atlas	10,392
Banora	3,214
Marrakech	10,392
Toubkal	8,748
Mauritanie	3,082
Finnish (4 ships)	32,849
Augusta Paulin	7,096
**Hermia (trip to Cuba under ex-name Amfred—Swedish flag).	
Ragni Paulin	6,823
Susan Paulin	7,239
Valny (Tanker)	11,691
Swedish (3 ships)	17,123
**Amfred (now Hermia—Finnish flag)	2,828
**Atlantic Friend (now Atlantic Venture—Liberian flag)	7,805
Dagmar	6,490
Netherlands (2 ships)	999
*Meike	500
Tempo	499
Norwegian (2 ships)	10,002
Ole Bratt	5,252
**Tine (now Jezreel—Panamanian flag)	4,750
Cypriot (1 ship):	
Adelphos Petrakis	7,134
Kuwaiti (1 ship):	
Maha	1,392

*Added to Report No. 47, appearing in the FEDERAL REGISTER issue of December 29, 1964.

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY, NAME OF SHIP—Continued

Liberian:
- **Atlantic Venture (trip to Cuba under ex-name, Atlantic Friend—Swedish flag).
- **Stanwood (trip to Cuba under ex-name, Chipbee—British flag).

Maltese:
- **Amalia (trips to Cuba under British flag).
- **St. Antonio (trip to Cuba under British flag).
- **Timios Stavros (trips to Cuba under British flag and Greek flag).

Panamanian:
- **Jezreel (trip to Cuba under ex-name, Tine—Norwegian flag).

Pakistani:
- **Jhelum (trip to Cuba under ex-name, Kirriemoor—British flag).

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessel having given satisfactory certification and assurance:

(a) That such vessel will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) That no other vessels under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP

a. Since last report: None.

b. Previous reports: Flag of registry (total)	*Number of ships* 68
British	33
Danish	1
French	1
German (West)	1
Greek	20
Italian	5
Japanese	1
Lebanese	1
Norwegian	4
Spanish	1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through January 6, 1965:

Flag of registry	Number of trips											
	1963	1964										Total
		Jan.–Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
British	133	43	20	18	19	18	18	13	14	8	8	312
Lebanese	64	23	8	8	10	9	9	12	3	4	4	154
Greek	99	9	------	6	1	1	5	3	1	1	------	126
Italian	16	2	3	1	4	3	2	------	------	3	2	36
Spanish	8	3	3	------	2	2	2	2	2	1	------	25
Norwegian	14	3	1	2	1	------	1	------	1	1	------	24
Moroccan	9	2	------	2	1	3	1	2	2	------	------	22
Yugoslav	12	3	1	------	------	3	------	2	------	------	2	23
French	8	------	1	------	------	2	2	------	1	1	2	17
Swedish	3	------	------	------	2	------	------	------	------	------	------	5
Finnish	1	------	------	------	1	------	1	1	------	------	------	4
Netherlands	------	------	------	------	------	------	------	1	1	------	2	4
Kuwaiti	------	------	------	------	------	1	------	1	------	------	------	2
Cypriot	------	------	------	------	------	1	------	------	------	------	------	1
Danish	1	------	------	------	------	------	------	------	------	------	------	1
German (West)	1	------	------	------	------	------	------	------	------	------	------	1
Japanese	1	------	------	------	------	------	------	------	------	------	------	1
Subtotal	370	88	37	37	41	43	41	37	25	19	20	758
Polish	18	5	2	------	2	1	------	2	1	1	2	34
Grand total	388	93	39	37	43	44	41	39	26	20	22	792

NOTE: Trip totals in this section exceed ship totals in sections 1 and 2 because some of the ships made more than one trip to Cuba.

Dated: January 7, 1965.

By order of the Deputy Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 65–417; Filed, Jan. 14, 1965; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

HIPAGE CO., INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have 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 agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW.,

Room 301. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

The Hipage Company, Inc., Norfolk, Va., is party to the following agreements, the terms of which are identical. The other parties are:

Waters Shipping Co., Wilmington, N.C ---------- FF-1777
W. R. Keating & Co., Inc., New York, N.Y---------- FF-1776

The following agreements have similar terms:

P. F. Hoxter, New Orleans, La., and M. G. Maher & Co., Inc., Houston, Tex---------- FF-1763
H. Stone & Co., New York, N.Y., and Stevens Shipping Co., Savannah, Ga---------- FF-1764
Frontier Freight Forwarders, Inc., Miami, Fla., and Barr Shipping Co., Inc., New York, N.Y--------- FF-1765
Dixie Forwarding Co., Inc., Houston, Tex., and Black & Geddes, New York, N.Y---------- FF-1766
H. Stone & Co., New York, N.Y., and Coastal Forwarders, Charleston, S.C---------- FF-1767
American Union Transport, Inc., New York, N.Y., and Universal Transcontinental Corp., New York and Baltimore branch office----- FF-1768
Frank P. Dow Co., Inc., Seattle, Wash., San Francisco, Calif., Los Angeles, Calif., Portland, Oreg., and Bernard Lang & Co., Inc., New York, N.Y---------- FF-1769
H. Stone & Co., New York, N.Y., James Loudon & Co., Inc------- FF-1770
William H. Masson, Inc., Baltimore, Md., and Exporters Forwarding Co., Inc., New York, N.Y--------- FF-1771
Chas. Kurz Co., Philadelphia, Pa., and A. J. DeMay & Co., Inc------ FF-1772
UNO Shipping Co., Inc., New York, N.Y., and Mohegan International Corp., New Orleans, La---------- FF-1773
Triangle Forwarding Corp., New York, N.Y., and C. L. Hutchins & Co., Inc., San Diego, Calif------- FF-1774
Maron Shipping Agency, Inc., New York, N.Y. and Carmichael Forwarding Service, Inc., Los Angeles, Calif ---------- FF-1775
Gallagher & Ascher Co., Chicago, Ill., and C. H. Timm & Son, Inc., New York, N.Y---------- FF-1778
Caldwell & Co., Inc., New York, N.Y., and Robert L. Keller, Miami, Fla-- FF-1779
Freedman & Slater, Inc., New York, N.Y., and Behring-South Ports Shipping, Inc---------- FF-1780

Dated: January 12, 1965.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-487; Filed, Jan. 14, 1965; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-237]

GENESEE VALLEY GAS CO., INC.

Notice of Filing of Plan and Order for Notice to Stockholders

JANUARY 11, 1965.

Notice is hereby given that Genesee Valley Gas Co. ("Genesee") 56 Main Street, Geneseo, N.Y., a registered holding company, has filed with this Commission an application and amendments thereto for approval of a plan pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act") for the stated purpose of simplifying the holding-company system of which Genesee is the top company. In brief the plan provides for the pro rata distribution by Genesee to its stockholders of its principal asset, i.e., the common stock of The Pavilion Natural Gas Company ("Pavilion").

All interested persons are referred to the amended application and plan on file at the office of the Commission for a statement of the proposed transactions, and related facts, which are summarized below.

Genesee, a New York corporation, is solely a holding company. It has one direct subsidiary company, Pavilion, which is a gas utility company and an exempt holding company having one subsidiary company, Valley Gas Corp. ("Valley"). Pavilion and Valley, both New York corporations, are engaged in the distribution of natural gas in western New York State.

Genesee's sole outstanding securities consist of 22,655 shares of $1 par value common stock, held by 39 stockholders; its only substantial asset consists of Pavilion's outstanding common stock; and its income is derived solely from dividends received from Pavilion. At September 30, 1964, Pavilion had outstanding 25,000 shares of $13.20 par value common stock, all held by Genesee, and $489,000 principal amount of first mortgage bonds, held by insurance companies. Valley's sole outstanding securities consist of 50 shares of no par value common stock, all held by Pavilion. At September 30, 1964, the consolidated assets of Pavilion and Valley, less reserves for depreciation, totaled $1,681,198; for the twelve months then ended, their consolidated revenues and net income were $1,910,199 and $61,258, respectively.

Genesee states that it formerly supervised and financed the operations of its subsidiary companies and that the indenture securing Genesee's formerly outstanding bonds contained provisions which precluded financing by the subsidiary companies except through Genesee, but that these circumstances no longer exist. Genesee further states that it does not now and will not hereafter serve any useful purpose, and that its continued existence as a holding company unduly and unnecessarily complicates the Genesee holding-company system.

Under the proposed plan, Genesee will surrender to Pavilion 2,345 shares of the latter's common stock, thereby reducing the number of Pavilion shares of stock held by Genesee to 22,655, a number equal to the number of outstanding shares of Genesee's stock. Following such step, Genesee will distribute the 22,655 shares of Pavillion stock to Genesee's stockholders on a share-for-share basis. Such distribution will be made to the holders of record of Genesee's common stock determined as of the close of business on a date ("record date") to be fixed by the board of directors of Genesee. To effectuate the distribution, Genesee will cause to be registered in the names of such record holders the shares of stock of Pavilion to which they shall be entitled, and will cause such shares to be delivered to said record holders. Any certificates for Pavilion shares of stock which for any reason cannot be then delivered will be held by Pavilion for subsequent delivery to the persons in whose names the stock evidenced thereby is registered. Pavilion has consented in writing to those provisions of the plan which require any action by it in connection with the consummation of the plan. Genesee will pay such fees and expenses incurred in connection with the plan as the Commission shall approve. The right is reserved to amend the plan at any time before its approval by the Commission. The filing of the application and the plan have been authorized by the board of directors and stockholders of Genesee.

Genesee has requested that any order approving the proposed plan include appropriate tax recitals to meet the requirements of Section 4382 and Part VI of Subchapter O of Chapter I of Subtitle A of the Internal Revenue Code of 1954, as amended. Unless Genesee shall waive such condition, consummation of the plan is conditioned upon Genesee's obtaining from the United States Treasury Department a ruling or rulings satisfactory to Genesee in respect of the foregoing.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction with respect to the plan or the transactions incident thereto.

Genesee requests that, upon consummation of the plan and the transactions incident thereto, the Commission issue an order pursuant to section 5(d) of the Act, declaring that Genesee has ceased to be a holding company and terminating its registration under the Act. Genesee expects, as soon as practicable after it has ceased to be a holding company, that it will be liquidated and dissolved under applicable State law.

