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READING ROOM

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

#### PART 401—FEDERAL CROP INSURANCE

##### Subpart—Regulations for the 1961 and Succeeding Crop Years

##### COUNTIES DESIGNATED FOR BARLEY CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, the following counties have been designated for barley crop insurance for the 1964 crop year.

**CALIFORNIA**  
Kern.  
Modoc.

San Luis Obispo.  
Tulare.

**COLORADO**  
Boulder.  
Larimer.  
Logan.  
Morgan.

Phillips.  
Sedgwick.  
Weld.

**IDAHO**  
Bannock.  
Bingham.  
Bonnevillle.  
Camas.  
Canyon.  
Caribou.  
Cassia.  
Franklin.  
Fremont.  
Gooding.  
Idaho.

Jerome.  
Latah.  
Lewis.  
Lincoln.  
Madison.  
Minidoka.  
Nez Perce.  
Oneida.  
Power.  
Teton.  
Twin Falls.

**MARYLAND**  
Kent.  
Queen Annes.

**MINNESOTA**  
Becker.  
Chippewa.  
Clay.  
Grant.  
Kandiyohi.  
Kittson.  
Mahnomen.  
Marshall.  
Norman.  
Otter Tail.

Pennington.  
Polk.  
Pope.  
Red Lake.  
Roseau.  
Stearns.  
Stevens.  
Swift.  
Traverse.  
Wilkin.

**MONTANA**  
Blaine.  
Cascade.  
Chouteau.  
Daniels.  
Fergus.  
Glacier.  
Hill.  
Judith Basin.  
Liberty.

Pondera.  
Richland.  
Roosevelt.  
Sheridan.  
Stillwater.  
Teton.  
Toole.  
Valley.  
Yellowstone.

**NORTH DAKOTA**  
Barnes.  
Benson.  
Bottineau.  
Burke.  
Burlleigh.  
Cass.  
Cavaller.  
Dickey.  
Divide.  
Eddy.

Foster.  
Grand Forks.  
Griggs.  
Hettinger.  
Kidder.  
La Moure.  
McKenzie.  
McLean.  
Mountrail.  
Nelson.

Pembina.  
Ramsey.  
Ransom.  
Renville.  
Richland.  
Rolette.  
Sargent.  
Sheridan.  
Stark.

Gilliam.  
Jefferson.  
Klamath.  
Linn.  
Malheur.  
Morrow.

Chester.  
Dauphin.  
Lancaster.

Beadle.  
Brookings.  
Brown.  
Clark.  
Codington.  
Day.  
Deuel.  
Edmunds.  
Faulk.  
Grant.

Adams.  
Asotin.  
Benton.  
Columbia.  
Douglas.  
Franklin.  
Garfield.

Dodge.

##### NORTH DAKOTA—Continued

Steele.  
Stutsman.  
Towner.  
Traill.  
Walsh.  
Ward.  
Wells.  
Williams.

##### OREGON

Sherman.  
Umatilla.  
Union.  
Wallowa.  
Wasco.

##### PENNSYLVANIA

Lebanon.  
York.

##### SOUTH DAKOTA

Hamlin.  
Kingsbury.  
Lake.  
McCook.  
McPherson.  
Marshall.  
Miner.  
Moody.  
Roberts.  
Spink.

##### WASHINGTON

Grant.  
Klickitat.  
Lincoln.  
Spokane.  
Walla Walla.  
Whitman.

##### WISCONSIN

Fond du Lac.

##### WYOMING

Goshen.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,  
Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 63-8208; Filed, Mar. 26, 1963; 8:51 a.m.]

#### PART 401—FEDERAL CROP INSURANCE

##### Subpart—Regulations for the 1961 and Succeeding Crop Years.

##### COUNTIES DESIGNATED FOR WHEAT CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, the following counties have been designated for wheat crop insurance for the 1964 crop year.

**CALIFORNIA**  
Kern.  
Modoc.

San Luis Obispo.  
Tulare.

Adams.  
Arapahoe.  
Boulder.  
Cheyenne.

**COLORADO**  
Elbert.  
Kit Carson.  
Larimer.  
Lincoln.

Logan.  
Morgan.  
Phillips.  
Sedgwick.

Bannock.  
Benewah.  
Bingham.  
Bonnevillle.  
Camas.  
Canyon.  
Caribou.  
Cassia.  
Franklin.  
Fremont.  
Gooding.  
Idaho.

Adams.  
Bond.  
Cass.  
Christian.  
Clinton.  
Coles.  
Douglas.  
Edgar.  
Effingham.  
Fayette.  
Fulton.  
Greene.  
Hancock.  
Jasper.  
Jersey.  
McDonough.  
McLean.

Allen.  
Blackford.  
Boone.  
Carroll.  
Clay.  
Clinton.  
Decatur.  
De Kalb.  
Delaware.  
Fountain.  
Henry.  
Howard.  
Huntington.  
Jackson.  
Johnson.  
Kosciusko.

Allen.  
Anderson.  
Atchison.  
Barber.  
Barton.  
Bourbon.  
Brown.  
Butler.  
Chase.  
Chautauqua.  
Cherokee.  
Cheyenne.  
Clark.  
Clay.  
Cloud.  
Coffey.  
Cowley.  
Crawford.  
Decatur.  
Dickinson.  
Doniphan.  
Douglas.  
Edwards.  
Elk.  
Ellis.  
Ellsworth.

##### COLORADO—Continued

Washington.  
Weld.  
Yuma.

##### IDAHO

Jerome.  
Kootenai.  
Latah.  
Lewis.  
Lincoln.  
Madison.  
Minidoka.  
Nez Perce.  
Oneida.  
Power.  
Teton.  
Twin Falls.

##### ILLINOIS

Macoupin.  
Madison.  
Mason.  
Menard.  
Monroe.  
Montgomery.  
Morgan.  
Pike.  
St. Clair.  
Sangamon.  
Schuyler.  
Scott.  
Shelby.  
Tazewell.  
Vermillion.  
Washington.

##### INDIANA

Madison.  
Marshall.  
Miami.  
Montgomery.  
Noble.  
Pulaski.  
Randolph.  
Ripley.  
Rush.  
Shelby.  
Sullivan.  
Vigo.  
Wabash.  
Wayne.  
Wells.  
Whitley.

##### KANSAS

Finney.  
Ford.  
Franklin.  
Geary.  
Gove.  
Graham.  
Grant.  
Gray.  
Greeley.  
Greenwood.  
Hamilton.  
Harper.  
Harvey.  
Haskell.  
Hodgeman.  
Jackson.  
Jefferson.  
Jewell.  
Johnson.  
Kearny.  
Kingman.  
Kiowa.  
Labette.  
Lane.  
Lincoln.  
Linn.

KANASA—Continued

Logan.  
Lyon.  
McPherson.  
Marion.  
Marshall.  
Meade.  
Miami.  
Mitchell.  
Montgomery.  
Morris.  
Nemaha.  
Neosho.  
Ness.  
Norton.  
Osage.  
Osborne.  
Ottawa.  
Pawnee.  
Phillips.  
Pottawatomie.  
Pratt.  
Rawlins.  
Reno.  
Republic.  
Rice.

Riley.  
Rooks.  
Rush.  
Russell.  
Saline.  
Scott.  
Sedgwick.  
Seward.  
Shawnee.  
Sheridan.  
Sherman.  
Smith.  
Stafford.  
Stanton.  
Stevens.  
Summer.  
Thomas.  
Trego.  
Wabauunsee.  
Wallace.  
Washington.  
Wichita.  
Wilson.  
Woodson.

KENTUCKY

Christian

MARYLAND

Kent.

Queen Annes.

MICHIGAN

Bay.  
Branch.  
Calhoun.  
Clinton.  
Eaton.  
Gratlot.  
Hillsdale.  
Huron.  
Ingham.  
Ionia.

Jackson.  
Kalamazoo.  
Lenawee.  
Monroe.  
Saginaw.  
St. Clair.  
St. Joseph.  
Sanilac.  
Shiawassee.  
Washtenaw.

MINNESOTA

Becker.  
Big Stone.  
Blue Earth.  
Chippewa.  
Clay.  
Faribault.  
Grant.  
Kandiyohi.  
Kittson.  
Lac Qui Parle.  
Mahnommen.  
Marshall.  
Norman.

Otter Tail.  
Pennington.  
Polk.  
Red Lake.  
Redwood.  
Renville.  
Roseau.  
Stevens.  
Swift.  
Traverse.  
Waseca.  
Wilkin.  
Yellow Medicine.

MISSOURI

Andrew.  
Audrain.  
Barton.  
Bates.  
Buchanan.  
Caldwell.  
Callaway.  
Carroll.  
Cass.  
Chariton.  
Cooper.  
Davies.  
DeKalb.  
Franklin.  
Gentry.  
Henry.  
Holt.  
Howard.

Jasper.  
Johnson.  
Lafayette.  
Lawrence.  
Lincoln.  
Macon.  
Marion.  
Monroe.  
Montgomery.  
Nodaway.  
Pettis.  
Pike.  
Ralls.  
Ray.  
St. Charles.  
Saline.  
Shelby.  
Vernon.

MONTANA

Blaine.  
Cascade.  
Chouteau.  
Daniels.  
Dawson.  
Fergus.  
Glacier.  
Hill.  
Judith Basin.  
Liberty.

McCone.  
Petroleum.  
Phillips.  
Ponders.  
Richland.  
Roosevelt.  
Sheridan.  
Stillwater.  
Teton.  
Toole.

MONTANA—Continued

Valley.  
Wibaux.  
  
Adams.  
Banner.  
Box Butte.  
Butler.  
Cass.  
Chase.  
Cheyenne.  
Clay.  
Dawes.  
Deuel.  
Dodge.  
Fillmore.  
Frontier.  
Furnas.  
Gage.  
Garden.  
Gosper.  
Hamilton.  
Harlan.  
Hayes.  
Hitchcock.

NEBRASKA

Yellowstone.  
  
Jefferson.  
Johnson.  
Keith.  
Kimball.  
Lancaster.  
Morrill.  
Nemaha.  
Otoe.  
Pawnee.  
Perkins.  
Phelps.  
Red Willow.  
Richardson.  
Saline.  
Saunders.  
Scotts Bluff.  
Seward.  
Sheridan.  
Thayer.  
Washington.  
York.

NORTH DAKOTA

Adams.  
Barnes.  
Benson.  
Bottineau.  
Bowman.  
Burke.  
Burlleigh.  
Cass.  
Cavaller.  
Dickey.  
Divide.  
Dunn.  
Eddy.  
Emmons.  
Foster.  
Golden Valley.  
Grand Forks.  
Grant.  
Griggs.  
Hettinger.  
Kidder.  
La Moure.  
Logan.  
McHenry.  
McIntosh.  
McKenzie.

McLean.  
Mercer.  
Morton.  
Mountrail.  
Nelson.  
Oliver.  
Pembina.  
Pierce.  
Ramsey.  
Ransom.  
Renville.  
Richland.  
Rolette.  
Sargent.  
Sheridan.  
Sioux.  
Slope.  
Stark.  
Steele.  
Stutsman.  
Towner.  
Traill.  
Walsh.  
Ward.  
Wells.  
Williams.

OHIO

Allen.  
Ashland.  
Auglaze.  
Clinton.  
Defiance.  
Delaware.  
Erie.  
Fayette.  
Fulton.  
Greene.  
Hancock.  
Hardin.  
Henry.  
Highland.  
Huron.  
Knox.  
Licking.  
Marion.

Medina.  
Mercer.  
Montgomery.  
Morrow.  
Paulding.  
Pickaway.  
Preble.  
Putnam.  
Sandusky.  
Seneca.  
Stark.  
Tuscarawas.  
Union.  
Van Wert.  
Wayne.  
Williams.  
Wood.

OKLAHOMA

Alfalfa.  
Beckham.  
Blaine.  
Caddo.  
Canadian.  
Comanche.  
Cotton.  
Craig.  
Custer.  
Delaware.  
Dewey.  
Ellis.  
Garfield.  
Grady.  
Grant.  
Greer.

Harmon.  
Harper.  
Jackson.  
Kay.  
Kingfisher.  
Klowa.  
Logan.  
Major.  
Mayes.  
Noble.  
Nowata.  
Osage.  
Ottawa.  
Pawnee.  
Payne.  
Texas.

OKLAHOMA—Continued

Tillman.  
Washington.  
Washita.

Woods.  
Woodward.

OREGON

Baker.  
Gilliam.  
Jefferson.  
Klamath.  
Linn.  
Malheur.

Morrow.  
Sherman.  
Umatilla.  
Union.  
Wallowa.  
Wasco.

PENNSYLVANIA

Chester.  
Dauphin.  
Lancaster.

Lebanon.  
York.

SOUTH DAKOTA

Beadle.  
Bennett.  
Bon Homme.  
Brown.  
Campbell.  
Clark.  
Codington.  
Corson.  
Day.  
Deuel.  
Dewey.  
Edmunds.  
Faulk.  
Grant.  
Hamlin.  
Hand.  
Hutchinson.

Jones.  
Kingsbury.  
Lake.  
Lyman.  
McCook.  
McPherson.  
Marshall.  
Mellette.  
Miner.  
Perkins.  
Potter.  
Roberts.  
Spink.  
Sully.  
Tripp.  
Walworth.

TENNESSEE

Oblon.

Robertson.

TEXAS

Baylor.  
Castro.  
Collin.  
Cooke.  
Denton.  
Floyd.  
Foard.

Gray.  
Grayson.  
Hale.  
Jones.  
Lipscomb.  
Wilbarger.

UTAH

Box Elder.

Cache.

WASHINGTON

Adams.  
Asotin.  
Benton.  
Columbia.  
Douglas.  
Franklin.  
Garfield.

Grant.  
Klickitat.  
Lincoln.  
Spokane.  
Walla Walla.  
Whitman.

WYOMING

Goshen.  
Laramie.

Platt.

(Secs. 506, 516, 52 Stat. 73, as amended; 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,  
Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 63-3209; Filed, Mar. 26, 1963;  
8:51 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1963; Correction

Paragraph eleven of the "Basis and Purpose and Statement of Bases and Considerations" in Sugar Regulation

811 (27 F.R. 12340) is hereby corrected to read:

Based on expected price relationships, it is hereby found that a fee of 1.40 cents per pound, raw value, will approximate the difference between the market price for raw sugar (adjusted for freight to New York and most-favored-nation-tariff) eligible for importation into the United States from foreign countries within the quantity provided pursuant to section 202(c) (4) of the Act and the price for raw sugar at a level that will fulfill the domestic price objective set forth in section 201. Accordingly, as a condition for the importation of sugar within the quantities and quota proration established in this regulation, fees are provided of 1.40 cents per pound for the quantity authorized for importation from foreign countries as a group pursuant to section 202(c) (4) of the Act; 0.28 cent per pound for raw sugar authorized from individual foreign countries within quota proration established pursuant to section 202(c) (3) of the Act; 0.48 cent per pound for direct-consumption sugar authorized for importation within the limitations established pursuant to section 207(e) (2) of the Act.

Issued at Washington, D.C., this 22d day of March 1963.

JOHN P. DUNCAN, Jr.,  
Acting Secretary.

[F.R. Doc. 63-3207; Filed, Mar. 26, 1963; 8:51 a.m.]

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

[Milk Order 61]

**PART 1061—MILK IN THE ST. JOSEPH, MISSOURI, MARKETING AREA**

**Order Suspending Certain Provision**

Pursuant to the provisions of the Agriculture Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the St. Joseph, Missouri, marketing area (7 CFR Part 1061), it is hereby found and determined that:

(a) The following provision of the order no longer tends to effectuate the declared policy of the Act:

In § 1061.51(a) the words "for the first eighteen months beginning with the effective date of this section".

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

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

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

(3) This suspension will provide for continuation of the Class I price provision of the St. Joseph, Missouri, order

which would expire March 31, 1963. Evidence on proposed amendments of the Class I price provision was received at a hearing held at St. Joseph, Missouri, on March 7, 1963. At the hearing, producers requested that emergency action be taken to provide for a Class I price beyond the scheduled expiration date. No opposition to the request for emergency action was expressed at the hearing or in the briefs filed subsequent to the hearing.

(4) This suspension action is necessary since there is not sufficient time to carry out the procedures for amending the order prior to the expiration date of the Class I pricing provision.

Therefore, good cause exists for making this order effective April 1, 1963.

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

Effective date: April 1, 1963.

Signed at Washington, D.C., on March 22, 1963.

JOHN P. DUNCAN, Jr.,  
Assistant Secretary.

[F.R. Doc. 63-3195; Filed, Mar. 26, 1963; 8:48 a.m.]

**Title 13—BUSINESS CREDIT AND ASSISTANCE**

**Chapter I—Small Business Administration**

[Amdt. 2, Rev.]

**PART 121—SMALL BUSINESS SIZE STANDARDS**

**Definition of Small Business Government Subcontractors**

The Small Business Size Standards Regulation (Revision 3) (27 F.R. 9757), as amended (27 F.R. 11313, 12438; 28 F.R. 153), is hereby further amended by deleting the date April 1, 1963, from § 121.3-12(b) (1), (2), and (3) and substituting in lieu thereof the date July 1, 1963. As amended, § 121.3-12(b) (1), (2), and (3) read as follows:

**§ 121.3-12 Definition of small business Government subcontractors.**

(b) Any concern, in connection with subcontracts exceeding \$2,500 which relate to Government procurements, will be considered a small business concern if it qualifies as such under § 121.3-8: *Provided, however, That:*

(1) The definition of small business nonmanufacturers, as contained in § 121.3-8(b), shall not become effective for the purpose of Government subcontracting until July 1, 1963.

(2) The definition of small businesses in the aircraft equipment industry, as set forth in § 121.3-8(a)(3), shall not become effective for the purpose of Government subcontracting until July 1, 1963.

(3) Until July 1, 1963, any concern included in subparagraphs (1) and (2) of this paragraph will be considered a small business concern if, including its

affiliates, its number of employees does not exceed 500 persons.

Effective date: This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: March 20, 1963.

JOHN E. HORNE,  
Administrator.

[F.R. Doc. 63-3220; Filed, Mar. 26, 1963; 8:52 a.m.]

**Title 14—AERONAUTICS AND SPACE**

**Chapter I—Federal Aviation Agency**

**SUBCHAPTER E—AIRSPACE [NEW]**

[Airspace Docket No. 62-CE-55]

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

**Change of Effective Date**

On March 7, 1963, there was published in the FEDERAL REGISTER (28 F.R. 2230) an amendment to Part 71 [New] of the Federal Aviation Regulations designating a control zone at Delaware County Airport, Muncie, Ind.

Subsequent to publication of the amendment it was determined that the FAA control tower at Delaware County Airport would become operational during the month of September 1963. Therefore, action is taken herein to change the effective date of the rule to September 19, 1963.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, Airspace Docket No. 62-CE-55 is hereby modified as follows: "effective 0001 e.s.t., May 2, 1963" is deleted and "effective 0001 e.s.t., September 19, 1963" is substituted therefor.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on March 21, 1963.

CLIFFORD P. BURTON,  
Chief, Airspace Utilization Division.

[F.R. Doc. 63-3166; Filed, Mar. 26, 1963; 8:45 a.m.]

**Title 47—TELECOMMUNICATION**

**Chapter I—Federal Communications Commission**

[Docket No. 14793; FCC 63-265]

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

**Emission Designators and Necessary Bandwidths**

1. On October 3, 1962, the Commission adopted a notice of proposed rule making

proposing amendments to Part 2 of the rules with respect to designations of emissions and formulas for necessary bandwidths of emissions. The notice was published in the FEDERAL REGISTER on October 13, 1962 (47 CFR Part 2). Comments were to be filed by December 3, 1962, and replies within ten days thereafter.

2. The amendments to Part 2 are made necessary by the Geneva (1959) Radio Regulations, which provide new and revised emission designators and formulas for calculation of the necessary bandwidths for certain types of emissions.

3. The only comments received were filed by the Land Mobile Communications Section of the Electronic Industries Association (EIA), which requested that § 2.202 of the Commission's rules be amended to include a formula for calculation of the necessary bandwidths of Class F2 emission as it is employed for tone signaling in one-way or two-way signaling in systems. However, formulas for calculation of necessary bandwidth for Class F2 emission are not included in the Geneva (1959) Radio Regulations. It is our opinion, therefore, that the addition of such formulas to Part 2 should not be included in the instant proceeding, and more appropriately could be the subject of further study. Accordingly, the EIA request is not adopted at this time.

4. In view of the foregoing, Part 2 of the Commission's rules is amended as proposed. The amended § 2.201, § 2.202 and paragraph (c) of § 2.524 are set forth below.

5. Under the authority contained in sections 303 (a), (f) and (r) of the Communications Act of 1934, as amended: It is ordered, That, effective May 1, 1963, Part 2 of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1062, as amended; 47 U.S.C. 303)

Adopted: March 20, 1963.

Released: March 21, 1963.

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

1. Section 2.201 is amended to read as follows:

§ 2.201 Emission, modulation and transmission characteristics.

The following system of designating emission, modulation and transmission characteristics shall be employed.

(a) Emissions are designated according to their classification and their necessary bandwidth.

(b) Emissions are classified and symbolized according to the following characteristics:

- (1) Type of modulation of main carrier.
- (2) Type of transmission.
- (3) Supplementary characteristics.
- (c) Types of modulation of main carrier:

- (1) Amplitude ----- A
- (2) Frequency (or Phase)----- F
- (3) Pulse ----- P

- (d) Types of transmission:
- (1) Absence of any modulation intended to carry information----- 0
  - (2) Telegraphy without the use of a modulating audio frequency----- 1
  - (3) Telegraphy by the on-off keying of a modulating audio frequency or audio frequencies, or by the on-off keying of the modulated emission (special case: an unkeyed modulated emission)----- 2
  - (4) Telephony (including sound broadcasting)----- 3
  - (5) Facsimile (with modulation of main carrier either directly or by a frequency modulated sub-carrier) -- 4
  - (6) Television (visual only)----- 5
  - (7) Four-frequency duplex telegraphy-- 6

- (8) Multichannel voice-frequency telegraphy ----- 7
- (9) Cases not covered by the above----- 9

- (e) Supplementary characteristics:
- (1) Double sideband----- (None)
  - (2) Single sideband:
    - (i) Reduced carrier----- A
    - (ii) Full carrier----- H
    - (iii) Suppressed carrier----- J
  - (3) Two independent sidebands----- B
  - (4) Vestigial sideband----- C
  - (5) Pulse:
    - (i) Amplitude modulated----- D
    - (ii) Width (or duration) modulated----- E
    - (iii) Phase (or position) modulated----- F
    - (iv) Code modulated----- G

(f) The classification of typical emissions is tabulated as follows:

Type of modulation of main carrier	Type of transmission	Supplementary characteristics	Symbol	
Amplitude modulation	With no modulation		A0	
	Telegraphy without the use of a modulating audio frequency (by on-off keying).		A1	
	Telegraphy by the on-off keying of an amplitude modulating audio frequency or audio frequencies, or by the on-off keying of the modulated emission (special case: an unkeyed emission amplitude modulated).		A2	
	Telephony	Double sideband	A3	
		Single sideband, reduced carrier.	A3A	
		Single sideband, suppressed carrier.	A3J	
		Two independent sidebands	A3B	
			A4	
	Facsimile (with modulation of main carrier either directly or by a frequency modulated sub-carrier).	Single sideband, reduced carrier.	A4A	
	Facsimile	Vestigial sideband	A5C	
Television	Single sideband, reduced carrier.	A7A		
Multichannel voice-frequency telegraphy	Two independent sidebands	A9B		
Cases not covered by the above, e.g. a combination of telephony and telegraphy.				
Frequency (or Phase) modulation.	Telegraphy by frequency shift keying without the use of a modulating audio frequency: one of two frequencies being emitted at any instant.		F1	
	Telegraphy by the on-off keying of a frequency modulating audio frequency or by the on-off keying of a frequency modulated emission (special case: an unkeyed emission, frequency modulated).		F2	
	Telephony		F3	
	Facsimile by direct frequency modulation of the carrier.		F4	
	Television		F5	
	Four-frequency duplex telegraphy		F6	
	Cases not covered by the above, in which the main carrier is frequency modulated.		F9	
	Pulse modulation	A pulsed carrier without any modulation intended to carry information (e.g. radar).		P0
		Telegraphy by the on-off keying of a pulsed carrier without the use of a modulating audio frequency.		P1D
Telegraphy by the on-off keying of a modulating audio frequency or audio frequencies; or by the on-off keying of a modulated pulsed carrier (special case: an unkeyed modulated pulsed carrier).		Audio frequency or audio frequencies modulating the amplitude of the pulses.	P2D	
		Audio frequency or audio frequencies modulating the width (or duration) of the pulses.	P2E	
		Audio frequency or audio frequencies modulating the phase (or position) of the pulses.	P2F	
Telephony		Amplitude modulated pulses	P3D	
		Width (or duration) modulated pulses.	P3E	
		Phase (or position) modulated pulses.	P3F	
		Code modulated pulses (after sampling and quantization).	P3G	
Cases not covered by the above in which the main carrier is pulse modulated.			P9	

(g) Type B emission: As an exception to the above principles, damped waves are symbolized in the Commission's rules and regulations as type B emission.

(h) Whenever the full designation of an emission is necessary, the symbol for that emission, as given above, shall be preceded by a number indicating in kilo-

cycles per second the necessary bandwidth of the emission. Bandwidths shall generally be expressed to a maximum of three significant figures, the third figure being almost always a nought or a five.

2. Section 2.202 is amended to read as follows:

§ 2.202 Bandwidths.

(a) Occupied bandwidth: The frequency bandwidth such that, below its lower and above its upper frequency limits, the mean powers radiated are each equal to 0.5 percent of the total mean power radiated by a given emission. In some cases, for example multichannel frequency-division systems, the percentage of 0.5 percent may lead to certain difficulties in the practical application of the definitions of occupied and necessary bandwidth; in such cases a different percentage may prove useful.

(b) Necessary bandwidth: For a given class of emission, the minimum value of the occupied bandwidth sufficient to ensure the transmission of information at the rate and with the quality required for the system employed, under specified conditions. Emissions useful for the good functioning of the receiving equipment as, for example, the emission corresponding to the carrier of reduced carrier systems, shall be included in the necessary bandwidth.

(c) The necessary bandwidth may be determined by one of the following methods:

- (1) Use of the formulas included in the following Table which also gives examples of necessary bandwidths and designation of corresponding emissions;
- (2) Computation in accordance with Recommendations of the International Radio Consultative Committee (C.C.I.R.);
- (3) Measurement, in cases not covered by subparagraphs (1) or (2) of this paragraph.

(d) The value so determined should be used when the full designation of an emission is required. However, the necessary bandwidth so determined is not the only characteristic of an emission to be considered in evaluating the interference that may be caused by that emission.

(e) In the formulation of the table, the following terms have been employed:

- $B_n$  = Necessary bandwidth in cycles per second.
- $B$  = Telegraph speed in bauds.
- $N$  = Maximum possible number of black plus white elements to be transmitted per second, in facsimile and television.
- $M$  = Maximum modulation frequency in cycles per second.
- $C$  = Subcarrier frequency in cycles per second.
- $D$  = Half the difference between the maximum and minimum values of the instantaneous frequency. Instantaneous frequency is the rate of change of phase.
- $t$  = Pulse duration in seconds.
- $K$  = An overall numerical factor which varies according to the emission and which depends upon the allowable signal distortion.

