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Title 3—The President

PROCLAMATION 4341

Modifying Proclamation No. 3279 [1], Relating to Imports of Petroleum and Petroleum Products, and Providing for the Long-Term Control of Imports of Petroleum and Petroleum Products Through a System of License Fees

By the President of the United States of America

A Proclamation

WHEREAS the Director of the Office of Civil and Defense Mobilization found pursuant to Section 2 of the Act of July 1, 1954, as amended (19 U.S.C. 1352a), "that crude oil and the principal crude oil derivatives and products are being imported in such quantities and under such circumstances as to threaten to impair the national security;" and

WHEREAS, Proclamation No. 3279 as well as modifications thereof, including Proclamation No. 4210 which suspended tariffs on imports of petroleum and petroleum products and established a system of license fees for such imports, was issued pursuant to this finding; and

WHEREAS, although conditions in world oil markets have changed significantly in recent years, the above finding continues to be valid at the present time; and

WHEREAS, the Administrator of the Federal Energy Administration who maintains constant surveillance of imports of petroleum and its primary derivatives in respect to the national security, and who has reviewed the current status of imports under Proclamation No. 3279, as amended, has recommended that the method of adjusting imports of crude oil and the principal crude oil derivatives and products be modified; and

WHEREAS, I agree with this recommendation; and

WHEREAS, pursuant to Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), the Secretary of the Treasury having made an appropriate investigation to determine the effects on the national security of imports of crude oil and the principal crude oil derivatives and products and having considered the matters required by him to be considered by the Trade Expansion Act of 1962, as amended,

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[1] 24 FR 1781, 3 CFR, 1959–1963 Comp., p. 11.

has reported the findings of his investigation and has advised me that crude oil, the principal crude oil derivatives and products, and related products derived from natural gas and coal tar, are being imported in such quantities and under such circumstances as to threaten to impair the national security and has recommended that I take action to reduce such imports; and

WHEREAS, having considered the matters required by me to be considered by the Trade Expansion Act of 1962, as amended, I agree with the said advice; and

WHEREAS, I find and declare that adjustments must be made in imports of crude oil, the principal crude oil derivatives and products, and related products, so that such imports will not so threaten to impair the national security; and

WHEREAS, I judge it necessary and consistent with the national security to further discourage importation into the United States of petroleum, petroleum products, and related products, in such quantities or under such circumstances as to threaten to impair the national security; to create conditions favorable to domestic crude oil production needed for projected national security requirements; and to increase the capacity of domestic refineries and petrochemical plants to meet such requirements; and to encourage the development of other sources of energy; and

WHEREAS, in order to achieve the above objectives, I determine that a supplemental fee should be imposed on all imports of petroleum and petroleum products, and that certain other changes in the existing license fee system be made; and

WHEREAS, I have instructed the Administrator of the Federal Energy Administration to evaluate the structure and scope of coverage of those aspects of the existing Mandatory Oil Import Program which are not changed by this Proclamation, and to report to me within three months with his recommendations;

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the laws of the United States, including Section 232 of the Trade Expansion Act of 1962, as amended, do hereby proclaim that, effective as of February 1, 1975, a new system of oil import fees is instituted, and accordingly, Proclamation No. 3279, as amended, is hereby further amended as follows:

SECTION 1. Subparagraph (1) of paragraph (a) of section 3 is amended to read as follows:

"SEC. 3(a)(1). Effective February 1, 1975, the Administrator shall issue allocations and licenses subject to fees, on imports of crude oil, unfinished oils, and finished products. Such licenses shall require, among other appropriate provisions, that:

"(i) With respect to imports of crude oil and natural gas products, over and above the levels of imports established in Section 2 of this Proclamation, such fees shall be $0.21 per barrel;

"(ii) With respect to imports of motor gasoline, unfinished oils, and all other finished products (except ethane, propane, butanes, and asphalt), over and above the levels of imports established in Section 2 of this Proclamation, such fees shall be $0.63 per barrel;

"(iii) With respect to imports of crude oil, natural gas products, unfinished oils, and all other finished products (except ethane, propane, butanes, and asphalt) entered into the customs territory of the United States on or after February 1, 1975, there shall be a supplemental fee per barrel, of $1.00, rising to $2.00 on imports entered on or after March 1, 1975, and to $3.00 on imports entered on or after April 1, 1975;

"(iv) With respect to the fees imposed pursuant to paragraphs 3(a)(1)(i)–(iii), the amount of such fees shall be reduced, on a monthly basis, by an amount equal to any applicable duties paid less any drawbacks received during the same period, except that where duty drawbacks exceed the duty paid during that period, the net differences shall be applied to subsequent periods;

"(v) With respect to all licenses issued prior to the effective date of this Proclamation, such licenses shall be subject to paragraph 3(a)(1)(iii), regardless of whether such licenses were issued as a result of payment of fees or an allocation not subject to fee;

"(vi) With respect to licenses issued prior to the effective date of this Proclamation, not subject to the license fee prescribed in paragraph 3(a)(1)(i)–(ii) or licenses issued by prepayment of such fees, payment of the fees prescribed in paragraph 3(a)(1)(iii) shall be made no later than the last day of the month following the month in which such imports were released from customs custody or entered or withdrawn from warehouse for consumption, whichever occurs first. With respect to licenses subject to the fees prescribed in paragraph 3(a)(1)(i)–(ii) but issued against a surety bond, payment of the fees prescribed in paragraph 3(a)(1)(iii) shall be made simultaneously with payment of the fees prescribed in paragraph 3(a)(1)(i)–(ii). Notwithstanding the provisions of paragraph (b) of Section 3, surety bonds need not be increased to cover the additional fee liability on licenses issued prior to the effective date of this Proclamation;

"(vii) With respect to licenses issued on or after February 1, 1975, for imports entered into the customs territory of the United States prior to April 1, 1975, an amount of fees under paragraph 3(a)(1)(iii) equal to those due on April 1, 1975, shall be payable, subject to refund of the difference between the amount of the fee applicable at the time the imports are entered and the amount already paid;

"(viii) With respect to licenses issued pursuant to paragraph 3(a)(1)(iii) for imports other than (A) crude oil as defined for purposes of the Old Oil Allocation Program which is imported for refining or (B) products refined in a refinery outside of the customs territory as to which crude oil runs to stills would qualify a refiner to receive entitlements under the Old Oil Allocation Program, the Administrator may by regulation reduce the fee payable by the following amounts, or by such other amounts as he may determine to be necessary to achieve the objectives of this Proclamation and the Emergency Petroleum Allocation Act of 1973:

"—For imports entered into the United States customs territory during the month of February, 1975, $1.00 per barrel;

"—For imports entered during the month of March, 1975, $1.40 per barrel;

"—For imports entered during the month of April, 1975, and thereafter, $1.80 per barrel.