Notice is further given that any interested person may, not later than January 29, 1965, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law which he proposes to controvert; or he may request that he be notified should the Commission 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 applicant, at the above-stated address, and

proof of service (by affidavit or, in case of an attorney at law, by certificate) filed contemporaneously with the request. At any time after said date the Commission may grant the application as amended, and approve the plan, or take such other action as it deems appropriate.

It is hereby ordered, That Genesee shall, not later than January 19, 1965, mail a copy of this notice and order to each stockholder of record at his address appearing in the stock records of the company, and shall file proof of such mailing by affidavit or, if by attorney at law, by certificate.

By the Commission.

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

[F.R. Doc. 65-447; Filed, Jan. 14, 1965; 8:45 a.m.]

[File Nos. 7-2421, 7-2422]

KING'S DEPARTMENT STORES, INC., AND WEST POINT MANUFACTURING CO.

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

JANUARY 11, 1965.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

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

King's Department Stores, Inc.; File 7-2421.
West Point Manufacturing Co.; File 7-2422.

Upon receipt of a request, on or before January 27, 1965, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 65-448; Filed, Jan. 14, 1965; 8:45 a.m.]

[File Nos. 7-2419, 7-2420]

MOTOROLA, INC., AND TIME, INC.

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

JANUARY 11, 1965.

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

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

Motorola, Inc.; File 7-2419.
Time, Inc.; File 7-2420.

Upon receipt of a request, on or before January 27, 1965, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 65-449; Filed, Jan. 14, 1965; 8:45 a.m.]

[File No. 812-1740]

VARIABLE ANNUITY LIFE INSURANCE COMPANY OF AMERICA

Notice of Filing of Application Exemption and for Modification of Existing Order

JANUARY 11, 1965.

Notice is hereby given that Variable Annuity Life Insurance Co. of America ("Applicant") Washington, D.C., an open-end investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order exempting it from the provisions of sections 22(d) and 27(a) of the Act to the extent specified in the application and for modification of the existing Commission Order of February 25, 1960 granting applicant an exemption from section 27(a) of the Act. All interested persons are referred to the application filed with the Commission for a full statement of applicant's representations which are summarized below.

Applicant is engaged primarily in the sale of individual, pension trust, and group variable retirement annuity contracts. It also issues conventional life insurance, disability insurance and fixed dollar annuities.

Applicant proposes to change its methods of deducting sales load from payments made by purchasers of its pension trust contracts to reduce the amount of sales load deducted from payments in the early years of the contracts. Sales load deducted from investors payments is currently 35 percent in the first contract year, 5.5 percent for each of the next eleven years. No such deductions are made after the twelfth year. Applicant proposes to change such schedule to provide for deductions of 12.08 percent in each of the first six contract years, 5.5 percent in each of the next six years, and 2 percent each year for the remainder of any accumulation period. Where the contract period is less than twelve years, deductions at a lower uniform rate will be made in the first six years. The result of the change will be to increase total sales load deductions over the first twelve years from 7.96 percent to 8.79 percent. The latter rate is currently applicable to the individual contracts issued by applicant. In addition to amounts of sales load deducted from payments made by purchasers of contracts, applicant makes deductions for administrative and other expenses. Applicant requests an exemption from the provisions of section 27(a)(3) which require that the sales load be deducted at a uniform rate from payments made after the first year. Applicant represents that the total deductions for sales load as proposed will be less, at any point in the life of a contract, than the maximum deductions permitted by section 27(a) of the Act.

Applicant requests an exemption from the provision of section 22(d) of the Act which prevents price discrimination among purchasers of redeemable securities to permit the sale of pension trust and group contracts to any employer described in section 403(b) of the Internal Revenue Code ("Code") at the same sales loads applicable to employees' trust and pension, profit-sharing and other employee benefit plans qualified under section 401 of the Code and to tax exempt organizations enumerated under sections 501(c)(3) and (13) of the Code. Rule 22d-1 under the Act permits variations in sales load for the latter two groups. The requested exemption would permit purchasers qualified under section 403(b) of the Code to increase the amount of purchase payments at any time after the first year and be charged the sales load at the rate applicable during the contract year in which the increase is made. The purchase payments may be increased once in each contract year, but no purchase payment may exceed 150 percent of the first year's payment.

On February 25, 1960, the Commission granted applicant an exemption from section 27(a) with respect to its individual and pension trust contracts to permit the deduction of the sales load over a twelve year period, with a uniform sales load deduction for eleven years after the first and no sales load deduction thereafter (Investment Company Act Release No. 3149). Applicant now proposes to make a sales load deduction of 2 percent for each contract year after the twelfth year for its individual contracts. The Commission is requested to modify its February 25, 1960 order to the extent necessary to conform to the requested exemption.

Notice is further given that any interested person may, not later than January 28, 1965, submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 65-450; Filed, Jan. 14, 1965; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMDAL CO.

Notice of Filing of Petition for Food Additives Arsanilic Acid, Erythromycin Thiocyanate, Zoalene

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 5D1591) has been filed by Amdal Co., Agricultural Division, Abbott Laboratories, North Chicago, Ill., proposing amendments to § 121.207 *Zoalene* to provide for the safe use of zoalene, arsanilic acid, and erythromycin thiocyanate in broiler and replacement chicken feed, as follows:

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
Zoalene	36.3-113.5	Arsanilic acid, with or without:	90 (0.01%)	For broiler and replacement chickens: withdraw 5 days before slaughter.	Growth promotion and feed efficiency improving pigmentation.
		• • •			
		iv. Erythromycin	3.7-20	For broiler and replacement chickens: as erythromycin thiocyanate.	Do.
		v. Erythromycin	92.5-100	For broiler and replacement chickens: as erythromycin thiocyanate. Feed for 2 days before stress and 3 to 6 days after stress.	As an aid in the prevention of respiratory diseases resulting from stress.
				For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 7 to 14 days, then feed 18.5-20 gm. of erythromycin per ton to prevent further outbreaks.	Treatment and prevention of infectious coryza.
		vi. Erythromycin	185-200	For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 5 to 8 days.	Treatment and prevention of chronic respiratory disease.
Do	36.3-113.5	Sodium arsanilate, with or without:	90 (0.01%)	For broiler and replacement chickens; withdraw 5 days before slaughter.	Growth promotion and feed efficiency; improving pigmentation.
		i. Erythromycin	3.7-20	For broiler and replacement chickens; as erythromycin thiocyanate.	Do.
		ii. Erythromycin	92.5-100	For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 2 days before stress and 3 to 6 days after stress.	As an aid in the prevention of respiratory diseases resulting from stress.
				For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 7 to 14 days, then, feed 18.5-20 gm. of erythromycin per ton to prevent further outbreaks.	Treatment and prevention of infectious coryza.
		iii. Erythromycin	185-200	For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 5 to 8 days.	Treatment and prevention of chronic respiratory diseasc.
Do	36.3-113.5	Erythromycin	3.7-20	For broiler and replacement chickens; as erythromycin thiocyanate.	Growth promotion and feed efficiency.
Do	36.3-113.5	----do----	92.5-100	For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 2 days before stress and 3 to 6 days after stress.	As an aid in the prevention of respiratory diseases resulting from stress.
				For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 7 to 14 days, then feed 18.5-20 gm. erythromycin per ton to prevent further outbreaks.	Treatment and prevention of infectious coryza.
Do	36.3-113.5	----do----	185-200	For broiler and replacement chickens; as erythromycin thiocyanate. Feed for 5 to 8 days.	Treatment and prevention of chronic respiratory disease.

Dated: January 11, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-433; Filed, Jan. 14, 1965; 8:45 a.m.]

DEPARTMENT OF THE ARMY

Notice of Filing of Petition for Food Additive Ionizing Radiation

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5M1622) has been filed by the Department of the Army, Quartermaster Research and Engineering Center, Natick, Mass., proposing the issuance of a regulation to provide for the safe use of vegetable parchment in contact with food subject to ionizing radiation not to exceed 6 megarads.

Dated: January 8, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-434; Filed, Jan. 14, 1965; 8:45 a.m.]

DOW CHEMICAL CO.

Notice of Filing of Petition for Food Additives Zoalene and Additional Secondary Ingredients

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 4C1206) has been filed by The Dow Chemical Co., Post Office Box 512, Midland, Mich., 48641, proposing an amendment to paragraph (c) of § 121.207 *Zoalene* of the food additive regulations to provide for the safe use of zoalene combined with 3-nitro-4-hydroxyphenylarsonic acid and certain antibiotic drugs in complete chicken feed by adding to item 2 and to item 3 in the table a new item m, as follows:

ZOALENE IN COMPLETE FEEDS FOR CHICKENS AND TURKEYS

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
• • •	• • •	• • •	• • •	• • •	• • •
2. • • •					
m. Zoalene	113.5 (0.0125%)	3-Nitro-4-hydroxyphenyl-arsonic acid with:	22.7-45.4	For broiler chickens; not to be fed to laying chickens.	Growth promotion and feed efficiency; improving pigmentation.
		i. Penicillin	2.4-50	From procaine penicillin.	
		ii. Bacitracin	4-50	From bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	
		iii. Penicillin plus bacitracin.	3.6-50	Not less than 0.6 gm. of penicillin nor less than 3.0 gm. of bacitracin; from procaine penicillin plus bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	
3. • • •					
m. Zoalene	36.3-113.5 (0.004%-0.0125%)	3-Nitro-4-hydroxyphenylarsonic acid with:	22.7-45.4	For replacement chickens; not to be fed to laying chickens.	Development of active immunity to coccidiosis; growth promotion and feed efficiency; improving pigmentation.
		i. Penicillin	2.4-50	From procaine penicillin.	
		ii. Bacitracin	4-50	From bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	
		iii. Penicillin plus bacitracin.	3.6-50	Not less than 0.6 gm. of penicillin nor less than 3.0 gm. of bacitracin; from procaine penicillin plus bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	

Dated: January 8, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-435; Filed, Jan. 14, 1965; 8:45 a.m.]

ROHM & HAAS CO.

Notice of Filing of Petition Regarding Pesticide Coordination Product of Zinc Ion and Maneb

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 5F0431) has been filed by Rohm & Haas Company, Washington Square, Philadelphia, Pa., 19105, proposing the establishment of a tolerance for residues of a fungicide consisting of a coordination product of zinc ion and maneb (manganous ethylenebisdithiocarbamate) containing 20 percent manganese, 2.5 percent zinc, and 77.5 percent ethylenebisdithiocarbamate (the whole product of which is calculated as zinc ethylenebisdithiocarbamate) at 7 parts per million in or on melons, with no residue present in the edible portion after the peel is removed.