I. AMPLITUDE MODULATION

Description and class of emission	Necessary bandwidth in cycles per second	Examples	
		Details	Designation of emission
Continuous wave telegraphy, A1.	$B_n = BK$ $K=5$ for fading circuits. $K=3$ for nonfading circuits.	Morse code at 25 words per minute, $B=20$ , $K=5$ . Bandwidth: 100 c/s. Four-channel time-division multiplex, 7-unit code, 42.5 bauds per channel, $B=170$ , $K=5$ . Bandwidth: 850 c/s.	0.1A1 0.85A1
Telegraphy modulated by an audio frequency, A2.	$B_n = BK + 2M$ $K=5$ for fading circuits. $K=3$ for nonfading circuits.	Morse code at 25 words per minute, $B=20$ , $M=1,000$ , $K=5$ . Bandwidth: 2,100 c/s.	2.1A2
Telephony, A3.	$B_n = M$ for single sideband. $B_n = 2M$ for double sideband.	Double sideband telephony $M=3,000$ . Bandwidth: 6,000 c/s. Single sideband telephony reduced carrier, $M=3,000$ . Bandwidth: 3,000 c/s. Telephony, two independent sidebands, $M=3,000$ . Bandwidth: 6,000 c/s.	6A3 3A3A 6A3B
Sound broadcasting A3.	$B_n = 2M$ $M$ may vary between 4,000 and 10,000 depending on quality desired.	Speech and music, $M=4,000$ . Bandwidth: 8,000 c/s.	8A3
Facsimile, carrier modulated by tone and by keying, A4.	$B_n = KN + 2M$ $K=1.5$	The total number of picture elements (black plus white) transmitted per second is equal to the circumference of the cylinder multiplied by the number of lines per unit length and by the speed of rotation of the cylinder in revolutions per second. Diameter of cylinder = 70 mm. Number of lines per mm = 5. Speed of rotation = 1 r.p.s. $N=1,100$ . $M=1,900$ . Bandwidth: 5,450 c/s.	5.45A4
Television (visual and aural) A5 and F3.	Refer to relevant CCIR documents for the bandwidths of the commonly used television systems.	Number of lines = 525. Number of lines per second = 15,750. Video bandwidth: 4.2 Mc/s. Total visual bandwidth: 5.75 Mc/s. FM aural bandwidth including guard bands: 250,000 c/s. Total bandwidth: 6 Mc/s.	5750A5C 250F3
Composite transmission, A9.	$B_n = 2M$ (double sideband)....	Television relay, video limited to 4 Mc/s, audio on 6.5 Mc/s FM subcarrier, subcarrier deviation = 50 kc/s. $M$ = subcarrier frequency plus its maximum deviation = $6.55 \times 10^6$ . Bandwidth: $13.1 \times 10^6$ c/s.	13,100A9
Composite transmission, A9.	$B_n = 2M$ (double sideband)....	Microwave relay system providing 10 telephone channels occupying baseband between 4 and 164 kc/s. $M=164,000$ . Bandwidth: 328,000 c/s.	328A9

II. FREQUENCY MODULATION

Frequency-shift telegraphy: F1.	$B_n = 2.6D + 0.55B$ for $1.5 \leq \frac{2D}{B} \leq 5.5$ . $B_n = 2.1D + 1.9B$ for $5.5 \leq \frac{2D}{B} \leq 20$ .	Four-channel time-division multiplex with 7-unit code, 42.5 bauds per channel, $B=170$ , $D=200$ ; $\frac{2D}{B}=2.35$ , therefore the first formula in column 2 applies. Bandwidth: 613 c/s	0.6F1
Commercial telephony: F3.	$B_n = 2M + 2DK$ $K$ is normally 1 but under certain conditions a higher value may be necessary.	For an average case of commercial telephony, $D=15,000$ $M=3,000$ . Bandwidth: 36,000 c/s.	36F3
Sound broadcasting: F3.	$B_n = 2M + 2DK$	$D=75,000$ , $M=15,000$ and assuming $K=1$ . Bandwidth: 180,000 c/s	180F3
Facsimile: F4.	$B_n = KN + 2M + 2D$ $K=1.5$	(See facsimile, amplitude modulation.) Diameter of cylinder = 70 mm. Number of lines per mm = 5. Speed of rotation = 1 r.p.s. $N=1,100$ . $M=1,900$ . $D=10,000$ . Bandwidth: 25,450 c/s.	25.5F4
Four-frequency diplex Telephony: F6.	If the channels are not synchronized, $B_n = 2.6D + 2.75B$ where $B$ is the speed of the higher speed channel. If the channels are synchronized the bandwidth is as for F1, $B$ being the speed of either channel.	Four-frequency diplex system with 400 c/s spacing between frequencies, channels not synchronized, 170 bauds keying in each channel, $D=600$ , $B=170$ . Bandwidth: 2,027 c/s.	2.05F6

## II. FREQUENCY MODULATION—Continued

Description and class of emission	Necessary bandwidth in cycles per second	Examples	
		Details	Designation of emission
Composite transmission: F9.	$B_n = 2M + 2DK$	Microwave relay system providing 240 telephone channels occupying baseband between 60 and 1050 kilocycles. $M = 1.05 \times 10^4$ , $D = 2.35 \times 10^4$ , Bandwidth: $6.8 \times 10^6$ c/s.	6800F9
Composite transmission: F9.	$B_n = 2M + 2DK$	TV microwave relay, aural program on 7.5 Mc/s subcarrier; subcarrier deviation plus or minus 150 kilocycles. $M = \text{subcarrier frequency plus maximum deviation} = (7.5 \text{ plus } 0.15) \times 10^6$ , $D = 1 \times 10^6$ (visual) plus $0.3 \times 10^6$ (aural). Bandwidth: $17.9 \times 10^6$ c/s.	17,900F9
Composite transmission: F9.	$B_n = 2M + 2DK$ $K = 1$	Stereophonic FM broadcasting (U.S. system) with multiplexed subsidiary communications subcarrier, $M = 75,000$ , $D = 75,000$ , Bandwidth: 300,000 c/s.	300F9

## III. PULSE MODULATION

Unmodulated pulse: P8...	$B_n = \frac{2K}{t}$ <i>K depends on the ratio of pulse duration to pulse rise time. Its value usually falls between 1 and 10 and in many cases it does not need to exceed 6.</i>	$t = 3 \times 10^{-4}$ , $K = 6$ Bandwidth: $4 \times 10^6$ c/s.	4000P0
Modulated pulse: P2 or P3.	The bandwidth depends on the particular types of modulation used, many of these being still in the development stage.		
Composite transmission: P9.	$B_n = \frac{2K}{t}$ $K = 1.6$	Microwave relay, pulse-position modulated by 36 channel baseband; pulse width at half amplitude = 0.4 microseconds. Bandwidth: $8 \times 10^6$ c/s.	8000P9

## § 2.524 [Amendment]

3. Section 2.524(c) is amended to read as follows:

(c) Bandwidth occupied: The frequency bandwidth such that, below its lower and above its upper frequency limits, the mean powers radiated are each equal to 0.5 percent of the total mean power radiated by a given emission; measured under the following conditions as applicable:

(1) Telegraph transmitters for manual operation—when keyed at 16 dots per second.

(2) Other keyed transmitters—when keyed at the maximum machine speed.

(3) Voice modulated transmitters equipped with a device to prevent overmodulation when modulated by an input signal 16 db greater than that required to produce 50 percent modulation: Test at 2500 cycles.

(4) Voice modulated transmitters without a device to prevent overmodulation when modulated by an input signal large enough to produce at least 85 percent modulation: Test at 2500 cycles.

(5) Standard broadcast transmitters—when modulated with a frequency of 7500 cycles at 85 percent modulation, FM broadcast transmitters, including TV aural transmitters, when modulated with a frequency of 15 kc at 85 percent modulation.

(6) Transmitters in which the modulating baseband comprises more than three independent channels—when modulated with a test signal consisting of a band of random noise extending continuously from below 20 kilocycles to the highest frequency in the baseband. The level of the test signal shall be adjusted to provide RMS modulation which is 22.4 percent of the full rated peak modulation of the transmitter. The test signal shall be applied through any preemphasis networks used in normal service.

(7) Transmitters in which the modulating baseband comprises not more than three independent channels—when modulated by the full complement of signals for which the transmitter is rated. The level of modulation for each channel should be set to that prescribed in rule parts applicable to the services for which the transmitter is intended. If specific modulation levels are not set forth in the rules, the test levels should provide the manufacturer's maximum rated condition.

(8) Transmitters designed for other types of modulation—when modulated by an appropriate signal of sufficient amplitude to be representative of the type of service in which used. A description of the input signal used should be supplied.

[F.R. Doc. 63-3172; Filed, Mar. 26, 1963; 8:46 a.m.]

[Docket No. 14628; FCC 63-281]

## PART 4—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST SERVICES

## Simultaneous Operation of Two STL Transmitters in a Single Aural Broadcast STL Channel for the Transmission of Stereophonic Broadcast Material From the Studio to the Transmitter of an FM Broadcast Station

1. On May 2, 1962, the Commission adopted a notice of proposed rule making in this proceeding (FCC 62-489), inviting comments on a proposal to amend Part 4 of its rules to permit a single licensee to operate simultaneously two STL transmitters within a single 500 kc/s aural broadcast STL channel in the 942-952 Mc/s band, in order to provide dual program channels for the transmission of stereophonic broadcast program material from the studio to the transmitter of an FM broadcast station. One such system employing two separate transmitters operating on frequencies approximately 125 kc/s above and below the center of a 500 kc/s channel in the 942-952 Mc/s band was tested by Moseley Associates, Inc., of Santa Barbara, California. The report on these tests indicate that such operation is feasible.

2. Only one party, Moseley Associates, Inc., filed comments in the proceeding. They supported the proposal but recommended that a stricter frequency tolerance be imposed on transmitters operated in this manner so as to prevent emissions outside the assigned channel which might occur as the result of frequency drift. Moseley reported that since the institution of the subject rule making proceeding, they have made an actual installation at KHFR (FM), Monterey, California, and it has been operating pursuant to a special temporary authority issued by the Commission to KHFR (FM). Tests and measurements made at this installation show that the system is adequate to permit the FM broadcast station to meet the performance requirements set forth in our rules and the emissions are confined to the authorized 500 kc/s channel.

3. In view of the foregoing, we believe that our rules should be amended to permit the use by a single licensee of more than one transmitter in a single 500 kc/s channel in the 942-952 Mc/s band in cases where more than one aural program channel is needed between the same point of origin and destination. Such a system is to be preferred over the use of more than one 500 kc/s channel for dual aural circuits since it conserves frequency spectrum. Other methods providing additional aural channels through multiplexing of a single carrier frequency are permitted under existing rules provided that the emissions are confined to a single 500 kc/s channel. Since the present rules permit multiplexing on aural broadcast intercity relay



circuits as well as STL circuits, we see no reason why the provision adopted herein should not also extend to aural broadcast intercity relay circuits.

4. Authority for the adoption of the rules herein is contained in sections 4(i) and 303 (b), (c), (f) and (r) of the Communications Act of 1934, as amended.

5. Accordingly, it is ordered, That, effective May 1, 1963, § 4.502(a) of the Commission rules is amended to read as follows:

§ 4.502 Frequency assignment.

(a) The frequency band 942-952 Mc/s is divided into nineteen 500 kc/s channels for assignment to aural broadcast STL and intercity relay stations. Each of the following frequencies is the center frequency of a channel:

Mc/s	Mc/s	Mc/s	Mc/s
942.5	945.0	947.5	950.0
943.0	945.5	948.0	950.5
943.5	946.0	948.5	951.0
944.0	946.5	949.0	951.5
944.5	947.0	949.5	

A single broadcast station licensee will normally be limited to the assignment of one 500 kc/s channel between the same point of origin and destination. If the circuit carries only one aural program channel, the center frequency of the channel will be assigned. If a single licensee requires more than one aural program channel between the same point of origin and destination, more than one transmitter may be authorized to operate within a single 500 kc/s channel, employing carrier frequencies above and below the center frequency listed in this paragraph. Where such assignments are made the operating frequencies selected shall be such that the unmodulated carrier frequency plus or minus the sum of M+D does not extend beyond the upper or lower channel edge. M is the maximum modulating frequency and D is the maximum excursion of the carrier from the unmodulated carrier frequency due to modulation. Under these circumstances, the operating frequencies of the unmodulated carriers shall be maintained within .001 percent of the assigned frequencies.

(Sec. 4, 48 Stat. 1086, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: March 20, 1963.

Released: March 21, 1963.

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

[F.R. Doc. 63-3174; Filed, Mar. 26, 1963; 8:46 a.m.]

[Docket No. 14834; FCC 63-267]

PART 9—AVIATION SERVICES

Use of Frequency 123.0 Mc/s at Landing Areas Served by Flight Service Stations

1. A notice of proposed rule making in the above-entitled matter was released by the Commission November 1, 1962. The notice made provision for

the filing of comments on or before December 10, 1962 and was duly published in the FEDERAL REGISTER on November 7, 1962 (27 F.R. 10859).

2. The notice was in response to a request from the Federal Aviation Agency (FAA) that the Commission amend Part 9 of its rules to preclude aeronautical advisory stations at non-controlled airports from providing advisory information concerning conditions of runways, wind conditions and weather where there is an FAA Flight Service Station (FSS) located at the landing area.

3. Timely comments in this proceeding were filed by Aircraft Owners and Pilots Association (AOPA), the Federal Aviation Agency (FAA), National Pilots Association (NPA) and the State of Minnesota, Department of Aeronautics.

4. The amendment as proposed was supported by the FAA. The other above-named respondents did not support the amendment but offered a different method for accomplishing the same purpose. No reply comments were filed.

5. AOPA, NPA and the Minnesota Department of Aeronautics submitted that the same objective could be accomplished without having certain licensees shift from 122.8 Mc/s to 123.0 Mc/s, and without any economic burden. Respondents propose that a paragraph be added to § 9.1004, Scope of Service, to the effect that "During the hours of operation of a control tower or a flight service station at the landing area, the licensee shall not issue information about runway conditions, wind conditions or weather."

6. AOPA expressed a further difficulty with the proposal on the grounds that it has not been conclusively demonstrated that the FAA rule requiring aircraft to contact Flight Service Stations has made any significant contribution to safety. Therefore, the FCC attempt to bolster the FAA rule by adding an FCC rule is premature.

7. The Commission's action in this docket is not intended "to bolster the FAA rule by adding an FCC rule on top of it \* \* \*". The purpose of this rule making is to aid air safety by reducing the possibility of conflicting advisory information being given to aircraft. In addition, this proceeding is not the proper forum to discuss the merits of the recent FAA rule.

8. The main objection to the amendment as proposed is based on the economic burden that will be placed on those licensees who will be required to shift the frequency from 122.8 Mc/s to 123.0 Mc/s. The Commission is persuaded that the basic objective of the FAA can be accomplished without creating any economic burden on present licensees. The Appendix, therefore, has been changed, from that proposed in the notice, to reflect, in essence, the proposals of AOPA, NPA and the State of Minnesota, Department of Aeronautics. The major difference between the revised Appendix and language proposed by respondents is that the reference to "control towers" is not contained in the revised Appendix. Inclusion of "control towers" would enlarge the scope of this proceeding beyond that intended in the notice.

9. In view of the foregoing; It is ordered, Pursuant to the authority contained in sections 4(l) and 303 (b), (f), (h), and (r) of the Communications Act of 1934, as amended, that effective May 1, 1963, Part 9 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: March 20, 1963.

Released: March 21, 1963.

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

Section 9.1004(g) is added to read as follows:

§ 9.1004 Scope of Service.

(g) Notwithstanding the provisions of paragraph (d) of this section, aeronautical advisory stations authorized at landing areas where there is located a flight service station shall not transmit, during the hours of operation of such flight service station, information pertaining to the conditions of runways, wind conditions, and weather.

[F.R. Doc. 63-3173; Filed, Mar. 26, 1963; 8:46 a.m.]

Title 16—COMMERCIAL  
PRACTICES

Chapter I—Federal Trade Commission  
[Docket C-319]

PART 13—PROHIBITED TRADE  
PRACTICES

Nic Kuehn, Inc., and Curt E. Kuehn

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: § 13.155-40 Exaggerated as regular and customary; § 13.155-45 Fictitious marking; § 13.155-70 Percentage savings. Subpart—Concealing, obliterating or removing law required and informative marking: § 13.512 Fur products tags or identification. Subpart—Misbranding or mislabeling: § 13.1212 Formal regulatory and statutory requirements: § 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: § 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Nic Kuehn, Inc., et al., St. Joseph, Mo., Docket C-319, Mar. 8, 1963]

In the Matter of Nic Kuehn, Inc., a Corporation, and Curt E. Kuehn, Individually and as an Officer of Said Corporation

Consent order requiring manufacturers and retailers of fur products in St. Joseph, Mo., to cease violating the Fur Products Labeling Act by removing prior to ultimate sale the labels required to be affixed to fur products and by at-

taching nonconforming labels; by labeling such products with fictitious prices represented thereby as the regular retail prices; by advertisements in newspapers representing prices of fur products falsely as reduced from usual prices which were in fact fictitious, and as "½ Price"; and by failing to maintain adequate records as a basis for price and value claims.

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

*It is ordered*, That respondents Nic Kuehn, Inc., a corporation, and its officers, and Curt E. Kuehn, individually and as an officer of Nic Kuehn, Inc., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale, in commerce, or the transportation or distribution in commerce of any fur product; or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution, of any fur product which has been made in whole or in part of fur which has been shipped and received in commerce as "commerce", "fur" and "fur products" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

1. Removing or causing or participating in the removal of, prior to the time fur products are sold and delivered to the ultimate consumer, labels required by the Fur Products Labeling Act to be affixed to such products.

2. Misbranding fur products by falsely and deceptively labeling or otherwise identifying such products as to the regular prices thereof by representing directly or by implication that any price, when accompanied or unaccompanied by any descriptive language, was the price at which the merchandise was usually and customarily sold at retail by the respondents unless such merchandise was in fact usually and customarily sold at retail at such price by the respondents in the recent past.

3. Falsely and deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products and which:

A. Represents, directly or by implication, that any price, when accompanied or unaccompanied by any descriptive language, was the price at which the merchandise advertised was usually and customarily sold at retail by the respondents unless such advertised merchandise was in fact usually and customarily sold at retail at such price by the respondents in the recent past.

B. Misrepresents in any manner that savings are available to purchasers of respondents' fur products.

C. Represents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchasers of respondents' fur products the percentage of savings stated when the prices of such fur prod-

ucts are not reduced to afford the percentage of savings stated.

4. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based:

*It is further ordered*, That respondents Nic Kuehn, Inc., a corporation, and its officers, and Curt E. Kuehn, individually and as an officer of Nic Kuehn, Inc., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising or offering for sale, in commerce, or the processing for commerce, of fur products; or in connection with the selling, advertising, offering for sale, or processing of fur products which have been shipped and received in commerce, do forthwith cease and desist from misbranding fur products by substituting for the labels affixed to such fur products pursuant to section 4 of the Fur Products Labeling Act labels which do not conform to the requirements of the aforesaid Act and the Rules and Regulations promulgated thereunder.

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

Issued: March 8, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 63-3179; Filed, Mar. 26, 1963;  
8:47 a.m.]

## Title 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

[Docket Nos. FDC-68, FDC-68A]

#### SUBCHAPTER A—GENERAL

#### PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

##### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 29—FRUIT BUTTERS, FRUIT JELLIES, FRUIT PRESERVES, AND RELATED PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

##### Artificial Red Coloring in Cinnamon-Flavored Apple and/or Crabapple Jelly; Artificially Sweetened Fruit Jelly and Preserves; Findings of Fact and Rulings on Objections to Tentative Order

In the matter of amending the definition and standard of identity for fruit jellies to permit the use of artificial red coloring in cinnamon-flavored apple and/or crabapple jelly and in the matter

of establishing definitions and standards of identity for artificially sweetened fruit jellies and for artificially sweetened fruit preserves:

Orders were published in the FEDERAL REGISTER of November 13, 1958 (23 F.R. 8791), and October 31, 1959 (24 F.R. 8896), acting on proposals made by the National Preservers Association to amend the definition and standard of identity for fruit jellies to permit the use of artificial red coloring in cinnamon-flavored apple and/or crabapple jelly and to establish definitions and standards of identity for artificially sweetened fruit jelly and for artificially sweetened fruit preserves. Objections were filed to both orders, and in each case a public hearing was requested in accordance with section 701(e)(2) of the Federal Food, Drug and Cosmetic Act. Notices were published announcing that objections had been filed and that both orders were stayed pending a resolution of the issues at a public hearing (24 F.R. 762; 25 F.R. 720).

Pursuant to a notice published in the FEDERAL REGISTER of June 4, 1960 (25 F.R. 4962), public hearings were held on both orders to receive evidence on the issues raised by the objectors. Thereafter, tentative orders, including findings of fact, were published in the FEDERAL REGISTER of August 30, 1961 (26 F.R. 8115), in the matter of the optional use of artificial red coloring in cinnamon-flavored apple and/or crabapple jelly, and of June 2, 1962 (27 F.R. 5198), in the matter of establishing standards for artificially sweetened fruit jellies and preserves. Exceptions were filed by the attorney representing ten named clients to the order of August 30, 1961 (26 F.R. 8115), and by the Pratt-Low Division of the Duffy-Mott Company and Dietetic Food Company, Inc., to the order of June 2, 1962 (27 F.R. 5198).

Separate consideration has been given to each point raised in the exceptions filed to both orders, and it has been concluded that the substantial evidence in the record does not sustain them. Accordingly, the exceptions are not allowed. Therefore, on the basis of the evidence received at the hearings, and pursuant to the authority vested in the Secretary of Health, Education, and Welfare by provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated by the Secretary to the Commissioner of Food and Drugs (25 F.R. 8625): *It is ordered*, That the findings of fact, and conclusions, in each matter be established as follows:

1. Cinnamon-flavored apple and/or crabapple jelly artificially colored red:

*Findings of fact.*<sup>1</sup> 1. Objections were filed to an order published in the FEDERAL REGISTER of November 13, 1958 (23 F.R. 8791) amending the definition and

<sup>1</sup>The citations following each finding of fact refer to the pages of the transcript of testimony and the exhibits received in evidence at the hearing. In these findings the term "apple jelly" will be used to include not only apple jelly but also crabapple jelly and jellies made from mixtures of apple and crabapple juices.

standards of identity for fruit jellies to permit the use of artificial red coloring in cinnamon-flavored apple and/or crab-apple jelly. These objections raised three issues that required determination based on evidence adduced at a public hearing. The issues were whether the artificial red coloring would permit use of low-quality fruit in the food specified; whether using artificial red color in the food specified would result in the substitution of red cinnamon-flavored apple jelly by institutional users for more expensive berry jellies; and whether the amendment would promote honesty and fair dealing in the interest of consumers. (R. 4, 6; Ex. 2, 3, 4)

2. At the hearing held upon the objections, the evidence established that the use of low-quality fruit juice in apple jelly would not produce an identical product to the one proposed, and that it was not likely that the characteristic brown color of a jelly prepared from such low-quality fruit juice would be masked by the use of artificial red color. The evidence shows that manufacturers of apply jelly; green-colored, mint-flavored apply jelly, and red-colored, cinnamon-flavored apple jelly use the same apple juice in all three jellies. The objectors to the amendment failed to establish that artificial red coloring would be employed to conceal the use of low-quality apple juice. (R. 164, 378, 379)

3. Little evidence was introduced to support the claim that the use of artificial red color in the foods specified would result in institutional users' (bakers') substituting red, cinnamon-flavored apple jelly for more expensive berry jellies, and there was no evidence that bakers, if they should use such cinnamon-flavored apple jelly, would misbrand their baked product by representing it to be berry-flavored. Witnesses for the objectors testified that the manufacturers whom they represented do not make nor distribute red, cinnamon-flavored apple jelly to institutional users or otherwise. Those witnesses did not assert that they knew of any other jelly manufacturers who have ever sold any such jelly to bakers or any other institutional users. Witnesses for manufacturers of red, cinnamon-flavored apple jelly stated that they do not pack nor sell it either in institutional sizes or in the modern individual-portion sizes. The objectors to the amendment failed to establish that the use of artificial red color in the food specified would result in the substitution of red, cinnamon-flavored apple jelly for more expensive berry jellies. (R. 59, 87, 117, 194, 316, 329, 367)

4. The third issue set forth in the notice was whether the use of artificial coloring in cinnamon-flavored apple jelly would promote honesty and fair dealing in the interest of consumers. While there was testimony that the consumer might confuse red-colored, cinnamon-flavored apple jellies with red fruit jellies, to his detriment, the retail purchaser must rely, in addition to color, on labeling statements to identify the jelly that he purchases. Accordingly, there is little likelihood that red, cinnamon-

flavored apple jelly would be mistakenly purchased for some other red jelly, such as cherry jelly or red raspberry jelly. In addition, the housewife is familiar with a number of foods, other than fruit jellies, that contain red coloring in association with cinnamon flavoring. These foods include cinnamon-flavored candies, cinnamon apples, spiced crab apples, and spiced pears. Recipes in cookbooks in general use direct the use of artificial coloring in flavored apple jellies and include one recipe which calls for red color in cinnamon-flavored apple jelly. While all cinnamon-flavored foods, particularly baked goods, which contain ground cinnamon, do not contain red coloring, those that are flavored with cinnamon oil, including apple jelly, normally do contain such coloring. The use of red coloring in cinnamon-flavored apple jelly produces an attractive and decorative food having individual appearance and taste characteristics. It would not be in the best interest of the consuming public to keep such a food from the grocers' shelves. (R. 161, 162, 164, 175, 182-185, 195-197, 219, 230, 240-243, 255-259, 284, 285, 305, 306, 310, 311, 326-329, 358, 359, 370, 371, 374, 375, 380-383; Ex. 12, 15)

**Conclusion.** Upon consideration of the whole record and the foregoing findings of fact, it is concluded that it will promote honesty and fair dealing in the interest of consumers to permit the amendment to the definition and standard of identity for fruit jellies (21 CFR 29.2), as published in the FEDERAL REGISTER of November 13, 1958 (23 F.R. 8791), to become effective.

2. Artificially sweetened fruit jellies and preserves:

**Findings of fact.**<sup>1</sup> 1. Definitions and standards of identity for regular fruit jellies and preserves were promulgated in 1940, under authority of the Federal Food, Drug, and Cosmetic Act. These standards have required substantial proportions of nutritive sweeteners, principally sugar, and they have not provided for the adding of any nonnutritive sweeteners such as saccharin and the cyclamate salts. By an order published in the FEDERAL REGISTER of October 31, 1959 (24 F.R. 8896), definitions and standards of identity were promulgated for artificially sweetened fruit jelly (21 CFR 29.4) and artificially sweetened fruit preserves (21 CFR 29.5). These foods were required to be made with non-nutritive artificial sweeteners. For this reason, they are substantially lower in caloric value than the regular fruit jellies and preserves, and they are intended to be used for special dietary purposes and are represented for such use rather than for general use.

Objections were filed to the order promulgating the standards for artificially sweetened fruit jellies and artificially sweetened fruit preserves. Because of these objections the order was stayed and a hearing was held on the following issues:

<sup>1</sup>The citations following each finding of fact refer to the pages of the transcript of testimony and the exhibits received in evidence at the hearing.

a. Whether the establishment of standards of identity under the names specified would promote honesty and fair dealing in the interest of consumers.

b. Whether the standards should provide for limits on fruit content other than those specified.

c. Whether the list of jelling ingredients provided in each standard should be expanded to include certain additional ingredients.

d. Whether the standards should permit the optional ingredients artificial coloring, propylene glycol, and sugar. (R. 41, 186, 203, 204, 205; Ex. 2-4.)

2. For each of the two classes of foods that were the subject of the hearing, the order required that the words "artificially sweetened" were to be used as the first two words in the name, and it further required that the words "artificially sweetened" were to be prominently and conspicuously displayed in letters not smaller than the largest letter in the other words making up the name of the food. In many cases, artificially sweetened jellies and preserves have been designated as "dietetic," "dietary," or "diet." There was some evidence that the word "imitation" should be required as the first word in the names. Because they are intended for special dietary use, one of the most significant features of these foods is that they are artificially sweetened. Designations such as "dietetic," "dietary," "diet," and "imitation" do not alert purchasers to the fact that these are artificially sweetened foods. For those numerous purchasers who wish to buy for general use conventional fruit jellies and preserves that are sweetened with sugar, it is important that the artificially sweetened jellies and preserves be informatively, prominently, and conspicuously labeled "artificially sweetened."

The objectors to the order failed to prove that establishing these standards under the names "artificially sweetened jellies" and "artificially sweetened preserves" adversely affects the interests of consumers in being dealt with honestly and fairly. (R. 41, 46, 66, 84, 86, 91, 142-147, 205-207; Ex. 4, 18-20)

3. The standards for those fruit jellies and preserves intended for general use require that they be made from a mixture of not less than 45 parts of fruit to each 55 parts of sugar or other permitted nutritive sweetener. This starting mixture is then cooked and water is driven off by evaporation, so that production of each 100 pounds of sugar-sweetened fruit jelly or preserves requires the use of approximately 55 pounds of fruit. In the production of artificially sweetened jellies and preserves, the product is heated to a temperature somewhat below the boiling point and immediately filled into jars. Very little loss of water occurs. Some producers have followed formulas that yield 100 pounds of finished artificially sweetened jellies and preserves for each 45 pounds of fruit used. In order to have the fruit character of jellies and preserves intended for special dietary usage more nearly conform to the fruit character of the general-purpose foods, the producer should use not less than 55 pounds of

fruit for each 100 pounds of finished food. One witness testified that he had been using 45 pounds of fruit rather than 55 pounds, and protested that going to the higher fruit level would increase the caloric value of the finished product. However, on cross-examination, he said that the increase would be only about one-tenth of one calorie per teaspoonful of the artificially sweetened food. Such a small increase is not of significance to consumers. (R. 22, 42, 59, 64, 78-79, 103, 108-109, 164-166, 184-186, 194-197, 205, 207-208)

4. The need for adding ingredients to aid in producing and maintaining a gel-like body for artificially sweetened jellies and preserves is greater than the need for such ingredients in sugar-sweetened jellies and preserves. Paragraph (a) (3) of each of the two standards listed three buffering salts: sodium citrate, sodium acetate, and potassium citrate. There was evidence that in addition to these three buffering salts the cited paragraphs should also list sodium tartrate, sodium potassium tartrate, potassium acid tartrate, and mono-, di-, and trisodium phosphate.

In paragraph (a) (5) of each standard are listed four salts that are sources of calcium ions. There was evidence to support adding calcium gluconate and calcium lactate to these lists.

Testimony at the hearing brought out that other gums and gum-like ingredients in addition to those listed in the order have been used successfully in artificially sweetened jellies and preserves. Guar gum and agar-agar were specified. There was also testimony recommending that the standards should provide a general recital making any suitable, safe hydrophilic colloid a permitted optional ingredient for artificially sweetened jellies and preserves: It is not feasible to draw findings of fact relative to the suitability for use of jelling ingredients that are entirely unspecified in the record and that may never have been used in the foods under consideration. There was testimony about the jelling ingredients covered by the food additive regulations issued under § 121.1066 *Carrageenan* and § 121.1067 *Salts of carrageenan* (21 CFR 121.1066, 121.1067). These ingredients include extract of Irish moss, which was listed in the order promulgating the standards for artificially sweetened jellies and preserves.