"(ix) With respect to licenses issued pursuant to paragraph 3(a)(1)(i)–(iii), the Administrator:

"(A) With respect to imports of crude oil, to the extent that such imports are refined into products or incorporated into petrochemicals exported from the United States and its territories and possessions, shall refund any fee collected; *provided*, that the Administrator may limit the quantity of exports to which refunds under this provision may be applicable;

"(B) With respect to unfinished oils, may, by regulation, provide for refunds to the extent that such unfinished oils are refined into products or incorporated into petrochemicals which are exported from the United States and its territories and possessions; and

"(C) With respect to petrochemicals, shall specify, by regulation, those petrochemicals which qualify an importer for a refund under this subparagraph."

SEC. 2. In addition to the foregoing amendments, which in themselves are intended to achieve the objectives of this Proclamation, the following additional and conforming amendments are made to Proclamation No. 3279, as amended:

(a) Paragraph (c) of Section 1 is amended to read as follows:

"(c) In Districts I–IV, District V, and in Puerto Rico, no department, establishment, or agency of the United States shall without prior payment of the fees provided for in Section 3(a)(1)(i)–(ii) of this Proclamation, import finished products in excess of the respective allocations made to them by the Administrator. Such allocations shall, except as otherwise provided in this Proclamation, be within the maximum levels of imports established in Section 2 of this Proclamation. No such department, establishment, or agency shall be exempt from the fees provided in Section 3(a)(1)(iii)."

(b) Section 2 is amended in the following respects:

(1) The first sentence of paragraph (a) of section 2 preceding subparagraph (1) is amended to read as follows:

"SEC. 2(a). Except as otherwise provided in this Proclamation, the maximum level of imports, from sources other than Canada and Mexico which may be made without prior payment of the fees provided in Section 3(a)(1)(i)–(ii) of this Proclamation, of crude oil, unfinished oils, and finished products (other than residual fuel oil to be used as fuel) shall be:"

(2) Subparagraphs (1), (2), (5) and (6) of paragraph (a) of section 2 are amended by deleting the word "calendar" wherever it appears.

(3) Paragraph (c) of section 2 is deleted, and paragraph (d) is redesignated as paragraph (c).

(4) Subparagraph (1) of paragraph (d) of section 2 preceding the portion of subparagraph (1) designated (i) is amended to read as follows:

"(c)(1) Except as otherwise provided in this Proclamation, the maximum levels of imports from Canada of crude oil and unfinished oils to which license fees under section 3(a)(1) (i)–(ii) are not applicable shall be:"

(5) Subparagraph (1) of paragraph (d) of section 2 is amended in the portions designated (i) and (ii) by deleting the word "calendar" wherever it appears.

(6) Paragraph (e) of section 2 is redesignated as paragraph (d), and is amended by deleting the word "calendar."

(7) Paragraph (f) of section 2 is redesignated as paragraph (e).

(c) Section 3 is amended in the following additional respects:

(1) Subparagraph (2) of paragraph (a) of section 3 is amended in its proviso to read as follows:

"Provided, that such rate shall apply also in cases where the holder of the license establishes to the satisfaction of the Administrator that he made a good faith attempt to arrange shipment by vessel under United States registry and that no such vessel was available at reasonble rates for the purpose at the time this shipment was made."

(2) Subparagraph (3) of paragraph (a) of section 3 is amended to read as follows:

"(3) The Administrator is authorized to refund or reduce fees, whether in whole or in part, (i) for payment to the importer of record, on a monthly basis, of sums equal to the sums collected by way of duties, by the United States Customs Service, less any applicable drawback pursuant to paragraph 3(a)(1)(iv); (ii) for payment to the importer of record of the sums required to be refunded by paragraphs 3(a)(1)(vii) and (viii); (iii) where the licensee failed to use, wholly or in part, the license issued to him; (iv) where refunds of license fees, whether in whole or in part, are ordered by the Oil Import Appeals Board; (v) where refund of a license fee, whether in whole or in part, is called for by reason of a person having exported finished products or petrochemicals; (vi) where crude oil imported by virtue of a license for which a fee was paid has been manufactured into asphalt; (vii) where refund of a license fee is called for by reason of the same having been improperly charged."

(3) Paragraph (b) of section 3 is amended to read as follows:

"(b) Applications for allocations and licenses for imports subject to fee under this section shall be accompanied by the applicant's certified check, or a cashier's check, payable to the order of the Treasurer of the United States in the amount chargeable pursuant to this section, or by a bond with a surety on the list of acceptable sureties on Federal bonds maintained by the Bureau of Government Financial Operations, Department of the Treasury, in a sum not less than the amount chargeable pursuant to this section, conditioned upon payment of such amount to the order of the Treasurer of the United States, by the last day of the month following the month in which such imports were released from customs custody or entered or withdrawn from warehouse, whichever occurs first, or within such other period as the Administrator shall specify. In the event that such bond is terminated or the face value of the bond

is reduced below the outstanding liability of licenses issued pursuant to the bond, the Administrator shall immediately revoke all licenses issued pursuant to the bond. Except as to a department, establishment or agency of the United States, applications not accompanied by a certified check, cashier's check, or bond in the amount required shall not be considered. Payment of fees by or for the account of a department, establishment, or agency of the United States shall be accomplished by transfers, as appropriate, from appropriation accounts available to such department, establishment, or agency, to the suspense account provided by subparagraph (1) of paragraph (c) of this section."

(4) Subparagraph (1) of paragraph (c) of section 3 is amended to read as follows:

"(c)(1) All monies received by the Administrator under the terms of paragraph (b) of this section shall be held by the Administrator in a suspense account and may be drawn upon by the Administrator for the payment of refundable license fees. Balances remaining in such suspense account and not required to be reserved for payments hereinabove provided shall be deposited at the end of each fiscal year in the Treasury of the United States and credited to miscellaneous receipts."