The analytical method proposed in the petition for determining residues of this coordination product of zinc ion and manganous ethylenebisdithiocarbamate as above described is a modification of the basic dithiocarbamate method of Pease, Journal of the Association of Official Agricultural Chemists, Volume 40, page 1113 (1957).

Dated: January 12, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-489; Filed, Jan. 14, 1965; 8:48 a.m.]

J. E. SIEBEL SONS' CO., INC.

Notice of Filing of Petition for Food Additive Cobaltous Salts

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5A1615) has been filed by J. E. Siebel Sons' Co., Inc., 4055 West Peterson Avenue, Chicago, Ill., 60646, proposing an amendment to § 121.1142 *Cobaltous salts* to provide for the safe use of cobaltous salts at levels not exceeding 3 parts per million (calculated as cobalt) in fermented malt beverages. The current tolerance expressed in § 121.1142 is 1.2 parts per million.

Dated: January 12, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-490; Filed, Jan. 14, 1965; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-9314, etc.]

AMERADA PETROLEUM CORP., ET AL.

Findings and Order After Statutory Hearing

JANUARY 5, 1965.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

J. C. Trahan, Drilling Contractor, Inc., Applicant in Docket Nos. CI60-536 and CI61-1015, proposes to continue sales of natural gas authorized in said dockets in lieu of Shoreline Exploration, Inc., pursuant to contracts heretofore designated as Shoreline's FPC Gas Rate

Schedule Nos. 1 and 2 which will be redesignated as FPC gas rate schedules of Trahan. The presently effective rates under said contracts are in effect subject to refund in Docket Nos. RI62-103 [1] and RI61-557,[1] respectively. Trahan has filed motions to be substituted in lieu of Shoreline as respondent in each of the rate proceedings together with agreements and undertakings to assure the refunds of any amounts collected, both past and future, in excess of the amounts determined to be just and reasonable in said proceedings. Accordingly, Trahan will be substituted as respondent, the proceedings will be redesignated, and the agreements and undertakings will be accepted for filing.

After due notice, no petition or notice to intervene or protest to the granting of any of the respective applications or petitions have been filed.

At a hearing held on December 30, 1964, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

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

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

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

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-9314, G-18402, G-19591, CI60-356, CI61-192, CI61-286, CI61-897, CI61-1015, CI62-333, CI62-752, CI62-753, CI63-273, CI64-175, CI64-1250, CI64-1498 and CI64-1515 should be amended as hereinafter ordered.

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein, and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) The certificates of public convenience and necessity heretofore issued to the Applicants herein, relating to the several abandonments hereinafter permitted and approved should be terminated.

(8) It is necessary and proper in carrying out the provisions of the Natural Gas Act that Docket No. CI65-350 should be cancelled and that the application filed therein, should be processed as a petition to amend the certificate issued in Docket No. CI64-1515 by permitting the successor in interest to continue the service heretofore authorized.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that J. C. Trahan, Drilling Contractor, Inc., should be substituted in lieu of Shoreline Exploration, Inc., as respondent in the proceedings pending in Docket Nos. RI61-557 and RI62-103, that said proceedings should be redesignated accordingly, and that the agreements and undertakings submitted by Trahan should be accepted for filing.

(10) The respective related rate schedules and supplements as designated or redesignated in the tabulation herein, should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity be and the same are hereby issued, upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this proceeding.

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

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

(D) The certificate issued herein, in Docket No. CI62-1534 is hereby conditioned as were the certificates issued by the order accompanying Opinion Nos. 390 and 390-A.

(E) The certificate in Docket No. CI64-1393 is hereby issued at a total initial price of 9.0 cents per Mcf.

(F) The certificates issued herein, in Docket Nos. CI65-416 and CI65-433 are hereby conditioned as follows:

(a) The total initial price shall not exceed 15.0 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement plus B.t.u. adjustment;

(b) In the event that the Commission amends its Policy Statement No. 61-1 by adjusting the boundary between the Panhandle area and the "Other" Oklahoma area, so as to increase the initial wellhead price for new gas in the area of the sales involved herein, Applicants may thereupon substitute the new rate reflecting the amount of such increase, and thereafter collect such new rate prospectively in lieu of the rate herein required; and

(c) The allowances for take-or-pay provisions and the upward Btu adjustment provisions in the related rate schedules are subject to the ultimate disposition with respect to such provisions in the rule-making proceedings in Docket Nos. R-199 and R-200; however, Applicants will not be required to file take-or-pay provisions for less than 80 percent of the annual contract quantities.

(G) The certificate in Docket No. CI65-441 is hereby issued at a total rate of 15.0 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement. However, in the event the Commission amends its Policy Statement No. 61-1 by adjusting the boundary between the Panhandle area and the "Other" Oklahoma area, so as to increase the initial wellhead price for new gas in the area of the sale involved herein, Applicant may thereupon substitute a new rate, consistent with the contract, reflecting the amount of such increase, and thereafter collect such new rate prospectively in lieu of the initial rate herein required.

(H) The certificate authorizations heretofore issued to the respective Applicants in Docket Nos. G-9314, G-18402, CI61-192, CI61-286, CI64-175, CI64-1250 and CI64-1498 are hereby amended by

[1] Consolidated with Docket No. AR61-2, et al.

adding thereto and deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(I) The certificate heretofore issued to Belco Petroleum Corp. in Docket No. G-19591, is hereby amended by deleting therefrom authorization granted herein to Socony Mobil Oil Co., Inc., in Docket No. CI65-85 and such authorization does not relieve Applicant of any refund obligation in the related rate suspension proceeding in Docket No. RI60-127.

(J) The certificates heretofore issued in Docket Nos. CI61-897 and CI62-333 are hereby amended by deleting therefrom authorization granted herein in Docket Nos. CI65-446 and CI65-388.

(K) The certificates heretofore issued in Docket Nos. CI60-356, CI61-1015, CI62-752, CI62-753, CI63-273 and CI64-1515 are hereby amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(L) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein, are hereby granted.

(M) The certificates heretofore issued in Docket Nos. G-5543, G-16393 and CI63-248 are hereby terminated.

(N) Docket No. CI65-350 is hereby cancelled.

(O) J. C. Trahan, Drilling Contractor, Inc., be and it is hereby substituted in lieu of Shoreline Exploration, Inc., as respondent in the proceedings pending in Docket Nos. RI61-557 and RI62-103, and said proceedings are redesignated accordingly.[2]

(P) The agreements and undertakings submitted by J. C. Trahan, Drilling Contractor, Inc., in the proceedings pending in Docket Nos. RI61-557 and RI62-103 to assure the refunds of any amounts collected, both past and future, in excess of the amounts determined to be just and reasonable in said proceedings be and the same are hereby accepted for filing.

(Q) J. C. Trahan, Drilling Contractor, Inc., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreements and undertakings filed by Trahan in Docket Nos. RI61-557 and RI62-103 shall remain in full force and effect until discharged by the Commission.

(R) The respective related rate schedules and supplements as indicated in the tabulation herein, are hereby accepted for filing; further, the rate schedules relating to the successions herein, are hereby redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates indicated in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-9314 ..... D 8-3-64	Amerada Petroleum Corp. (partial abandonment).	Colorado Interstate Gas Co., Greenwood Field, Baca County, Colo.	Assignment 9-14-60 [1]	42	6
			Assignment4-1-61 [1]	42	7
			Assignment 4-1-61 [1]	42	8
			Assignment 4-1-61 [1]	42	9
			Assignment 5-5-61 [1 9]	42	10
G-18402..... C 11-10-64	Shell Oil Co	Transcontinental Gas Pipe Line Corp., Eugene Island Area, Block 100 Field, offshore of St. Mary Parish, La.	Agreement 9-28-64	200	3
CI60-356..... E 10-27-64	J. C. Trahan, Drilling Contractor, Inc. (successor to Shoreline Exploration, Inc.).	United Gas Pipe Line Co., East Gibson Field, Terrebonne Parish, La.	Shoreline Exploration, Inc., FPC GRS No. 1.	32	.....
			Supplement Nos. 1-3	32	1-3
			Notice of succession (undated).	.....	.....
			Agreement of merger 1-27-64.[3]	32	4
CI61-192..... C 11-9-64	Phillips Petroleum Co	Texas Eastern Transmission Corp., Hico-Knowles Field, Lincoln Parish, La.	Letter agreement 9-18-64. [4]	370	3
CI61-286..... D 10-9-64	P. S. & G., Inc	Texas Gas Transmission Corp., Monroe Field, Union Parish, La.	Amendatory agreement 6-9-64.[2 5]	1	4
CI61-1015..... E 10-27-64	J. C. Trahan, Drilling Contractor, Inc. (successor to Shoreline Exploration, Inc.).	United Gas Pipe Line Co., East Gibson Field, Terrebonne Parish, La.	Shoreline Exploration, Inc., FPC GRS No. 2.	33	.....
			Supplement Nos. 1-2	33	1-2
			Notice of succession (undated).	.....	.....
			Agreement of merger 1-27-64.[3]	33	3
CI62-752..... E 9-14-64	PIP Petroleum Corp. (successor to Pampas Petroleum Co.).	Hope Natural Gas Co., Center District, Gilmer County, W. Va.	Pampas Petroleum Co., FPC GRS No. 1.	1	.....
			Supplement Nos. 1-15	1	1-15
			Notice of succession 8-1-64.	.....	.....
			Assignment 7-21-64 [6]	1	16
			Assignment 7-22-64 [7]	1	17
			Effective date: 6-1-64	.....	.....
CI62-753..... E 9-14-64	do	United Fuel Gas Co., Butler and Union Districts, Wayne County, W. Va.	Pampas Petroleum Co., FPC GRS No. 2.	2	.....
			Supplement Nos. 1-5	2	1-5
			Notice of succession 8-1-64.	.....	.....
			Assignment 7-21-64 [6]	2	6
			Assignment 7-22-64 [7]	2	7
			Assignment 7-21-64 [6]	2	8
			Assignment 7-22-64 [7]	2	9
			Assignment 7-21-64 [6]	2	10
			Assignment 7-22-64 [7]	2	11
			Effective date: 6-1-64	.....	.....
CI62-1534..... A 6-22-62 10-28-64 [8]	Shell Oil Co	El Paso Natural Gas Co., Mocane Field, Beaver County, Okla.	Contract 3-26-59	275	.....
			Assignment 11-14-61	275	1
			Assignment 11-14-61	275	2
			Letter 8-8-62	275	3
CI63-273..... E 11-3-64	Frank Bateman (successor to Bateman & Whitsitt, Inc.).	El Paso Natural Gas Co., Acreage in Lea County, N. Mex.	Bateman & Whitsitt, Inc., FPC GRS No. 1.	1	.....
			Supplement Nos. 1-6	1	1-6
			Notice of succession 7-15-64.	.....	.....
			Assignment 1-7-64 [3]	1	7
CI64-175..... C 11-6-64	Pan American Petroleum Corp. (Operator), et al.	El Paso Natural Gas Co., Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.	Letter agreement 9-28-64.[4]	363	5
CI64-1250..... C 11-10-64	Paul F. Starr, Agent for L & N Oil Co.	Hope Natural Gas Co., Washington, District, Calhoun County, W. Va.	Letter agreement 10-19-64.[4]	13	2
CI64-1393..... A 5-20-64 as amended 11-9-64.	Rhode, Henderson and Dawson.	Phillips Petroleum Co., Panhandle Field, Gray County, Tex.	Contract 4-6-54 [9]	1	.....
			Assignment 5-26-62 [10]	1	1
			Effective date: 1-1-62	.....	.....
CI64-1498..... C 11-6-64 D 11-6-64	California Oil Co., Western Division.	Kansas-Nebraska Natural Gas Co., Inc., Cooper Reservoir, Lost Cabin and Waltman Fields, Fremont and Natrona Counties, Wyo.	Supplemental agreement 10-9-64.[4 11]	6	1
A CI65-85..... (G-19591) F 7-31-64	Socony Mobil Oil Co., Inc.	El Paso Natural Gas Co., Hogsback Unit, Sublette County, Wyo.	Contract 8-26-55	367	.....
			Letter agreement 6-28-56.	367	1
			Letter agreement 6-29-56.	367	2
			Letter agreement 8-7-57.	367	3
			Letter agreement 8-19-57.	367	4
			Letter agreement 11-14-57.	367	5
			Letter agreement 6-25-63.	367	6
			Assignment 8-13-63 [12]	367	7
CI65-202..... (G-5543) B 9-4-64	Mid-Atlantic Oil & Gas Co.[13]	Hope Natural Gas Co., Grant District, Ritchie County, W. Va.	Notice of cancellation 8-31-64.[3 14]	12	5