Substituting "carrageenan and salts of carrageenan meeting the requirements of §§ 121.1066 and 121.1067" for "extract of Irish moss" as that term is listed in paragraph (d) of each standard will substantially broaden the list of optional jelling ingredients permitted to be used in artificially sweetened jellies and preserves. (R. 20-22, 24-25, 28-32, 120-122, 149, 172, 208-209, 226; Ex. 16A; 21 CFR 121.1066, 21 CFR 121.1067)

5. Some producers of artificially sweetened jellies and preserves have used artificial colors to enhance the appearance of these foods. It is noteworthy that the colors used have been selected to match the colors of the fruits; for example, red for strawberry and yellow for pineapple. Artificially sweetened jellies and preserves were analyzed by the chemist for

the National Preservers Association. He found artificial colors in products having low fruit content. Strawberries present a color problem for the producer of artificially sweetened jellies and preserves. Strawberries also pose a problem for the producer of regular sugar-sweetened jellies and jams, but it was not deemed advisable to have the standards provide for the adding of artificial red color to sugar-sweetened strawberry jelly or preserves. There was evidence that the color of artificially sweetened grape jelly could be enhanced by using more grape juice than the minimum permitted by the standard. To amend the standards for artificially sweetened jellies and preserves to provide for adding artificial colors to these foods would create a problem of likely conflict with that provision in the Federal Food, Drug, and Cosmetic Act which deems a food to be adulterated if any substance has been added to it so as to make it appear to be better or of greater value than it is. (R. 42-43, 49-52, 68, 102-103, 107, 114, 118-119, 152, 155, 158-163, 184, 190, 192-193, 208; Ex. 21 U.S.C. 342(b))

6. One objection filed in protest to the order was based on the fact that propylene glycol was not listed as a permitted optional ingredient of artificially sweetened jellies and preserves. No witness at the hearing testified in support of this objection. The objector submitted by mail an affidavit asserting that to the best of his knowledge and belief propylene glycol should be included in fruit jellies, artificially sweetened fruit jellies, and artificially sweetened fruit preserves; but the reasons advanced were mainly in support of chemical preservatives that might be used in conjunction with propylene glycol. The evidentiary value of the affidavit was impaired by lack of any opportunity for cross-examination. (R. 223, 229-232; Ex. 22)

7. A witness representing one producer recommended that the standards should be amended to provide for adding sugar to artificially sweetened jellies and preserves to bring such foods up to some predetermined caloric value. It appeared—although it was not entirely clear—that he wanted to make it permissible for each producer to select his own fixed caloric value and then to adjust upwards with sugar to bring his products, as made from different varieties of fruit (for example, from strawberries, peaches, grapes, etc.) up to the number of calories per 100 grams that his firm had chosen. The basis for his recommendation was that this would make it more convenient for physicians and dietitians when calculating diets. He suggested no maximum limit on the proportion of sugar to be permitted.

To adopt the recommendation of permitting sugar to be added as an ingredient of these foods for special dietary use would render the designation "artificially sweetened" inaccurate. It would not promote the interests of those consumers who wish to use artificially sweetened jellies and preserves in order to restrict, as much as feasible, their intake of ordinary sweets. (R. 126-129, 131-135, 157, 207; Ex. 23)

**Conclusion.** Upon consideration of the entire record and in conformity with the foregoing findings of fact, it is concluded that it will promote honesty and fair dealing in the interest of consumers to permit the definitions and standards of identity for artificially sweetened fruit jellies and for artificially sweetened fruit preserves, amended as hereinafter indicated to allow the use of additional gelling ingredients, to become effective.

Upon consideration of the entire record and the foregoing findings of fact, *It is ordered*, That the objections filed to the order promulgating standards of identity for artificially sweetened fruit jelly and for artificially sweetened fruit preserves be allowed in part and disallowed in part, so that as amended the standards read as follows:

§ 29.4 Artificially sweetened fruit jelly; identity; label statement of optional ingredients.

(a) The artificially sweetened fruit jellies for which definitions and standards of identity are prescribed by this section are the jelled foods made from a fruit juice ingredient as specified in paragraph (b) of this section and an artificial sweetening ingredient as specified in paragraph (c) of this section, with a jelling ingredient as specified in paragraph (d) of this section. Water may be added. The quantity of the fruit juice ingredient, calculated as set out in § 29.2(b), amounts to not less than 55 percent by weight of the finished food. The article is sealed in containers and so processed by heat, either before or after sealing, as to prevent spoilage. Such food may also contain one or more of the following optional ingredients:

(1) Spice, spice oil, spice extract.  
(2) A vinegar, lemon juice, lime juice, citric acid, lactic acid, malic acid, tartaric acid or any combination of two or more of these, in a quantity which reasonably compensates for deficiency, if any, of the natural acidity of the fruit juice ingredient.

(3) Sodium citrate, sodium acetate, sodium tartrate, monosodium phosphate, disodium phosphate, trisodium phosphate, sodium potassium tartrate, potassium citrate, potassium acid tartrate, or any combination thereof, in an amount not exceeding 2 ounces avoirdupois per 100 pounds of the finished food.

(4) Sodium hexametaphosphate in an amount not exceeding 8 ounces avoirdupois per 100 pounds of the finished food.

(5) Purified calcium chloride, calcium citrate, calcium gluconate, calcium lactate, calcium sulfate, monocalcium phosphate, potassium chloride, or any combination of two or more of these salts, in a quantity reasonably necessary to enable the jelling ingredients to produce a jelled finished product.

(6) Ascorbic acid, sorbic acid, sodium sorbate, potassium sorbate, sodium propionate, calcium propionate, sodium benzoate, benzoic acid, methylparaben (methyl-*p*-hydroxybenzoate), propylparaben (propyl-*p*-hydroxybenzoate), or any combination of two or more of these, in a quantity reasonably necessary as a preservative, but not to exceed 0.1 percent by weight of the finished food.

(b) The fruit juice ingredient referred to in paragraph (a) of this section is any one, or any combination of two, three, four, or five of the fruit juice ingredients complying with the requirements of § 29.2(c). Except as paragraph (d) of this section permits the use of pectin standardized with nutritive sweetener, no nutritive sweetening ingredient is added, either directly or indirectly, to the fruit juice ingredient used to make artificially sweetened fruit jelly.

(c) The artificial sweetening ingredients referred to in paragraph (a) of this section are saccharin, sodium saccharin, calcium saccharin, sodium cyclamate, potassium cyclamate, calcium cyclamate, or any combination of these.

(d) The jelling ingredients referred to in paragraph (a) of this section are pectin, agar-agar, carob bean gum (also called locust bean gum), guar gum, gum karaya, gum tragacanth, algin (sodium alginate), sodium carboxymethylcellulose, methylcellulose (meeting U.S.P. requirements and with methoxy content not less than 27.5 percent and not more than 31.5 percent on a dry-weight basis), carrageenan or salts of carrageenan complying with the requirements of § 121.1066 or § 121.1067 of this chapter, or any combination of two or more of these. Pectin may be standardized with a nutritive sweetening ingredient, but such sweetening ingredient shall not amount to more than 44 percent by weight of the standardized pectin, and the quantity of such standardized pectin used shall not exceed 3 percent by weight of the finished food.

(e) The name of each artificially sweetened fruit jelly for which a definition and standard of identity is prescribed by this section consists of the words "artificially sweetened," immediately followed by the name prescribed by § 29.2 (f) and (g) (6) for the fruit jelly which corresponds in its fruit ingredient to the artificially sweetened article. The words "artificially sweetened" shall be prominently and conspicuously displayed in letters not smaller than the largest letter used in any other word in the name of the food.

(f) (1) The jelling ingredient used shall be named on the label by a statement "----- added" or "with added -----," the blank being filled in with the common name of the jelling ingredient used; for example, "pectin and methylcellulose added."

(2) When one of the optional ingredients specified in paragraph (a) (1) of this section is used, the label shall bear the statement "----- added" or "with added -----," the blank being filled in with the words "spice," "spice oil," or "spice extract" as appropriate, but in lieu of the word "spice" in such statement the common name of the spice may be used.

(3) When the optional ingredient specified in paragraph (a) (4) of this section is used, the label shall bear the words "sodium hexametaphosphate added" or "with added sodium hexametaphosphate."

(4) When any optional ingredient listed in paragraph (a) (6) of this section is used, the label shall bear the

statement "----- added as a preservative," the blank being filled in with the common name of the preservative ingredient used as designated in paragraph (a) (6) of this section.

(g) Wherever the name of the food appears on the label of the artificially sweetened fruit jelly so conspicuously as to be easily seen under customary conditions of purchase, the words and statements specified in this section, showing the optional ingredients used, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except that the varietal name of the fruit source of the fruit juice ingredient used in preparing such jelly may so intervene.

**§ 29.5 Artificially sweetened fruit preserves, artificially sweetened fruit jams; identity; label statement of optional ingredients.**

(a) The artificially sweetened fruit preserves or artificially sweetened fruit jams for which definitions and standards of identity are prescribed by this section are the viscous or semisolid foods made from a fruit ingredient as specified in paragraph (b) of this section and an artificial sweetening ingredient as specified in paragraph (c) of this section, and with or without water and a jelling ingredient as specified in paragraph (d) of this section. The quantity of the fruit ingredient amounts to not less than 55 percent by weight of the finished food. The article is sealed in containers and so processed by heat, either before or after sealing, as to prevent spoilage. Such food may also contain one or more of the following optional ingredients:

(1) Spice, spice oil, spice extract.  
 (2) A vinegar, lemon juice, lime juice, citric acid, lactic acid, malic acid, tartaric acid, or any combination of two or more of these, in a quantity which reasonably compensates for deficiency, if any, of the natural acidity of the fruit ingredient.

(3) Sodium citrate, sodium acetate, sodium tartrate, monosodium phosphate, disodium phosphate, trisodium phosphate, sodium potassium tartrate, potassium citrate, potassium acid tartrate, or any combination thereof, in an amount not exceeding 2 ounces avoirdupois per 100 pounds of the finished food.

(4) Sodium hexametaphosphate in an amount not exceeding 8 ounces avoirdupois per 100 pounds of the finished food.

(5) Purified calcium chloride, calcium citrate, calcium gluconate, calcium lactate, calcium sulfate, monocalcium phosphate, potassium chloride, or any combination of two or more of these salts, in a quantity reasonably necessary to enable the jelling ingredients to produce a jelled finished product.

(6) Ascorbic acid, sorbic acid, sodium sorbate, potassium sorbate, sodium propionate, calcium propionate, sodium benzoate, benzoic acid, methylparaben (methyl-*p*-hydroxybenzoate), propylparaben (propyl-*p*-hydroxybenzoate), or any combination of two or more of these, in a quantity reasonably necessary as a preservative but not to exceed 0.1 percent by weight of the finished food.

(b) The fruit ingredient referred to in paragraph (a) of this section is any one, or any combination of two, three, four or five of the fruit ingredients complying with the requirements of § 29.3 (b) and (c). Except as paragraph (d) of this section permits the use of pectin standardized with nutritive sweetener, no nutritive sweetening ingredient is added, either directly or indirectly, to the fruit ingredient used to make artificially sweetened fruit preserves or artificially sweetened fruit jam.

(c) The artificial sweetening ingredients referred to in paragraph (a) of this section are saccharin, sodium saccharin, calcium saccharin, sodium cyclamate, potassium cyclamate, calcium cyclamate, or any combination of these.

(d) The jelling ingredients referred to in paragraph (a) of this section are pectin, agar-agar, carob bean gum (also called locust bean gum), guar gum, gum karaya, gum tragacanth, algin (sodium alginate), sodium carboxymethylcellulose, methylcellulose (meeting U.S.P. requirements and with methoxy content not less than 27.5 percent and not more than 31.5 percent on a dry-weight basis), carrageenan or salts of carrageenan complying with the requirements of § 121.1066 or 121.1067 of this chapter, or any combination of two or more of these. Pectin may be standardized with a nutritive sweetening ingredient, but such sweetening ingredient shall not amount to more than 44 percent by weight of the standardized pectin, and the quantity of such standardized pectin used shall not exceed 3 percent by weight of the finished food.

(e) The name of each artificially sweetened fruit preserve or artificially sweetened fruit jam for which a definition and standard of identity is prescribed by this section consists of the words "artificially sweetened" immediately followed by the name prescribed by § 29.3 (f) and (g) (5) for the fruit preserves or jams which correspond in fruit ingredient to the artificially sweetened article. The words "artificially sweetened" shall be prominently and conspicuously displayed in letters not smaller than the largest letter used in any other word in the name of the food.

(f) (1) The jelling ingredient used shall be named on the label by a statement "----- added" or "with added -----," the blank being filled in with the common name of the jelling ingredient used.

(2) When one of the optional ingredients specified in paragraph (a) (1) of this section is used, the label shall bear the statement, "----- added" or "with added -----," the blank being filled in with the words "spice," "spice oil," or "spice extract" as appropriate, but in lieu of the word "spice" in such statement the common name of the spice may be used.

(3) When the optional ingredient specified in paragraph (a) (4) of this section is used, the label shall bear the words "sodium hexametaphosphate added" or "with added sodium hexametaphosphate."

(4) When any optional ingredient listed in paragraph (a) (6) of this section

is used, the label shall bear the statement "----- added as a preservative," the blank being filled in with the common name by which the preservative ingredient used is designated in paragraph (a) (6) of this section.

(g) Wherever the name of the food appears on the label of the artificially sweetened fruit preserve or artificially sweetened fruit jam so conspicuously as to be easily seen under customary conditions of purchase, the words and statements specified in this section, showing the optional ingredients used, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the varietal name of the fruit used in preparing such preserve or jam may so intervene.

3. It is further ordered, That the statement of policy concerning the labeling of jams and jellies containing artificial sweeteners as imitation (21 CFR 3.205) be revoked.

4. The stays involving §§ 29.2 (a) (7), (g) (7), 29.4, and 29.5 (FEDERAL REGISTER of February 4, 1959, January 28, 1960; 24 F.R. 762, 25 F.R. 720) are hereby rescinded.

**Effective date.** Orders 1 through 4 inclusive shall become effective 90 days from the date of publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: March 20, 1963.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 63-3201; Filed, Mar. 26, 1963;  
8:50 a.m.]

## Title 29—LABOR

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

#### SUBCHAPTER A—REGULATIONS

### PART 673—FOOD AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

#### Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), and by means of Administrative Order No. 570 (27 F.R. 12449), the Secretary of Labor appointed and convened Industry Committee No. 60-A. Administrative Order No. 570 referred to Industry Committee No. 60-A the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the food and related products industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Excluded from the matters referred to Industry Committee No. 60-A were activities formerly described in 29 CFR 673.2 (b), (f), (l), (1), (o), and (v). The minimum rates for these activities already equal the rates prescribed in sections 6(a) (1) or 6(b) (1) of the Act.

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

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 60-A are hereinafter published in this revision of 29 CFR Part 673.

Effective April 12, 1963, 29 CFR Part 673 is hereby revised to read as follows:

Sec.  
673.1 Definition.  
673.2 Wage Rates.  
673.3 Notices.

**AUTHORITY:** §§ 673.1 to 673.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

#### § 673.1 Definition.

The food and related products industry in Puerto Rico is defined as follows: The canning, preserving (including freezing, drying, dehydrating, curing, pickling, and similar processes), or other manufacturing or processing, and the packaging in conjunction therewith, of foods, ice, and non-alcoholic beverages, including, but without limitation, meat animals and meat animal products, poultry and poultry products, milk and dairy products, fish and seafood products, fruits and vegetables, and fruit or vegetable products, grains and grain products, bakery products, confectionery and related products, and miscellaneous foods and food products; and the handling, grading, packing, or preparing in their raw or natural state of fresh vegetables, fresh fruits, or nuts, and the gathering of wild plant or animal life: *Provided, however,* That the industry shall not include any product or activity included in the sugar manufacturing industry as defined in Part 689 of this chapter, the alcoholic beverage and industrial alcohol industry as defined in Part 619 of this chapter, or the chemical, petroleum, and related products industry, as defined in Part 670 of this chapter.

#### § 673.2 Wage Rates.

The food and related products industry in Puerto Rico is divided into nine classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) The yeast and canned tuna fish classification: \$1.15 an hour.

(2) This classification is defined as the manufacture of yeast, and the cooking and canning of tuna fish and of

tuna-like fish and the manufacture of by-products therefrom.

(b) (1) Biscuit and cracker classification: \$1.15 an hour.

(2) This classification is defined as the manufacture of biscuits, crackers, and like products.

(c) (1) Canning and preserving classification: \$1.00 an hour.

(2) This classification is defined as the canning and preserving (including drying, dehydrating, pickling, freezing, and similar processes) of fruits, vegetables, and other food products, except those included in the citron brining and fruit, vegetable, nut, and green coffee packing classification or in the yeast and canned tuna fish classification.

(d) (1) Citron brining and fruit, vegetable, nut, and green coffee packing classification: 78 cents an hour.

(2) This classification is defined as the brining or other processing of citron, and the grading and packing of fresh fruits, vegetables, nuts, and green coffee.

(e) (1) General classification: \$1.02 an hour.

(2) This classification is defined as the gathering of wild plant or animal life and the manufacture, processing and packaging in conjunction therewith of all products not specifically included in any other classification of the industry.

(f) (1) New coverage classification A: \$1.00 an hour.

(2) This classification is defined as the manufacture of soft drinks, pastry and cakes, and soda crackers, saltines, crackers known as rositas, vanilla crackers, or any similar products; the packing of frozen fish; the bottling or canning of olives, capers, and oils; the processing and packing of rice; and the occupation of chauffeur in the manufacture of ice cream, ices, and similar frozen products, pressmen and pressmen helpers in the manufacture of alimentary pastes, master bakers, dough mixers, dough-brake machine operators, and bench hands in the manufacture of bread, crackers with shortening and similar products; and the canning and preserving of food products as defined in the canning and preserving classification, when performed by employees covered by the Act only by reason of the Fair Labor Standards Amendments of 1961.

(g) (1) New coverage classification B: 85 cents an hour.

(2) This classification is defined as the processing, manufacture, and distribution of milk and milk products, the manufacture of mixed feeds for poultry and cattle, and the manufacture of ice cream, ices, and similar frozen products (except the occupation of chauffeur), by employees covered by the Act only by reason of the Fair Labor Standards Amendments of 1961.

(h) (1) New coverage classification C: 80 cents an hour.

(2) This classification is defined as the roasting of coffee, the manufacture of bread and similar products (except those occupations included in other classifications of the industry) and the manufacture of alimentary pastes (except those occupations included in other clas-

sifications of the industry); by employees covered by the Act only by reason of the Fair Labor Standards Amendments of 1961.

(1) New coverage classification D: 75 cents an hour.

(2) This classification is defined as all activities of employees covered by the Act only by reason of the Fair Labor Standards Amendments of 1961 that are not included in any other classification of the industry.

§ 673.3 Notices.

Every employer subject to the provisions of § 673.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 673.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 21st day of March 1963.

CLARENCE T. LUNDQUIST,  
Administrator.

[F.R. Doc. 63-3184; Filed, Mar. 26, 1963; 8:48 a.m.]

**Title 33—NAVIGATION AND  
NAVIGABLE WATERS**

**Chapter I—Coast Guard, Department  
of the Treasury**

**SUBCHAPTER A—GENERAL**

[CGFR 63-11]

**PART 3—COAST GUARD DISTRICTS,  
MARINE INSPECTION ZONES AND  
CAPTAIN OF THE PORT AREAS**

**Subpart 3.85—Seventeenth Coast  
Guard District**

**MISCELLANEOUS AMENDMENTS**

The descriptions of the marine inspection zones and Captain of the Port areas in the Seventeenth Coast Guard District have been revised to reflect changes made establishing new units.

A Marine Inspection Office has been established at Anchorage, Alaska. The mailing address is P.O. Box 67, Anchorage, Alaska. This Office is a Coast Guard unit headed by an Officer in Charge, Marine Inspection, who has been delegated authority as described in 33 CFR 1.01-20 to administer and give immediate direction to those Coast Guard activities relating to the navigation and vessel inspection laws within his marine inspection zone.

The Anchorage marine inspection zone shall consist of the land masses and territorial waters of the State of Alaska west of 139° W. longitude, as well as artificial islands subject to inspection off the State of Alaska west of this line. This zone was formerly a part of the marine inspection zone assigned to the Juneau Marine Inspection Office. The description of the Juneau marine inspec-

tion zone in 33 CFR 3.85-10(b) is amended and a new section designated 33 CFR 3.85-15 is established describing the Anchorage marine inspection zone.

A Captain of the Port Office has been established at Anchorage, Alaska. This Office is a Coast Guard unit headed by a Captain of the Port who has been delegated authority as described in 33 CFR 1.01-30 to administer and give immediate direction to those Coast Guard activities concerning anchorages, movements of vessels, and handling of dangerous cargoes within his Captain of the Port area, which is a limited area around Anchorage as described in 33 CFR 3.85-55 in this document.

A Captain of the Port Office has been established in Juneau, Alaska. This Office is a Coast Guard unit headed by a Captain of the Port who has been delegated authority as described in 33 CFR 1.01-30 to administer and give immediate direction to those Coast Guard activities concerning anchorages, movements of vessels, and handling of dangerous cargoes within his Captain of the Port area, which is a limited area around Juneau as described in 33 CFR 3.85-60 in this document.

A Captain of the Port Office is continued in Ketchikan, Alaska, but the description of the Captain of the Port area has been amended and redesignated as 33 CFR 3.85-65 in this document.

The shipowners, operators, builders, vessels' operating personnel and other persons affected by the navigation and vessel inspection laws when within the Anchorage marine inspection zone are requested to utilize the services available at the Marine Inspection Office, Anchorage, Alaska.

Because the regulations in this document are rules describing Coast Guard organization, it is hereby found that the Coast Guard is exempt from compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule-making procedures thereon, and effective date requirements).

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-3 dated May 6, 1953 (18 F.R. 2961), 167-15 dated January 3, 1955 (20 F.R. 840), 167-17 dated June 29, 1955 (20 F.R. 4976), and 167-23 dated July 27, 1956 (21 F.R. 5852), to promulgate regulations in accordance with the statutes cited with the rules below, the following amendments are prescribed and shall be in effect on and after the date of publication in the FEDERAL REGISTER:

1. Section 3.85-10(b) is amended to read as follows:

**§ 3.85-10 Juneau Marine Inspection  
Zone.**

(b) The Juneau Marine Inspection Zone comprises the State of Alaska east of 139° W. longitude.

2. Subpart 3.85 is amended by adding after § 3.85-10 a new section reading as follows:

**§ 3.85-15 Anchorage Marine Inspection  
Zone.**

(a) The Anchorage Marine Inspection Office is in Anchorage, Alaska.

(b) The Anchorage marine inspection zone comprises the State of Alaska west of 139° W. longitude.

3. Section 3.85-55 is amended to read as follows:

**§ 3.85-55 Anchorage Captain of the  
Port.**

(a) The Anchorage Captain of the Port Office is in Anchorage, Alaska.

(b) The Anchorage Captain of the Port area shall comprise all navigable waters of the United States and contiguous land areas within the following boundaries: A line commencing at a point 60°50' N. and 149° W., thence north to the north shoreline of Turnagain Arm, thence northwesterly along the shoreline to the junction of 149°40' W., thence north to 61°25' N., thence west to 150° W., thence south to the north shoreline of Knik Arm, thence westerly along the shoreline to 150°20' W., thence south to the south shoreline of Turnagain Arm, thence easterly along the shoreline to the point of origin.

4. Subpart 3.85 is amended by adding after § 3.85-55 a new section reading as follows:

**§ 3.85-60 Juneau Captain of the Port.**

(a) The Juneau Captain of the Port Office is in Juneau, Alaska.

(b) The Juneau Captain of the Port area shall comprise all navigable waters and contiguous land areas within the following boundaries: Commencing at a point 58°35' N., and the east bank of the Lynn Canal, due west to 135° W., thence due south to 58°10' N., thence due east to 134°10' W., thence northwesterly along the east bank of the Gastineau Channel to 58°20' N., thence a straight northwesterly line from this point to the point of origin.

5. Subpart 3.85 is amended by adding after § 3.85-60 a new section reading as follows:

**§ 3.85-65 Ketchikan Captain of the  
Port.**

(a) The Ketchikan Captain of the Port Office is in Ketchikan, Alaska.

(b) The Ketchikan Captain of the Port area shall comprise all navigable waters and contiguous land areas encompassed within the following boundaries: Commencing at a point 55°27' N., and 131°49'50" W. due south to the west bank of the Tongass Narrows, thence southeasterly along the west bank of the Tongass Narrows to 55°17'30" N., thence due east to 131°32' W., thence due north to the north bank of Revillagigedo Channel, then to follow from that point along the shoreline westerly and northerly to the point of origin.

(Sec. 3, 60 Stat. 238, sec. 633, 63 Stat. 545; 5 U.S.C. 1002, 14 U.S.C. 633)

Dated: March 20, 1963.

[SEAL] D. MCG. MORRISON,  
Vice Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 63-3199; Filed, Mar. 26, 1963; 8:49 a.m.]

## Title 45—PUBLIC WELFARE

Subtitle A—Department of Health, Education, and Welfare, General Administration

### PART 6—INVENTIONS AND PATENTS (GENERAL)

#### Publication or Patenting of Inventions

Section 6.2 is revised to read as follows:

#### § 6.2 Publication or patenting of inventions.

It is the general policy of the Department that the results of Department research should be made widely, promptly and freely available to other research workers and to the public. This availability can generally be adequately preserved by the dedication of a Government-owned invention to the public. Determinations to file a domestic patent application on inventions in which the Department has an interest will be made where the circumstances indicate that this is desirable in the public interest, and if it is practicable to do so. Department determinations not to apply for a domestic patent on employee inventions are subject to review and approval by the Commissioner of Patents. Except where deemed necessary for protecting the patent claim, the fact that a patent application has been or may be filed will not require any departure from normal policy regarding the dissemination of the results of Department research.

Dated: March 21, 1963.

[SEAL] ANTHONY J. CELEBREZZE,  
Secretary.

[F.R. Doc. 63-3200; Filed, Mar. 26, 1963;  
8:49 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

### PART 33—SPORT FISHING

Swan Lake National Wildlife Refuge, Missouri

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

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

MISSOURI

SWAN LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Swan Lake National Wildlife Refuge, Missouri, is per-

mitted only on the areas designated by signs as open to fishing. This open area, comprising 3,600 acres or 80 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Crappies, channel cat, black bass, buffalo, shad and other minor species as permitted by State regulations.

(b) Open season: April 1, 1963, through September 10, 1963; daylight hours only.

(c) Daily creel limits: Crappies—30; channel cat—10; black bass—10; buffalo and shad—no limit except 25 pounds plus one fish; creel limits for other minor species as prescribed by State regulations.

(d) Methods of fishing:

(1) Pole and line, trotline, throwline, limb line, bank line, jig or block line, artificial lures, hooks and bait are permitted; game fish may not be used for bait. No more than three unlabeled poles or more than thirty-three (33) hooks in the aggregate, may be used by any person at one time. Hooks may not be left unattended for more than 24 hours while in use. Hooks attached to throwlines or trotlines shall be staged not less than 2 feet apart. Trotlines and throwlines may not be attached together. Minnow traps, trotlines, throwlines, limb lines, bank lines, and live-boxes shall be plainly labeled with the owner's name and address.

(2) No person shall use any electrical device, explosive, poison or chemical to kill, or stupefy fish, or take or attempt to take fish by rock or hand fishing, with or without hook.

(3) The use of boats, canoes, and similar floating devices, without motors, is permitted.

(4) See applicable State regulations for additional details on methods of fishing.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to September 11, 1963.

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

MARCH 19, 1963.

[F.R. Doc 63-3180; Filed, Mar. 26, 1963;  
8:47 a.m.]

### PART 33—SPORT FISHING

Lacreek National Wildlife Refuge, South Dakota

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

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

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Sport fishing on the Lacreek National Wildlife Refuge, South Dakota, is permitted only on the Little White River Recreational Area, which is designated by signs as open to fishing. This open area, comprising 180 acres or 15 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Largemouth bass, crappies, and other minor species permitted under State regulations.

(b) Open season: From April 1, 1963, through December 31, 1963; daylight hours only.

(c) Daily creel limits: Largemouth bass—10; crappies—50.

Creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

(1) Anglers may use a maximum of 2 lines, and a maximum of 3 hooks on each line.

(2) The use of boats for fishing is permitted.

(3) See applicable State regulations for additional details.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to January 1, 1964.

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

MARCH 19, 1963.

[F.R. Doc. 63-3181; Filed, Mar. 26, 1963;  
8:47 a.m.]



# Proposed Rule Making

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 [New] ]

[ Airspace Docket No. 62-CE-75 ]

### CONTROLLED AIRSPACE

#### Proposed Alteration and Designation of Control Zones, Designation of Transition Area, Revocation and Alteration of Control Area Extensions

Pursuant to the authority delegated to me by the Administrator (14 CFR 11.65), notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Kansas City, Mo., control zone is presently designated within a 5-mile radius of Kansas City Municipal Airport (latitude 39°07'20" N., longitude 94°35'30" W.); within 2 miles either side of the Kansas City ILS localizer north course extending from the 5-mile radius zone to the outer marker, and within 2 miles either side of the Kansas City VORTAC 185° True radial extending from the 5-mile radius zone to the VORTAC. There is presently no control zone designated at Leavenworth, Kans. (Sherman AAF). The Kansas City control area extension is presently designated as that airspace east of V-205, within a 42-mile radius of the Kansas City Municipal Airport. The Sedalia, Mo., control area extension is presently designated as that airspace bounded on the north by V-4 and V-210, on the east by V-63, on the west by V-205, and on the northwest by the Kansas City control area extension.