(5) Subparagraph (2) of paragraph (c) of section 3 is redesignated as subparagraph (3) and a new subparagraph (2) is added to paragraph (c) to read as follows:

"(2) Any importer, paying fees pursuant to this section, shall, with respect to each such payment, receive the refunds authorized by subparagraph (1)(iv) of paragraph (a) of this section by submitting to the Administrator, simultaneously with or subsequent to the payment of license fees, such evidence of tariff payment as the Administrator shall specify. Said importer shall also certify the amount of drawback received during the same period for which a refund is requested."

(d) Section 4 is amended in the following respects:

(1) Subparagraphs (1), (2), and (4) of paragraph (b) of section 4 are amended by inserting the phrase "under section 3(a)(1)(i)–(ii)" after the words "license fees" wherever such words shall appear.

(2) Subparagraph (5) of paragraph (b) of section 4 is amended in the first sentence by inserting the phrase "under section 3(a)(1)(i)–(ii)" after the words "license fees", and in the third and fourth sentences by inserting the words "to which fees under section 3(a)(1)(i)–(ii) shall not be applicable" after the word "allocations", wherever such word shall appear.

(4) Paragraph (c) of section 4 is amended by adding, at the end of said paragraph, the following sentence:

"In exercising this authority the Administrator will consult with the Secretaries of State, Treasury, and Defense, as appropriate."

(5) Paragraph (d) of section 4 is deleted.

(e) Section 5 is amended in the following respects:

(1) Paragraph (a) of section 5 is amended by deleting the last sentence.

(2) Paragraph (b) of section 5 is amended in clause (1) of the first sentence by deleting the words "on applications for allocations of imports

under such regulations," and by inserting the words "under implementing regulations," in the last sentence by deleting the word "fee" and inserting the words "from the fees established in section 3(a)(i)–(ii)", and by adding a new sentence after the last sentence to read as follows: "Any allocations granted by the Board, however, shall be subject to payment of the fees established in section 3(a)(1)(iii)."

(f) Section 10 is redesignated as section 7 and is amended to read as follows:

"SEC. 7. The Administrator shall provide policy direction, coordination, and surveillance of the mandatory oil import program, and shall, from time to time, in consultation with the Secretaries of State and the Treasury and other federal agencies as appropriate, review the status of imports of petroleum and its primary derivatives in respect to the national security. In this connection, he shall inform the President of any circumstances which might indicate the need for further Presidential action under Section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862), as amended."

(g) Section 11 is redesignated as section 8 and is amended by adding after the words "fee" or "fees", wherever they shall appear, the phrase "under section 3(a)(1)(i)–(ii)", and by deleting the proviso.

(h) Section 12 is redesignated as section 9, and is amended by substituting a comma for the period, and by adding the words "except that all such allocations shall be subject to the payment of fees prescribed by section 3(a)(1)(iii) of this Proclamation."

(i) Section 13 is redesignated as section 10.

(j) Section 14 is deleted.

(k) Section 15 is redesignated as section 11 and is amended by adding, after the last paragraph, the following paragraphs:

"(m) The term 'Administrator' means the Administrator of the Federal Energy Administration, or his delegate.

"(n) The term 'Old Oil Allocation Program' means the program adopted pursuant to the Emergency Petroleum Allocation Act of 1973 for Allocation of Old Oil, 39 F.R. 42246 (December 4, 1974), 10 C.F.R. 211.67."

(l) Section 16 is redesignated as section 12, and is amended to read as follows:

"SECTION 12. Effective with respect to articles entered, or withdrawn from warehouse for consumption on or after February 1, 1975, tariffs upon imports of petroleum products listed in schedule 4, part 10—"Petroleum, natural gas, and products derived therefrom"—of the Tariff Schedules of the United States shall be and are reinstated."

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of January, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred and ninety-ninth.

Gerald R. Ford

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rules and regulations

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

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PART 204—RESERVES OF MEMBER BANKS

Reserve Percentages

The Board of Governors has amended Regulation D (12 CFR Part 204) to modify the reserve balances that member banks are required to maintain against demand deposits. The amendments approved by the Board reduce by one-half of 1 percentage point reserves required on all categories of net demand deposits up to $400 million. The reduction on reserves of deposits of more than $400 million will be 1 percentage point. These amendments are designed to permit further gradual improvement in bank liquidity and to facilitate moderate growth in the monetary aggregates. The effect of these amendments will be to release approximately $1.1 billion in reserve balances.

This action was taken pursuant to the Board's authority under section 19 of the Federal Reserve Act (12 U.S.C. 461) to set reserve ratios for member banks. The amendments to Regulation D are effective on deposits outstanding in the week beginning January 30, 1975, and affect reserves held by member banks in the week beginning February 13, 1975. There was no notice or public participation with respect to this amendment since such procedures would result in delay that would be contrary to the public interest and serve no useful purpose. The effective date was deferred for less than the 30-day period referred to in section 553(d) of Title 5, United States Code, because the Board found that the public interest compelled it to make the action effective no later than the date adopted (see § 262.2(e) of the Board's Rules of Procedure).

Effective January 30, 1975, § 204.5(a) (1)(iii) and (2)(iii) of Regulation D are amended to read as follows:

§ 204.5 Reserve requirements.

(a) * * *

(1) * * *

(iii) (a) 7½ percent of its net demand deposits if its aggregate net demand deposits are $2 million or less, (b) $150,000 plus 10 percent of its net demand deposits in excess of $2 million if its aggregate net demand deposits are in excess of $2 million but less than $10 million, (c) $950,000 plus 12 percent of its net demand deposits in excess of $10 million if its aggregate net demand deposits are in excess of $10 million but less than $100 million, or (d) $11,750,000 plus 13 percent of its net demand deposits in excess of $100 million.

(2) * * *

(iii) $50,750,000 plus 16½ percent of its net demand deposits in excess of $400 million.

* * * * *

By order of the Board of Governors, January 20, 1975.

[SEAL] THEODORE E. ALLISON, *Secretary of the Board.*

[FR Doc.75-2296 Filed 1-24-75;8:45 am]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 75-43]

PART 524—OPERATIONS OF THE BANKS

Lease of Federal Home Loan Bank Quarters

JANUARY 15, 1975.