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[2] J. C. Trahan, Drilling Contractor, Inc.

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI65-318 A 9-24-64	D J. Simmons, et al.	United Gas Pipe Line Co., Monroe Gas Field, Ouachita Parish, La.	Contract 6-4-64 [15]	3	
			Contract 7-31-63	3	1
			Farmout Agreement 2-12-64.	3	2
			Farmout Agreement 3-9-64. [4]	3	3
CI65-337 A 10-1-64	Dean Wells, et al. (successor to Ambassador Oil Corp. et al.).	Panhandle Eastern Pipe Line Co., Acreage in Edwards County, Kans.	Contract 12-23-58	1	
			Amendment 7-2-62	1	1
			Assignment 5-12-64 [14] [4]	1	2
			Contract 5-1-59	2	
			Amendment 4-6-62	2	1
			Assignment 5-12-64 [14] [4]	2	2
			Assignment 4-1-61 [14]	1	1
A CI65-350 [17] (CI64-1515) (CI61-286) F 10-5-64	H & H Oil and Gas Corp. (successor to P. S. & G., Inc.).	Texas Gas Transmission Corp., Monroe Field, Union Parish, La.	Amendment 6-9-64	1	2
			Amendment 6-10-64 [4]	1	3
CI65-353 A 10-9-64	Sun Oil Co. (Southwest Division).	El Paso Natural Gas Co., Payton (Simpson) Field, Pecos County, Tex.	Contract 9-25-64	176	
			Supplemental Agreement 10-29-64. [4]	176	1
			Contract 9-14-64	289	
		do	Supplemental Agreement 10-30-64. [4]	289	1
CI65-360 A 10-12-64	The Atlantic Refining Co.		Contract 9-14-55	12	
		Cities Service Gas Co., Boggs Field, Barber County, Kans.	Assignment 12-28-62 [4]	12	1
CI65-385 A 8-26-64	Western Oil Fields, Inc.	Lake Shore Pipe Line Co., Bushnell (Pa.) Field, Erie County, Pa.	Contract 9-9-64	2	
			Assignment 4-15-64 [18] [4]	2	1
A CI65-388 (CI62-333) F 10-21-64	J. Sterling McCluskey (Operator), et al. (successor to Paul L. Britton, Jr. (Operator), et al.).				
CI65-416 A 11-2-64	Goff Oil Co., et al. [20]	Panhandle Eastern Pipe Line Co., South Teagarden Field, Woods County, Okla.	Contract 9-23-64	2	
			Contract 5-27-64 [4]	2	1
CI65-422 (G-16393) B 11-3-64	Socony Mobil Oil Co., Inc.	Natural Gas Pipeline Co. of America Alvord Field, Wise, County, Tex.	Notice of Cancellation 11-2-64. [21] [4]	181	6
			Ratification 8-11-64	249	
CI65-432 A 11-6-64	Sunray DX Oil Co.	Texas Eastern Transmission Corp., Diai Field, Goliad County, Tex.	Contract 8-1-61 [4]	249	1
			Contract 5-27-64	62	
CI65-433 A 11-9-64	J. M. Huber Corp. [20]	Panhandle Eastern Pipe Line Co., South Teagarden Field, Woods County, Okla.	Letter agreement 8-12-64. [4]	62	1
			Contract 9-24-64 [4]	10	
CI65-434 A 11-9-64	Thomas E. Berry	Panhandle Eastern Pipe Line Co., Acreage in Beaver County, Okla.	Contract 9-16-63 [4]	1	
CI65-435 A 11-9-64	Charles Bury	Hope Natural Gas Co., Warren District, Upshur County, W. Va.	Contract 9-25-64 [4]	4	
CI65-437 A 11-9-64	E. F. Fundingsland	El Paso Natural Gas Co., Acreage in San Juan County, N. Mex.	Contract 4-1-64 [4]	408	
CI65-440 A 11-5-64	Phillips Petroleum Co.	Hope Natural Gas Co., Burns Chapel Unit Area, Union, Morgan and Clinton Districts, Monongolia County; and Valley District, Preston County, W. Va.			
CI65-441 A 11-6-64	Ashland Oil & Refining Co. [22]	Natural Gas Pipeline Co. of America, Acreage in Dewey County, Okla.	Contract 5-20-64 [4]	169	
CI65-445 A 11-10-64	James F. Scott, Agent for W. B. Fleming Well No. 1.	Hope Natural Gas Co., McClellan District, Doddridge County, W. Va.	Contract 9-28-64 [4]	5	
A CI65-446 (CI61-897) F 11-9-64	Rutter and Wilbanks Corp. [23]	El Paso Natural Gas Co., Spraberry Trend Field, Upton County, Tex.	Contract 5-21-59	1	
			Assignment 10-5-59 [24]	1	[25] 1
			Assignment 10-5-59 [24]	1	[26] 2
			Assignment 1-7-60 [26]	1	3
			Assignment 7-31-62 [24]	1	4
			Assignment 4-17-63 [26]	1	5
			Effective date: 4-1-63		
CI61-897 [27]	Rutter and Co., Ltd.	El Paso Natural Gas Co., Spraberry Trend Field, Upton County, Tex.	Notice of partial cancellation 11-5-64. [28]	1	6
			Effective date: 4-1-63		
CI65-447 (CI63-248) B 11-10-64	Carroll T. Payne, et al.	Hope Natural Gas Co., Grant District, Harrison County, W. Va.	Notice of cancellation 11-9-64. [8] [21]	1	1
CI65-448 A 11-10-64	Edwin C. Meredith, Agent for E. C. Meredith, et al.	Hope Natural Gas Co., Murphy District, Ritchie County, W. Va.	Contract 9-11-64 [4]	4	
CI65-449 A 11-10-64	H. E. Acker, Agent for H. E. Acker, et al.	Hope Natural Gas Co., Freemans Creek District, Lewis County, W. Va.	Contract 7-15-64 [4]	1	
CI65-450 A 11-10-64	P. P. Gunn, Agent for P. P. Gunn, et al.	Hope Natural Gas Co., Lee District, Calhoun County, W. Va.	Contract 9-24-64 [4]	21	
CI65-451 A 11-10-64	Paul F. Starr, Agent for M. & R. Producing Co.	Hope Natural Gas Co., Spencer District, Roane County, W. Va.	Contract 9-10-64 [4]	19	
CI65-452 A 11-12-64	Fred Attaya	Texas Eastern Transmission Corp., Altair Field, Colorado County, Tex.	Contract 9-16-64 [4]	1	
CI65-453 A 11-12-64	The Atlantic Refining Co.	Northern Natural Gas Co., Ozona Field, Crockett County, Tex.	Contract 9-18-64 [4]	290	
CI65-454 A 11-12-64	Skelly Oil Co.	Panhandle Eastern Pipe Line Co., Acreage in Seward County, Kans.	Contract 8-17-64 [4]	202	
CI65-456 A 11-12-64	McCall Drilling Co., Inc.	Hope Natural Gas Co., Sherman District, Calhoun County, W. Va.	Contract 8-6-64 [4]	65	
CI65-457 A 11-12-64	Francis E. Cain, Agent for Robert Gill Oil & Gas Partnership.	Hope Natural Gas Co., Murphy District, Ritchie County, W. Va.	Contract 9-14-64 [4]	25	
CI65-458 A 11-12-64	H. L. Ice, Agent for Cunningham Oil & Gas Co.	do	Contract 6-29-64 [4]	7	
CI65-459 A 11-12-64	Dewey Harris, Agent for Dewey Harris, et al.	Hope Natural Gas Co., Warren District, Upshur County, W. Va.	Contract 10-9-64 [4]	4	