To implement the provisions of Amendments 60-21 (26 F.R. 570) and 60-29 (27 F.R. 4012) to the Civil Air Regulations, Part 60, Air Traffic Rules in the greater Kansas City Terminal area, the Federal Aviation Agency has under consideration the following airspace actions:

1. Alter the Kansas City control zone by redesignating it to comprise that airspace within a 7.5-mile radius of the Kansas City Municipal Airport (latitude 39°07'20" N., longitude 94°35'30" W.) and within 2 miles either side of the 185° and 179° True radials of the Kansas City VORTAC extending from the 7.5-mile radius zone to the VORTAC.
2. Designate a control zone at Leavenworth, Kans., to comprise that airspace within a 5-mile radius of Sherman AAF (latitude 39°22'05" N., longitude 94°54'45" W.).
3. Designate the Kansas City transition area to comprise that airspace extending upward from 700 feet above the surface within a 10-mile radius of the Kansas City Municipal Airport (latitude 39°07'20" N., longitude 94°35'30" W.) and within 2 miles east of the 018° True

radial of the Riverside, Kans., VOR and 2 miles west of the Kansas City ILS localizer north course extending from the 10-mile radius area to 8 miles north of the OM; within a 5-mile radius of the East Kansas City Airport (latitude 39°00'55" N., longitude 94°12'45" W.) and within 2 miles either side of the 311° True radial of the Blue Springs, Kans., VOR extending from the 5-mile radius area to 6 miles northwest of the VOR; within an 8-mile radius of the Mid-Continent International Airport (latitude 39°18'05" N., longitude 94°43'36" W.) and within 2 miles either side of the Mid-Continent ILS localizer north and south courses extending from the 8-mile radius area to 13 miles north of the airport and to 8 miles south of the Mid-Continent OM; within a 7-mile radius of Sherman AAF (latitude 39°22'05" N., longitude 94°54'45" W.), and that airspace extending upward from 1,200 feet above the surface bounded on the southeast by a 42-mile radius of the Kansas City Municipal Airport beginning at the west boundary of V-205 and extending counterclockwise to the south boundary of V-12, thence east along the south boundary of V-12 to longitude 93°30'00" W., thence north to latitude 39°41'00" N., longitude 93°28'45" W., thence northwest to latitude 39°48'35" N., longitude 93°34'20" W., thence southwest along the northwest boundary of V-10 to the east boundary of V-161, thence west to latitude 39°44'00" W., longitude 94°43'20" W., thence southwest to latitude 39°30'00" W., longitude 94°49'00" W., thence west along latitude 39°30'00" N. to longitude 95°09'00" W., thence south to latitude 38°59'00" N., longitude 95°12'20" W., thence southeast to latitude 38°52'00" N., longitude 95°05'25" W., thence northeast along the southeast boundary of V-10 to a 10-mile radius of Kansas City Municipal Airport, thence counterclockwise to the west boundary of V-205, thence south along the west boundary of V-205 to the point of beginning.

4. Revoke the Kansas City control area extension and redescribe the Sedalia, Mo., control area extension northwest boundary to retain the existing boundary which would be lost with revocation of the Kansas City control area extension.

The proposed alteration of the Kansas City Municipal Airport control zone would provide protection for aircraft executing instrument arrival and departure procedures prescribed at the Kansas City Municipal and Fairfax (Kansas City) Municipal Airports. Expansion of this control zone from a 5-mile radius to a 7.5-mile radius would eliminate the requirement for multiple control zone extensions with the attendant charting problems and little practical benefit to the users.

The portion of the proposed Kansas City transition area with a 700-foot floor would provide additional airspace required for protection of aircraft executing prescribed instrument approach and departure procedures at the Sherman AAF, the Kansas City Municipal, Fairfax Municipal, and Mid-Continent International Airports. This would also provide the airspace required for protection of aircraft executing instrument approach and departure procedures prescribed at the East Kansas City Airport.

The portion of the proposed transition area with a 1,200-foot floor would provide protection for aircraft being radar vectored to and from Federal airways to the clearance limits and approach fixes for the Sherman AAF, the Kansas City Municipal, Fairfax Municipal, the East Kansas City and Mid-Continent International Airports. Prescribed instrument holding patterns for these airports would also be in this transition area. This proposed Kansas City transition area would permit revocation of the Kansas City control area extension.

The designation of a control zone at Leavenworth would provide protection for aircraft operating at Sherman AAF. Weather reporting and communications service within this control zone would be provided by the existing Sherman AAF military facilities.

The floors of the airways which traverse the transition area and control area extension proposed herein would automatically coincide with the floors of the transition area and control area extension.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be introduced nor would aircraft performance characteristics or established landing minimums be adversely affected. Specifics relating to the changes to procedures and minimum flight rule altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air

Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on March 21, 1963.

CLIFFORD P. BURTON,  
Chief, Airspace Utilization Division.

[F.R. Doc. 63-3167; Filed, Mar. 26, 1963;  
8:45 a.m.]

### [ 14 CFR Part 507 ]

[Regulatory Docket No. 1667]

#### CANADAIR

#### Airworthiness Directives

Pursuant to the authority delegated to me by the Administrator (§ 11.45, 27 F.R. 9585), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring inspection of all elevator hinge bolts on Canadair Model CL-44D4 aircraft and repair or replacement thereof. Several failures in the elevator hinge structure and a failure of an elevator hinge bolt have occurred. These failures created an unsafe condition.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before April 26, 1963, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

CANADAIR. Applies to all Model CL-44D4 aircraft.

Compliance required as indicated.

In order to correct an unsafe condition in the elevator structure accomplish the following:

(a) Within 50 hours' time in service from the effective date of this AD, unless already accomplished, replace all elevator hinge bolt aluminum locking plates with locking plates of similar design manufactured from 0.125 inch AISI 4130 steel (MIL-S-18739) heat treated to ultimate tensile strength of 125,000 to 145,000 p.s.i., and attach 0.125 inch AISI 4130 steel hinge bolt retainer similar to Canadair P/N 44D-20019, in accordance with Canadair Drawing K44D-20001 or FAA approved equivalent.

(b) Within 225 hours' time in service from the accomplishment of (a) and thereafter within 225 hours' time in service from the last inspection, inspect for damage the elevator hinge bolt heads, bolt locking plates and bolt retainers at stations 84, 174.9, and 181. Damaged parts must be replaced before further flight.

(c) For aircraft incorporating horizontal stabilizers conforming to Canadair Modification Summary No. 44-502, or modified in accordance with Canadair Service Bulletin CL 44D4-248, perform the special inspections of Canadair Service Information Circular No. 180-CL44D4, Issue No. 5, or subsequent FAA approved issues, within 225 hours' time in service from the effective date of this AD, and thereafter at the intervals noted in the Circular for particular inspections.

(d) For aircraft incorporating horizontal stabilizers which do not conform to Canadair Modification Summary No. 44-502, or which have not been modified in accordance with Canadair Service Bulletin No. CL44D4-248 accomplish the following:

1. Perform the special inspections of Canadair Service Information Circular No. 60-CL44D4, Issue 6, or subsequent FAA approved issues, at the intervals noted therein for particular inspections. Part (a) of Circular No. 60-CL44D4 must be initially performed within 35 hours' time in service from the effective date of this AD and Part (b) must be initially performed within 225 hours' time in service from the effective date of this AD.

2. Inspect for damage all elevator hinge support structure and attachment fittings on the rear face of the horizontal stabilizer rear spar at stations 84, 174.9, 181, and 200, within 225 hours' time in service from effective date of this AD and thereafter within 225 hours from last inspection. Damaged parts must be replaced before further flight.

(e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, International Engineering and Manufacturing Branch, International Division, Washington 25, D.C., may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

Issued in Washington, D.C., on March 20, 1963.

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

[F.R. Doc. 63-3168; Filed, Mar. 26, 1963;  
8:45 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 21 ]

[Docket No. 15015; FCC 63-263]

### RURAL SUBSCRIBER STATIONS (RURAL RADIO SERVICE) AND DISPATCH STATIONS ASSOCIATED WITH BASE STATIONS IN THE DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

#### Restriction of Location

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

2. In the Domestic Public Land Mobile Radio Service, several applications have been filed and granted which establish Rural Subscriber stations (Rural Radio Service) and dispatch stations outside of the primary service areas described for their related base stations. Although such facilities comply with the existing technical standards for the mobile service, the Commission finds that it is desirable to restrict the location of Rural Subscriber stations (Rural Radio Service) and dispatch stations to the reliable service areas of the associated base stations, except in areas not served by the same type of base stations, by an appropriate amendment to its rules affecting the Domestic Public Land Mobile Radio Service.

3. The reliable service area for a base station in this service is described by a field strength contour of 37 decibels above one microvolt per meter for stations engaged in two-way communication service with mobile stations. It is assumed that normal operations of any licensee in this service should only concern equipment within such area. However, various atmospheric and terrain factors often permit acceptable quality of transmission to points outside of the prescribed service area. These factors enable a licensee to effectively extend its service by establishing Rural Subscriber stations or dispatch stations beyond the defined reliable service area of the base station. This leads to situations of adverse economic impact on other common carrier system operations, particularly when the Rural Subscriber or dispatch stations happen to be located within the 37 dbu contour of another base station with which they are not directly associated. In such situations, the establishment of such distant fixed radio facilities is generally regarded by the Commission as not in the public interest.

4. In view of the above it is proposed to amend paragraph (f) of § 21.509 and paragraph (a) of § 21.515 so as to limit the location of Rural Subscriber stations (Rural Radio Service) and dispatch stations to the service area of their related base stations, described by a field strength contour of 37 decibels above one microvolt per meter except that communications common carriers may

install such stations in areas where a similar type of service has not been authorized.

5. Comments are invited relative to the limitations proposed by the rule amendments.

6. The proposed amendments to the rules, as set forth below, is issued pursuant to the authority contained in sections 4(i) and 303 (b), (d), (f), (h), and (r) of the Communications Act of 1934, as amended.

7. Pursuant to the applicable procedures set forth in § 1.213 of the Commission's rules, interested persons may file comments on or before May 1, 1963, and reply comments on or before May 15, 1963. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

8. In accordance with the provisions of § 1.215 of the Commission's rules, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: March 20, 1963.

Released: March 21, 1963.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Acting Secretary.

1. Section 21.509(f) is amended to read as follows:

§ 21.509 Permissible communications.

(f) Where the use of wire lines is not practicable or feasible, base stations in this service may be authorized to communicate with Rural Subscriber stations in the Rural Radio Service which are located within the associated base station's service area described by a field

strength contour of 37 decibels above one microvolt per meter (see also §§ 21.504, 21.606(a) and 21.609): *Provided, however,* That installation of a Rural Subscriber station may be authorized for a location outside of the associated base station's prescribed service area if such location is not within the service area of an unassociated base station in this service which has been authorized to the same type of communications common carrier (miscellaneous or wire line).

2. Section 21.515(a) is amended to read as follows:

§ 21.515 Control points, dispatch points and dispatch stations.<sup>25</sup>

(a) (1) Dispatch stations may be installed only with specific authorization from the Commission and must be located within the associated base station's service area described by a field strength contour of 37 decibels above one microvolt per meter (see also §§ 21.504 and 21.519): *Provided, however,* That installation of a dispatch station may be authorized for a location outside of the associated base station's prescribed service area if such location is not within the service area of an unassociated base station in this service which has been authorized to the same type of communications common carrier (miscellaneous or wire line).

(2) Dispatch points may be installed or removed without authorization. Dispatch point circuit facilities shall be installed in conformance with the requirements of paragraph (c) (2) of this section. Upon removal of a dispatch station, the licensee must within 30 days thereafter submit to the Commission in Washington, D.C., the dispatch station license for cancellation together with an application on FCC Form 403 to delete such point of communication from the license of the base station with which the dispatch station is associated.

[F.R. Doc. 63-3171; Filed, Mar. 26, 1963; 8:46 a.m.]

# Notices

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
OREGON

### Notice of Termination of Proposed Withdrawal and Reservation of Land

MARCH 18, 1963.

Notice of an application Serial No. Oregon 06333, for withdrawal and reservation of lands, was published as **FEDERAL REGISTER** Document No. 59-7599 on page 7387 of the issue for September 12, 1959. The applicant agency has cancelled its application which involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such lands will be at 10:00 a.m. on March 28, 1963 relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

WILLAMETTE MERIDIAN, OREGON

T. 11 S., R. 12 E.,  
Sec. 2: Lot 1, E $\frac{1}{2}$ SE $\frac{1}{4}$ .

Approximately 115.76 acres.

STANLEY D. LESTER,  
Land Office Manager.

[F.R. Doc. 63-3192; Filed, Mar. 26, 1963;  
8:47 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

NOPCO CHEMICAL CO.

### Notice of Filing of Petition Regarding Food Additives Defoaming Agents Used in Coatings

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 1025) has been filed by Nopco Chemical Company, 60 Park Place, Newark 1, New Jersey, proposing the amendment of paragraph (d)(3) of § 121.2557 *Defoaming agents used in coatings* by inserting therein, in alphabetical order, the following new items:

Methyl esters of animal, vegetable, and fish-oil fatty acids (C<sub>12</sub>-C<sub>22</sub>).  
Polyoxyethylated (min. 6 mols) castor oil.  
Sorbitan tristearate.

Dated: March 20, 1963.

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

[F.R. Doc. 63-3202; Filed, Mar. 26, 1963;  
8:50 a.m.]

STAUFFER CHEMICAL CO.

### Notice of Filing of Petition Regarding Pesticide Chemical Carbophenothion

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 has been filed by Stauffer Chemical Company, 380 Madison Avenue, New York 17, New York, proposing the establishment of a tolerance for residues of the insecticide carbophenothion (*S*-(*p*-chlorophenylthiomethyl) *O,O*-diethyl phosphorodithioate) in or on the raw agricultural commodity named:

0.8 part per million in the fat of meat from cattle.

The analytical method proposed in the petition for determining residues of carbophenothion is that described in the *Journal of Agricultural and Food Chemistry*, Volume 8, page 54 (1960), with a modified extraction and cleanup procedure.

Dated: March 21, 1963.

ROBERT S. ROE,  
Director, Bureau of  
Biological and Physical Sciences.

[F.R. Doc. 63-3203; Filed, Mar. 26, 1963;  
8:50 a.m.]

ZONOLITE CO.

### Notice of Filing of Petition Regarding Food Additive Verxite

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 1071) has been filed by Zonolite Company, 135 South La Salle Street, Chicago 3, Illinois, proposing the issuance of a regulation to provide for the safe use of verxite (exfoliated hydrobiotite) in dog food, at a level not in excess of 1.5 percent by weight of the food, when used as an anticaking or blending agent, pelleting aid, or nonnutritive carrier for the incorporation of nutrients.

Dated: March 21, 1963.

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

[F.R. Doc. 63-3204; Filed, Mar. 26, 1963;  
8:50 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-192]

UNIVERSITY OF TEXAS

### Notice of Extension of Completion Date

Please take notice that the Atomic Energy Commission has issued an order

extending to July 1, 1963, the latest completion date specified in Construction Permit No. CPRR-70 for the Construction of the TRIGA-I nuclear reactor on the University of Texas campus in Austin, Texas.

Copies of the Commission's order and of the application amendment by the University of Texas are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 19th day of March 1963.

For the Atomic Energy Commission.

SAUL LEVINE,  
Chief, Test and Power Reactor  
Safety Branch, Division of Li-  
censing and Regulation.

[F.R. Doc. 63-3162; Filed, Mar. 26, 1963;  
8:45 a.m.]

[Docket No. 50-80]

COLORADO STATE UNIVERSITY

### Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 4, set forth below, to Facility License No. R-26. The license authorizes Colorado State University to operate its nuclear reactor, Model AGN-201, Serial No. 109, located on the University's campus in Fort Collins, Colorado. The amendment authorizes the licensee (1) to make certain changes in the staff organization and (2) to operate the reactor in accordance with the operating and maintenance procedures set forth in its application for license amendment dated July 24, 1962, as amended November 28, 1962.

The Commission has found that:

1. Operation of the reactor in accordance with the license as amended will not present undue hazards to the health and safety of the public and will not be inimical to the common defense and security;

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

3. Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, does not involve consideration of safety factors significantly different from those previously evaluated.

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 this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed

in accordance with the provisions of the Commission's regulation (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, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) a copy of the application for license amendment dated July 24, 1962, as amended November 28, 1962, and (2) a related hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation, all of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the hazards analysis may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 19th day of March 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R-26 Amdt. 4]

License No. R-26, as amended, which authorizes Colorado State University to operate its nuclear reactor, Model AGN-201, Serial No. 109, located on Colorado State University's campus in Fort Collins, Colorado, is hereby further amended to authorize Colorado State University (1) to make certain changes in the staff organization and (2) to operate the reactor in accordance with the operating and maintenance procedures as set forth in the application for license amendment dated July 24, 1962, as amended November 28, 1962.

This amendment is effective as of the date of issuance.

Date of issuance: March 19, 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 63-3163; Filed, Mar. 26, 1963; 8:45 a.m.]

[Docket No. 50-62]

UNIVERSITY OF VIRGINIA

Notice of Issuance of Amendment to Utilization Facility License

Please take notice that the Atomic Energy Commission has issued, Amendment No. 4, set forth below, to Facility License No. R-66. The license authorizes the University of Virginia to operate its pool-type nuclear reactor located on its campus in Charlottesville, Virginia. The amendment reduces the required frequency of visual inspection of the reactor's boron stainless steel control rods from at least once each calendar quarter to once per calendar year or every 25 megawatt days of operation, whichever occurs first, in accordance

with the application for license amendment dated December 17, 1962.

The Commission has found that:

(1) Operation of the reactor in accordance with the license as amended will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(2) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

(3) Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, does not involve consideration of safety factors significantly different from those previously evaluated.

Within fifteen days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests 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, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment see (1) the hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the licensee's application for license amendment dated December 17, 1962, both 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 (1) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 19th day of March 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R-66 Amdt. 4]

Facility License No. R-66, as amended, which authorizes the University of Virginia (the licensee) to operate its pool-type nuclear reactor (the reactor) located on its campus at Charlottesville, Virginia, is hereby further amended to reduce the required frequency of visual inspection of the reactor's boron stainless steel control rods from at least once each calendar quarter to once per calendar year or every 25 megawatt days of operation, whichever occurs first, in accordance with the application for license amendment dated December 17, 1962.

This amendment is effective as of the date of issuance.

Date of issuance: March 19, 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 63-3164; Filed, Mar. 26, 1963; 8:45 a.m.]

[Docket No. 50-62]

UNIVERSITY OF VIRGINIA

Notice of Issuance of Amendment to Facility License

Please take notice that the Atomic Energy Commission has issued Amendment No. 5, as set forth below, to Facility License No. R-66. The license authorizes the University of Virginia to operate its pool-type nuclear reactor located on its campus in Charlottesville, Virginia. The amendment authorizes the University to receive, possess and use in the reactor a fission plate containing not more than 275 grams of uranium 235, in accordance with the application for license amendment dated January 15, 1963, as amended February 18, 1963.

The Commission has found that:

1. Operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

2. The application for amendment 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;

3. Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, does not involve consideration of safety factors significantly different from those previously evaluated.

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 this proceeding may file a petition for leave to intervene. Request for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's regulation (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, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) a related hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the application for license amendment dated January 15, 1963, as amended February 18, 1963, 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 (1) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C.,

Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 19th day of March 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R-66 Amdt. 5]

Facility License No. R-66, as amended, which authorizes the University of Virginia ("the licensee") to operate its pool-type nuclear reactor ("the reactor") located on its campus at Charlottesville, Virginia, is hereby further amended as follows: "The University of Virginia is authorized to receive, possess and use in the reactor a fission plate containing not more than 275 grams of uranium 235, in accordance with the licensee's application for license amendment dated January 15, 1963, as amended February 18, 1963."

This amendment is effective as of the date of issuance.

Date of issuance: March 19, 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 63-3165; Filed, Mar. 26, 1963; 8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket 13777; Order E-19398]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Agreement Relating to Specific Commodity Rates

Issued under delegated authority March 21, 1963.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of Joint Conference 1-2-3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590a—Specific Commodity Rates.

The agreement, adopted pursuant to unprotested notices to the carriers, names an additional specific commodity rate as follows:

Item 8371—Spectacle Frames:

Rates: 244 cents per kilogram, minimum weight 100 kilograms, from Madras to New York.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the above-described agreement is adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered:

Accordingly, it is ordered:

That Agreement C.A.B. 17022, R-1, is approved, provided that such approval shall not constitute approval of any specific commodity description contained

therein for purposes of tariff publication.

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

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

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 63-3205; Filed, Mar. 26, 1963; 8:51 a.m.]

[Docket 14356; Order E-19400]

### FLYING TIGER LINE, INC., ET AL.

#### Passenger Charter Rates; Order Dismissing Complaint

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 22d day of March 1963.

Passenger charter rates of The Flying Tiger Line Inc., The Slick Corporation, Capitol Airways, Inc.

The Flying Tiger Line Inc., by tariff marked to become effective March 27, 1963, and The Slick Corporation by tariff marked to become effective April 4, 1963, propose to delete from their L-1049H military passenger charter tariffs for application within the United States the reference "equipped with 98 seats." Capitol Airways, Inc. by tariff marked to become effective March 31, 1963, proposes to change its domestic passenger charter rates with Super Constellation L-1049 aircraft from \$2.75 per mile, both live and ferry, to a ferry rate of \$2.25 per mile and for any flight which is under 100 miles \$4.40 per live mile and for any flight which is 100 miles or over \$440<sup>1</sup> plus \$2.50 per mile in excess of 100 miles.

Overseas National Airways, Inc., on March 8, 1963, filed a complaint and request for suspension of the aforesaid proposed tariffs. ONA operates DC-7 and DC-7CF aircraft. Its current domestic military charter rate with such aircraft is the same as the Flying Tiger's rate except that ONA's rate is based upon \$4.40 per-mile for any flight leg which is under 100 miles whereas Flying Tiger's rate is \$4.40 per mile for any flight which is under 100 miles. ONA avers that this difference in language operates adversely to it, a fact which was not apparent to it when the tariffs incorporating such conditions were originally filed. ONA claims that Flying Tiger with its type of rate has successfully underbid ONA for domestic military Civil Air Movements although ONA thought the rates to be identical. ONA also objects to the deletion of the 98-seat limitation. ONA

<sup>1</sup>The tariff indicates \$4.40 but Capitol has filed special tariff permission application to change this rate to \$440.

alleges that respondents' tariffs mark "the opening salvos of a rate war."

ONA's complaint is also directed to a Slick tariff revision marked to become effective March 20, 1963. This complaint, filed on March 8, 1963, was not timely filed as a request for suspension, as required by the Board's Economic Regulations (14 CFR Part 221). In view of this late filing, we have not considered the request for suspension as regards this tariff revision marked to become effective March 20, 1963.<sup>2</sup>

Capitol, on March 18, 1963, filed answer to the ONA complaint. The Board does not find that the complaint states sufficient ground to warrant investigation of the proposed tariff and, accordingly, suspension thereof. The proposed rates per aircraft mile do not appear out of line with existing rates nor have they been shown to be unduly low. While the Tiger rate formula based upon the higher rate per flight rather than per flight leg will result in charges lower than those provided in the ONA tariff, these provisions have been effective for some time and there is no showing that the use of the Tiger structure is unduly low. Further, we cannot conclude at this time from the complaint or other matters before us that the deletion of the seat limitations will result in uneconomically low rates or unlawful carrier practices.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), and 1002 thereof,

It is ordered, That:

1. The complaint of Overseas National Airways, Inc. filed in Docket 14356 on March 8, 1963, is dismissed.
2. Copies of this order be served upon The Flying Tiger Line Inc., The Slick Corporation, Capitol Airways, Inc. and Overseas National Airways, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 63-3206; Filed, Mar. 26, 1963; 8:51 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[FCC 63-266]

### CATV SYSTEMS IN BUSINESS RADIO SERVICE

#### Exception to Freeze on Microwave Applications

MARCH 22, 1963.

In Docket 14895, the Commission proposed rules to impose certain conditions on grants for microwave systems in the Business Radio Service which carry signals to CATV systems. A freeze was put on all applications of this kind, pending

<sup>2</sup>We note that in this proposal Slick is establishing rates existing by its competitors and, further, that Slick has now proposed to cancel this revision effective April 4, 1963.

conclusion of the rulemaking, unless an applicant voluntarily accepted the proposed conditions.

The Commission finds that the freeze on these applications was unduly broad in that it requires a condition against duplication even in the case of applications from CATV systems proposing a Business Radio Service microwave system solely to transmit off-the-air signals of educational television stations. Therefore, the Commission is modifying the condition as to this category of applications by CATV systems, and will process them in the normal manner and, if otherwise proper, grant authorizations subject to the condition that the microwave stations authorized may be used only to relay the signal of educational television stations, and that the CATV system served will carry the signal of any present or future local television station without material degradation if requested to do so.

Adopted: March 20, 1963.

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

[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 63-3218; Filed, Mar. 26, 1963; 8:52 a.m.]

[Docket Nos. 14977, 14978; FCC 63M-371]

**ABACOA RADIO CORP. (WWWW)  
AND MID-OCEAN BROADCASTING CORP.**

**Order Continuing Hearing**

In re applications of Abacoa Radio Corporation (WWWW),<sup>2</sup> Rio Piedras (San Juan), Puerto Rico, Docket No. 14977, File No. BP-14070; Mid-Ocean Broadcasting Corporation, San Juan, Puerto Rico, Docket No. 14978, File No. BP-14994; for construction permits.

A prehearing conference in the above-entitled proceeding having been held as scheduled on March 20, 1963,

It is ordered, This 20th day of March 1963, that the procedural ground rules established at said conference are hereby approved and that the transcript of said conference, incorporated herein by reference with the same force and effect as if set forth at length, shall control as to any question bearing on the established ground rules; and

It is further ordered, That the hearing, presently scheduled to commence on April 24, 1963, is continued to 10:00 a.m., June 5, 1963.

Released: March 21, 1963.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 63-3210; Filed, Mar. 26, 1963; 8:51 a.m.]

<sup>1</sup> Statement of partial dissent of Chairman Minow filed as part of original document.

<sup>2</sup> The call letters WWWW were changed to WRAI effective March 4, 1963.

[Docket No. 15016; FCC 63-275]

**BEARDSTOWN BROADCASTING CO., INC. (WRMS)**

**Order Designating Application for Hearing on Stated Issues**

In re application of Beardstown Broadcasting Co., Inc. (WRMS), Beardstown, Illinois, has 790 kc, 500 w, DA, Day, requests 790 kc, 1 kw, DA, Day, Docket No. 15016, File No. BP-13733; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C. on the 20th day of March 1963;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing that the following matters are to be considered in connection with the issues specified below:

1. The applicant's engineering showing indicates that the instant proposal causes no objectionable interference to existing stations. It appears, however, that the instant proposal would cause some loss to Stations WBBM, Chicago, Illinois and KREI, Farmington, Missouri, and accordingly, an issue as to interference is included in this order.

2. Interference received from existing operations by this proposal may result in a contravention of § 3.28(d) (3) of the Commission's rules.

3. Robert W. Sudbrink and Margareta S. Sudbrink, his wife, in addition to owning all of the stock of the applicant, own all of the following:

Call	Location	Power
WIOK	Normal, Ill.	1 kw
WBBY	Wood River, Ill.	500 w
BP-14193	Burlington, Iowa	500 w

The Burlington proposal was designated for hearing on February 6, 1963 (FCC 63-115).

Beardstown is located 71 miles from Burlington and, in the event of a grant of the latter proposal, there would be extensive overlap of the normally protected primary service areas (0.5 mv/m contours). Wood River is located 77 miles from Beardstown and a grant of the instant proposal would also result in an increase in overlap of the service areas of Stations WBBY and WRMS. It should also be noted that a grant of the Burlington proposal would result in the Sudbrinks owning four standard broadcast stations within a radius of 85 miles of Beardstown. Thus, in addition to the overlap situation, a substantial question exists regarding the geographical concentration of the broadcast interests of the Sudbrinks. Accordingly, in considering the Burlington proposal and § 3.35 of the rules, it appears appropriate to consider the size, extent and location of the areas served and to be served; the extent of the overlap involved; the number of persons residing within the overlap area; the classes of stations involved; the extent of other

competitive service to the areas in question; the extent to which the stations will rely on the same revenues and program sources; the nature of the programming that the stations will present with particular reference to the needs of the communities they are designated to serve; the advertising practices of the stations; the source of program material and talent for each station; and such other facts as will tend to demonstrate that the overlap and/or concentration of control involved will or will not be in contravention of § 3.35 of the Commission's rules.

4. Columbia Broadcasting System, Inc., licensee of Station WBBM, Chicago, Illinois, filed a petition to deny the instant application on the grounds of interference within the normally protected contour of the station or, in the alternative, to set the instant application for hearing. The petition is being granted herein to the extent that the licensee corporation is being made a party to this proceeding.

It further appearing that in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below; and

It further appearing that studies indicate this proposal meets the criteria adopted January 31, 1962, in connection with the Clear Channel Decision; and

It further appearing that in view of the outstanding rule making proceeding in Docket No. 14419 with respect to presunrise operation with daytime facilities, any grant of the proposal in this proceeding, prior to a final decision in Docket No. 14419, should be appropriately conditioned; and

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas which may be expected to gain or lose primary service from the proposed operation of Station WRMS and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal would cause objectionable interference to Stations WBBM, Chicago, Illinois, and KREI, Farmington, Missouri, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether interference received from all sources would affect more than ten percent of the population within the normally protected primary service area of the instant proposal of Station WRMS, in contravention of § 3.28(d) (3) of the Commission rules and, if so, whether circumstances exist which would warrant a waiver of said section.