The following summary of the amendment adopted by this Resolution is provided for the reader's convenience and is subject to the full explanation in the following preamble.

I. *Existing regulation.* Requires prior approval of the Federal Home Loan Bank Board for a Bank or the Fiscal Agent of the Banks to enter into any contract for the lease of Bank quarters.

II. *Amended regulation.* Removes the requirement for prior approval of contracts for the lease of quarters for a period of 10 years or less.

III. *Effect of proposed amendment.* Eliminates the necessity for the Board to review proposed short term (10 years or less) lease contracts for Bank quarters.

The Federal Home Loan Bank Board considers it desirable to amend the regulations for the Federal Home Loan Bank System by revoking § 524.1 (12 CFR 524.1). Section 524.1 requires Board approval prior to entering into any contract for the lease of Bank quarters, as follows:

Neither a Bank nor the Fiscal Agent of the Banks shall enter into any contract for the lease of quarters until such proposed contract shall have been approved by the Board.

The Board desires to revoke the above provisions to eliminate the burden of Board review for short-term lease contracts for Bank quarters. If this is accomplished, the principal effect would be to enable Banks or the Fiscal Agent of the Banks (whose functions are now performed by the Office of Finance pursuant to § 522.81) to enter into any contract for the lease of Bank quarters having a term of 10 years or less, without prior Board approval. Section 12 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1432), would continue to require Board approval of any lease of quarters having a term of more than 10 years.

§ 524.1 [Revoked]

Accordingly, the Board hereby revokes § 524.1 of the regulations for the Federal Home Loan Bank System, effective January 27, 1975.

Since the amendment relieves restrictions, notice and public procedure are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and, for the same reason, publication of such amendment for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of the amendment is unnecessary.

(Sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437). Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR., *Assistant Secretary.*

[FR Doc.75-2357 Filed 1-24-75;8:45 am]

[No. 74-1353]

PART 545—OPERATIONS

PART 555—BOARD RULINGS

Changing Interest Rates on Passbook Accounts

DECEMBER 19, 1974.

The following summary of the amendments adopted by this Resolution is provided for the reader's convenience and is subject to the full explanation in the following preamble and to specific provisions of the regulations.

I. *Existing regulations.* Federal "deposit-type" associations may not change the interest rate fixed for passbook accounts during a distribution period.

II. *Amended regulations.* Federal "deposit-type" associations may increase the interest rate on passbook accounts during a distribution period.

III. *Reason for change.* To provide additional flexibility to Federal associations in connection with passbook accounts.

The Federal Home Loan Bank Board considers it desirable to amend § 545.1-1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.1-1) and to revoke § 555.8(e) thereof (12 CFR 555.8(e)) in order to permit

Federal associations to increase the rate of return announced for a distribution period for regular (passbook) accounts as described below.

New paragraph (h) of § 545.1–1 provides that during any distribution period a Federal association, pursuant to a resolution of its board of directors, may increase the rate of return anounced for such period for regular accounts. Federal deposit-type associations (i.e., Federal associations which have adopted the charter provision in § 545.1–3(a)) may have monthly, quarterly or semiannual distribution periods and have been required to fix a rate of return for such period for regular accounts during the month preceding such period. New § 545.1–1(h) permits Federal associations (both deposit-type and share-type, i.e., a nondeposit association) to increase the announced rate of return during the distribution period. Further, new § 545.1–1 (h) permits such increased rate of return to be paid for all or any portion of such distribution period.

For example, if a Federal association having a quarterly distribution period for its regular accounts announces the rate of return for the first calendar quarter at 5 percent, new § 545.1–1(h) would allow the association to increase that rate to 5¼ percent in February. The higher rate could be made applicable to all or any portion of the 3 month period.

New § 545.1–1(h) provides that an increased rate of return shall not exceed the applicable maximum rate of return for regular accounts in the Board's rate control regulations (12 CFR Part 526). Also, new § 545.1–1(h) reflects the contractual nature of the deposit relationship between a deposit association and its savings account holders by providing that a deposit association shall not reduce the rate of return announced for a distribution period for regular accounts, except to conform with the rate control provisions of § 526.2(b).

In connection with adding new § 545.1–1(h), the Board also revokes § 555.8(e), a Board Ruling that Federal asociations were not allowed to pay different rates on the same class of account during a single distribution period.

Accordingly, the Board hereby amends § 545.1–1 by adding a new paragraph (h) at the end thereof to read as set forth below, and amends § 555.8 by revoking paragraph (e) thereof, effective January 27, 1975.

Since the above amendments relieve restrictions, the Board hereby finds that notice and public procedure with respect to said amendments are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b), and since publication of said amendments for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of said amendments would, in the opinion of the Board, likewise be unnecessary for the same reason, the Board hereby provides that said amendments shall become effective as hereinbefore set forth.

1. Paragraph (h) is added to § 545.1–1 to read as follows:

§ 545.1–1 Distribution of earnings on bases, terms, and conditions other than those provided by charter.

* * * * *

(h) *Change of rate of return.* During any distribution period a Federal association, pursuant to a resolution of its board of directors, may increase the rate of return announced for such period for regular accounts issued pursuant to this Part. Any such increased rate of return may be paid for all or any portion of such distribution period. Such increased rate of return shall not exceed the applicable maximum rate of return prescribed in Part 526 of this chapter for regular accounts. During a distribution period, a Federal association which has adopted the charter provision referred to in § 545.1–3(a) (a deposit association) shall not reduce the rate of return announced for such period for regular accounts unless a reduction in rate during such period is required in order to conform with the limitations on rate of return prescribed in Part 526. As used in this paragraph (h) the terms "announced" and "regular account" shall have the same meanings as in § 526.1 of this chapter.