[1] Partial assignment of nonproductive acreage to Horizon Oil & Gas Co.; Horizon has submitted an agreement whereby the purchaser has agreed to the release of the subject acreage from the Amerada contract of Aug. 24, 1955.
[4] Effective date: Date of this order.
[4] Effective date: Date of transfer of properties.
[4] Effective date: Date of initial delivery.
[8] Deletes acreage assigned to H & H Oil and Gas Corp.; H & H has filed a petition to amend its certificate in Docket No. CI64-1515 to cover such acreage.
[4] Pampas Petroleum Co. to Howard Alexander.
[7] Howard Alexander to PIP Petroleum Corp.
[8] By letter filed Oct. 28, 1964, Applicant stated willingness to accept a permanent certificate under the same terms and conditions contained in Opinion Nos. 390 and 390-A.
[4] Contract between Plains Oil & Gas, Inc. (Applicant's predecessor) and buyer; predecessor has made no filings.
[10] To Applicant from Plains Oil & Gas, Inc.
[11] Adds acreage and deletes nonproductive acreage.
[12] Assigns interest to Socony from Belco Petroleum Corp., FPC GRS No. 3: No motion has been filed by Socony to be corespondent in Belco's suspension docket in R160-127.
[13] Abandonment filed by Sun Down Oil Co. (successor in interest to Mid-Atlantic Oil & Gas Co.) with no succession filings having been made.
[14] Production of gas no longer economically feasible.
[15] Adopts terms of contract dated July 31, 1963, between buyer and Applicant to cover acreage acquired through farmouts from Union Producing Co. and Ashland Oil & Refining Co.
[16] Instrument whereby Applicant acquired the subject acreage from Ambassador; 37½ percent interest of the units covered under FPC GRS No. 1 and 62½ percent interest covered under FPC GRS No. 2.
[17] Application in Docket No. CI65-350 being construed as a petition to amend the certificate issued to H & H Oil and Gas Corp. in Docket No. CI64-1515 to reflect the partial succession of interest to P. S. & G., Inc., in Docket No. CI61-286; Docket No. CI65-350 will be cancelled.
[18] From P. S. & G., Inc., to H & H Oil and Gas Corp.
[19] Partial assignment of nonproductive acreage from Paul L. Britton, Jr. (Operator), et al., to J. Sterling McCluskey (Operator), et al.
[20] The contract rate is 17.0 cents, however, Applicant has stated it is willing to accept a permanent certificate conditioned similarly as to those issued by Opinion No. 350.
[21] Source of gas depleted.
[22] Applicant has stated willingness to accept a permanent certificate conditioned to ceiling rate of 15.0 cents in lieu of contract rate of 17.0 cents.

See footnotes at end of table.

[2] Partial succession to Rutter and Co., Ltd., FPC GRS No. 1.
[3] Partial assignment of property from Rutter and Co., Ltd., to Clovis G. Chappell. Chappell has never made the appropriate succession filing.
[4] Supplement No. 1 covers acreage in C.C.S.D. & R.O.N.G. R.R. Co. Survey. Supplement No. 2 covers acreage in D. & W. R.R. Co. Survey.
[5] Partial assignment of property from Clovis G. Chappell to Rutter and Wilbanks Corp.
[6] No certificate filing made by, or required of Applicant.
[7] Reflects assignment of acreage to Rutter and Wilbanks Corp.

[F.R. Doc. 65-343; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket Nos. RI65-382, etc.]

PHILLIPS PETROLEUM CO., ET AL.

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

DECEMBER 18, 1964.

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

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

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

The Commission orders:

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

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

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 3, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI65-382	Phillips Petroleum Co., Bartlesville, Okla., 74004. Attn: Mr. Dan L. Mayer.	316	4	West Lake Natural Gasoline Co.[2] (South Lake Trammell Area, Nolan County, Tex.) (R.R. District No. 7-B).	$600	11-20-64	[3] 1-1-65	[4] 1-2-65	8.5	[5][9] 9.0	RI60-390.
RI65-383	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla., 74101. Attn: Mr. Homer E. McEwen, Jr.	158	4	West Lake Natural Gasoline Co.[2] (Nena Lucia Field, Nolan County, Tex.) (R.R. District No. 7-B).	855	11-23-64	[3] 1-1-65	[4] 1-2-65	8.5	[5][9] 9.0	RI60-415.
RI65-384	Texaco Inc., Post Office Box 52332, Houston, Tex., 77052. Attn: Mr. W. V. Vietti.	22	5	El Paso Natural Gas Co. (Pictured Cliffs Field (Gallegos Canyon Unit) San Juan County, N. Mex.) (San Juan Basin Area).	2,545	11-23-64	[7] 12-24-64	[4] 12-25-64	[10] 11.2116	[5][9][10] 12.2295	RI64-130.
	Texaco Inc.	27	6	El Paso Natural Gas Co. (Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	1,455	11-23-64	[7] 12-24-64	[4] 12-25-64	[10] 11.2116	[5][9][10] 12.2295	RI64-130.

[2] For resale to El Paso Natural Gas Co. under West Lake Natural Gasoline Co. (Operator), et al's FPC Gas Rate Schedule No. 1.
[3] End of suspension period for West Lake's related increased rate in Docket No. RI65-29.
[4] The suspension period is shortened to one day.
[5] Revenue-sharing rate increase.
[7] The stated effective date is the first day after expiration of the required statutory notice.
[9] Pressure base is 15.025 p.s.i.a.
[10] Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax, protested by buyer by letter filed December 1, 1964.

Texaco Inc. (Texaco) requests that its proposed rate increases be permitted to become effective as of January 1, 1964, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Texaco's rate filings and such request is denied.

Texaco's proposed rate increases include partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2.0 percent to 2.55 percent on April 1, 1963. The buyer, El Paso Natural Gas Co. (El Paso), has protested the rate increases filed by Texaco. El Paso questions the right of the producer under the tax reimbursement clauses to file rate increases reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased tax rate in excess of 0.55 percent. Under the circumstances, we shall provide that the hearing provided for herein for Texaco shall concern itself with the contractual basis as well as the statutory lawfulness of Texaco's proposed rate filings. Since the proposed increases reflect tax reimbursement, the suspension period for each may be shortened to one day from December 24, 1964, the date of expiration of the statutory notice.

Phillips Petroleum Co. (Phillips) and Sunray DX Oil Co.'s (Sunray) proposed rate increases are revenue-sharing increases for sales to West Lake Natural Gasoline Co. (West Lake), a subsidiary of El Paso Natural Gas Co. (El Paso). West Lake gathers and processes the gas and resells it to El Paso, paying its suppliers 50 percent of the amount it receives from El Paso. On July 1, 1964, West Lake filed a periodic increase from

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

17.0 cents to 18.0 cents per Mcf for its sale to El Paso, which was suspended for five months until January 1, 1965, in Docket No. RI65–29, because it exceeds the 11.5 cents per Mcf area ceiling for increased rates. Phillips and Sunray's proposed rate increases are based upon West Lake's suspended 18.0 cents per Mcf rate. Although the proposed revenue-sharing rate increases are below the 11.5 cents per Mcf area ceiling as set forth in the Commission's Statement of General Policy No. 61–1, as amended, they are suspended because of their relationship to West Lake's increased rate. Under the circumstances, the suspension periods for Phillips and Sunray's rate filings may be shortened to one day from January 1, 1965, the expiration date of the suspension period for West Lake's related increased rate in Docket No. RI65–29.

[F.R. Doc. 65–412; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket No. CP65–197]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Application

JANUARY 8, 1965.

Take notice that on December 31, 1964, Alabama-Tennessee Natural Gas Co. (Applicant), Florence, Ala., filed in Docket No. CP65–197 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction and operation of other facilities and the sale of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval to abandon, by sale to Decatur, Ala., 4.8 miles of 3½-inch O.D. lateral pipeline, extending from a point of connection with the existing Decatur 6⅝-inch lateral line to a point north of Flint City, Ala. In addition, Applicant seeks to abandon and remove 7.7 miles of 6⅝-inch main pipeline extending from a point near Madison, Ala., to the terminus of Applicant's main transmission pipeline system near Huntsville, Ala.

Pursuant to section 7(c) of the Natural Gas Act, Applicant seeks authorization to construct and operate: (1) Approximately 7.7 miles of 12¾-inch O.D. main transmission pipeline paralleling Applicant's existing 10¾-inch O.D. line from Madison, Ala. to Huntsville, Ala.; (2) approximately 8.0 miles of 6⅝-inch O.D. lateral pipeline extending from Applicant's Hartselle Station in Morgan County, Ala. to the delivery point for Muscle Shoals Natural Gas Corp. at Flint City, Ala.; and (3) an additional 350 BHP compressor unit at its Sheffield compressor station in Colbert County, Ala.

The application states that the proposed construction is required to provide an additional 6,650 Mcf of daily system delivery capacity, in order to enable Applicant to serve its existing customers with their natural gas requirements for the winter heating season of 1965–66, and to further enable Applicant to meet the estimated third year peak day requirements of 1,225 Mcf for Moulton, Ala., a new customer of Applicant.

The estimated cost of Applicant's proposed construction is $665,000, and will be financed by short term bank loans and the issuance of either bonds or debentures.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 8, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65–452; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket No. CP65–200]

COLORADO INTERSTATE GAS CO.

Notice of Application

JANUARY 8, 1965.

Take notice that on December 31, 1964, Colorado Interstate Gas Co. (Applicant), Colorado Springs, Colo., filed in Docket No. CP65–200 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the short-term sale of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant proposes to make a two-year, short-term sale to Cabot Corp. (Cabot) of an estimated annual volume of 9,125,000 Mcf of natural gas at a price of 15.75 cents per Mcf, to be delivered to Cabot by Northern Natural Gas Co. (Northern) for Applicant's account. Deliveries are to take place at three separate points of interconnection between Cabot's system and Northern's system in Carson and Gray Counties, Tex., to be constructed, operated, and maintained at Cabot's expense.

The application states that Applicant has agreed to redeliver a like volume of gas to Northern at the present interconnection between Applicant's gathering system and Northern's system in Kearny County, Kans., and seeks authorization to construct and operate a meter station and a 1,220 horsepower compressor station at said interconnection for the purpose of effecting the proposed redelivery.

The estimated cost of Applicant's proposed facilities is $245,850, and will be financed with internal funds. The application states that an estimated 66 percent of the construction cost will be recovered by salvage of the facilities upon the termination of the sale involved.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 10, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65–453; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket Nos. RI65–438, etc.]

RUFUS G. POOLE ET AL.

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

JANUARY 7, 1965.