4. To determine whether a grant of the proposal of WRMS would be in contravention of the provisions of § 3.35(a) of the Commission rules with respect to multiple ownership of standard broadcast stations.

5. To determine whether a grant of the proposal of WRMS would be in contravention of § 3.35(b) of the Commission rules with respect to concentration of control.

6. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience, and necessity.

*It is further ordered,* That, Columbia Broadcasting System, Inc., licensee of Station WBBM, Chicago, Illinois, and Cecil W. Roberts and Jane A. Roberts, licensees of Station KREI, Farmington, Missouri, are made parties to the proceeding.

*It is further ordered,* That, the petition to deny the above-captioned application, filed herein by Columbia Broadcasting System, Inc., on March 3, 1961, is granted to the extent indicated above, and is denied in all other respects.

*It is further ordered,* That any grant of the proposal in this proceeding, prior to a final decision in Docket No. 14419, will be conditioned as follows: "Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded."

*It is further ordered,* That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

*It is further ordered,* That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(h) of the rules.

Released: March 22, 1963.

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

[F.R. Doc. 63-3211; Filed, Mar. 26, 1963;  
8:51 a.m.]

[Docket Nos. 14873-14877; FCC 63M-376]

**COASTAL BROADCASTERS, INC.,  
ET AL.**

**Memorandum of Rulings at Further  
Conference**

In re applications of Coastal Broadcasters, Inc., Herndon, Virginia, Docket

No. 14873, File No. BP-14363; Prince William Broadcasting Corporation (WPRW), Manassas, Virginia, Docket No. 14874, File No. BP-14780; Virginia-Potomac Broadcasting Corporation, Herndon, Virginia, Docket No. 14875, File No. BP-15157; Colchester Broadcasting Corporation, Herndon, Virginia, Docket No. 14876, File No. BP-15158; Richard S. Cobb & Mary Cobb, d/b as Easton Broadcasting Co. (WEMD), Easton, Maryland, Docket No. 14877, File No. BP-15159; for construction permits.

At the further conference today procedural dates were extended as follows:

Preliminary exchange of direct affirmative written engineering and section 307(b) exhibits: From April 8 to May 8, 1963.

Final exchange of engineering and section 307(b) exhibits: From April 22 to May 22, 1963.

Further hearing: From May 1 to Monday, June 3, 1963, at 10 a.m., in the offices of the Commission, Washington, D.C.

Dated: March 21, 1963.

Released: March 22, 1963.

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

[F.R. Doc. 63-3212; Filed, Mar. 26, 1963;  
8:51 a.m.]

[Docket Nos. 14815-14817; FCC 63M-375]

**WILLIAM S. COOK ET AL.**

**Order Scheduling Prehearing  
Conference**

In re application of William S. Cook, Colorado Springs, Colorado, Docket No. 14815, File No. BP-14198; Charles W. Stone (KCHY), Cheyenne, Wyoming, Docket No. 14816, File No. BP-15080; Frances C. Gaguine and Bernice Schwartz, d/b as Denver Area Broadcasters (KDAB), Arvada, Colorado, Docket No. 14817, File No. BMP-9789; for construction permits.

The Hearing Examiner having under consideration a Memorandum Opinion and Order, released herein by the Review Board on March 20, 1963, wherein certain issues were added to this proceeding;

It appearing that it would be appropriate to convene a prehearing conference for the purpose of ascertaining the technique and timing of the adduction of evidence on the added issues;

*It is ordered,* This 21st day of March 1963, that a further prehearing conference herein will be held on March 27, 1963, commencing at 9:00 a.m., in the offices of the Commission at Washington, D.C.

Released: March 22, 1963.

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

[F.R. Doc. 63-3213; Filed, Mar. 26, 1963;  
8:52 a.m.]

[Docket No. 14951; FCC 63M-372]

**GOLDEN TRIANGLE BROADCASTING,  
INC. (WEEP)**

**Order Continuing Hearing**

In re application of Golden Triangle Broadcasting, Inc. (WEEP), Mt. Oliver, Pennsylvania, Docket No. 14951, File No. BP-14199; for construction permit.

The Hearing Examiner having under consideration the informal request of the Broadcast Bureau for extension of time in which to file a brief presently due on March 21, 1963, together with the statement of the Bureau that counsel for the applicant, the only other party hereto, has consented to grant of the requested relief;

It appearing, that good cause for the extension exists; and,

It further appearing, that it would be impractical to attempt to adhere to the date presently set for commencement of the hearing;

*It is ordered,* This 20th day of March 1963, that the date for filing of the briefs presently scheduled for March 21, 1963, is extended to March 28, 1963; and,

*It is further ordered,* That the hearing now scheduled to commence on April 22, 1963, is continued, pending further order of the Hearing Examiner.

Released: March 21, 1963.

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

[F.R. Doc. 63-3214; Filed, Mar. 26, 1963;  
8:52 a.m.]

[Docket No. 15005; FCC 63M-370]

**K-FIV, INC. (KFIV)**

**Order Continuing Prehearing  
Conference**

In re application of K-FIV, Inc. (KFIV), Modesto, California, Docket No. 15005, File No. BP-15033; for construction permit.

The Hearing Examiner having under consideration the Order of the Chief Hearing Examiner released March 19, 1963, setting a prehearing conference in the above-entitled matter for April 16, 1963;

It appearing that a continuance of the said date is required;

*It is ordered,* This 20th day of March 1963, that the prehearing conference now scheduled for April 16, 1963, is continued to April 22, 1963, commencing at 9:00 a.m., in the offices of the Commission at Washington, D.C.

Released: March 21, 1963.

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

[F.R. Doc. 63-3215; Filed, Mar. 26, 1963;  
8:52 a.m.]



[Docket Nos. 15017, 15018; FCC 63-276]

**MARSHALL BROADCASTING CO. AND WRIGHT BROADCASTING CO.**

**Order Designating Applications for Consolidated Hearing on Stated Issues**

In re applications of Marshall Broadcasting Company, Marshall, Michigan, requests 1540 kc, 250w, D, Class II, Docket No. 15017, File No. BP-14083; Wright Broadcasting Company, East Lansing, Michigan, requests 1540kc, 5kw, 1kw-CH, DA-D, Class II, Docket No. 15018, File No. BP-15044; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 20th day of March 1963;

The Commission having under consideration the above-captioned and described applications:

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The above-captioned applications involve mutually destructive interference.

2. Alice M. Wright, the president and majority stockholder of the East Lansing applicant (BP-15044) is the wife of C. Wayne Wright, the president and a substantial stockholder of Station WALM, Albion, Michigan. A grant of the East Lansing proposal would involve a substantial overlap of its primary service area with the primary service area of Station WALM. Therefore a question exists with respect to compliance with § 3.35(a) of the rules. In considering BP-15044 in the light of § 3.35(a) of the Commission's rules, it appears appropriate to consider the size, extent and location of the areas served and to be served; the extent of the overlap involved; the number of persons residing within the overlap area; the classes of stations involved; the extent of other competitive service to such areas in question; the extent to which the stations will rely on the same revenue and program sources; the nature of the programming that the stations will present with particular reference to the needs of the communities they are designed to serve; the advertising practices of the stations; the source of program material and talent for each station; and such other factors as will tend to demonstrate that the overlap involved will or will not be in contravention of § 3.35(a) of the Commission's rules.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the above-captioned proposals and the availability of other primary service to such areas and populations.

2. To determine whether a grant of the proposal of Wright Broadcasting Company would be in contravention of the provisions of § 3.35(a) of the Commission's rules with respect to multiple ownership of standard broadcast stations.

3. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That, in the event of a grant of the application of Marshall Broadcasting Company, the construction permit shall contain the following condition: "This authorization is subject to compliance by permittee with any applicable procedures of the FAA."

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(h) of the rules.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the applications will be effectuated.

Released: March 22, 1963.

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

[F.R. Doc. 63-3216; Filed, Mar. 26, 1963; 8:52 a.m.]

[Docket Nos. 14773, 14774; FCC 63M-368]

**SEMO BROADCASTING CORP. AND BROWNSVILLE BROADCASTING CO.**

**Order Continuing Hearing**

In re applications of Semo Broadcasting Corporation, Sikeston, Missouri, Docket No. 14773, File No. BP-14129; Roy Davis, tr/as Brownsville Broadcasting Co., Brownsville, Tennessee, Docket No. 14774, File No. BP-14145; for construction permits.

The Hearing Examiner having under consideration a "Petition for Continuance" filed March 14, 1963, by Semo Broadcasting Corporation in the above-entitled matter, and

It appearing that the petitioner requests that the hearing presently set for March 25, 1963, be postponed for a period of sixty (60) days, and

It further appearing that although the time has not elapsed for objections to the petition to be filed, there have been no objections filed to date and the Hearing Examiner considers this a matter requiring immediate consideration, and

It further appearing that good cause has been shown for granting the petition,

It is ordered, This 20th day of March 1963, that the aforesaid petition be, and it hereby is, granted and that, accordingly, the hearing now scheduled for March 25, 1963, will be held commencing at 10 a.m., May 27, 1963, in the Commission's offices in Washington, D.C.

Released: March 21, 1963.

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

[F.R. Doc. 63-3217; Filed, Mar. 26, 1963; 8:53 a.m.]

[Docket Nos. 14154, 15011; FCC 63M-365]

**AMERICAN TELEPHONE AND TELEGRAPH CO.**

**Order**

In the matter of American Telephone and Telegraph Company, Docket No. 14154, regulations and charges for Developmental Line Switched Service; American Telephone and Telegraph Company, Docket No. 15011, charges, practices, classifications, and regulations for and in connection with Teletypewriter Exchange Service.

It is ordered, This 20th day of March 1963, that Asher H. Ende will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 3, 1963, in Washington, D.C.; And, it is further ordered, That a prehearing conference in the proceeding will be convened by the presiding officer on April 19, 1963.

Released: March 20, 1963.

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

[F.R. Doc. 63-3175; Filed, Mar. 26, 1963; 8:46 a.m.]

[Docket No. 14357; FCC 63M-366]

**HIGSON-FRANK RADIO ENTERPRISES****Order Scheduling Hearing**

In re application of James D. Higson and Peter Frank, d/b as Higson-Frank Radio Enterprises, Houston, Texas, Docket No. 14357, File No. BP-13809; for construction permit.

Pursuant to agreement of counsel for the parties at the hearing conference held this date: *It is ordered*, This 19th day of March 1963, that the further hearing following remand in this proceeding will commence on May 1, 1963, at 10:00 a.m., in the offices of the Commission at Washington, D.C.

Released: March 20, 1963.

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

[F.R. Doc. 63-3176; Filed, Mar. 26, 1963; 8:46 a.m.]

[Docket No. 14972; FCC 63M-367]

**JOHN SELF****Order Scheduling Prehearing Conference**

In re application of John Self, Winfield, Alabama, Docket No. 14972, File No. BP-14617; for construction permit.

The Hearing Examiner having under consideration certain rulings made during a prehearing conference of March 19, 1963:

*It is ordered*, This 19th day of March 1963, that a further prehearing conference herein shall be convened on March 28, 1963, commencing at 9:00 a.m., at the offices of the Commission at Washington, D.C.

Released: March 20, 1963.

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

[F.R. Doc. 63-3177; Filed, Mar. 26, 1963; 8:47 a.m.]

[Docket Nos. 14773, 14774; FCC 63R-119]

**SEMO BROADCASTING CORP. AND BROWNSVILLE BROADCASTING CO.****Memorandum Opinion and Order Amending Issues**

In re applications of Semo Broadcasting Corporation, Sikeston, Missouri, Docket No. 14773, File No. BP-14129; Roy Davis, tr/as Brownsville Broadcasting Company, Brownsville, Tennessee, Docket No. 14774, File No. BP-14145; for construction permits.

1. Roy Davis tr/as Brownsville Broadcasting Co. (Davis) requests that the issues in this proceeding be enlarged by the addition of the following issue: <sup>1</sup> "To

<sup>1</sup>The Review Board has the following pleadings under consideration: (1) Petition to Enlarge Issues, filed January 31, 1963 by Roy Davis tr/as Brownsville Broadcasting

determine whether the application of Semo Broadcasting Corporation complies with § 3.188 of the Commission's rules."

2. In support, Davis claims that based upon an accompanying engineering affidavit the proposed nighttime operation of Semo Broadcasting Corporation (Semo) will not provide the business section of Sikeston with the minimum signal intensity of 25 mv/m required by § 3.188 of the Commission's rules. Davis concedes that his petition does not comply with the time limits specified by § 1.141 of the rules but submits that good cause exists for a waiver of those requirements on the basis of the following. He states that the applications in this proceeding were designated for hearing by Commission Order released September 14, 1962 (FCC 62-948); that the hearing Order was published in the FEDERAL REGISTER on September 19, 1962 (27 F.R. 9289); that prior to the exchange of engineering exhibits on January 14, 1963, he relied on the representation made in the amended application of Semo, i.e., that Semo's supplementary engineering report filed on September 29, 1961 included the statement that " \* \* \*

this report incorporates a slight amendment to the proposed nighttime radiation pattern. There would be only slight changes in the current ratios and phases as indicated herein and insofar as coverage contours are concerned, there would be no change"; and that following the exchange of engineering exhibits, a more detailed study of Semo's application revealed that the foregoing engineering statement is erroneous in that the engineering amendment did, in fact, change the predicted coverage contours of Semo's proposal substantially. Accordingly, Davis declares that Semo should not be allowed to profit by its erroneous statement as to its predicted coverage contours; and that the issues should be enlarged as requested.

3. The Broadcast Bureau opposes the enlargement of issues. It states that Sikeston and Brownsville are approximately 90 miles from each other; that Sikeston is in Missouri, Brownsville in Tennessee; that Sikeston has a local transmission facility and Brownsville has none; that their respective population is 13,765 and 5,424; and that, therefore, the case must be decided on the basis of 307(b) considerations and that this issue is present in the Order of designation. In further support of its opposition, the Bureau states that the Commission has found that there is substantial compliance where a signal approaching 25 mv/m is placed over the business and industrial area of the city to be served; <sup>2</sup> that here the entire business district will receive 25 mv/m service day-

Co.; (2) Opposition of Broadcast Bureau to Petition to Enlarge Issues, filed February 12, 1963; (3) Opposition to Petition to Enlarge Issues filed by Semo Broadcasting Corporation on February 13, 1963; and (4) Reply of Roy Davis tr/as Brownsville Broadcasting Co., filed February 27, 1963.

<sup>2</sup>The Bureau cites the following cases in support. KDEF Broadcasting Co., 20 RR 684 (1961); Rounsville of Cincinnati, Inc., 18 RR 667 (1959) and Norman O. Protsman, 18 RR 372(c) (1959).

time; that at night, the 15.75 mv/m contour will cover the entire city; that 23.5 mv/m will be placed over the center of the business district and a signal of approximately 22 mv/m will cover the entire business area; and that under other circumstances, the inclusion of the issue sought would be meaningful, but that in this case addition of the issue will not advance the public interest. It further states that it would be appropriate to add this issue only if on the basis of the facts shown the violation of the particular rule warranted the outright denial of Semo's application; but that obviously in this case, Semo's proposal does substantially comply with the rule in question; and, therefore, the Bureau sees no justification for adding the issue.

4. Semo Broadcasting Corporation opposes the enlargement of issues for substantially the same reasons expressed by the Broadcast Bureau. Additionally, it contends that, on the basis of an engineering affidavit, the Semo proposal as amended would place a 25 mv/m signal at night over the business district of Sikeston.

5. In his reply, Davis reiterates his claim that Semo's proposal would not provide the business section of Sikeston with a 25 mv/m signal at night. He also contends, among other things, that there is a discrepancy between the location of the proposed site as determined by the geographic coordinates specified in Semo's application and the location as shown on the plat of its site; and that exhibits portraying the 25 mv/m contour show variances between them.

6. A review of the cases cited (see Footnote 2) by the Broadcast Bureau in support of its position that the issue should not be added, does not indicate that issues similar to the one here under consideration were resolved prior to a hearing. In view thereof, and since the pleadings before the Board raise a substantial question as to whether the business section of Sikeston would be included within the 25 mv/m nighttime contour of Semo's proposal, and since there is also disagreement between the parties as to where the contour would fall, the Board is of the opinion that the issues should be enlarged substantially as requested by Davis.

Accordingly, it is ordered, This 7th day of March 1963, That the petition of Roy Davis tr/as Brownsville Broadcasting Co. is granted to the extent hereinafter indicated; and

*It is further ordered*, That the issues in this proceeding are enlarged to include the following issue: "To determine whether the proposal of Semo Broadcasting Corporation would provide coverage of the city sought to be served, as required by § 3.188(b)(1) of the Commission's rules, and, if not, whether circumstances exist which would warrant a waiver of said section."

Released: March 21, 1963.

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

[F.R. Doc. 63-3178; Filed, Mar. 26, 1963; 8:47 a.m.]

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 70-4126]

**OHIO EDISON CO. AND PENNSYLVANIA POWER CO.**

**Notice of Proposed Modification of Method of Allocating Consolidated Tax Liabilities, as Reduced by Investment Credit, Among System Companies**

MARCH 21, 1963.

Notice is hereby given that Ohio Edison Company ("Ohio"), 47 North Main Street, Akron 8, Ohio, a public-utility company and a registered holding company, and its subsidiary public-utility company, Pennsylvania Power Company, have filed a joint declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), particularly section 12 of the Act and Rule 45 promulgated thereunder, concerning the transaction proposed. All interested persons are referred to the joint declaration, on file at the office of the Commission, for a statement of the transaction therein proposed, which is summarized below.

Declarants annually join in filing a consolidated Federal income tax return. The filing indicates that certain inequities in the allocation of the group's consolidated income tax liabilities, after giving effect to the investment credit allowed on Federal income tax returns under the Revenue Act of 1962, would result if the allocation were effected pursuant to the exemptive provisions of Rule 45(b)(6) under the Act. Accordingly, declarants propose to utilize a method of allocation which will give to the companies included in consolidated tax returns of Ohio and its subsidiary the full investment credit each company contributes to the total investment credit allowed on the consolidated returns.

The joint declaration states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Fees and expenses to be incurred in connection with the proposed transaction are estimated at not in excess of \$500, all consisting of counsel fees and expenses.

Notice is further given that any interested person may, not later than April 8, 1963, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an

attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 63-3186; Filed, Mar. 26, 1963; 8:48 a.m.]

[File No. 812-1575]

**PRINCIPAL CERTIFICATE SERIES, INC.**

**Notice of Filing of Application for Order Approving Amendment to Depository Agreement of Face-Amount Certificate Company**

MARCH 21, 1963.

Notice is hereby given that Principal Certificate Series, Inc. ("Principal"), Seattle, Washington, a registered face-amount certificate company, has filed an application pursuant to section 28(c) of the Investment Company Act of 1940 ("Act") for an order approving a depository agreement, as amended ("Second Amended Agreement") between Principal and Bankers Trust Company ("Bank"), wherein Principal undertakes to deposit and maintain with Bank qualified investments and reserves as required by section 28 of the Act with respect to its Series of certificates mentioned below.

By order dated June 8, 1960, the Commission approved a depository agreement dated as of June 15, 1960, between Principal and Bank pursuant to section 28(c) of the Act, which agreement provided for the deposit and maintenance by Principal with Bank of qualified investments and reserves as required by section 28 with respect to its Series 6, 10, 15, 20, and Single Payment Certificates in accordance with terms specified in said agreement. Similarly, by order dated October 12, 1961, the Commission approved a depository agreement, as amended ("Amended Agreement") which agreement extended the provisions of the original agreement to the following additional Series of certificates which Principal thereafter began issuing: Short Term Single Payment Certificates Series A-3, A-5, A-7, and A-10. The Second Amended Agreement, approval of which is now sought by Principal, extends the provisions of the original and Amended Agreement to the additional Single Payment Certificate Series B which Principal contemplates issuing.

The Second Amended Agreement, as does the original agreement and the Amended Agreement, provides, among other things, that Principal shall at all times deposit and maintain with the Bank qualified assets having an aggregate value at least equal to its minimum certificate reserve requirements, which shall be held separate and segregated

and that Principal may withdraw assets on deposit for the purpose of retiring certificates, or for any purpose if the remaining assets on deposit will equal the minimum reserve requirements. Assets representing minimum reserves for certificates sold within certain States which States require that such reserves be held by a depository or depositories within such States may, for the above minimum reserve requirements, be deducted in computing assets of Principal to be held by the Bank.

Section 28(c) provides, among other things, that the Commission shall by rule, regulation, or order, in the public interest or for the protection of investors, require a registered face-amount certificate company to deposit and maintain, upon such terms and conditions as the Commission shall prescribe, and as are appropriate for the protection of investors, with one or more institutions having the qualifications required by section 26(a)(1) of the Act for a trustee of a unit investment trust, all or any part of the investments maintained by such company as certificates reserve requirements under the provisions of section 28(b) of the Act.

Notice is further given that any interested person may, not later than April 5, 1963, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues 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 25, D.C. 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 O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 63-3186; Filed, Mar. 26, 1963; 8:48 a.m.]

[File No. 70-4119]

**WASHINGTON GAS LIGHT CO.**

**Notice of Proposed Acquisition by an Exempt Holding Company of Shares of Common Stock of Nonaffiliated Gas Utility Company**

MARCH 21, 1963.

Notice is hereby given that Washington Gas Light Company ("Washing-

ton"), 1100 H Street NW., Washington 5, D.C., a gas utility company and a holding company, which is exempt from various provisions of the Public Utility Holding Company Act of 1935 ("Act"), pursuant to Rule 2 promulgated thereunder, has filed with this Commission an application designating sections 9(a)(2) and 10 of the Act as applicable to the proposed transactions. All interested persons are referred to the application, on file at the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Washington proposes to acquire 17,750 shares of common stock, without par value, of a nonaffiliated company, Frederick Gas Company, Inc. ("Frederick") through an exchange therefor, on a share for share basis, of 17,750 shares of common stock, without par value, of Washington. Of the total shares to be acquired 15,750 will be obtained pursuant to an option agreement, dated January 3, 1963, between stockholders of Frederick owning all the presently issued and outstanding shares, and 2,000 additional shares of Frederick will be obtained from Modern Woodmen of America ("Woodmen") which will purchase such shares from Frederick through the exercise of a stock purchase warrant issued to it, as indicated below.

According to the filing, the negotiations for the proposed exchange of stock between Washington and the stockholders of Frederick were conducted on an "arms length" basis over a period of several months. An initial offer by Washington was rejected by Frederick's president on behalf of the stockholders, and continued negotiations resulted in the present proposal. In addition, members of Washington's engineering staff have made an examination of the physical plant of Frederick and members of Washington's accounting staff, with the assistance of independent public accountants, have examined the accounting and financial records of Frederick, have consulted with the staff of the Public Service Commission of Maryland and examined Commission records pertaining to Frederick.

The net income per share on the common stocks of Washington and of Frederick, respectively, and the dividends paid per share on the respective stocks, are shown below for the years 1958 to 1962, inclusive:

Year	Earnings per share		Dividends paid per share	
	Washington <sup>1</sup>	Frederick	Washington	Frederick
1958.....	\$1.69	\$2.27	\$1.06	\$1.10
1959.....	1.75	1.45	1.12	1.20
1960.....	1.89	1.41	1.18	1.20
1961.....	1.80	2.11	1.26	1.20
1962.....	1.97	2.37	1.32	1.35
Average..	1.82	1.92	1.19	1.21

<sup>1</sup> Earnings per share on the Washington stock are on a corporate basis for 1958 and 1959. For the years 1960 to 1962, inclusive, they are on a consolidated basis including the company's subsidiary. For the years 1958 to 1960, inclusive, earnings per share are adjusted to reflect a 2-for-1 stock split in November 1961.

<sup>2</sup> Adjusted to reflect the proposed issuance and sale of 2,000 additional shares for \$50,000 and the application of proceeds to reduce the company's outstanding notes by \$50,000.

The consolidated book value of the Washington common stock at December 31, 1962, was \$20.27 per share, and the book value of the Frederick stock, adjusted to reflect the sale of 2,000 additional shares, was \$23.85. The common stock of Washington is listed on the New York Stock Exchange. The stock of Frederick is unlisted and is infrequently traded. The aggregate market value of the 17,750 shares of common stock of Washington (based upon \$34.12 per share, the closing price on the New York Stock Exchange on March 19, 1963) amounts to \$605,630.

Washington, organized under the laws of the District of Columbia and the Commonwealth of Virginia, and qualified as a foreign corporation in the State of Maryland, is engaged in the business of purchasing, transmitting and distributing natural gas at retail in metropolitan Washington and in adjacent areas of Virginia and Maryland. The company's gas supply is obtained primarily from Atlantic Seaboard Corporation, a nonaffiliated pipeline company. For the calendar year 1962, Washington's revenues from the sale of gas amounted to approximately \$28,800,000 from the District of Columbia area, \$21,300,000 from the Virginia area and \$30,900,000 from the Maryland area. At December 31, 1962, Washington's outstanding securities consisted of \$71,295,607 of long-term debt, 316,110 shares of various series of preferred stock, and 3,056,651 shares of common stock without par value.

Washington has one subsidiary, Shenandoah Gas Company ("Shenandoah"), a Virginia corporation, engaged in the business of purchasing, transmitting and distributing natural gas at retail to customers in Frederick County, Virginia, and in Berkeley and Jefferson Counties, West Virginia. It also sells natural gas at wholesale to a nonaffiliate, Martinsburg Gas and Heating Company which serves the municipality of Martinsburg, West Virginia. At December 31, 1962, Shenandoah's total assets amounted to \$2,293,000 and its revenues for the calendar year 1962 amounted to \$1,569,000.

The consolidated gross utility plant of Washington and its subsidiary at December 31, 1962, amounted to \$208,049,712 and the reserve for depreciation amounted to \$38,990,739 or approximately 18.7 percent thereof; and consolidated gross operating revenues for the calendar year 1962 amounted to \$82,709,199.

Frederick, a Maryland corporation, purchases, transmits and distributes natural gas at retail in Frederick, Maryland, and areas adjacent thereto and provides propane gas service elsewhere in Frederick County, Maryland. The natural gas distributed by Frederick is supplied by a nonaffiliated company, Transcontinental Gas Pipe Line Corporation, through a 26-mile transmission line owned by Frederick, and situated partly in Montgomery County, Maryland, one of the franchise areas of Washington. Frederick sells some gas to Washington from this transmission line.

At December 31, 1962, Frederick's utility plant, stated at original cost,

amounted to \$1,268,081; and the reserve for depreciation amounted to \$443,096 or approximately 35 percent thereof; and gross operating revenues for the year 1962, amounted to \$515,212. At December 31, 1962, Frederick's outstanding securities consisted of \$420,000 of First Mortgage Bonds, \$127,272 of short-term notes to banks, and 15,750 shares of common stock, without par value. In addition there is outstanding a stock purchase warrant entitling Woodmen to purchase 2,000 shares of Frederick's common stock at \$25 per share. Woodmen has indicated its intention to exercise the warrant and exchange the 2,000 shares of Frederick for a like number of shares of Washington. The Public Service Commission of Maryland has authorized the issuance and sale of 2,000 additional shares of Frederick to Woodmen, and the proceeds derived therefrom will be used to reduce Frederick's outstanding notes to banks.

The estimated fees and expenses to be paid by Washington in connection with the proposed transactions aggregate \$4,200 and include \$2,500 for fees and expenses of accountants, \$900 for Federal revenue stamps, and \$350 for stock exchange listing fees.

Upon consummation of the proposed exchange of securities, Washington will record its investment in the shares of common stock of Frederick at the then market value of the shares of Washington issued in exchange therefor, plus the total fees and expenses in connection with the transactions.

According to the filing Washington has applied to the Public Utilities Commission of the District of Columbia and the State Corporation Commission of Virginia for approval of the proposed acquisition of shares of common stock of Frederick and the related issuance of common stock by Washington. It has also applied to The Public Service Commission of Maryland for approval of the acquisition of the shares of common stock of Frederick. Copies of the orders entered therein are to be supplied by amendment.

Notice is further given that any interested person may, not later than April 8, 1963, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in

Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 63-3187; Filed, Mar. 26, 1963;  
8:48 a.m.]

## TARIFF COMMISSION

[AA1921-27]

### HOT-ROLLED CARBON STEEL WIRE RODS FROM BELGIUM

#### Notice of Investigation

Having received advice from the Treasury Department on March 19, 1963, that hot-rolled carbon steel wire rods from Belgium are being, or are likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

**Hearing.** A public hearing in connection with this investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.d.s.t., on May 7, 1963. All parties will be given opportunity to be present, to produce evidence, and to be heard at such hearing. Interested parties desiring to appear at the public hearing should notify the Secretary of the Tariff Commission, in writing, at its offices in Washington, D.C., at least five days in advance of the date set for the hearing.

Issued: March 21, 1963.

By order of the Commission.

[SEAL] DONN N. BENT,  
Secretary.

[F.R. Doc. 63-3188; Filed, Mar. 26, 1963;  
8:48 a.m.]

[AA1921-28]

### HOT-ROLLED CARBON STEEL WIRE RODS FROM LUXEMBOURG

#### Notice of Investigation

Having received advice from the Treasury Department on March 21, 1963, that hot-rolled carbon steel wire rods from Luxembourg are being, or are likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

**Hearing.** A public hearing in connection with this investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.d.s.t., on May 9, 1963. All parties will be given opportunity to be present, to produce evidence, and to be heard at such hearing. Interested parties desiring to appear at the public hearing should notify the Secretary of the Tariff Commission, in writing, at its offices in Washington, D.C., at least five days in advance of the date set for the hearing.