§ 555.8 [Amended]

2. Paragraph (e) of § 555.8 is revoked, effective January 27, 1975.

(Sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.75–2356 Filed 1–24–75;8:45 am]

Title 16—Commercial Practices

[Docket No. C–2558]

PART 13—PROHIBITED TRADE PRACTICES

Hercules, Inc.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.20 *Comparative data or merits;* § 13.135 *Nature of product or service;* § 13.170 *Qualities or properties of product or service;* § 13.170–46 Insecticidal or repellent; § 13.195 *Safety;* 13.195–60 Product; § 13.205 *Scientific or other relevant facts.* Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements;* 13.533–20 Disclosures. Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 *Comparative data or merits;* § 13.1685 *Nature;* § 13.1710 *Qualities or properties;* § 17.1740 *Scientific or other relevant facts.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1870 *Nature;* § 13.1890 *Safety;* § 13.1895 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Hercules, Incorporated, Wilmington, Del., Docket C–2558, Oct. 4, 1974]

In the Matter of Hercules Incorporated, a Corporation

Consent order requiring a Wilmington, Del., formulator and distributor of manufacturing grade insecticides, among other things to cease claiming that its agricultural insecticides are absolutely safe to use or absolutely safe to man or the environment. Further, respondent must place in all promotional material expressing or implying safety claims about agricultural insecticides, a statement reminding users that all pesticides are harmful if misused, and that they should only be used as directed.

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

I. *It is ordered,* That respondent, Hercules Incorporated, a corporation, its successors and assigns and respondent's officers, representatives, agents, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, or sale or distribution of any insecticide product with precautionary labeling which contains any active insecticidal ingredient(s) presently marketed by respondent or currently being field tested by respondent and which is intended for use by custom applicators and commercial growers to protect animals or food, forage, field or fiber crops by virtue of the capacity of its active ingredient(s) to kill insects (sometimes referred to hereinafter as "such products"), do forthwith cease and desist from:

A. Representing, directly or by implication, by print or broadcast advertising, by other promotional material, or by sales representatives' oral statements, that such products are absolutely or unqualifiedly safe, non-toxic or free of hazard for any use registered under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (hereinafter FIFRA) or any other approved use based upon evidence filed in connection with registration under FIFRA.

B. Representing, directly or by implication, by print or broadcast advertising or by other promotional material, that such products are qualifiedly safe, nontoxic or free of hazard for any use registered under FIFRA or any other approved use based upon evidence filed in connection with registration under FIFRA; *provided however,* That factual statements about such products regarding any use registered under FIFRA, any other approved use based upon evidence filed under FIFRA, the level of hazard or toxicity to products or species treated in accordance with such use(s) or residues resulting from such use(s) shall not be prohibited if:

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

(1) Respondent prominently and in close conjunction thereto, includes a statement (except in broadcast advertisements not more than 30 seconds in length) denoting the existence of any specific caution or category thereof, other than directions for use (e.g., "Do not apply within 7 days of harvest"), which (a) appears on respondent's label or labeling for such products; or, (b) in the absence of relevant cautions on respondent's product labels or labeling, regarding such factual statements, are identified by the Environmental Protection Agency in its "EPA Compendium of Registered Pesticides" or any published supplement thereto; including but not limited to limitations on application due to regional or climatic variations; restrictions on subsequent use of treated crops, animals, or lands; and limitations due to consequent injury of specific species, e.g., crop(s), animal(s), fish, bird(s), or beneficial insect(s); where such specific caution is relevant and material and without notice of which said factual statements would be untrue or misleading; and

(2) At the time of such representations, 1) such statements do not differ in substance from claims accepted in connection with registration under FIFRA, or 2) in the case of other statements not currently rejected as unsubstantiated in connection with registration under FIFRA, such other statements are substantiated by competent scientific tests or other objective materials which provide a reasonable basis for the representation(s) made, and the substantiation materials are either (i) available for public inspection or (ii) otherwise available to the FTC to determine compliance with this Order; and

(3) Such factual statements do not use the word "safe," or any form thereof.

C. Representing, directly or by implication, by print or broadcast advertising or by other promotional material, that such products are relatively or comparatively safe, less toxic or freer of hazard, for any use registered under FIFRA, or any other approved use based upon evidence filed in connection with registration under FIFRA; *Provided however,* That comparative factual statements about such products regarding any use registered under FIFRA, any other approved use based upon evidence filed under FIFRA, the level of hazard or toxicity to products or species treated in accordance with such use(s), or residues resulting from such use(s) shall not be prohibited if:

(1) Such factual statements compare the promoted insecticide with a specifically identifiable insecticide product, product form, or product group; and

(2) Respondent prominently and in close conjunction thereto, includes a statement (except in broadcast advertisements not more than 30 seconds in length) denoting the existence of any specific caution or category thereof, other than directions for use (e.g., "Do not apply within 7 days of harvest"), which (a) appears on respondent's label or labeling for such products, or, (b) in the absence of relevant cautions on respondent's product labels or labeling, regarding such factual statements, are identified by the Environmental Protection Agency in its "EPA Compendium of Registered Pesticides" or any published supplement thereto; including but not limited to limitations on application due to regional or climatic variations; restrictions on subsequent use of treated crops, animals, or lands; and limitations due to consequent injury of specific species, e.g., crop(s), animal(s), fish, bird(s), or beneficial insect(s), where such specific caution is relevant and material and without notice of which said factual statements would be untrue or misleading; and

(3) At the time of such representations, 1) such statements do not differ in substance from claims accepted in connection with registration under FIFRA, or 2) in the case of other statements not currently rejected as unsubstantiated in connection with registration under FIFRA, such other statements are substantiated by competent scientific tests or other objective materials which provide a reasonable basis for the representation(s) made, and the substantiation materials are either (i) available for public inspection or (ii) otherwise available to the FTC to determine compliance with this Order; and

(4) Such factual statements do not use the word "safe," or any form thereof.

II. With respect to representations not covered by the provisions of Section I of this Order, *it is ordered,* That Hercules Incorporated, a corporation, its successors and assigns and respondent's officers, representatives, agents, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, or sale or distribution of such products, do forthwith cease and desist from:

A. Representing, directly or by implication, by print or broadcast advertising, by other promotional material, or by sales representatives' oral statements, that such products are absolutely safe, non-toxic or free of hazard to human beings, warm-blooded animals, birds, fish, beneficial insects, or the environment.