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

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission

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

enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

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

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

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 24, 1965.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Rate filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI65-438	Rufus G. Poole and Suzanne H. Poole, 806 Bank of New Mexico Building, Albuquerque, N. Mex., 87101. Attn: Mr. Rufus G. Poole.	1	3	El Paso Natural Gas Co. (Basin-Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	$850	12-10-64	[2] 1-10-65	[6] 1-11-65	[9] 13.0	[4] [6] 14.0	
RI65-439	Sierra Petroleum Co., Inc. (Operator), et al., 1015 Wichita Plaza Building, Wichita, Kans.	4	1	Cities Service Gas Co. (Palmer Field, Barber County, Kans.).	150	12-11-64	[7] 1-11-65	[6] 1-12-65	[9] 13.0	[4] [6] 14.0	
RI65-440	R. James Gear, 1015 Wichita Plaza Building, Wichita Kans.	2	1	Cities Service Gas Co. (West Whelan Field, Barber County, Kans.).	80	12-14-64	[7] 1-14-65	[6] 1-15-65	[9] 13.0	[4] [6] 14.0	

[2] The stated effective date is the first day after expiration of the required statutory notice.
[6] The suspension period is limited to one day.
[4] Periodic rate increase.
[9] Pressure base is 15.025 p.s.i.a.
[6] Includes 1.0 cent per Mcf added to reflect minimum guarantee for liquids.
[7] The stated effective date is the effective date requested by Respondent.
[9] Pressure base is 14.65 p.s.i.a.
[8] Subject to a downward B.t.u. adjustment.

Rufus G. Poole and Suzanne H. Poole (Poole) request that their proposed rate increase be permitted to become effective as of January 1, 1964, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Poole's rate filing and such request is denied.

The periodic rate increase filed by Poole did not include as part of their proposed rate the contractually provided for 1.0 cent per Mcf minimum guarantee for liquids. The addition of this minimum guarantee of 1.0 cent to the base rate results in a total rate in excess of the 13.0 cents per Mcf area ceiling for increased rates in the San Juan Basin Area and should be suspended for one day from January 10, 1965, the date of expiration of the statutory notice.

The contracts related to the rate filings proposed by Sierra Petroleum Co., Inc. (Operator), et al. (Sierra), and R. James Gear (Gear) were executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rates are above the applicable area ceiling for increased rates but do not exceed the applicable ceiling price for initial rates in the area involved. Under the circumstances, we believe that Sierra and Gear's rate filings should be suspended for one day from the date shown in the effective date column on the attached Appendix A.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

[F.R. Doc. 65-413; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket Nos. RI65-435 etc.]

RODMAN OIL CO., ET AL.

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

JANUARY 7, 1965.

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

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

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

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

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respond-

ents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 11, 1965.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI65-435	Rodman Oil Co., Post Office Box 3826, Odessa, Tex. Attn: Mr. Thomas E. Rodman.	1	3	West Lake Natural Gasoline Co.[2] (Nena Lucia Field, Nolan County, Tex.) (R.R. District No. 7-B).	$102	12- 7-64	[3] 1- 7-65	[4] 1- 8-65	8.5	[5] [6] 9.0	
RI65-436	Tamarack Petroleum Co., Agent (Operator), et al., 521 Midland Savings Building, Midland, Tex.	8	1	Tennessee Gas Transmission Co. (West Ross Field, Starr County, Tex.) (R.R. District No. 4).	792	12- 8-64	[3] 1- 8-65	[4] 1- 9-65	13.5	[6] [7] 14.5	
	-----do-----	9	2	Tennessee Gas Transmission Co. (Seven Sisters Queen City Field, Duval County, Tex.) (R.R. District No. 4).	3,600	12- 8-64	[3] 1- 8-65	[4] 1- 9-65	13.5	[6] [7] 14.5	
RI65-437	Fairfax Oil and Gas Corp., 922 American Building, Houston, Tex., 77002.	4	2	Colorado Interstate Gas Co. (Hugoton Field, Grant and Kearny Counties, Kans.).	37,500	12-10-64	[8] 1-10-65	1-11-65	[4] 11.0	[6] [8] [9] 13.5	

[2] For resale to El Paso Natural Gas Co. under West Lake Natural Gasoline Co. (Operator), et al's FPC Gas Rate Schedule No. 1.
[3] The stated effective date is the first day after expiration of the required statutory notice.
[4] The suspension period is limited to 1 day.
[5] Revenue-sharing rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] Periodic rate increase.
[8] The stated effective date is the effective date proposed by Respondent.
[9] Subject to a downward B.t.u. adjustment.

Rodman Oil Co. (Rodman) requests an effective date of January 1, 1965, for its proposed rate increase. Tamarack Petroleum Company, Inc., Agent (Operator), et al. (Tamarack), request waiver of notice to make their proposed rate increases effective as of December 8, 1964. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Rodman and Tamarack's proposed rate filings and such requests are denied.

Rodman proposes a revenue-sharing rate increase for a sale to West Lake Natural Gasoline Co. (West Lake), a subsidiary of El Paso Natural Gas Co. (El Paso). West Lake gathers and processes the gas and resells it to El Paso under its FPC Gas Rate Schedule No. 1 and pays its suppliers 50 percent of the amount it receives from El Paso. On July 1, 1964, West Lake filed a periodic increase from 17.0 cents to 18.0 cents per Mcf for its sale to El Paso, which was suspended for five months until January 1, 1965, in Docket No. RI65-29, because it exceeds the 11.5 cents per Mcf area ceiling for increased rates. Rodman's proposed rate increase is based upon West Lake's suspended 18.0 cents per Mcf rate. Although Rodman's proposed revenue-sharing rate increase is below the 11.5 cents per Mcf ceiling as set forth in the Commission's Statement of General Policy No. 61-1, as amended, it is suspended for one day from January 7, 1965, the date of expiration of the statutory notice, because of its relationship to West Lake's increased rate.

Tamarack and Fairfax Oil and Gas Corp.'s (Fairfax) related contracts were executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56) and the proposed rates are above the applicable area ceiling for increased rates but do not exceed the applicable ceiling price for initial rates in the area involved. We believe, in this situation, that Tamarack and Fairfax's proposed rate increases should be suspended for one day from January 8, 1965, the date of expiration of the statutory notice (Tamarack's filing), and January 10, 1965, the proposed effective date (Fairfax's filing).

[F.R. Doc. 65-414; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket No. CP65-193]

EASTERN SHORE NATURAL GAS CO.

Notice of Application

JANUARY 8, 1965.

Take notice that on December 30, 1964, Eastern Shore Natural Gas Co. (Applicant), Salisbury, Md., filed in Docket No. CP65-193 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of natural gas facilities and the delivery of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to: (1) Increase the contract demand of Stauffer Chemical Co.'s Delaware City, Del., plant by 600 Mcf per day; (2) increase the contract demand of General Foods Corp.'s Dover, Del., plant by 50 Mcf per day; (3) initiate firm service of 13,000 Mcf per year to Zaffere's Sally Ann Bakery, Inc. (Zaffere's Bakery) in Federalsburg, Md.; and (4) construct and operate a new delivery point for Chesapeake Utilities Corp., Dover Gas Light Division, in Townsend, Del., for delivery of approximately 4,000 Mcf per year.

The estimated cost of Applicant's proposed construction for Zaffere's Bakery is $4,600, and will be financed with internal funds. Applicant will be reimbursed by its customers for the remaining construction.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 8, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If

a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-455; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket No. G-9650, etc.[1]]

CRA, INC.

Order Amending Orders Issuing Certificates, Redesignating Proceeding, and Redesignating FPC Gas Rate Schedules

JANUARY 6, 1965.

On October 30, 1964, CRA, Inc., filed an application pursuant to section 7(c) of the Natural Gas Act to amend orders of the Commission issuing certificates of public convenience and necessity to The Cooperative Refinery Association by changing the name of the certificate holder to CRA, Inc., all as more fully set forth in the Appendix hereto and in the application. There is no change in corporate structure.

The Cooperative Refinery Association is a respondent in a pending rate proceeding and has FPC gas rate schedules on file with the Commission, all as more fully set forth in the Appendix hereto.

The Commission orders:

(A) The orders issuing certificates of public convenience and necessity to The Cooperative Refinery Association in the dockets listed in the Appendix hereto be and the same are hereby amended by changing the name of the certificate holder to CRA, Inc., and in all other respects said orders shall remain in full force and effect.

(B) The pending rate proceeding in Docket No. RI64-416 is hereby redesignated as CRA, Inc.

(C) The FPC gas rate schedules of The Cooperative Refinery Association listed in the Appendix hereto are hereby redesignated as CRA, Inc.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX

Certificate docket No.:	*Rate schedule No.*
G-9650	1
G-13570[2]	8
G-14411	2
CI61-130	7
CI62-1525	5
CI62-1526	3
CI62-1527	4
CI63-632	[3]6

[F.R. Doc. 65-454; Filed, Jan. 14, 1965; 8:45 a.m.]

[1] Additional dockets are listed in the Appendix.

[2] John B. Hawley, Jr., is the operator in this docket and CRA, Inc., is a nonoperator whose interest is covered by the operator. However, CRA, Inc., maintains its own rate schedule for the sale.

[3] "(Operator), et al."

[Docket Nos. G-18077, CI62-1220]

H. L. HAWKINS & H. L. HAWKINS, JR., ET AL.

Order Conditionally Approving Settlement Proposal and Conditionally Issuing Certificate of Public Convenience and Necessity

JANUARY 8, 1965.

H. L. Hawkins & H. L. Hawkins, Jr. (Operator), et al., Docket No. G-18077; H. B. Lively (Operator), et al., Docket No. CI62-1220.

On November 3, 1964, H. B. Lively (Operator), et al. (Lively) filed an offer of settlement and motion for severance of its Docket No. CI62-1220 from the consolidated proceedings of H. L. Hawkins and H. L. Hawkins, Jr., Operator, et al., G-18077, et al. and also applied for issuance of a permanent certificate of public convenience and necessity in accordance with the provisions of the proposed settlement agreement.

On April 13, 1962, Lively applied for a Certificate of Public Convenience and Necessity pursuant to section 7(c) of the Natural Gas Act, to make sales of natural gas to Tennessee Gas Transmission Co. (Tennessee) from leases located in the Columbus Field, Colorado County, Tex. The leases described in this application were acquired from Sinclair Oil and Gas Co. (Sinclair).