Issued: March 21, 1963.

By order of the Commission.

[SEAL] DONN N. BENT,  
Secretary.

[F.R. Doc. 63-3189; Filed, Mar. 26, 1963;  
8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 774]

### MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 22, 1963.

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 65693. By order of March 19, 1963, the Transfer Board approved the transfer to Collinsville Motor Express, Inc., 424 O'Farrell Street, Collinsville, Ill., of Certificate No. MC 102801, issued January 18, 1950, to A. H. Smiley, doing business as Collinsville Motor Express, 424 O'Farrell Street, Collinsville, Ill., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk and other specified commodities, between Collinsville, Ill., and St. Louis, Mo.; liquid petroleum products, in bulk, in tank trucks, from Centralia, Salem, and Saint Elmo, Ill., to St. Louis, Mo., and return. Service is authorized from intermediate and off-route points within 2 miles of Centralia, Saint Elmo, and Salem, restricted to pickup only, and to those in Missouri in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, restricted to delivery only.

No. MC-FC 65736. By order of March 19, 1963, the Transfer Board approved the transfer to Clark N. Tune, doing business as J. J. Tune, Salem, Mo., of

Certificate Nos. MC 59431, MC 59431 Sub-1, and MC 59431 Sub-3, issued December 12, 1950, March 6, 1946, and November 8, 1957, to Mrs. J. J. Tune, doing business as J. J. Tune, Salem, Mo., authorizing the transportation over specified regular routes, of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Salem, Mo., and National Stockyards, Ill., between Salem and Grandin, Mo., and between St. Louis, Mo., and certain highway junctions in Missouri, and Livestock, and emigrant movables, over irregular routes, between named counties in Mo., on the one hand, and, on the other points in Illinois. The regular route authority includes intermediate and off-route point service. Joseph R. Nacy, 117 West High Street, P.O. Box 352, Jefferson City, Mo., attorney for applicants.

No. MC-FC 65742. By order of March 19, 1963, the Transfer Board approved the transfer and substitution of James W. Conard, doing business as Conard Freight Line, Des Moines, Iowa, as applicant in the "claimed grandfather rights" proceeding seeking the issuance of a Certificate of Registration, filed January 11, 1963, on Form BOR 99, assigned No. MC 120277 Sub-1, covering operations in interstate or foreign commerce under the former second proviso of section 206(a) (1) of the Act, supported by Iowa Certificates Nos. 303 and 580, which are the effective certificates remaining in the BMC 75 filing, and for which operations in interstate or foreign commerce were authorized pursuant to the provisions of the above-referred to second proviso, by virtue of a Form BMC 75 Statement filed May 15, 1959, accepted May 29, 1959, in the name of Conard Freight Lines, Inc., Des Moines, Iowa, and assigned docket No. MC 120277, and later amended, covering the transportation of: Freight, between specified points located solely within the State of Iowa. William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa, representative for applicant.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 63-3196; Filed, Mar. 26, 1963;  
8:49 a.m.]

[Notice 247]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MARCH 22, 1963.

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

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not oper-

ate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

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

#### MOTOR CARRIERS OF PROPERTY

No. MC 25869 (Deviation No. 1), NOLTE BROS., P.O. Box 217, Farnhamville, Iowa, filed March 7, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities* with certain exceptions, over a deviation route as follows: From Omaha, Nebr., over Interstate Highway 80 to Chicago, Ill., using interchanges in the Omaha and Chicago areas for access to and from Interstate Highway 80, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Omaha over U.S. Highway 75 to Missouri Valley, Iowa, thence over U.S. Highway 30 to junction unnumbered highway, thence over said unnumbered highway to Churdan, Iowa; (2) from Churdan over unnumbered highway to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Iowa Highway 330, thence over Iowa Highway 330 via Marshalltown, Iowa to junction U.S. Highway 30, thence over U.S. Highway 30 to junction unnumbered highway (formerly U.S. Highway 30), thence over said unnumbered highway via Montour, Iowa to junction U.S. Highway 30 at or near Tama, Iowa, thence over U.S. Highway 30 to Cedar Rapids, Iowa, thence over unnumbered highway to junction Iowa Highway 94, thence over Iowa Highway 94 (U.S. Highway 30) to Mount Vernon, Iowa, thence over U.S. Highway 30 to junction unnumbered highway about 4 miles east of Round Grove, Ill., thence over said unnumbered highway via Emerson, Ill., to junction Illinois Highway 2, thence over Illinois Highway 2 to Sterling, Ill., thence over Alternate U.S. Highway 30 to junction unnumbered highway, thence over said unnumbered highway via Prairieville, Ill., to Dixon, Ill., and thence over Alternate U.S. Highway 30 to Chicago, and return over the same route.

No. MC 29130 (Deviation No. 4) THE ROCK ISLAND MOTOR TRANSIT COMPANY, 2744 Southeast Market Street, P.O. Box 1355, Des Moines 5, Iowa, filed February 24, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Kans., over Interstate Highway 70 to junction Interstate Highway 35 thence over Interstate Highway 35 to Wichita, Kans., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) from Wichita over U.S. Highway 81 to Newton, Kans.,

thence over U.S. Highway 50 to junction unnumbered highway (formerly a portion of U.S. Highway 77), thence over unnumbered highway via Marion, Kans., to junction U.S. Highway 56, thence over U.S. Highway 56 to junction U.S. Highway 77, and thence over U.S. Highway 77 to Herington, Kans.; (2) from Herington over Kansas Highway 4 to junction Kansas Highway 99, thence over Kansas Highway 99 to junction U.S. Highway 40 thence over U.S. Highway 40 to Topeka; (3) from Topeka over U.S. Highway 24 to Kansas City; and return over the same routes.

No. MC 30204 (Deviation No. 6) (CORRECTION), HEMINGWAY TRANSPORT, INC., 438 Dartmouth Street, New Bedford, Mass., filed February 15, 1963. Previous notice published in the FEDERAL REGISTER issue of February 27, 1963, was in error in describing the proposed deviation route. The correct deviation route as now proposed is as follows: From junction U.S. Highway 301 and Interstate Highway 95, approximately one-half mile north of Richmond, Va., over Interstate Highway 95 to junction Virginia Highway 54, thence over Virginia Highway 54 to junction U.S. Highway 1.

No. MC 30319 (Deviation No. 3), SOUTHERN PACIFIC TRANSPORT COMPANY, P.O. Box 4054, Houston 14, Tex., filed February 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From El Paso, Tex., over Interstate Highway 10 to Van Horn, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Alpine, Tex., over U.S. Highway 90 via Marfa, Tex., to Van Horn, and thence over U.S. Highway 80 to El Paso, and return over the same route.

No. MC 59894 (Deviation No. 6), TEXAS-ARIZONA MOTOR FREIGHT, INC., 1700 East Second Avenue, El Paso, Tex., filed February 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Oklahoma City, Okla., over Interstate Highway 44 (Turner Turnpike) to Tulsa, Okla., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) from Oklahoma City over U.S. Highway 62, to Muskogee, Okla., and (2) from Muskogee over U.S. Highway 64 to Sand Springs, Okla., and return over the same routes.

No. MC 59894 (Deviation No. 7), TEXAS-ARIZONA MOTOR FREIGHT, INC., P.O. Box 1034, El Paso 99, Tex., filed February 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Dallas, Tex., over U.S. Highway 67 to Stephenville, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized

to transport the same commodities over pertinent service routes as follows: From Dallas over Texas Highway 114 to Roanoke, Tex., thence over U.S. Highway 377 to Denton, Tex., thence over U.S. Highway 82 to Sherman, Tex., thence over U.S. Highway 75 to Durant, Tex., and from Roanoke, Tex., over U.S. Highway 377 to Stephenville, thence over U.S. Highway 281 to San Antonio, Tex., and return over the same routes.

No. MC 59894 (Deviation No. 8), TEXAS-ARIZONA MOTOR FREIGHT, INC., P.O. Box 1034, El Paso 99, Tex., filed February 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Crane, Tex., over Texas Highway 329 to junction Texas Highway 18, thence over Texas Highway 18 to Fort Stockton, Tex., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From El Paso, Tex., over U.S. Highway 80 to junction U.S. Highway 290, thence over U.S. Highway 290 to Fort Stockton, thence over U.S. Highway 67 to McCamey, Tex., thence over Texas Highway 51 to Odessa, Tex., thence over U.S. Highway 80 to Midland, Tex., and return over the same route.

No. MC 68909 (Deviation No. 4), DECATUR SEAWAY MOTOR EXPRESS, INC., 3537 Broadway, Kansas City, Mo., filed February 24, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Bellevue, Ohio, over Ohio Highway 18 to Tiffin, Ohio, thence over U.S. Highway 224 to junction Ohio Highway 12 near Findlay, Ohio, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Bellevue over U.S. Highway 20 to junction Ohio Highway 12 at Fremont, Ohio, thence over Ohio Highway 12 to junction U.S. Highway 224 near Findlay, and return over the same route.

No. MC 95265 (Deviation No. 3), ROBERTSON TRANSPORTATION CO., INC., 1000 Robertson Road, Madison 14, Wis., filed February 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities* with certain exceptions, over a deviation route as follows: From the Wisconsin-Illinois State line east of Beloit, Wis., over Interstate Highway 90 to Chicago, Ill., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Chicago over U.S. Highway 14 to junction Wisconsin Highway 89, thence over Wisconsin Highway 89 to Fort Atkinson, Wis., thence over U.S. Highway 16 to LaCrosse, Wis.; from Chicago over U.S. Highway 20 to Rockford, Ill., thence over U.S. Highway 51 via Beloit to Janesville,

Wis., thence over Wisconsin Highway 26 to Milton, Wis., thence over Wisconsin Highway 59 to Edgerton, Wis., thence over U.S. Highway 51 to Madison (also from Beloit over Wisconsin Highway 13 to Madison), and return over the same routes.

No. MC 124830 (Deviation No. 1), **HOLMES TRUCKING SERVICE, INC.**, 1501 A Street, Sioux Falls, S. Dak., filed March 6, 1963. Nelson, Harding & Acklie, P.O. Box 2028, Lincoln, Nebr., attorneys. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Council Bluffs, Iowa, over U.S. Highway 6 to junction Interstate Highway 80, approximately 2 miles east and 7 miles north of Atlantic, Iowa, thence over Interstate Highway 80 to junction U.S. Highway 6, near Grinnell, Iowa, thence over U.S. Highway 6 to junction Interstate Highway 80 near Iowa City, Iowa, thence over Interstate Highway 80 to junction U.S. Highway 61, thence over U.S. Highway 61 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Illinois Highway 55 at or near Aurora, Ill., thence over Illinois Highway 55 to junction Illinois Toll Road at or near North Aurora, Ill., thence over Illinois Toll Road to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier presently has authority to transport the same commodities over pertinent service routes as follows: From Denison, Iowa over U.S. Highway 30 to Missouri Valley, Iowa, thence over U.S. Highway 75 to Council Bluffs, Iowa, and thence over city streets to Omaha; and from Denison over U.S. Highway 30 to junction unnumbered highway (formerly portion of U.S. Highway 30) thence over said unnumbered highway via Scranton and Jefferson, Iowa, to junction U.S. Highway 30, thence over U.S. Highway 30 to junction unnumbered highway, thence over unnumbered highway via Montour, Iowa, to junction U.S. Highway 30, thence over U.S. Highway 30 to Cedar Rapids, Iowa, thence over unnumbered highway to junction Iowa Highway 150, thence over Iowa Highway 150 to junction U.S. Highway 30 at or near Mount Vernon, Iowa, thence over U.S. Highway 30 to junction unnumbered highway at or near Clarence, Iowa, thence over unnumbered highway to junction U.S. Highway 30 at or near Calamus, Iowa, thence over U.S. Highway 30 to junction Illinois Highway 80, thence over Illinois Highway 80 to junction unnumbered highway near Fulton, Ill., thence over said unnumbered highway to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Alternate U.S. Highway 30, thence over Alternate U.S. Highway 30 to junction unnumbered highway, thence over said unnumbered highway via Prairieville, Ill., to junction Alternate U.S. Highway 30, thence over Alternate U.S. Highway 30 to Chicago, and return over the same routes.

**MOTOR CARRIER OF PASSENGERS**

No. MC 1501 (Deviation No. 118) (Canceling Deviation No. 95), **THE GREY-**

**HOUND CORPORATION** (Central Division) 1740 Main Street, Kansas City, Mo., filed March 6, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From El Paso, Tex., over Interstate Highway 10 to junction U.S. Highway 80 east of McNary, Tex. (also from junction Interstate Highway 10 and Texas FM Road 793 over Texas FM Road 793 to Fabens) (also from junction Interstate Highway 10 and unnumbered access highway over unnumbered access highway to Tornillo) (also from junction Interstate Highway 10 and unnumbered access highway over unnumbered access highway to Ft. Hancock); and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to perform the same service over a pertinent service route as follows: From Dallas, Tex., over U.S. Highway 80 via Weatherford and Ranger, Tex., to Abilene, Tex., thence over U.S. Highway 80 to El Paso, and return over the same route.

No. MC 61616 (Deviation No. 4), **MIDWEST BUSLINES, INC.**, 433 West Washington Avenue, Little Rock, Ark., filed February 26, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From junction Old U.S. Highway 67 and relocated U.S. Highway 67, 2 miles north of Jacksonville, Ark., over relocated U.S. Highway 67 to North Little Rock, Ark., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 67 via Judsonia, Ark., to junction U.S. Highway 67C, thence over U.S. Highway 67C to junction U.S. Highway 67, thence over U.S. Highway 67 to Maud, Tex., and return over the same route.

By the Commission.

[SEAL] **HAROLD D. McCoy,**  
Secretary.

[P.R. Doc. 63-3197; Filed, Mar. 26, 1963;  
8:49 a.m.]

[Notice 515]

**MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS**

MARCH 22, 1963.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

**APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE**

**MOTOR CARRIERS OF PROPERTY**

No. MC 730 (Sub-No. 218), filed December 7, 1962. Applicant: **PACIFIC INTERMOUNTAIN EXPRESS CO.**, a corporation, 1417 Clay Street, P.O. Box 958, Oakland, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk; in tank vehicles, from Currant (Nye County), Nev., and points within twenty (20) miles thereof, to points in California and Utah, and *rejected and contaminated shipments* on return movements.

**HEARING:** May 1, 1963, at the Nevada Public Service Commission, Room 204 State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 30, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 1392 (Sub-No. 6), filed October 18, 1962. Applicant: **JOHN M. KOCAK**, doing business as **KOCAK TRUCKING COMPANY**, R.D. No. 1, Pierce Creek Road, Binghamton, N.Y. Applicant's attorney: Carl R. Gtitz, 38 Hawley Street, Binghamton, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packinghouse products*, between Binghamton, N.Y., on the one hand, and, on the other, points in Broome, Steuben, Chemung, Yates, Tioga, Seneca, Tompkins, Cortland, Chenango, Delaware, Schuyler, Allegany, Ontario, Otsego, and Sullivan Counties, N.Y., and points in Bradford, Susquehanna, Wayne, Tioga, Sullivan, Lycoming, and Potter Counties, Pa.

**HEARING:** May 13, 1963, at the U.S. Court Rooms, Binghamton, N.Y., before Examiner William A. Royall.

No. MC 7550 (Sub-No. 12), filed February 24, 1963. Applicant: **WILLIAM H. WEBB**, 2780 Jefferson Davis Highway, Arlington, Va. Applicant's attorney: Paul A. Sherier, 613 Warner Building, 13th and E Streets NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from the plant site of Webster Brick Company, at or near Somerset, Va., to points in New Jersey located in and north of Mercer and Monmouth Counties, points in Connecticut on and west of the Connecticut River, and points in Albany, Bronx, Columbia, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester Counties, N.Y.

**HEARING:** May 1, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 10761 (Sub-No. 133), filed January 16, 1963. Applicant: **TRANS-AMERICAN FREIGHT LINES, INC.**, 1700 North Waterman Avenue, Detroit 9, Mich. Applicant's attorney: Howell Ellis, Room 1210-12 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over reg-

ular routes, transporting: *General commodities* (except those of unusual value and except dangerous explosives, household goods as defined in *Practices of Motor Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving Victor, N.Y., as an off-route point in connection with applicant's presently authorized regular-route operations between Buffalo and Rochester, N.Y.

**HEARING:** April 25, 1963, in the Manger Hotel, Rochester, N.Y., before Examiner Dallas B. Russell.

No. MC 10761 (Sub-No. 136), filed March 20, 1963. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit 9, Mich. Applicant's attorney: Howell Ellis, Suite 616-618 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in section A of appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209, from the plant site of Caviness Packing Co., at or near Hereford, Tex., to points in Arkansas, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and *refused and rejected shipments*, on return.

**NOTE:** Applicant is presently authorized to serve points in the above States under its authority in MC 10761 and active Sub numbers thereunder.

**HEARING:** April 26, 1963 at the Baker Hotel, Dallas, Tex., before Examiner Richard H. Roberts.

No. MC 19227 (Sub-No. 77), filed February 25, 1963. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forklift trucks, road building machinery and equipment, and parts for forklift trucks and road building machinery and equipment*, from Peoria, Danville, and Kewanee, Ill. to points in Alabama, Arkansas, Georgia, Florida, Louisiana, Mississippi, and Texas.

**HEARING:** April 29, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Laurence E. Masoner.

No. MC 25798 (Sub-No. 85), filed February 27, 1963. Applicant: CLAY HYDER TRUCKING LINES, INC., 301 Highway North, Dade City, Fla. Applicant's attorney: Thomas F. Kilroy, Suite 1250 Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, in tank

vehicles, from New York, N.Y., to points in Minnesota.

**HEARING:** May 2, 1963, at the Offices of the Interstate Commerce Commission, Washington D.C., before Examiner James H. Gaffney.

No. MC 29654 (Sub-No. 39), filed December 10, 1962. Applicant: FURNITURE EXPRESS, INC., Fluvanna Road, R.D. No. 1, Jamestown, N.Y. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard and particle board*, from the town of Carroll, Chautauqua County, N.Y., to points in New York, Pennsylvania, New Jersey, Ohio, Maryland, Illinois, Indiana, Wisconsin, Michigan, Delaware, Massachusetts, Rhode Island, Connecticut, Virginia, West Virginia, Tennessee, New Hampshire, Vermont, South Carolina, North Carolina, Missouri, Kansas, Kentucky, and the District of Columbia, and *returned, damaged, defective and rejected shipments of the above described commodities* on return.

**HEARING:** April 24, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Richard A. White.

No. MC 31389 (Sub-No. 52), filed March 20, 1963. Applicant: McLEAN TRUCKING COMPANY, a corporation, P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: James W. Lawson, 1000 16th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard and wrapping paper*, from Roanoke Rapids, N.C., to Chicago and Springfield, Ill., Indianapolis, Marion and Shelbyville, Ind., Louisville, Ky., Akron, Canton, Cincinnati, Cleveland, Dayton, Middleton, Minerva, and Mount Vernon, Ohio, and Pittsburgh and Sharpsburg, Pa.

**NOTE:** Common control may be involved.

**HEARING:** April 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John B. Mealy.

No. MC 32505 (Sub-No. 6), filed February 25, 1963. Applicant: VINCI'S EXPRESS, INC., P.O. Box 247, Woodbine, N.J. Applicant's attorney: LeRoy Danziger, 334 King Road, North Brunswick, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic products and plastic materials*, from Somers Point, N.J., to Philadelphia, Pa., and (2) *materials, supplies, and equipment*, used in the manufacture of plastic products and plastic materials, *empty containers or other such incidental facilities* used in transporting the commodities specified, and *returned and rejected shipments*, from Philadelphia, Pa., to Somers Point, N.J.

**HEARING:** May 6, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 35706 (Sub-No. 2), filed February 21, 1963. Applicant: PHILIP KOV-

LER, 821 East Hottter Street, Philadelphia 19, Pa. Applicant's attorney: Raymond A. Thistle, Jr., Suite 1408-09, 1500 Walnut Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furnishings*, between Philadelphia, Pa., Pennsauken and Camden, N.J., on the one hand, and, on the other, points in Delaware, Maryland, New York, Pennsylvania, the District of Columbia, and Long Island, N.Y.

**HEARING:** May 8, 1963, in Room 321-B, U.S. Custom House Building, Second and Chestnut Streets, Philadelphia, Pa., before Examiner William A. Royall.

No. MC 35890 (Sub-No. 24), filed February 14, 1963. Applicant: BLODGETT UNCRATED FURNITURE SERVICE, INC., 845 Chestnut Street SW., Grand Rapids, Mich. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caskets*, uncrated, from Syracuse, N.Y. to points in Michigan, Indiana, and Illinois, and *damaged and defective shipments of the above-specified commodities*, on return.

**HEARING:** April 24, 1963, in the Federal Building, Syracuse, N.Y., before Examiner Dallas B. Russell.

No. MC 39165 (Sub-No. 1), filed March 3, 1963. Applicant: A. M. RUDISILL, 1768 West Market Street, York, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oyster shells*, between Baltimore, Md., and points in York County, Pa.

**HEARING:** May 2, 1963, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner William A. Royall.

No. MC 39969 (Sub-No. 5), filed February 19, 1963. Applicant: SOUTH HUDSON TRUCKING COMPANY, INC., 736 Avenue E, Bayonne, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barrels, cans, and drums*, in drop frame trailers, from Jersey City, N.J., to Baltimore, Md., points in Delaware (except Cheswold and Georgetown), and points in Virginia, and *rejected shipments*, on return.

**HEARING:** May 2, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner William J. O'Brien, Jr.

No. MC 42487 (Sub-No. 572), filed January 14, 1963. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: W. J. Hickey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Diatomaceous earth and diatomaceous earth products*, in bulk, in specially designed pneumatic, pressure equalization tank trailers, and in bags in specially designed trailers, between the plant site of the Great Lakes Carbon Corporation near Basalt, Nev., and Mina, Nev.: from



the plant site of the Great Lakes Carbon Corporation near Basalt over private road to junction private road and U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 6 and Nevada Highway 10, thence over Nevada Highway 10 to junction Nevada Highway 10 and U.S. Highway 95, thence over U.S. Highway 95 to Mina, and return over the same route, serving no intermediate points.

**HEARING:** May 3, 1963, at the Nevada Public Service Commission, Room 204 State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 128, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 47142 (Sub-No. 78) (CLARIFICATION), filed October 18, 1962, published FEDERAL REGISTER issue February 20, 1963, and republished this issue. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, 200 19th Street, Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, as defined by the Commission, *blasting supplies, and used empty containers for explosives, blasting supplies and powder*, between Joliet, Ill., and points within 5 miles thereof, on the one hand, and, on the other, points which the carrier is authorized to serve under Certificate No. MC-47142 and Subs. in the States of Illinois, Indiana, Kentucky, Maryland, New Jersey, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. **RESTRICTION:** Service at Joliet, Ill., and points within 5 miles thereof restricted to interchange with connecting carriers.

**NOTE:** The purpose of this republication is to define more clearly the territory sought by applicant.

**HEARING:** Remains as assigned, April 2, 1963, in Room 852, U.S. Customs House, 610 South Canal Street, Chicago, Ill., before Examiner Charles J. Murphy.

No. MC 52709 (Sub-No. 194), filed December 9, 1962. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint and paint material; namely, plasticizers, solvents, or increasing, reducing, removing, thickening, and thinning compounds; paint, lacquer, varnish, resins, synthetic resins, and plastics*, in bulk, in tank vehicles, from Chicago and Chicago Heights, Ill., to points in California.

**NOTE:** Common control may be involved.

**HEARING:** May 7, 1963, at the Palmer House, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 52709 (Sub-No. 198), filed December 14, 1962. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Applicant's representative: Eugene Hamilton, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potassium permanganate*, in bulk, in tank vehicles, from La Salle, Ill., to

Pittsburgh, Pa., Pensacola, Fla., Cedar Rapids, Iowa, Omaha, Nebr., Troy, N.Y., San Francisco, Calif., Pampa, Tex., and Salt Lake City, Utah.

**NOTE:** Common control may be involved.

**HEARING:** May 7, 1963, at the Palmer House, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 56082 (Sub-No. 46), filed December 13, 1962. Applicant: DAVIS & RANDALL, INC., Chautauqua Road, Fredonia, N.Y. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard and particle board*, from the Town of Carroll, Chautauqua County, N.Y., to points in Massachusetts, Connecticut, Rhode Island, Maine, Vermont, New Hampshire, New York, Pennsylvania, New Jersey, Delaware, Maryland, Ohio, Indiana, Illinois, Michigan, and Wisconsin, and returned, *damaged, defective, and rejected shipments* of the above specified commodities, on return.

**HEARING:** April 24, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Richard A. White.

No. MC 59590 (Sub-No. 9), filed February 8, 1963. Applicant: CLIPPER TRANSPORTATION COMPANY, a corporation, 142 Danforth Avenue, Jersey City, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete forms, tools and supplies used in the erection of such forms*, from the plant site of the Concrete Plank Company, Inc., at North Arlington and Jersey City, N.J., to points in Connecticut, District of Columbia, Delaware, Maryland, Massachusetts, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, Maine, New Hampshire, and Vermont, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, on return.

**NOTE:** Applicant states that any duplication of authority is to be cancelled. The proposed operations are to be under continuing contract with the Concrete Plank Company, Inc.

**HEARING:** May 7, 1963, at 346 Broadway, New York, N.Y., before Examiner William J. O'Brien, Jr.

No. MC 60014 (Sub-No. 10), filed February 21, 1963. Applicant: AERO TRUCKING, INC., Box 278, R.D. 1, Oakdale, Pa. Applicant's attorney: Noel F. George, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum stampings, pigs, billets, ingots, blanks, coils, and sheets*, from the plant site of the Olin Mathieson Chemical Corporation, at or near Hannibal, Monroe County, Ohio, to points in Illinois, Wisconsin, Indiana, Michigan, Pennsylvania, West Virginia, and New York.

**HEARING:** April 29, 1963, in the Offices of the Interstate Commerce Com-

mission, Washington, D.C., before Examiner Walter R. Lee.

No. MC 70198 (Sub-No. 1), filed February 15, 1963. Applicant: BI-STATE CARRIERS, INC., 102 Borough Street, Rutherford, N.J. Applicant's attorney: August W. Heckman, 297 Academy Street, Jersey City 6, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Department store merchandise (other than furniture)*, (1) from New York, N.Y., to Huntington and Bayshore, Long Island, N.Y., and (2) from Rutherford, N.J., to Huntington and Bayshore, Long Island, N.Y.

**NOTE:** Applicant states the proposed service will be "limited to those shipments which have had a prior movement in interstate or foreign commerce by motor vehicle."

**HEARING:** May 1, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner William J. O'Brien, Jr.

No. MC 75305 (Sub-No. 18), filed January 2, 1963. Applicant: DEALERS TRANSPORT COMPANY, a corporation, Transport Road and U.S. 69 Highway, Liberty, Mo. Applicant's attorney: Carl V. Kretsinger, 510 Professional Building, Kansas City, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, new trucks, and new chassis, and farm tractors, including parts, and accessories incidental to the vehicles being transported*, in initial and secondary movements, and in truckaway and driveaway service, from the plant site of the Ford Motor Company in Claycomo, Mo., to points in Texas lying on and north of U.S. Highway 380 and lying on and west of U.S. Highway 283, and *damaged and rejected shipments* of the above-named commodities, on return.

**HEARING:** May 3, 1963, at the Park East Hotel, Kansas City, Mo., before Examiner W. Elliott Nefflen.

No. MC 78786 (Sub-No. 246), filed December 5, 1962. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a Corporation, 110 Market Street, San Francisco 11, Calif. Applicant's attorney: John MacDonald Smith, 65 Market Street, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, commodities in bulk, household goods as defined by the Commission, and those injurious or contaminating to other lading), between Reno, Nev., and Westwood, Calif.: from Reno over U.S. Highway 395 to junction California Highway 36, thence over California Highway 36 to Westwood, and return over the same route, serving all intermediate and off-route points which are stations on the rail line of Southern Pacific Company between Fernley, Nev., and Westwood, Calif.

**NOTE:** Applicant states service shall be limited to that which is auxiliary to, or supplemental of, rail service of Southern Pacific Company. Applicant further states that it is a wholly owned and controlled subsidiary of Southern Pacific Company, a carrier by railroad. Applicant is authorized to

conduct operations as a contract carrier in MC 78787 and Subs thereunder; therefore, dual operations may be involved.

**HEARING:** April 30, 1963, at the Nevada Public Service Commission, Room 204 State Office Building, East Musser Street, Carson City, Nev., before Joint Board 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 83539 (Sub-No. 98), filed February 21, 1963. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, 419 NW. 6th Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Transformers*, from the plant site of the Allis-Chalmers Manufacturing Company, located at Pittsburgh, Pa., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois (except Chicago, Ill. and points in the Chicago Commercial Zone), Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri (except St. Louis, Mo. and points in the St. Louis Commercial Zone), Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming.

**HEARING:** April 29, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James A. McKiel.

No. MC 90144 (Sub-No. 9), filed March 1, 1963. Applicant: SKY LINE CARRIERS, INC., Schuyler, Nebr. Applicant's representative: C. A. Ross, 1004-1005 Trust Building, Lincoln 8, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral mixtures*, in packages, in mixed truckload shipments of salt and salt compounds, from Hutchinson, Kans., to points in Iowa and Nebraska.