B. Representing, directly or by implication, by print or broadcast advertising or by other promotional material, that such products are qualifiedly safe, nontoxic or free of hazard to human beings, warm-blooded animals, birds, fish, beneficial insects, or the environment, *Provided however,* That factual statements which (i) describe physical, chemical, biological or toxicological characteristics of the promoted insecticide, or (ii) discuss the aforesaid characteristics and their effects on the environment, human beings, warm-blooded animals, fish, birds, or beneficial insects shall not be prohibited if:

(1) The label or labeling for such product(s) contains no relevant and required general or specific warning or caution regarding such characteristics or any effect caused by such characteristics; provided nothing in this subsection shall prohibit:

(a) The dissemination of instructions for the proper use of such product(s), or

(b) Factual statements which reproduce or discuss the substance of or reason(s) for any statement, warning or caution or direction for use found on the label or labeling of the promoted product(s) and are consistent with such statements, warnings, cautions, or directions for use, and

(2) Such factual statements are true and not misleading under normal circumstances and conditions under which the product could be expected to be used, *Provided further,* if circumstances and conditions of normal use exist in which said factual statements are untrue or misleading, respondent must describe, prominently and in close conjunction with said factual statements, specific circumstances and conditions for use in which said factual statements are true and not misleading; and

(3) At the time of such representations, 1) such statements do not differ in substance from claims accepted in connection with registration under FIFRA, or 2) in the case of other statements not currently rejected as unsubstantiated in connection with registration under FIFRA, such other statements are substantiated by competent scientific tests or other objective materials which provide a reasonable basis for the representation(s) made, and the substantiation materials are either (i) available for public inspection or (ii) otherwise available to the FTC to determine compliance with this Order; and

(4) Respondent discloses, prominently and in close conjunction with any such factual statements concerning human safety (except in broadcast advertisements not more than 30 seconds in length), any toxicological characteristics relating to human safety which are relevant and material and without the disclosure of which said factual statements would be untrue or misleading; and

(5) Respondent discloses, prominently and in close conjunction with any other such factual statements (except in broadcast advertisements not more than 30 seconds in length), any hazardous collateral effects which are relevant and material and without the disclosure of which said factual statements would be untrue or misleading; and

(6) Such factual statements do not use the word "safe," or any form thereof.

C. Representing, directly or by implication, by print or broadcast advertising or by other promotional material, that such products are relatively or comparatively more safe, less toxic or freer of hazard to human beings, warm-blooded animals, birds, fish, beneficial insects, or the environment than any other insecticide product(s); *Provided however,* That comparative factual statements which (i) describe physical, chemical, biological or toxicological characteristics of the promoted insecticide or (ii) discuss the aforesaid characteristics and

their effect on the environment, human beings, warm-blooded animals, fish, birds, or beneficial insects shall not be prohibited if:

(1) Such factual statements compare the promoted insecticide with a specifically identifiable insecticide product, product form, or product group; and

(2) Such factual statements are true and not misleading under normal circumstances and conditions under which the product could be expected to be used, *Provided further*, if circumstances and conditions of normal use exist in which said factual statements are untrue or misleading, respondent must describe, prominently and in close conjunction with said factual statements, specific circumstances and conditions of use in which said factual statements are true and not misleading; and

(3) At the time of such representations, 1) such statements do not differ in substance from claims accepted in connection with registration under FIFRA, or 2) in the case of other statements not currently rejected as unsubstantiated in connection with registration under FIFRA, such other statements are substantiated by competent scientific tests or other objective materials which provide a reasonable basis for the representation(s) made, and the substantiation materials are either (i) available for public inspection or (ii) otherwise available to the FTC to determine compliance with this Order; and

(4) Respondent discloses, prominently and in close conjunction with any such factual statements concerning human safety (except in broadcast advertisements no more than 30 seconds in length), any toxicological characteristics relating to human safety in regard to which the promoted product is the more toxic and which are relevant and material and without the disclosure which said factual statements would be untrue or misleading; and

(5) Respondent discloses, prominently and in close conjunction with any other such factual statement (except in broadcast advertisements not more than 30 seconds in length), any hazardous collateral effects in regard to which the promoted product is more hazardous and which are relevant and material and without the disclosure of which said factual statements would be untrue or misleading; and

(6) Such factual statements do not use the word "safe," or any form thereof.

D. Representing, directly or by implication, by print or broadcast advertising or other promotional material, that Toxaphene insecticide, or any product containing Toxaphene insecticide:

(1) Is "soft," or

(2) Is "non-persistent," "non-mobile" and/or will "not magnify biologically"; *Provided however*, That the use of such terms shall not be prohibited if:

(a) Accompanied by statements, which clearly and conspicously and in close conjunction with such terms, fully and accurately explain such terms and the specific context within which such terms are used, and that context reflects a normal circumstance or condition in which the product could be expected to be used; and

(b) Accompanied by statements which set forth all relevant and material adverse effects on the environment known to result from the uses of such product which are suggested by the claims for the product; and

(c) Statements concerning such terms are substantiated by competent scientific tests or other objective material which provide a reasonable basis for the representations made, and the substantiation materials are either (i) available for public inspection, or (ii) otherwise available to the Federal Trade Commission to determine compliance with this Order; and

(d) Statements concerning such terms include no conclusory representations, either directly or indirectly or by implication, suggesting that the product is unqualifiedly safe, non-toxic or free of hazard.

III. *It is further ordered*, That respondent, Hercules Incorporated, a corporation, its successors and assigns and respondent's officers, representatives, agents, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, or sale or distribution of such products do forthwith cease and desist from making any representations, directly or by implication, orally or in writing, or omitting any representations, concerning any such product, which contradict, are inconsistent with, or detract from the effectiveness of any warning, caution or direction for use required to be set forth on the label or labeling of such product. If the representations, directly or by implication, made by respondent, or the omission of representations by respondent, are in accord with the provisions of Sections I, II and IV of this Order, they shall be considered as being in compliance with this Section of the Order.

IV. *It is further ordered*, That respondent, Hercules Incorporated, a corporation, its successors and assigns and respondent's officers, representatives, agents, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, or sale or distribution of such products do forthwith cease and desist from disseminating or causing the dissemination of:

A. Any print advertising or print promotional material which contains claims covered by Sections I or II for any such product unless it clearly and conspicuously includes in such print advertisement or print promotional material the following statement:

STOP: ALL PESTICIDES CAN BE HARMFUL TO HEALTH AND THE ENVIRONMENT IF MISUSED. READ THE LABEL CAREFULLY AND USE ONLY AS DIRECTED.

B. Any broadcast advertisement more than 30 seconds in length for any such product which contains claims covered by Sections I or II unless it clearly and conspicuously includes the following statement:

ALL PESTICIDES CAN BE HARMFUL TO HEALTH AND THE ENVIRONMENT IF MISUSED. READ THE LABEL CAREFULLY AND USE ONLY AS DIRECTED.