At the time Lively acquired these leases, Sinclair was making sales of gas to Tennessee therefrom, pursuant to its certificate issued by the Commission at Docket No. G-4676. Lively, subsequent to its acquisition of these leases, on April 13, 1962, filed at Docket No. CI62-1220, an Application for Temporary and Permanent Certificate of Public Convenience and Necessity, requesting authorization to continue the sale from this field to Tennessee. The Commission, on May 16, 1962, at Docket No. CI62-1220, granted Lively a temporary certificate to commence this sale.

By order issued March 30, 1964, the Commission consolidated Docket No. CI62-1220 with other pending District No. 3 certificate applications for formal hearing in the H. L. Hawkins and H. L. Hawkins, Jr. (Operator), et al. proceedings.

Lively received its temporary authorization to commence deliveries at a rate of 15.95016 cents, conditioned to possible refunds to a floor of 13.2782 cents. This condition was imposed, since Lively was assigned the acreage involved by Sinclair Oil & Gas Co., which was collecting 15.95016 cents subject to refund in Docket No. G-17141 (i.e., the rate was under suspension). Sinclair's last accepted rate at the time of assignment to Lively was 13.2782 cents.

Lively requests that the Commission sever its certificate application and issue a permanent certificate at an initial contract price of 15.0 cents per Mcf (less 0.21931 cents per Mcf dehydration charge) for the period of initial delivery to the termination of the contract. Tennessee Gas Transmission Co, has joined with Lively in the submittal of the settlement proposal, under which Lively proposes to eliminate all future price escalation provisions from its Rate Schedule No. 3 and to substitute therein a life-of-contract rate of 15.0 cents (subject to a 0.21931 cent dehydration charge deduction). The primary term of the contract will expire on January 1, 1970. The proposed offer of settlement would afford Lively the same settlement rate received by Sinclair when Docket No. G-17141 was terminated in Sinclair's company-wide settlement.[1]

Lively further proposes to refund to Tennessee an amount computed by multiplying the difference between the price of 15.95016 cents per Mcf and the price of 15 cents per Mcf (less 0.21931 cents per Mcf dehydration charge) by the volumes of gas delivered under Lively's FPC Gas Rate Schedule No. 3 from the date of initial delivery to the date of issuance of the order herein. Interest upon said amount refunded shall be paid at the rate of 7 percent per annum. No interest shall accrue on this refund after November 1, 1964.

Insofar as Lively proposes to terminate the refund obligation as of November 1, 1964, the settlement proposal deviates from our standard policy. The refund obligation must extend to the date of the issuance of the order herein.

It further appears that Lively should be required to deposit the refunds due Tennessee in an appropriate number of savings accounts pending further Commission order.

The Commission finds:

(1) H. B. Lively (Operator), et al., is a natural-gas company within the meaning of the Natural Gas Act, and is engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission.

(2) The proposed sales of natural gas are subject to the jurisdiction of the Commission, and such sales, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) H. B. Lively (Operator), et al., is able and willing properly to do the acts and to perform the services proposed, and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The proposed sales, together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are required by the public convenience and necessity and are in the public interest upon the conditions set forth below, and certificates should be issued as ordered below.

(5) The conditions attached to the certificates herein issued are required by the public convenience and necessity.

(6) It is in the public interest and it is appropriate in carrying out the provisions of the Natural Gas Act that Lively be required to submit the report and account for the refunds and interest as ordered below.

[1] Order issued July 1, 1963, in Docket Nos. G-9291, et al.

The Commission orders:

(A) Docket No. CI62–1220 is hereby severed from the consolidated proceedings of H. L. Hawkins and H. L. Hawkins, Jr., Operator, et al., Docket Nos. G–18077, et al.

(B) A certificate of public convenience and necessity is hereby issued to H. B. Lively (Operator), et al., upon the conditions set forth herein authorizing the sales of natural gas in interstate commerce for resale, as proposed and as modified by the settlement proposal and this order, and for the construction and operation of any facilities described in the application and settlement proposal herein.

(C) The certificate herein issued is granted upon the express conditions that Lively shall (1) file an executed contract amendment eliminating all future price escalation provisions from its Rate Schedule No. 3, and substitute therein a life-of-contract rate of 15.0 cents, subject to a 0.21931 cent per Mcf dehydration charge deduction; (2) file a notice of change in rate under its Rate Schedule No. 3 to reflect the proposed settlement rate; (3) compute the refunds due Tennessee in Docket No. CI62–1220 to the date of the order, and submit a report to the Commission and to Tennessee setting forth the details of such computations, showing separately the principal and applicable seven percent interest, the bases used for such determination and the period covered; and (4) Lively shall be required to deposit the refunds due Tennessee in savings accounts, as specified in this paragraph, with no further interest obligation after the date of issuance of the order herein, pending further Commission orders respecting such monies. Each savings account should not exceed $10,000 and should be made in depositories whose accounts are insured to the extent of $10,000 by an agency of the Federal Government.

(E) The grant of the certificates herein shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act, or Part 154 of the regulations thereunder: *Provided, however,* That the 30-day notice provision of § 154.94(b) and the detailed submittal requirements of § 154.94(f) are hereby waived insofar as they apply to the filing of reductions in rates as required by this order and the settlement proposal, as supplemented.

(F) The certificates herein issued are not transferable and shall be effective only so long as Lively continues the acts and operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(G) The grant of certificates herein and approval of the settlement proposal, as supplemented, is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against Lively, particularly any proceeding under section 5 of the Natural Gas Act and is without prejudice to claims or contentions which may be made by the Commission, Lively, the Commission staff, or any affected party herein in any other proceeding.

(H) Upon full compliance of Lively with all the terms of this order and of the settlement proposal, Lively shall be relieved of any further refund obligations in these certificate proceedings and said proceedings shall terminate.

(I) The certificate granted by paragraph (B) above is granted upon the express condition that Lively comply fully with the terms of this order and the settlement proposal as modified herein, which settlement is expressly approved subject to the conditions of this order.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 65–456; Filed, Jan. 14, 1965; 8:45 a.m.]

[Docket Nos. G–2855 etc.]

NEMOURS CORP. ET AL.

Findings and Order; Correction

DECEMBER 11, 1964.

In the Findings and Order After Statutory Hearing Issuing Certificates of public convenience and necessity, Amending Certificates, Permitting and Approving Abandonment of Service, Terminating Certificates, Severing and Terminating Rate Proceeding, Cancelling Docket Number, Substituting Respondents, Making Successor in Interest Co-Respondent, Redesignating Proceedings, Requiring Filing of Surety Bond, Requiring Filing of Certain Agreement and Undertaking, Accepting Certain Agreements and Undertakings for Filing, and Accepting Related Rate Schedules and Supplements for Filing, issued November 9, 1964 and published in the FEDERAL REGISTER (F.R. Doc. 64–11664; 29 F.R. 15455), November 18, 1964; in the chart under column 6 change supplement designation from "No. 8" to "No. 9" for Rate Schedule No. 1 of Nemours Corporation.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 65–457; Filed, Jan. 14, 1965; 8:46 a.m.]

[Docket No. CP65–196]

NORTHERN NATURAL GAS CO.

Notice of Application

JANUARY 8, 1965.

Take notice that on December 31, 1964, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., filed in Docket No. CP65–196 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate approximately 27.3 miles of 30-inch loop pipeline, 9,300 additional horsepower of compression, approximately 800 miles of branch lines, and 125 sales measuring stations, all for the purpose of initiating natural gas service to 127 communities in the States of Iowa, Minnesota, Nebraska, and Wisconsin, commencing with the 1966–67 heating season.

The estimated annual and peak day requirements for the initial three year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf).....	9,561,307	11,390,606	12,288,486
Peak day (Mcf)...	27,424	40,003	48,583

The estimated cost of Applicant's proposed facilities is $19,983,500, and will be financed with funds obtained through the issuance of sinking fund debentures and funds derived from internal sources.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 8, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 65–458; Filed, Jan. 14, 1965; 8:46 a.m.]

[Docket No. G–4590, etc.]

H. L. BROWN ESTATE ET AL.

Findings and Order After Hearing; Correction

DECEMBER 11, 1964.

In the Findings and Order After Statutory Hearing Issuing Certificates of Public Convenience and Necessity, Amending Certificates, Permitting and Approving Abandonment of Service, Terminating Certificate, Terminating Rate Proceeding, Substituting Respondent, Redesignating Proceedings, Requiring Filing of Surety Bond, and Accepting Related Rate Schedules and Supplements for Filing, issued November 10, 1964 and published in the FEDERAL REGISTER November 20, 1964 (F.R. Doc. 64–11720; 29 F.R.–15587); change

"G-19516" to read "Docket No. G-12654" in ordering paragraph (F) and in column 1 of the chart under Docket No. CI65-213.

Footnote 15 should be corrected to read as follows:

[15] Presently on file as Hunt Oil Co.'s FPC GRS No. 42.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-459; Filed, Jan. 14, 1965; 8:46 a.m.]

[Docket Nos. G-2047, G-10699]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Application To Amend

JANUARY 8, 1965.

Take notice that on August 14, 1962, Panhandle Eastern Pipe Line Co. (Applicant), New York, N.Y., and Kansas City, Mo., filed in Docket Nos. G-2047 and G-10699 an application, as supplemented on June 17, 1963, and December 28, 1964, to amend the orders of the Commission issued in said dockets on October 23, 1953, and July 9, 1959, respectively.

The original proceedings in both dockets involved sales of natural gas to National Distillers & Chemical Corp. (National) for use in several plants located in Tuscola, Ill. The combined authorizations were: Volumes up to 29,000 Mcf per day during the summer and up to 12,000 Mcf per day during the winter.

In the subject application to amend, Applicant seeks to change the winter authorizations for National from up to 12,000 Mcf per day to up to 18,000 Mcf per day on an interruptible basis, during the period September 16 through April 15 of each year, pursuant to an agreement between the parties dated July 1, 1962. No change is proposed with respect to the summer volumes.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 8, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurdisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that the amendment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-460; Filed, Jan. 14, 1965; 8:46 a.m.]

[Docket No. CP65-198]

UNITED FUEL GAS CO.

Notice of Application

JANUARY 8, 1965.

Take notice that on December 31, 1964, United Fuel Gas Co. (Applicant), 1700 MacCorkle Avenue SE., Charleston, W. Va., filed in Docket No. CP65-198 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain other facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate 8.9 miles of 30-inch loop pipeline immediately east of its Ceredo Compressor Station, Wayne County, W. Va., for the purpose of increasing by 31,900 Mcf per day the capacity of Applicant's high-pressure system east of the Ceredo Station.