**Note:** Applicant states it proposes to transport exempt commodities and non-exempt commodities insofar as its authority will allow, on return.

**HEARING:** April 8, 1963, at the Hotel Cornhusker, Lincoln, Nebr., before Joint Board No. 139, or, if the Joint Board waives its right to participate before Examiner Bernard J. Hasson, Jr.

No. MC 94265 (Sub-No. 102), filed March 7, 1963. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 12388—Thomas Corner Station, Norfolk, Va. Applicant's attorney: E. Stephen Heasley, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Boyertown, Downingtown, Morgantown, Lancaster, and Pottstown, Pa., to points in Delaware, Maryland, and Virginia.

**HEARING:** April 17, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 95540 (Sub-No. 487), filed December 16, 1962. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gaines-

ville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chicago and Deerfield, Ill., to Greene, Columbia, Sullivan, Ulster, Dutchess, Orange, Putnam, Rockland, Westchester, Bronx, Kings, Richmond, Queens, New York, Nassau, and Suffolk Counties, N.Y., Litchfield, Fairfield, Hartford, New Haven, and Middlesex Counties, Conn., and Essex, Sussex, Passaic, Bergen, Hudson, Warren, Morris, Union, Somerset, Hunterdon, Middlesex, Mercer, and Monmouth Counties, N.J.

**HEARING:** April 29, 1963, at the Midland Hotel, Chicago, Ill., before Examiner James Anton.

No. MC 98404 (Sub-No. 7), filed November 21, 1962. Applicant: JAMES C. COPE, doing business as COPE TRUCKING COMPANY, 35 Garfield Street, Asheville, N.C. Applicant's attorney: James W. Larson, 1000 Sixteenth Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between the North Carolina-Tennessee State line and Chattanooga, Tenn., from the North Carolina-Tennessee State line over U.S. Highway 64 to Chattanooga, and return over the same route, serving all intermediate points and the off-route points within 15 miles of Chattanooga; (2) between Hayesville, N.C., and Blue Ridge, Ga., from Hayesville over North Carolina Highway 69 to junction Georgia Highway 69 at the North Carolina-Georgia State line, thence over Georgia Highway 69 to junction U.S. Highway 76, thence over U.S. Highway 76 to Blue Ridge, and return over the same route, serving all intermediate points; (3) between Blue Ridge, Ga., and Farner, Tenn., from Blue Ridge over Georgia Highway 5 to junction Tennessee Highway 68 at the Georgia-Tennessee State line, thence over Tennessee Highway 68 to Farner, and return over the same route, serving all intermediate points; (4) between McCaysville, Ga., and Morganton, Ga., from McCaysville over Georgia Highway 245 to junction Georgia Highway 60, thence over Georgia Highway 60 to junction U.S. Highway 76, thence over U.S. Highway 76 to Morganton, and return over the same route, serving all intermediate points; (5) between Ranger, N.C., and Blairsville, Ga., from Ranger over U.S. Highways 19 and 129 to Blairsville, and return over the same route, serving all intermediate points; (6) between Culberson, N.C., and Mineral Bluff, Ga., from Culberson over North Carolina Highway 60 to junction Georgia Highway 60 at the North Carolina-Georgia State line, thence over Georgia Highway 60 to Mineral Bluff, and return over the same route, serving all intermediate points; (7) between Oak Park, N.C. (near Hiwassee Dam, N.C.), and Farner, Tenn., from Oak Park over unnumbered road to junction North Carolina Highway 294 to junction Tennessee Highway 294 at the North

Carolina-Tennessee State line, thence over Tennessee Highway 294 to junction Tennessee Highway 68, thence over Tennessee Highway 68 to Farner, and return over the same route, serving all intermediate points, and (8) between junction Georgia Highway 69 and U.S. Highway 76 and Hiwassee, Ga., from junction Georgia Highway 69 and U.S. Highway 76 over U.S. Highway 76 to Hiwassee, and return over the same route serving all intermediate points.

**Note:** Common control may be involved.

**HEARING:** May 1-3, 1963, at the George Vanderbilt Hotel, Asheville, N.C., before Examiner Allen W. Hagerty. This assignment is for applicant's presentation only. A further hearing will be held on May 6, 1963, at the United States Post Office and Court House, Chattanooga, Tenn., for the submission of the remainder of applicant's initial presentation and for such protestants' evidence as is to be presented at the latter points.

No. MC 106943 (Sub-No. 80), filed January 21, 1963. Applicant: EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, livestock, grain, petroleum products in bulk, household goods as defined by the Commission, and commodities requiring special equipment), serving Bedford, Pa., as an off-route point in connection with applicant's authorized regular-route operations between St. Louis, Mo., and Newark, N.J., and between Beaverdam, Ohio, and Harrisburg, Pa.

**HEARING:** April 30, 1963, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner William A. Royall.

No. MC 107107 (Sub-No. 253), filed January 25, 1963. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foods, food ingredients, food materials, and food supplements* (except jams, jellies, pie fillers, cocoa, rice, flour, beans, mincemeat, macaroni, noodles, and spaghetti), from New York, N.Y., to Miami, Fla., and (2) the commodities described in (1) as underlined above (except meats, meat products, and meat by-products, and dairy products, as described in sections A and B of Appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209 and 766, and frozen foods, processed fruits and vegetables, fish, seafood, nuts, condiments, spices, bakery supplies, bakery materials, bakery products, candy, confectionery, salad dressings, cocoa, coffee, pie filler, mincemeat, cereals, olives, flavoring compounds, syrups, extracts, edible, and cooking oils, macaroni, spaghetti, and rice), from New York, N.Y., and points in New Jersey within 15 miles thereof (except points in Monmouth County, N.J.), to points in Florida, and (3) *advertising and promotional material when related to and moving with shipments of*

foods, food ingredients, food materials, and food supplements, from New York, N.Y., and points within 15 miles thereof, to points in Florida.

**HEARING:** May 8, 1963, at 346 Broadway, New York, N.Y., before Examiner William J. O'Brien, Jr.

No. MC 107975 (Sub-No. 6), filed February 6, 1963. Applicant: KENNETH E. ALLISON, Hungerford, Pa. Applicant's attorney: John M. Musselman, 400 North Third Street, P.O. Box 581, Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Empty containers and closures*, from Baltimore, Md., to Hungerford and New Freedom, Pa., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

**HEARING:** May 3, 1963, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner William A. Royall.

No. MC 109525 (Sub-No. 3), filed February 20, 1963. Applicant: SEMLOH TRUCKING COMPANY LIMITED, 616 St. Clair, Point Edward, Ontario, Canada. Applicant's attorney: Eugene C. Ewald, Suite 1700, One Woodward Avenue, Detroit 26, Mich. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Foundry coke and pig iron*, from Detroit, Mich., and points within ten (10) miles thereof, to the port of entry on the International Boundary Line between the United States and Canada at Port Huron, Mich., (2) *castings*, from the port of entry on the International Boundary Line between the United States and Canada at Port Huron, Mich., to points in Michigan, Ohio, Illinois, and Wisconsin, and (3) *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return in (1) and (2) above.

**NOTE:** Common control may be involved.

**HEARING:** May 1, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Henry A. Cockrum.

No. MC 110420 (Sub-No. 322), filed December 19, 1962. Applicant: QUALITY CARRIERS, INC., Calumet Street, Burlington, Wis. Applicant's attorney: Paul J. Maton, Suite 1149, 10 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sugar*, in bulk, in tank and hopper vehicles, from points in Utah and Colorado to points in Illinois, Iowa, Missouri, and Wisconsin.

**NOTE:** Common control may be involved.

**HEARING:** May 1, 1963, at the Midland Hotel, Chicago, Ill., before Examiner James Anton.

No. MC 110525 (Sub-No. 555), filed February 20, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting:

*Cement*, from Baltimore, Md., to points in Delaware, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

**HEARING:** May 6, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 110525 (Sub-No. 557), filed February 28, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, (1) between points in Connecticut, (2) between points in Delaware, (3) between points in the District of Columbia, (4) between points in Maine, (5) between points in Maryland, (6) between points in Massachusetts, (7) between points in New Hampshire, (8) between points in New Jersey, (9) between points in New York, (10) between points in Pennsylvania, (11) between points in Rhode Island, (12) between points in Vermont, (13) between points in Virginia, and (14) between points in West Virginia.

**NOTE:** Applicant states the proposed service will be restricted to shipments having a prior movement by rail and/or water.

**HEARING:** May 7, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 111812 (Sub-No. 200), filed February 27, 1963. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Candy and confections*, from Sioux Falls, S. Dak., to points in California, Arizona, Oregon, Washington, and Idaho and Salt Lake City, Utah.

**HEARING:** May 2, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Bernard J. Hasson, Jr.

No. MC 112854 (Sub-No. 19) (AMENDMENT), filed October 18, 1963, published FEDERAL REGISTER issue March 6, 1963, amended March 11, 1963, and republished as amended this issue. Applicant: HOLLEBRAND TRUCKING, INC., Ontario, N.Y. Applicant's representative: Raymond A. Richards, 35 Curtice Park, P.O. Box 25, Webster, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, including frozen food products*, from points in New York, located on and west of a line beginning at Oswego, N.Y., and extending along New York Highway 57, to Syracuse, N.Y., thence along U.S. Highway 11 to the New York-Pennsylvania State line, to Hartford, and East Hartford, Conn., Miami, and Tampa, Fla., Chicago, Ill., Indianapolis, Ind., Des Moines, Iowa, Kansas City, Kans., Louisville, Ky., Detroit, Mich., Kansas City, and St. Louis, Mo., Omaha, Nebr., New York, N.Y., and its Commercial Zone, Char-

lotte, N.C., Tulsa, Okla., Huntington, W. Va., and the District of Columbia, and points in Maryland, Massachusetts, New Jersey, Ohio, Pennsylvania, and Virginia, and only empty containers or other such incidental facilities (not specified), used in transporting the commodities specified above, on return.

**NOTE:** Applicant states "duplication to be eliminated." The purpose of this republication is to add the destination state of Ohio to the authority previously sought, which was erroneously omitted from previous publication.

**HEARING:** Remains as assigned, April 26, 1963, at the Manger Hotel, Rochester, N.Y., before Examiner Dallas B. Russell.

No. MC 113267 (Sub-No. 93), filed March 18, 1963. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Frederick H. Fige (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bananas, coconuts, and pineapples*, from points in Louisiana and Mobile, Ala., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

**NOTE:** Common control may be involved.

**HEARING:** April 11, 1963, at the Federal Office Building, 701 Loyola Avenue, New Orleans, La., before Examiner Raymond V. Sar.

No. MC 113312 (Sub-No. 7), filed February 27, 1963. Applicant: LESTER F. MEYER, doing business as PIONEER BULK CARRIERS, 10 Clayton Boulevard, Smyrna, Del. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer* from Clayton, Del. to points in Connecticut, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia; (2) *fertilizer and exempt horticultural commodities*, in the same vehicle with fertilizer, from Middletown, Del., to points in Connecticut, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia; (3) *urea-formaldehyde*, in bags, from Danbury, Conn., to Clayton, Del.; (4) *perlite*, in bags, from Hillside, N.J. to Clayton, Del.; and (5) *ammonium sulphate nitrate* from Hopewell, Va., to Clayton, Del.

**HEARING:** May 3, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C. before Examiner Charles B. Heinemann.

No. MC 113434 (Sub-No. 11), filed December 14, 1962. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, P.O. Box 511, Holland, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods*, (1) from Fennville, South Haven, and Benton Harbor, Mich., to points in

that part of Pennsylvania east of U.S. Highway 15, Baltimore and Cumberland, Md., and Washington, D.C., and points within fifteen (15) miles thereof, and (2) from Baltimore, Md., and points within fifteen (15) miles thereof, to Fennville, South Haven, and Benton Harbor, Mich.

HEARING: April 30, 1963, at the Midland Hotel, Chicago, Ill., before Examiner James Anton.

No. MC 113843 (Sub-No. 62), filed March 13, 1963. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston 10, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lake City, Pa., to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, the lower peninsula of Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: April 24, 1963, at the New Federal Building, Pittsburgh, Pa., before Examiner Wm. N. Culbertson.

No. MC 115495 (Sub-No. 4), filed November 20, 1962. Applicant: UNITED PARCEL SERVICE, INC., 601 West Harrison Street, Chicago 7, Ill. Applicant's attorneys: Bernard G. Segal and Irving R. Segal, 1719 Packard Building, Philadelphia 2, Pa., and S. Harrison Kahn, Investment Building, Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Territory A described below; and between points in Territory B, on the one hand, and, on the other, all points in Territory B described below: Territory A: Minnesota, Kentucky, those parts of Michigan, Wisconsin, Missouri, and Iowa not described in Territory B; Grand Forks and Fargo, N. Dak., Omaha, Nebr., Kansas City, Kans., and all points in West Virginia and Virginia within 10 miles of the Kentucky-West Virginia and the Kentucky-Virginia State lines. Territory B: Illinois, Indiana, Ohio, that part of Michigan bounded by a line beginning at Detroit and extending north along the Michigan State line to Port Huron, thence westerly along Michigan Highway 21 to Davison, thence northerly along Michigan Highway 15 to Bay City, thence westerly along U.S. Highway 10 (formerly Michigan Highway 20) to junction Michigan Highway 20, thence along Michigan Highway 20 to Mount Pleasant, thence southerly along U.S. Highway 27 to junction Alternate U.S. Highway 27, thence southerly along Alternate U.S. Highway 27 to Alma, thence easterly along Alternate U.S. Highway 27 to junction U.S. Highway 27, thence along U.S. Highway 27 to Ola, thence westerly along Michigan Highway 57 to the eastern boundary of Kent County, thence along the eastern and northern

boundaries of Kent County to the northern boundary of Muskegon County, thence along the northern and eastern boundaries of Muskegon County (including all of Kent and Muskegon Counties) to Lake Michigan, thence southerly along the Michigan State line to the Indiana-Michigan State line, thence easterly along the Indiana-Michigan State line to the Michigan-Ohio State line, thence easterly along the Michigan-Ohio State line to Lake Erie, and thence northerly along the Michigan State line to Detroit, that part of Wisconsin bounded by a line beginning at the Illinois-Wisconsin State line at Lake Michigan and extending northerly along the Shore of Lake Michigan to and including Two Rivers, thence northerly along Wisconsin Highway 147 to junction U.S. Highway 141, thence northerly along U.S. Highway 141 to and including Green Bay, thence southerly along U.S. Highway 41 to the northern boundary of Fond du Lac County, thence westerly and southerly along the northern and western boundaries of Fond du Lac County to the northern boundary of Dodge County, thence westerly and southerly along the northern and western boundaries of Dodge County to junction U.S. Highway 151, thence southwesterly along U.S. Highway 151 to the northern boundary of Dane County, thence along the northern, western and southern boundaries of Dane County to the western boundary of Rock County, thence southerly along the western boundary of Rock County to the Wisconsin-Illinois State line, and thence easterly along the Wisconsin-Illinois State line to Lake Michigan, that part of Missouri bounded by a line beginning at St. Louis and extending northwesterly along the Mississippi River to Hannibal, Mo., thence northerly along the Missouri Highway 168 to junction combined U.S. Highways 24 and 61, thence southerly along combined U.S. Highways 24 and 61 to junction U.S. Highway 36, thence easterly along U.S. Highway 36 to junction U.S. Highway 61, thence southerly along U.S. Highway 61 to junction Missouri Highway 19, thence southwesterly and southerly along Missouri Highway 19, to junction U.S. Highway 54, thence westerly along U.S. Highway 54 to junction Missouri Highway 22, thence westerly along Missouri Highway 22 to junction U.S. Highway 63, thence northerly along U.S. Highway 63 to junction U.S. Highway 24, thence westerly along U.S. Highway 24 to junction Missouri Highway 3, thence southerly along Missouri Highway 3 to junction Missouri Highway 240, thence southerly along Missouri Highway 240 to the Missouri River, thence southeasterly along the Missouri River to Jefferson City, thence southeasterly along U.S. Highway 63 to Rolla, thence easterly along U.S. Highway 63 to junction U.S. Highway 66, thence easterly along U.S. Highway 66 to junction Missouri Highway 68, thence southerly along Missouri Highway 68 to junction Missouri Highway 8, thence easterly along Missouri Highway 8 to junction Missouri Highway 21; thence southerly along Missouri Highway 21 to junction Missouri Highway 72, thence

southeasterly along Missouri Highway 72 to the Mississippi River, thence northwesterly along the Mississippi River to the point of beginning; and Davenport, Clinton and Dubuque, Iowa, including all points on the described highways and those on the described county lines which do not coincide with State lines. RESTRICTIONS: A. No service shall be rendered in the transportation of any package or article weighing more than 50 pounds or exceeding 108 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment. B. No service shall be rendered between department stores, specialty shops and retail stores and the branches or warehouses of such stores; or between department stores, specialty shops, and retail stores or the branches or warehouses thereof, on the one hand, and, on the other, the premises of the customers of such stores.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 13426; therefore dual operations may be involved.

PREHEARING CONFERENCE: April 30, 1963, at the Office of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank R. Saltzman.

At the prehearing conference it is contemplated that the following will be discussed.

- (1) The issues generally with a view to their simplification;
- (2) The possibility and desirability of agreeing upon special procedure to expedite and control the handling of this application, including the submission of the supporting and opposing shipper testimony be verified statements;
- (3) The time and place or places of such hearing or hearings as may be agreed upon;
- (4) The number of witnesses to be presented and the time required for such presentations by both applicant and protestants;
- (5) The practicability of both applicant and the opposing carriers submitting in written form their *direct* testimony with respect to:
  - (a) Their present operating authority,
  - (b) Their corporate organizations, if any, ownership and control,
  - (c) The fiscal data,
  - (d) Their equipment, terminals and other facilities;
- (6) The practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of any hearing; and
- (7) Any other matters by which the hearing can be expedited or simplified or the Commission's handling thereof aided.

No. MC 115841 (Sub-No. 132), filed March 13, 1963. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat byproducts, and dairy products* as defined by the Commission, from New York, N.Y., and points within

15 miles thereof, to points in Georgia, North Carolina, and South Carolina (except meats and meat products, fresh, salted, cooked, cured, and preserved, and dairy products from points in the New York, N.Y., Commercial Zone, to the Savannah, Ga., Commercial Zone; meats from New York, N.Y., to Brunswick and Sea Island, Ga., and meats, meat products, and meat byproducts, from New York, N.Y., to Dillon and Florence, S.C.; and meats from New York, N.Y., to Myrtle Beach, S.C.) and (2) *advertising and promotional materials* related to and moving with commodities in (1) above, from New York, N.Y., and points within 15 miles thereof, to points in Georgia, North Carolina, and South Carolina.

**HEARING:** April 22, 1963, at the Governor Clinton Hotel, 31st and 7th Avenue, New York, N.Y., before Examiner Gordon M. Callow.

No. MC 117310 (Sub-No. 2), filed December 28, 1962. Applicant: FRANK C. CIONI, 117 West Washington Street, Shenandoah, Pa. Applicant's representative: John W. Frame, P.O. Box 626—2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass, silvered*, from the plant site or sites of Metropolitan Mirror and Glass Co., Inc., located at Frackville, Pa., to points in Maine, New Hampshire, North Carolina, South Carolina, Oregon, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, Georgia, Florida, Ohio, Indiana, Illinois, Michigan, Pennsylvania, California, Texas, and Washington, D.C., (2) *materials, supplies and equipment used in or useful to the manufacture of mirrors*, from points in New York, New Jersey, Tennessee, Maryland, West Virginia, Pennsylvania, Georgia, and Texas, to the plant site or sites of the Metropolitan Mirror and Glass Co., Inc., located at Frackville, Pa.

**HEARING:** April 29, 1963, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner William A. Royall.

No. MC 117574 (Sub-No. 69), filed February 14, 1963. Applicant: DAILY EXPRESS, INC., P.O. Box 434, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Compressors, pumps, blowers, condensers, drilling equipment, and machinery, electric and pneumatic tools, heat exchangers, hoisting equipment and machinery, engines, mining equipment and machinery, and (2) parts, attachments, and accessories* of the items named in (1) above, from points in Steuben County, N.Y., Bradford County, Pa., and Warren County, N.J., to points in the United States (except Alaska and Hawaii).

**HEARING:** April 30, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Raymond V. Sar.

No. MC 118535 (Sub-No. 13), filed January 25, 1963. Applicant: JIM TIONA, JR., 803 West Ohio Street, Butler, Mo. Applicant's attorney: Tom B. Kretsinger, 510 Professional Building,

Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, dry fertilizer compounds, dry fertilizer supplements, dry urea fertilizer, dry feed grade urea, technical grade urea, ammonium phosphates and ammonium nitrates*, in bulk, and in bags and containers, (1) from the plant site and storage facilities of the John Deere Chemical Co., at or near Pryor, Okla., to points in Montana, Wyoming, New Mexico, South Dakota, Texas, Arkansas, Louisiana, and Alabama, and (2) from the plant site and storage facilities of the John Deere Chemical Co., at or near Tulsa, Okla., to points in Montana, Wyoming, Colorado, New Mexico, South Dakota, Nebraska, Kansas, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, and Alabama; and *rejected, damaged, and refused shipments of above specified commodities*, on return.

**HEARING:** May 1, 1963, in the Park East Hotel, Kansas City, Mo., before Examiner Armin G. Clement.

No. MC 118959 (Sub-No. 12), filed December 26, 1962. Applicant: JERRY LIPPS, INC., 130 South Frederick, Cape Girardeau, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel joists*, from Madison, Ill., to points in Alabama, Arizona, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, and South Carolina, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return movements.

**HEARING:** May 2, 1963, at the Midland Hotel, Chicago, Ill., before Examiner James Anton.

No. MC 119305 (Sub-No. 2), filed January 23, 1963. Applicant: C. ROBERT NATTRESS AND DONALD NATTRESS, a partnership, doing business as B & D TRUCKING SERVICE, 33 West Garfield Avenue, Norwood, Delaware County, Pa. Applicant's attorney: Ralph C. Busser, Jr., 1710 Locust Street, Philadelphia 3, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, (1) from Philadelphia, Pa., to Linden, N.J., and (2) from Easton and Reading, Pa., to Brooklyn, N.Y., and Wilmington, Del.

**HEARING:** May 9, 1963, in Room 321-B, U.S. Custom House Building, Second and Chestnut Streets, Philadelphia, Pa., before Examiner William A. Royall.

No. MC 119338 (Sub-No. 3), filed January 23, 1963. Applicant: FUSCO TRUCKING CO., INC., 3138 Webster Avenue, New York 67, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mattresses, pads, and crib bumpers*, from Stamford, Conn., to points in the New York Commercial Zone, as defined by the Commission.

**HEARING:** May 7, 1963, at 346 Broadway, New York, N.Y., before Examiner William J. O'Brien, Jr.

No. MC 119573 (Sub-No. 6), filed December 26, 1962. Applicant: WATKINS TRUCKING, INC., 207 Trenton Avenue, Uhrichsville, Ohio. Applicant's attorney: Richard H. Brandon, Hartman Building, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from Mecca and Brazil, Ind., to points in Illinois, Iowa, Michigan, Ohio, Wisconsin, and St. Louis, Mo., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

**HEARING:** May 2, 1963, at the Midland Hotel, Chicago, Ill., before Examiner James Anton.

No. MC 119626 (Sub-No. 5), filed March 20, 1963. Applicant: ILL.-PAC. COAST TRANSPORTATION CO., a corporation, 1601 Market Street, Madison, Ill. Applicant's attorney: Wilmer B. Hill, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Appendix I, 61 M.C.C. 209, from Perry, Iowa, to points in New Mexico, Arizona, Utah, Nevada, California, Washington, Oregon, and Idaho.

**HEARING:** April 24, 1963, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 123252 (Sub-No. 3), filed February 18, 1963. Applicant: DOMINICK FARACI, doing business as BRUNSWICK FUEL OIL CO., 836 Ridgewood Avenue, North Brunswick, N.J. Applicant's attorney: LeRoy Danziger, 334 King Road, North Brunswick, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand and clay*, in bags and *core oil*, in drums, in dump trucks from Philadelphia, Pa., to Hillside, N.J., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, and *damaged and rejected shipments*, on return.

**NOTE:** Applicant states the proposed operations are to be performed under continuing contract with Cooper Alloy Corporation, Hillside, N.J.

**HEARING:** May 2, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner William J. O'Brien, Jr.

No. MC 123408 (Sub-No. 10), filed February 13, 1963. Applicant: FOOD HAULERS, INC., 600 York Avenue, Elizabeth, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise such as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials and supplies used in the conduct of such businesses*, between points in Hartford County, Conn., New Haven, Conn., points in New Castle County, Del., points in Nassau, Putnam, Rockland, Suffolk, Sulli-

van, and Westchester Counties, N.Y., New York, N.Y., points in Berks, Bucks, Chester, Delaware, Lehigh, Montgomery, and Philadelphia Counties, Pa., and points in New Jersey.

**NOTE:** Applicant states the proposed service will be performed under a continuing contract or contracts with Wakefern Food Corporation located at Elizabeth, N.J.

**HEARING:** May 6, 1963, at 346 Broadway, New York, N.Y., before Examiner William J. O'Brien, Jr.

No. MC 123794 (Sub-No. 2), filed February 18, 1963. Applicant: A.F.T. MOTOR FREIGHT, INC., P.O. Box 349, Conshohocken, Pa. Applicant's attorneys: Wilmer A. Hill, E. Stephen Heisley, 529 Transportation Building, Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel products*, from the plant sites of the Alan Wood Steel Company, located in Montgomery County, Pa., situated in Plymouth Township, the village of Swedeland, and the boroughs of Conshohocken and West Conshohocken, to New York, N.Y., Washington, D.C., points in Westchester, Putnam, Dutchess, Nassau, and Suffolk Counties, N.Y., points in Virginia on, east and north of a line beginning at the Maryland-Virginia State line and extending along U.S. Highway 15 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction U.S. Highway 360, thence along U.S. Highway 360 to Chesapeake Bay, points in Accomack and Northampton Counties, Va., and points in Delaware, Maryland, New Jersey, and Pennsylvania, and returned and rejected materials, including wholly and partly fabricated materials and scrap, on return.

**NOTE:** Applicant states the proposed operations are to be under a continuing contract or contracts with Alan Wood Steel Company, Conshohocken, Pa. Applicant also states that no duplicating authority is sought by this application.

**HEARING:** April 30, 1963, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alton R. Smith.

No. MC 124270 (Sub-No. 2), filed March 18, 1963. Applicant: CHEMICAL HAULERS, INC., 5723 Kennedy Avenue, Hammond, Ind. Applicant's attorney: Howell Ellis, Suite 616-618, Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, acids, and plastics*, liquid, from Lemont, Ill., to points in Alabama, Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and Wisconsin, and damaged and rejected shipments, on return.

**HEARING:** April 5, 1963, in Room 852, U.S. Customs House, 610 South Canal Street, Chicago, Ill., before Examiner Charles J. Murphy.

No. MC 124295 (Sub-No. 1), (RE-PUBLICATION), filed October 26, 1962, and published FEDERAL REGISTER, issue March 13, 1963, and republished this issue to show advancement of hearing

date. Applicant: JOSEPH BALAZS, doing business as J. BALAZS TRANSPORT, R.R. 2, Brantford, Ontario, Canada. Applicant's attorney: Thomas J. Runfola, 631 Niagara Street, Buffalo 1, N.Y. The purpose of this republication is to show that the hearing date has been advanced to May 6, 1963, in lieu of May 7, 1963, as shown in previous publication.

**HEARING:** May 6, 1963, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y., before Examiner James I. Carr.

No. MC 124705 (Sub-No. 2), filed February 24, 1963. Applicant: JOSEPH SWAN, doing business as SWAN MESSENGER SERVICE, 44 Highview Road, East Brunswick, N.J. Applicant's attorney: A. David Millner, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Documents, advertising material, books, machine and electrical parts, interoffice correspondence and similar documents*, in packages and parcels not exceeding 50 pounds each, in shipments not exceeding 350 pounds each, in express delivery service, between points in Middlesex and Somerset Counties, N.J., on the one hand, and on the other, Philadelphia, Pa., Wilmington, Del., Baltimore, Md., Washington, D.C., New York, N.Y., Boston and Worcester, Mass., and points in Nassau, Suffolk and Westchester Counties, N.Y., and Fairfield, New Haven, and Hartford Counties, Conn., restricted to the transportation of commodities in passenger automobiles, station wagons and one-half ton trucks, and (2) *dental packages, dentifrices, dental materials and supplies*, in packages not exceeding 7 pounds per shipment, (a) between Philadelphia, Pa., on the one hand, and on the other, points in Middlesex, Somerset and Union Counties, N.J., and (b) between points in Middlesex, Somerset and Union Counties, N.J., on traffic originating at, or destined to, Philadelphia, Pa.

**HEARING:** May 3, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner William J. O'Brien, Jr.

No. MC 124966, filed December 7, 1962. Applicant: GEORGE E. WILSON, doing business as WILSON GARAGE, 1502 Nevada Highway, Boulder City, Nev. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, and abandoned motor vehicles*, (1) between Boulder City, Searchlight, and Nelson, Nev., and (2) between Boulder City, Nev., and Temple Bar, Ariz.