C. Any broadcast advertisement not more than 30 seconds in length for any such product which contains claims covered by Sections I or II unless it clearly and conspicuously includes the following statement:

ALL PESTICIDES CAN BE HARMFUL. READ THE LABEL. USE AS DIRECTED.

Provided, That in television advertisements no more than 10 seconds in length which contain no direct representations concerning product safety, the requirements of the term "clearly and conspicuously" shall in all cases be met by including the above statement in the video portion of the advertisement.

V. *It is further ordered*, That the provisions of this Order shall apply to all advertising (or advertising claims) prepared by respondent, whether or not such advertising is placed or paid for by respondent alone, or by respondent in conjunction with another under a cooperative advertising plan, or otherwise; *Provided, however*, That Sections I, II, III, and IV of this Order shall not apply to any advertising prepared by the customers of respondent, whether or not respondent makes payment in whole or in part for such advertising under any cooperative advertising plan, or otherwise. Nothing in this Section V shall be construed to extend any provision of this Order beyond the specific terms thereof.

Respondent shall, nevertheless, condition all future payments to customers of insecticide products covered by this Order, made in connection with any cooperative advertising plan in which respondent participates, upon said customers' certification to respondent that they have complied with the standards set forth in Section IV of this Order.

VI. Nothing in this Order shall be construed to apply to scientific articles published in recognized scientific or agricultural journals or government publications, or reprints thereof, or representations (other than print advertising or other promotional material) before public or governmental forums such as public hearings, scientific meetings, or to governmental agencies, agents, or employees responsible for the regulation or dissemination of information concerning insecticide products covered by this Order.

VII. *It is further ordered*, That nothing in this Order shall prohibit the dissemination of product labels (as defined by Section 2(p)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended), or reproductions thereof.

VIII. *It is further ordered*, That this Order shall become effective as to broadcast and print advertisements and other promotional material upon service and as to oral representations by sales representatives two months thereafter, except that Sections I.B., I.C., II.B., II.C. AND

III of this Order shall become effective at such time as and to the extent that a Trade Regulation Rule covering the advertising and promotion of products subject to this Order, and containing terms at least as onerous as this Order, becomes final and effective. *Provided*, That at all times subsequent to the date this Order is served, claims which would be governed by Sections I.B., I.C., II.B., or II.C., if said sections were in effect, shall be deemed to be "claims covered by Sections I or II" for purposes of Section IV of this Order.

IX. *It is further ordered*, That should the Federal Trade Commission promulgate a Trade Regulation Rule or Industry Guide governing the advertising or promotion of products subject to this Order, then any pertinent less comprehensive or less restrictive provisions of such Rule or Guide shall automatically replace any comparable provisions set forth herein which are effective on the date that such Rule or Guide becomes effective.

X. *It is further ordered*, That the respondent forthwith distribute a copy of this Order to each of its operating divisions engaged in the manufacture, sale, advertising, promotion or distribution of products subject to this Order, and to all present and future employees of respondent responsible for the advertising, promotion, distribution or sale of such products, and to all parties participating in respondent's cooperative advertising programs for such products.

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

XII. *It is further ordered*, That respondent corporation shall, within sixty (60) days after service upon it of this Order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this Order, except that such report shall in the case of Sections I.B., I.C., II.B., II.C. and III be filed within sixty (60) days after their becoming effective against respondent corporation.

The Decision and Order was issued by the Commission, October 4, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2318 Filed 1-24-75;8:45 am]

[Docket No. C-2562]

PART 13—PROHIBITED TRADE PRACTICES

McCollum Ford Sales, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.20 *Comparative data or merits;* § 13.205 *Scientific or other relevant facts.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 *Comparative data or merits;* § 13.1740 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, McCollum Ford Sales, Inc., et al. Spokane, Wash., Docket C-2562, Oct. 7, 1974.]

In the Matter of McCollum Ford Sales, Inc., a Corporation, and H. D. Richardson and Robert D. Sackmaster, Individually and as Officers of Said Corporation

Consent order requiring a Spokane, Wash., seller, lessor and distributor of new and used automobiles and automotive accessories, among other things to cease making any claims as to the fuel consumption or economy of operation or ownership of any vehicle without a reasonable basis for such claim consisting of tests or surveys using statistically valid methodology and having such results available at places of retail sales in a language understandable to the average consumer.

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

I. *It is ordered*, That respondents McCollum Ford Sales, Inc., a corporation, its successors and assigns, and its officers, and H. D. Richardson and Robert D. Sackmaster, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale or lease, sale, lease, or distribution of motor vehicles, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from making any representation, directly or by implication, as to the fuel consumption or economy of operation or ownership of any vehicle or type of vehicle, unless:

A. The representation reflects the average consumer's customary or usual driving experience with the vehicles referred to;

B. At the time the representation is made, respondents:

1. Have a reasonable basis for such representation, consisting of tests or surveys using statistically valid methodology, and

2. Have made available to the general public, at the point of retail sale, copies of a brief but comprehensive statement of the results and methodology of such tests or surveys, in terms understandable to the average consumer;

C. In immediate conjunction with the representation, respondents clearly and conspicuously disclose:

1. The year, make, and model of each vehicle or type of vehicle referred to or used as a basis of comparison, and

2. Where and how the test or survey results and methodology may be obtained; and

D. Respondents retain copies of all sales promotional materials which contain such representations, including newspaper advertisements and radio and television scripts, for a period of three years after use of such materials; and retain for a like period all records made pursuant to this order.

II. *It is further ordered*, That the corporate respondent shall forthwith distribute a copy of this order to each of its officers, agents, representatives or employees who are engaged in the preparation or placement of advertisements.