Applicant also seeks to increase the capacity and modernize the operation of its system north of Cobb Compressor Station, Kanawha County, W. Va., by requesting authorization to: (1) Construct and operate 13.9 miles of 24-inch loop pipeline extending from a point approximately 16 miles north of Applicant's Cobb Station to Applicant's existing 24-inch loop pipeline south of its Glenville Compressor Station in Gilmer County, W. Va.; (2) construct and operate a new 6,000 horsepower compressor station near Applicant's existing Cobb Station; (3) construct and operate 0.5 mile of 20-inch pipeline to connect said new compressor station with Applicant's existing transmission facilities; (4) operate 7.5 miles of existing 20-inch pipeline extending northward from a point 0.4 mile north of Cobb Station as a part of Applicant's high-pressure system; (5) abandon 33.2 miles of 20-inch low pressure transmission pipeline between Applicant's Cobb and Glenville Station; (6) abandon two 1,350 horsepower low-pressure compressor units at Applicant's Glenville Station; and (7) abandon 0.4 mile of 12-inch and 20-inch low pressure pipeline extending northward from Applicant's Cobb Station.

The estimated cost of Applicant's proposed construction is $5,008,500, and will be financed through the issuance and sale of promissory notes and common stock to The Columbia Gas System, Inc., parent company of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 8, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonments are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-461; Filed, Jan. 14, 1965; 8:46 a.m.]

[Docket No. CP65-199]

UNITED GAS PIPE LINE CO.

Notice of Application

JANUARY 8, 1965.

Take notice that on December 31, 1964, United Gas Pipe Line Co. (Applicant), 1525 Fairfield Avenue, Shreveport, La., filed in Docket No. CP65-199 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon and remove certain facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval to abandon and remove one positive meter station located on Applicant's 16-inch Latex-Fort Worth line in Van Zandt County, Tex., formerly used in providing service to Pan American Petroleum Corp. (Pan American). The application states that the proposed abandonment is sought since the contract between Applicant and Pan American has been terminated, and the facilities are no longer required to serve this customer.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 8, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commisson on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-462; Filed; Jan. 14, 1965; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 12, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39511: *Wrapping paper to Oakland City, Ga.* Filed by O. W. South, Jr., agent (No. A4622), for interested rail carriers. Rates on wrapping paper, noibn, in carloads, from Roanoke Rapids, N.C., to Oakland City, Ga.

Grounds for relief: Market competition.

Tariff: Supplement 117 to Southern Freight Association, agent, tariff I.C.C. S-230.

FSA No. 39512: *Ferro-silicon alloys to Houston, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8670), for interested rail carriers. Rates on aluminum-manganese-silicon and other ferro-alloy metals, as described in the application, from Alloy, W. Va., and Celco, Ohio, to Houston, Tex.

Grounds for relief: Truck-barge competition.

Tariff: Supplement 1 to Southwestern Freight Bureau, agent, tariff I.C.C. 4610.

FSA No. 39513: *Iron or steel articles to New Orleans, La.* Filed by Illinois Freight Association, agent (No. 268), for interested rail carriers. Rates on plate or sheet, noibn, galvanized or plain, corrugated or not corrugated, in carloads, from Chicago, Chicago Heights, Joliet, and Sterling, Ill., to New Orleans, La.

Grounds for relief: Carrier competition.

Tariff: Supplement 25 to Illinois Freight Association, agent, tariff I.C.C. 1033.

By the Commission.

[SEAL] BERTHA F. ARMES, *Acting Secretary.*

[F.R. Doc. 65-485; Filed, Jan. 14, 1965; 8:47 a.m.]

[Notice 1109]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 12, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 67454. By order of January 5, 1965, the Transfer Board approved the transfer to Bill Hodges Truck Company, Inc., Oklahoma City, Okla., of Certification No. MC 58344 Sub 2, issued June 12, 1951, to Bill Hodges, doing business as Bill Hodges Truck Co., Oklahoma City, Okla., authorizing 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 byproducts, 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, over irregular routes, between points in Kansas, Oklahoma, and Texas. Rufus H. Lawson, 106 Bixler Building, Post Office Box 75124, Oklahoma City 7, Okla., attorney for applicants.

No. MC-FC 67469. By order of January 5, 1965, the Transfer Board approved the transfer to Murray's Moving & Storage, Inc., 5 Campbell Street, Pawtucket, R.I., of the operating rights in Certificate No. MC 107811, issued June 5, 1964, to Edmund Francis Murray, doing business as Edmund F. Murray, Marlaine Drive, Seekonk, Mass., authorizing the transportation of household goods as defined, over irregular routes, between Pawtucket, R.I. and points in Massachusetts and Rhode Island within 20 miles thereof, on the one hand, and, on the other, points in Connecticut, Massachusetts, and Rhode Island.

[SEAL] BERTHA F. ARMES, *Acting Secretary.*

[F.R. Doc. 65-486; Filed, Jan. 14, 1965; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15710]

ALASKA AIRLINES, INC.

Seattle-Fairbanks Freight Rates; Notice of Postponement of Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter assigned to be held on January 27 is postponed to February 3, 1965, 10:00 a.m., Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Milton H. Shapiro.

Dated at Washington, D.C., January 12, 1965.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 65-493; Filed, Jan. 14, 1965; 8:48 a.m.]

[Docket Nos. 6599, 7251; Order E-21664]

DOMESTIC TRUNKLINE AND LOCAL-SERVICE CARRIER

Service Mail Rates; Order Amending Rate

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of January 1965.

On December 17, 1964, the Board issued an order to show cause (E-21596) proposing an amendment to the domestic multielement service mail rates. The purpose of such proposed amendment was to authorize the trunkline, local service and all-cargo carriers performing domestic services to join in the equalization of international service mail rates. No notices of objection have been filed within the seven days allowed by the order. Thus, for the reasons stated in the order to show cause, the Board has decided to adopt the proposed amendment.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof: *It is ordered*, That:

(1) Order E-9284, June 7, 1955, as amended, and Order E-9630, October 7, 1955, as amended, are hereby further amended by adding the following paragraph after section B.4(c) of the respective orders:

(f) Effective December 16, 1964 the provisions of Order E-21514, November 19, 1964, relating to equalization of rates, notice of election to equalize rates, division of equalized rates, and divisions of equalized rates prescribed by the Board shall also be applicable to carriers which provide domestic services pursuant to the mail rate formula established by Orders E-9284 and E-9630, as amended, for purposes of equalizing rates between any point where a United States Post Office Department international exchange office is located [1] and any other point to which such international exchange office is authorized to dispatch air mail.

(2) This order shall be served upon all trunkline, local service and all-cargo air carriers and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 65-494; Filed, Jan. 14, 1965; 8:48 a.m.]

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[1] International exchange offices currently authorized to dispatch mail for the transatlantic area are located in Boston, New York, Washington, Chicago, Miami, San Francisco, Los Angeles, Seattle, and San Juan. Such offices for the transpacific area are currently located in Seattle, Anchorage, San Francisco, Los Angeles, Honolulu, Wake, Guam, Pago Pago, Washington, Chicago, and New York. The terms of this paragraph shall apply to points at which international exchange offices are hereafter established and shall cease to apply to any points at which international exchange offices are discontinued. The Postmaster General will file a notice of such new and discontinued offices in this docket and serve a copy on each carrier subject to this order.

ATOMIC ENERGY COMMISSION

[Docket No. 50-224]

REGENTS OF THE UNIVERSITY OF CALIFORNIA

Notice of Proposed Issuance of Construction Permit

Please take notice that the Atomic Energy Commission proposes to issue to The Regents of the University of California a construction permit substantially in the form annexed which would authorize the construction of a TRIGA Mark III type nuclear reactor on the Berkeley campus of the University of California, Berkeley, Calif.

The Commission has found that the application, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this construction permit may file a petition for leave to intervene. A request for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's "Rules of Practice," 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued.

For further details with respect to this proposed issuance, see (1) the application and amendments thereto, and (2) the related Hazards Analysis prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 13th day of January 1965.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test & Power Reactor Safety Branch, Division of Reactor Licensing.

PROPOSED CONSTRUCTION PERMIT

1. By application dated May 27, 1964, and amendments thereto dated August 7, 1964, August 20, 1964, August 25, 1964, September 23, 1964, October 2, 1964, and October 5, 1964 (hereinafter together referred to as "the application") The Regents of The University of California in Berkeley, Calif. (hereinafter referred to as "University of California at Berkeley") requested a Class 104 license, authorizing construction and operation on its campus at Berkeley, Calif. of a TRIGA Mark III pool-type nuclear reactor (hereinafter referred to as "the reactor").

2. The Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The reactor will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter 1, CFR, Part 50, "Licensing of Production and Utilization Facilities";

B. The reactor will be used in the conduct of research and development activities of the types specified in Section 31 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act");

C. University of California at Berkeley is financially qualified to construct the reactor in accordance with the regulations contained in Title 10, Chapter 1, CFR, to assume financial responsibility for the payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time;

D. University of California at Berkeley and its contractor, General Atomic Division of General Dynamics Corp., are technically qualified to design and construct the reactor;

E. University of California has submitted all technical information concerning the proposed design features of the facility to provide reasonable assurance that the proposed facility can be constructed and operated at the proposed location without endangering the health and safety of the public;

F. The issuance of a construction permit to University of California at Berkeley will not be inimical to the common defense and security or to the health and safety of the public.

3. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", the Commission hereby issues a construction permit to University of California at Berkeley to construct the reactor in accordance with the application. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. The earliest completion date of the reactor is April 1, 1965. The latest date for completion of the reactor is April 1, 1966. The term "completion date", as used herein, means the date on which construction of the reactor is completed except for the introduction of the fuel material; and

B. The reactor shall be constructed and located on the University of California campus at Berkeley, Calif., as specified in the application.

4. Upon completion of the construction of the reactor in accordance with the terms and conditions of this permit, upon the filing of the additional information needed to bring the original application up to date, and upon finding that the reactor authorized has been constructed and will operate in conformity with the application, as amended, and upon execution of an indemnity agreement as required by Section 170 of the Act, and in conformity with the provisions of the Act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the Act, the Commission will issue a Class 104 license to University of California at Berkeley pursuant to Section 104c of the Act, which license shall expire ten (10) years after the date of this construction permit.

Dated:

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test & Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-543; Filed, Jan. 14, 1965; 10:28 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during January.