**HEARING:** April 29, 1963, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 168, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 124968, filed December 10, 1962. Applicant: VIRGIL McCAMMON, Dugger, Ind. Applicant's attorney: Kern G. Beasley, Citizens National Bank Building, Linton, Ind. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: *Cast iron pipe, cast iron soil pipe and fittings, drains and any items manufactured by United States Pipe and Foundry Company at Birmingham and Bessemer, Ala., and Chattanooga, Tenn., Alabama Pipe Company at Anniston, Ala., Tyler Pipe and Foundry Company at Tyler, Tex., and Anniston Pipe Company at Anniston, Ala.*, (1) from the plant site of Anniston Pipe Company at Anniston, Ala., the plant sites of United States Pipe Company at Birmingham and Bessemer, Ala., and Chattanooga, Tenn., the plant site of Alabama Pipe Company at Anniston, Ala., the plant site of Tyler Pipe and Foundry Company at Tyler, Tex., to the yards of Verako Products, Inc., Gurnee, Ill., and (2) from the yards of Verako Products, Inc., Gurnee, Ill., to points in Manitowoc, Calumet, Sheboygan, Winnebago, Green Lake, Fond du Lac, Marquette, Ozaukee, Washington, Dodge, Columbia, Sauk, Iowa, Dane, Waukesha, Jefferson, Grant, Lafayette, Green, Rock, Walworth, Racine and Kenosha Counties, Wis., points in Dubuque, Jackson, Jones, Clinton, Cedar, Muscatine, and Scott Counties, Iowa, points in Stephenson, Winnebago, Boone, McHenry, Lake, Carroll, Ogle, De Kalb, Kane, Cook, DuPage, Whiteside, Lee, Kendall, Will, Rock Island, Henry, Bureau, LaSalle, Grundy, Kankakee, Knox, Stark, Marshall, Livingston, Ford, Iroquois, Mercer, Warren, Fulton, Peoria, Woodford, Tazewell, McLean, Logan, Mason, DeWitt, Sangamon, Macon, Piatt, Champagne, Vermilion, Douglas, Moultrie, and Edgar Counties, Ill., and points in Lake, Daviess, Porter, LaPorte, Newton, Jasper, Benton, Warren, Vermillion, Fountain, Parke, Starke, Pulaski, White, Tippecanoe, Montgomery, Putnam, St. Joseph, Marshall, Fulton, Cass, Carroll, Clinton, Boone, Elkhart, Kosciusko, Miami, Wabash, Howard, Tipton, LaGrange, Noble, Whitley, Steuben, Huntington, and De Kalb Counties, Ind.

**HEARING:** May 6, 1963, at the Palmer House, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 124970, filed December 11, 1962. Applicant: ALBERT J. SERPA AND JAY C. STEPHENS, a partnership, doing business as S & S AUTO SALES, U.S. Highway 50 and Link Road, Box 1085, Tahoe Valley, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled automobiles, trucks, trailers, small trailers, full trailers and wrecked and disabled house trailers and small type vehicles*, using a wrecker type tow truck in truckaway service, between points in California and points in Nevada within an area bordered by a line extending from the California-Nevada State line, thence along U.S. Highway 6 to its junction with U.S. Highway 95 near Coal-dale, Nev., thence along U.S. Highway 95 to its junction with U.S. Alternate Highway 95, thence along U.S. Alternate Highway 95 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to Reno, thence along U.S. Highway 395 to its junction with Nevada Highway 27, thence along Nevada Highway 27 to and along the California-Nevada State

line to point of beginning, including points located on the stated highway routes.

**HEARING:** May 2, 1963, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 125043 (CORRECTION), filed January 22, 1963, published FEDERAL REGISTER, issue of March 6, 1963, and republished this issue. Applicant: PAUL LAMADA, doing business as A-ABA-TRUCKING & PACKAGE DELIVERY, 302 West 21st Street, New York, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Printing paper and printed matter, on skids, by winch truck, between New York, N.Y., Teterboro, N.J., and Hackensack, N.J.*

**NOTE:** Applicant states the proposed operations will be under continuing contract with Rolls Offset Printing Co., Inc., 443 Park Avenue South, New York, N.Y. Previous publication noted that "applicant is authorized to conduct operations as a common carrier in Certificate 124797, therefore, dual operations may be involved." The purpose of this republication is to show that the above quoted note was in error, as MC 124797 was dismissed on January 17, 1963. Therefore, dual operations are not involved.

**HEARING:** Remains as assigned May 2, 1963, at 346 Broadway, New York, N.Y., before Examiner James I. Carr.

No. MC 125071, filed February 6, 1963. Applicant: MARTIN L. HAUCK, Route No. 1, Mount Wolf, Pa. Applicant's attorney: Russell F. Griest, 117 East Market Street, York, Pa. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Cinder and concrete block, flue liners, tile, brick, brick-set and cement, and building supplies, from points in York County, Pa., to points in Cecil, Harford, Baltimore, Carroll, Frederick, Montgomery, Prince Georges, and Anne Arundel Counties, Md., and empty containers or other such incidental facilities (not specified) used in transporting the above specified commodities, on return.*

**HEARING:** May 2, 1963, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner William A. Royall.

No. MC 125073, filed February 3, 1963. Applicant: FRED E. HOWE AND JERRY HOWE, a partnership, doing business as HOWE DISTRIBUTING CO., 53 Myers, Quincy, Calif. Authority sought to operate as a contract carrier, by motor vehicle, over regular routes, transporting: *Bottled and canned soft drinks, (1) from Reno, Nev., over U.S. Highway 395 to Susanville, Calif., serving no intermediate or off-route points, and (2) from Reno, Nev., over U.S. Highway 395 to junction U.S. Highway 40A, thence over U.S. Highway 40A to Quincy, Calif., serving no intermediate or off-route points, and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, on return in (1) and (2) above.*

**HEARING:** May 2, 1963, at the Nevada Public Service Commission, Room 204

State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 125090, filed February 8, 1963. Applicant: HELPER TRUCKING CORPORATION, Grove and Rutgers Avenue, Cedar Grove, N.J. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fiberglass insulating material (navy board), between Cedar Grove, N.J., and New York, N.Y.*

**HEARING:** May 1, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner William J. O'Brien, Jr.

No. MC 125114, filed February 25, 1963. Applicant: KNIGHT MOVING & STORAGE CORPORATION, U.S. 460 West (P.O. Box 2204), Lynchburg, Va. Applicant's attorney: Wilbert G. Burnette, 1017 Church Street, Lynchburg, Va. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Radioactive materials, fuel elements for reactors, instruments and material, parts of reactors and such other material and shipping containers necessary for the fabrication and transportation of nuclear reactors and fuel elements, commodities such as are used by a manufacturer of radioactive material and empty containers or other such incidental facilities used in transporting the said commodities, and (2) source, special nuclear and by-products materials, radioactive materials, and related reactor experimental equipment, component parts and associated materials, from points in Virginia, to points in the United States (except Alaska and Hawaii), and (3) empty containers or other such incidental facilities (not specified) used in transporting the above described commodities in (1) and (2), on return.*

**NOTE:** Applicant is also authorized to conduct operations as a contract carrier in Permit 115708; therefore, dual operations may be involved. Common control may be involved.

**HEARING:** May 3, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lyle C. Farmer.

No. MC 125119, filed February 28, 1963. Applicant: BYRON SAWER, 7100 North Chipman, Henderson, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26, Mich. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, in bulk, in tank vehicles, (1) from Marion, Ohio, to points in Michigan, Oklahoma, Indiana, Illinois, Pennsylvania, Kansas, Alabama, and Missouri, (2) from ports of entry on the international boundary between the United States and Canada at or near Port Huron, Mich., to points in Michigan and points in Indiana on and north of U.S. Highway 24; (3) from ports of entry on the international boundary between the United States and Canada at or near Buffalo and Niagara Falls, N.Y., to points in New York, Pennsylvania, New Jersey, Massachusetts, and Vermont, and*

(4) from Wintergarden, Fla., to points in Alabama, Georgia, North Carolina, and South Carolina.

**NOTE:** Applicant states that the proposed service will be performed under continuing contracts with "Na-Churs" Plant Food Company and "Na-Churs" Plant Food Co. (Canada) Ltd.

**HEARING:** April 29, 1963, in the Detroit-Leland Hotel, Detroit, Mich., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 125127, filed February 27, 1963. Applicant: JALAMAR TRUCKING CORP., 375 Kent Avenue, Brooklyn, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Talking machines, from the plant site of Vanity Fair Electronics Corp., and its subsidiaries at Syosset, N.Y., to New York, N.Y., restricted to traffic having subsequent movement by other transportation.*

**HEARING:** May 3, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Samuel Horwich.

MOTOR CARRIERS OF PASSENGERS

No. MC 101134 (Sub-No. 7), filed November 25, 1962. Applicant: ARO COACHES, INC., 558 Belmont Avenue, Haledon, N.J. Applicant's attorney: Charles E. Starkey, 744 Broad Street, Newark 2, N.J. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, newspapers and mail in the same vehicle with passengers, between Elizabeth, N.J., and New York, N.Y., from the terminal of the Central Railroad of New Jersey in Elizabeth, over Union Street to junction West Jersey Street, thence over West Jersey Street to junction Broad Street, thence over Broad Street to junction Elizabeth Avenue, thence over Elizabeth Avenue to junction Fifth Street, thence over Fifth Street to junction South Fifth Street (also from junction Elizabeth Avenue and Fifth Street over Elizabeth Avenue to junction Third Street, thence over Third Street to junction Magnolia Avenue, thence over Magnolia Avenue to junction First Street, thence over First Street to junction Elizabeth Avenue, thence over Elizabeth Avenue to junction First Avenue, thence over First Avenue to junction Fifth Street, thence over Fifth Street to junction South Fifth Street), thence over South Fifth Street to junction Summer Street, thence over Summer Street to junction Arnett Street, thence over Arnett Street to junction Clarkson Avenue, thence over Clarkson Avenue to junction New Jersey Highway 28 (Bay Way), and thence over New Jersey Highway 28 to the New Jersey-New York State line, thence over city streets in the city of New York, and return over the same route, serving all intermediate points.*

**NOTE:** Applicant states the proposed extension of authority in this application would alter that part of the present authority now reading, "over New Jersey Highway 28 to the New Jersey-New York State line, thence over

city streets in the Borough of Richmond, and return over the same route" so as to read, "over New Jersey Highway 28 to the New Jersey-New York State line, thence over city streets in the city of New York, and return over the same route." Common control may be involved.

**HEARING:** April 29, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 3, or, if the Joint Board waives its right to participate before Examiner William J. O'Brien, Jr.

No. MC 124455 (Sub-No. 2), filed September 11, 1962. Applicant: GEORGE RABOW, INC., 129 Wadsworth Avenue, New York 33, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in limousines, (1) between the plant and office sites of American Cyanamid Company in New Jersey, and points in Rockland, Orange, Ulster, Greene, Albany, New York, Richmond, Rensselaer, Columbia, Dutchess, Putnam, Westchester, Bronx, Queens, Kings, and Nassau Counties, N.Y., and points in Fairfield and New Haven Counties, Conn., and (2) between points in Rockland, Orange, Ulster, Greene, Albany, New York, Richmond, Rensselaer, Columbia, Dutchess, Putnam, Westchester, Bronx, Queens, Kings and Nassau Counties, N.Y., and points in Fairfield and New Haven Counties, Conn.

**NOTE:** Applicant states the proposed operations will be under contract to American Cyanamid Co., Wayne, N.J.

**HEARING:** April 30, 1963, at 346 Broadway, New York City, N.Y., before Joint Board No. 305, or, if the Joint Board waives its right to participate before Examiner James I. Carr.

#### APPLICATIONS FOR BROKERAGE LICENSES MOTOR CARRIERS OF PASSENGERS

No. MC 12744 (Sub-No. 1), filed February 19, 1963. Applicant: CHRISTIAN H. SHENK AND HELEN E. R. SHENK, doing business as RIDGEWAY TOURS, 126 North Queens Street, Lancaster, Pa. Applicant's attorney: Robert H. Griswold, P.O. Box 432, Harrisburg, Pa. For a license (BMC 5) to engage in operations as a *broker* at Lancaster, Pa., in arranging for transportation by motor vehicle, in interstate or foreign commerce of *Passengers and their baggage*, both as individuals and in groups, in charter and special operations, between points in the United States, including Alaska and Hawaii.

**NOTE:** Applicant presently arranges transportation at Lancaster, Pa., of passengers and their baggage, on all-expense conducted tours, beginning and ending at Lancaster, Pa., and extending to points in the United States, including Alaska and Hawaii.

**HEARING:** May 1, 1963, at the Pennsylvania Public Utilities Commission, before Joint Board No. 65, or, if the Joint Board waives its right to participate before Examiner William A. Royall.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 35484 (Sub-No. 51), filed March 3, 1963. Applicant: VIKING

FREIGHT COMPANY, 614 South Sixth Street, St. Louis 2, Mo. Applicant's attorney: G. M. Rebman, Suite 1230, Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Ackerman, Miss., and junction of U.S. Highways 82 and 45, near Columbus, Miss., from Ackerman over Mississippi Highway 12 to junction Mississippi Highway 12 and U.S. Highway 82, thence over U.S. Highway 82 to junction of U.S. Highways 82 and 45, and return over the same route, serving Ackerman, and the junction of U.S. Highways 82 and 45, for joinder purposes only, as an alternate route for operating convenience only.

No. MC 35484 (Sub-No. 52), filed March 3, 1963. Applicant: VIKING FREIGHT COMPANY, a corporation, 614 South Sixth Street, St. Louis 2, Mo. Applicant's attorney: G. M. Rebman, Suite 1230, Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Lumber, veneer, and forest products*, from Collins, Miss., over U.S. Highway 49 to Jackson, Miss., serving Jackson for joinder purposes only, as an alternate route for operating convenience only.

No. MC 97246 (Sub-No. 2), filed March 10, 1963. Applicant: CONRAD TRUCKING COMPANY, INC., 1/4 Jackson Street, Binghamton, N.Y. Applicant's attorney: Norman M. Pinsky, 407 South Warren Street, Weller Building, Syracuse 2, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods, commodities in bulk, and those requiring special equipment), between Binghamton, N.Y., on the one hand, and, on the other, points in Delaware, Greene, Schoharie, and Ulster Counties, N.Y.

**NOTE:** Applicant states it "does not seek any duplicative authority herein." Common control may be involved.

No. MC 109637 (Sub-No. 230), filed March 12, 1963. Applicant: SOUTHERN TANK LINES INC., 4107 Bells Lane, Louisville 11, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flavoring compounds*, inedible, liquid, in bulk, in tank vehicles, from Cincinnati, Ohio, to Plainfield, Ill.

No. MC 113024 (Sub-No. 30), filed March 10, 1963. Applicant: ARLINGTON JOHN WILLIAMS, doing business as A. J. WILLIAMS, 152 Killoran Drive, New Castle, Del. Applicant's attorney: Samuel W. Earnshaw, 983 National Press Building, Washington 4, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid phosgene*, in shipper-owned specially constructed cylinders, on cradle semitrailers, from Elkton, Md., to Charleston and Moundsville, W. Va., and Muskegon, Mich., and

*empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity and *empty cylinders*, on return.

**NOTE:** Applicant states the proposed operation will be for the account of Delmar Chemical Company, Inc., Elkton, Md. Applicant conducts operations under MC 119448 as a contract carrier of passengers.

No. MC 124897 (Sub-No. 2), filed March 10, 1963. Applicant: STEPHEN DEGRACE, 1537 Mohawk Street, Utica, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Calves' stomachs or rennet*, from points in New York and East Fairfield and Swanton, Vt., to Utica, N.Y., for packing and forwarding beyond Utica via available common carriers.

**NOTE:** Applicant states the proposed service will be performed under a continuing contract with Paul Lewis Laboratories, Division of Chas. Pfizer & Co.

No. MC 124984, filed December 17, 1962. Applicant: EDWARD H. SAMMONS, 508 North Forest, Sandpoint, Idaho. Applicant's attorney: Donald A. Ericson, Old National Bank Building, Suite 708, Spokane, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Boundary, Bonner, and Kootenai Counties, Idaho, to points in Spokane County, Wash., and to points in Lincoln County, Mont.

No. MC 125124, filed February 25, 1963. Applicant: THOMAS E. BEAMON, 5417 Edgewater Drive, Toledo 11, Ohio. Applicant's attorney: Arthur R. Cline, 420 Security Building, Toledo 4, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, including sand, gravel, slag and crushed stone*, between the sites of Kuhlman Builders Supply and Brick Company yards at Toledo, Ohio, on the one hand, and, on the other, points in Monroe and Lenawee Counties, Mich.

**NOTE:** Applicant will be under contract with Kuhlman Builders Supply & Brick Company.

No. MC 125133, filed February 14, 1963. Applicant: BOBBY EDWARD STEVENS, P.O. Box 54, Lumpkin, Ga. Applicant's attorney: T. Baldwin Martin, 503 First National Bank Building, Macon, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron ore*, between points in Stewart, Quitman, Webster, and Randolph Counties, Ga.

**NOTE:** Applicant states the iron ore deposits are in the counties of Stewart, Quitman, Webster, and Randolph Counties, Ga. The cars in which this iron ore is shipped are on railroad sidings in the same counties and the applicant proposes to dump or transfer said iron ore from his trucks to said cars. Applicant will haul from the pit to a washer in the same counties and from the washer to the railroad sidings.

No. MC 125152, filed March 4, 1963. Applicant: CHARLES WILLIAM KOONTZ, R.F.D. 2, Union Bridge, Md. Applicant's representative: Donald E.



Freeman, 172 East Green Street, Westminster, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Men's suits and coats on hangers*, from Union Bridge, Md., to Allentown, and Philadelphia, Pa., and *returned clothing hangers, and cut suit and coat goods*, on return.

No. MC 125173, filed March 12, 1963. Applicant: JOSEPH J. KOSAR, 2814 Vermont Avenue, Baltimore 27, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pigeons*, in special trailers owned by the shipper, from Baltimore, Md., to points in Virginia, North Carolina, South Carolina, and Georgia.

MOTOR CARRIERS OF PASSENGERS

No. MC 59238 (Sub-No. 52), filed March 5, 1963. Applicant: VIRGINIA STAGE LINES, INCORPORATED, 114 Fourth Street SE., Charlottesville, Va. Applicant's attorney: Raymond H. Warns, Court Square Building, Charlottesville, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail and newspapers*, in the same vehicle with passengers, between Williamson, W. Va., and junction of West Virginia Highway 14, and U.S. Highways 52 and 119, from Williamson, over U.S. Highway 52 to its junction with West Virginia Highway 14, thence over West Virginia Highway 14 to its junction with U.S. Highways 52 and 119, and return over the same route, serving all immediate points.

NOTE: Applicant states it "proposes to tack the authority sought in this application with its existing authority in the involved area." It is further noted that common control may be involved.

No. MC 107583 (Sub-No. 18), filed February 25, 1963. Applicant: SALEM TRANSPORTATION CO., INC., doing business as ATLANTIC CITY TRIPS, 1222 Jerome Avenue, Bronx 52, N.Y. Applicant's attorney: George H. Rosen, 291 Broadway, New York 7, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in door-to-door service, limited to the transportation of not more than eleven (11) passengers in any one vehicle, not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, (1) between New York, N.Y., and Philadelphia, Pa., on the one hand, and, on the other, Atlantic City, N.J., (2) between Atlantic City, N.J., on the one hand, and on the other, Wilmington, Del., Baltimore, Md., and Washington, D.C., and (3) between Fort Dix, McGuire Air Force Base, Wrightstown, N.J., and points in the Townships of New Hanover, North Hanover, Chesterfield, Bordentown, Mansfield, Springfield, and Pemberton, in Burlington County, N.J., on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, Pa., and La Guardia Airport, Idlewild Interna-

tional Airport, Fort Hamilton, and Manhattan Beach Air Force Base, New York, N.Y.

NOTE: Common control may be involved.

No. MC 121412 (Sub-No. 2), filed March 5, 1963. Applicant: SUBURBAN LINES, INC., 75 East Maiden Street, Washington, Pa. Applicant's attorney: Ernest S. Burch, P.O. Box 361, Bergner Building, 6 North Third Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail and newspapers*, in the same vehicle with passengers, from Pittsburgh, Pa., to Wheeling, W. Va.; (1) beginning in the city of Pittsburgh, Allegheny County, thence over city streets to the borough of Dormont, thence on U.S. Highway 19 to the city of Washington, Washington County, thence over U.S. Highway 40 to the city of Wheeling, W. Va.; (2) beginning at the intersection of U.S. Highway 19 and North Highland Road in Washington Terrace, Allegheny County, thence on North Highland Road, Locust Lane, Mitchell Drive, DeArment Parkway, Patton Road, and North Highland Road to its intersection with U.S. Highway 19, and return over the same route, (3) beginning at the intersection of U.S. Highway 19 and Pennsylvania Legislative Route 02240 in the village of Clifton, Allegheny County, thence on Pennsylvania Legislative Route 02240, Bethel Road and McMurray Road to its intersection with U.S. Highway 19 at Donaldsons Crossroads, and return over the same route, (4) beginning at the intersection of U.S. Highway 19 and Comanche Road in Upper Saint Clair Township, Allegheny County, thence on Comanche Road and Bethel Road to its intersection with McMurray Road, and return over the same route, (5) beginning at the intersection of U.S. Highway 19 and Pennsylvania Route A.1206 at Donaldsons Crossroads, Washington County, thence on Pennsylvania Route A.1206 to its intersection with Pennsylvania Highway 519 in the village of Morganza; thence on Pennsylvania Highway 519 to the borough of Canonsburg, thence on Pennsylvania Legislative Route 802 through the borough of Houston to the village of Meadow Lands, thence on Pennsylvania Legislative Route 62094 and Pennsylvania Legislative Route 802 to the city of Washington, and return over the same route, (6) beginning at the intersection of Pennsylvania Legislative Routes 802 and 62189 in the village of Meadow Lands, Washington County, thence on Pennsylvania Legislative Routes 62189 and 62190 (Country Club Road) to its intersection with Pennsylvania Legislative Route 62094, and return over the same route, (7) beginning at the intersection of U.S. Highway 19 and Pennsylvania Legislative Route 62192 in Upper Strabane Township, Washington County, thence on Pennsylvania Legislative Route 62192 (Borland Manor Road) to its intersection with Pennsylvania Highway 519, and return over the same route, (8) beginning at the intersection of Pennsylvania Legislative Route 802 and Pennsylvania Highway 519 in the bor-

ough of Canonsburg, thence on Pennsylvania Highway 519 (Hill Church Road) to its intersection with U.S. Highway 19, and return over the same route, (9) beginning at the intersection of Pennsylvania Route A.1206 and Pennsylvania Highway 519 in the village of Morganza, Washington County, thence on Pennsylvania Legislative Route 519 to the borough of Bridgeville, Allegheny County, and return over the same route, with the right to render shuttle service and through service; and over the following extension between the borough of Bridgeville and the city of Pittsburgh, Allegheny County, (10) beginning on Pennsylvania Highway 28 (Pennsylvania Highway 519) in the borough of Bridgeville, thence on Pennsylvania Highway 28 through the boroughs of Heidelberg and Carnegie to the Penn-Lincoln Parkway (U.S. Highways 22 and 30), thence on Penn-Lincoln Parkway and various streets in the city of Pittsburgh through "Gateway Center" to the carrier's terminal, and return over the same routes, serving all intermediate points, with the right to render shuttle service and through service between points on said extension and points on the afore-described routes.

No. MC 125104 (Sub-No. 1), filed March 5, 1963. Applicant: UNITED ELASTIC CORPORATION, Stuart, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*, between Laurel Fork, Va., and United Elastic Corporation Plant located on North Carolina Highway 1422 a few hundred yards south of the Virginia-North Carolina State line, (1) from Laurel Fork over U.S. Highway 58 to Stuart, Va., thence over Virginia Highway 8 to junction Virginia Highway 103, thence over Virginia Highway 103 to junction Virginia Highway 663, thence over Virginia Highway 663 to junction Virginia Highway 774, thence over Virginia Highway 774 to the Virginia-North Carolina State line, thence over North Carolina Highway 1422 to the United Elastic Corporation Plant, and return over the same route, serving all intermediate points, and (2) from Laurel Fork over U.S. Highway 58 to Stuart, thence over Virginia Highway 8 to junction Virginia Highway 103, thence over Virginia Highway 103 to junction Virginia Highway 662, thence over Virginia Highway 662 to the Virginia-North Carolina State line, thence over North Carolina Highway 1432 to junction North Carolina Highway 1422, thence over North Carolina Highway 1422 to the United Elastic Corporation Plant, and return over the same route, serving all intermediate points.

NOTICE OF FILING OF PETITION

No. MC 1501 (Sub-No. 77) (PETITION FOR REVOCATION OF PORTION OF OPERATING AUTHORITY), dated February 22, 1963. Petitioner: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Petitioner's attorney: Robert J. Bernard (same address as petitioner). By the instant petition, petitioner requests that pursuant to section 212(a) of the Interstate Commerce Act, the

Commission revoke a portion of the authority now held by it in No. MC 1501 (Sub-No. 77), in the transportation of passengers and their baggage, "Between Dubuque, Iowa, and Davenport, Iowa, serving all intermediate points: From Dubuque over U.S. Highway 61 to Davenport and return over the same route." By application filed October 21, 1962, in No. MC 58522 (Sub-No. 7), River Trails Transit Lines, Inc., of Dubuque, Iowa, seeks a certificate of public convenience and necessity for the same service. Any person or persons opposed to the revocation of the above-quoted authority, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

**APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE**

No. MC 69275 (Sub-No. 35), filed March 18, 1963. Applicant: M & M TRANSPORTATION COMPANY, a corporation, 250 Mystic Avenue, Somerville, Mass. Applicant's attorney: Francis E. Barrett, Jr., 182 Forbes Building, Forbes Rd., Braintree 84, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points within Connecticut.

NOTE: Applicant states that "this application is a matter directly related to an application under section 5 of the Act, wherein M & M Transportation Company seeks to acquire the Certificate of Anderson Motor Lines, Inc."

No. MC 108676 (Sub-No. 7), filed March 7, 1963. Applicant: A. J. METTLER HAULING & RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville 17, Tenn. Applicant's attorney: Samuel W. Earnshaw, 983 National Press Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, the transportation of which, because of size or weight, requires the use of special equipment, and related*

*machinery parts and related contractors' materials and supplies*, when their transportation is by carriers of commodities which, by reason of size or weight, require special equipment, between Chattanooga, Tenn., and points within 175 miles thereof.

NOTE: This application is to be handled concurrently with MC-F 8356, published FEDERAL REGISTER, issue of February 13, 1963.

**APPLICATIONS UNDER SECTIONS 5 AND 210a(b)**

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

**MOTOR CARRIERS OF PROPERTY**

No. MC-F-8391. Authority sought for purchase by M & M TRANSPORTATION COMPANY, 250 Mystic Avenue, Somerville, Mass., of the operating rights of ANDERSON MOTOR LINES, INCORPORATED, 222 Front Avenue, West Haven, Conn., and for acquisition by HARRY MARKS, SIDNEY MARKS, WESLEY MARKS, and SIDNEY H. MALKIN, all of Somerville, Mass., of control of such rights through the purchase. Applicants' attorney: Francis E. Barrett, Jr., 182 Forbes Road, Braintree, Mass. Operating rights sought to be transferred: Form BMC-75 Statement, issued by the Connecticut Public Utilities Commission, No. C-1048, authorizing the transportation of general commodities within Connecticut, as more specifically described in Docket No. MC-97636. Vendee is authorized to operate as a *common carrier* in Massachusetts, Pennsylvania, Connecticut, New York, New Jersey, Rhode Island, and Maryland. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-69275 Sub 35 is a matter directly related.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc 63-3198; Filed, Mar. 26, 1963; 8:49 a.m.]

**DEPARTMENT OF JUSTICE**

Office of Alien Property

LEOPOLD MALEC ET AL.

**Notice of Intention To Return Vested Property**

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

**Claimant, Claim No., Property, and Location**

Leopold Malec, Zgliczewo-Panienskie, Zuzela, County of Ostrow-Mazowieckie, Poland. \$64.39 in the Treasury of the United States.

Konstanty Malec, Kielplieniec, Sterdyn, County of Sokolow-Podlaski, Poland. \$64.39 in the Treasury of the United States.

Wincenty Malec, Zgliczewo-Panienskie, Zuzela, County of Ostrow-Mazowieckie, Poland. \$64.40 in the Treasury of the United States.

Mrs. Anna Malec, Biale-Szczepanowice, Drewnowo-Golyn, County of Ostrow-Mazowieckie, Poland. \$16.10 in the Treasury of the United States.

Kazimierz Malec, No. 2 Plac Grunwaldski Street, Pasiek, Poland. \$8.05 in the Treasury of the United States.

Henryk Malec, Biale-Szczepanowice, Drewnowo-Golyn, County of Ostrow-Mazowieckie, Poland. \$8.05 in the Treasury of the United States.

Zofia Malec, Biale-Szczepanowice, Drewnowo-Golyn, County of Ostrow-Mazowieckie, Poland. \$8.05 in the Treasury of the United States.

Mrs. Jadwiga Zakrzewska, No. 4 Polnej Street Pasiek, Poland. \$8.05 in the Treasury of the United States.

Antoni Malec, No. 2 Lenartowicza, Apt. 26, Szczecin, Poland. \$8.05 in the Treasury of the United States.

Piotr Malec, Chorowic-Slaskim, Poland. \$8.05 in the Treasury of the United States. Claim No. 57135.

Executed at Washington, D.C. on March 19, 1963.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F.R. Doc. 63-3183; Filed, Mar. 26, 1963; 8:48 a.m.]

**CUMULATIVE CODIFICATION GUIDE—MARCH**

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