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

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

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

The Decision and Order was issued by the Commission, October 7, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2319 Filed 1-24-75;8:45 am]

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

[Docket No. C-2555]

PART 13—PROHIBITED TRADE PRACTICES

Miami Menstogs, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods;* 13.30-75 Textile Fiber Products Identification Act; § 13.73 *Formal regulatory and statutory requirements;* 13.73-90 Textile Fiber Products Identification Act. Subpart—Failing to maintain records: § 13.1051 *Failing to maintain records;* 13.1051-30 Formal regulatory and/or statutory requirements. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely;* 13.1108-80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* 13.1185-80 Textile Fiber Products Identification Act; § 13.1212 *Formal regulatory and statutory requirements* 13.1212-80 Textile Fiber Products Identification Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1590 *Composition;* 13.1590-70 Textile Fiber Products Identification Act; § 13.1623 *Formal regulatory and statutory requirements;* 13.1623-80 Textile Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material

disclosure: § 13.1845 *Composition;* 13.1845—70 Textile Fiber Products Identification Act: § 13.1852 *Formal regulatory and statutory requirements;* 13.1852–70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Miami Menstogs, Inc., et al., Hialeah, Fla., Docket C–2555, Oct. 3, 1974]

In the Matter of Miami Menstogs, Inc., a Corporation, and Henry Young, Individually and as an Officer of Said Corporation

Consent order requiring a Hialeah, Fla., manufacturer of men's sport shirts, among other things to cease misbranding its textile fiber products and failing to maintain required records.

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

* * * *

It is ordered, That respondents Miami Menstogs, Inc., a corporation, its successors and assigns, and Henry Young, individually and as an officer of said corporation and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, after shipment in commerce of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

2. Failing to affix a stamp, tag, label or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by Section 4(b) of the Textile Fiber Products Identification Act.

3. Failing to separately set forth the required information as to fiber content in such a manner as to show the fiber content of the separate sections of textile fiber products containing two or more sections which are of different fiber composition where such form of marking is necessary to avoid deception as required by Rule 25(b) of the Rules and Regulations promulgated under authority of the Textile Fiber Products Identification Act.

4. Setting forth information required under Section 4(a) of the Textile Fiber Products Identification Act and Rule 5 (a) promulgated thereunder in abbreviated form on labels affixed to textile products.

B. Failing to maintain and preserve proper records of fiber content of textile fiber products manufactured by respondents as required by Section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the Rules and Regulations promulgated thereunder.

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

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

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

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

The Decision and Order was issued by the Commission, October 3, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75–2320 Filed 1–24–75;8:45 am]

[Docket No. C–2571]

PART 13—PROHIBITED TRADE PRACTICES

Northwest Marine Industries, Inc.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.180 *Quantity.* Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements;* 13.533–45 Maintain records; 13.533–45(k) Records, in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Northwest Marine Industries, Inc., Seattle, Wash., Docket C–2571, Oct. 8, 1974]

In the Matter of Northwest Marine Industries, Inc., a Corporation

Consent order requiring a Seattle, Wash., trade association promoting the interests of member firms in the marine industry, including manufacturers and distributors of boats, marine engines, marine accessories, etc., among other things to cease misrepresenting the availability of fuel for recreational boating without substantiating material providing a reasonable basis for such claims.

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

It is ordered, That respondent Northwest Marine Industries, Inc., its successors and assigns, officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, promotion, offering for sale, sale or distribution of marine equipment, including but not limited to power boats, boat trailers, marine engines, marine hardware and accessories, etc. in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing orally, in writing, visually or otherwise, directly or by implication, that any general or specific quantity of fuel for recreational boating is, or will be, available, unless at the time of such representation, said respondent has a reasonable basis for such representation which shall consist of quantitative data based on a statistically valid sample, or competent scientific or economic data or other appropriate substantiating material.

It is further ordered, That respondent shall, at all times subsequent to the effective date of this order, maintain complete records relative to the manner and form of its compliance with this order during the immediately preceding two-year period. Such records shall include all advertising, promotional literature, the basis for all application advertising claims, correspondence with persons who formulate or place advertising, and other pertinent documents, and shall be made available for inspection and photocopying by authorized representatives of the Federal Trade Commission upon reasonable notice at respondent's place of business or other properly designated location.

It is further ordered, That respondent shall forthwith distribute a copy of this order to each operating division, to all present and future personnel of respondent engaged in the preparation, creation or placing of advertising, and to all present and future agencies engaged in the preparation, creation or placing of advertising on behalf of respondent; and that respondent secure from each such person and agency a signed statement acknowledging receipt of said order.

It is further ordered, That respondent notify the Commission at least thirty days prior to any proposed change in the corporate respondent such as dissolution, assignment or the creation or dissolution of subsidiaries, or any other change in the corporation which may

[1] Copies of the Complaint and decision and order filed with the original document.

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

affect compliance obligations arising out of the order.

It is further ordered, That the respondent shall, within sixty days after service upon it of this order, file with the Commission a written report setting forth in detail the manner and form of its compliance with this order.

Decision and order issued by the Commission Oct. 8, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2321 Filed 1-24-75;8:45 am]

[Docket No. 8899]

PART 13—PROHIBITED TRADE PRACTICES

Sterling Drug, Inc., et al.

Subpart—Advertising Falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.135 *Nature of product or service;* § 13.170 *Qualities or properties of product or service;* 13.170-10 Antiseptic, germicidal; 13.170-52 Medicinal, therapeutic, healthful, etc.; 13.170-70 Preventive or protective; § 13.205 *Scientific or other relevant facts.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1685 *Nature;* § 13.1710 *Qualities or properties;* § 13.1740 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Sterling Drug, Inc., et al., New York, N.Y., Docket 8899, Oct. 1, 1974]

In the Matter of Sterling Drug, Inc., a Corporation, and SSC&B, Inc., a Corporation

Consent order requiring a New York City manufacturer of household disinfectants and its New York City advertising agency, among other things to cease making disease-prevention claims for its Lysol Brand products or any other household disinfectants.

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

I. *It is ordered,* That respondents Sterling Drug, a corporation, and SSC&B Inc., a corporation, their successors and assigns and their officers, agents, representatives and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, offering for sale, sale or distribution of Lysol Brand Products or any household disinfectant product, shall forthwith cease and desist from representing, directly or by implication, that:

A. Environmental surfaces play a significant role in the transmission of viruses or bacteria associated with influenza, colds, or streptococcal throat infection;

B. Use of any household disinfectant product will be of medical benefit in reducing the incidence or preventing the spread of influenza, colds, or streptococcal throat infection;

C. Use of any household disinfectant product kills airborne viruses or bacteria associated with influenza, colds, streptococcal throat infection, or other upper respiratory disease. *Provided,* That nothing in this subparagraph shall be construed to otherwise restrain demonstrations of aerosol products as room deodorizers or air fresheners;

D. Use of any household disinfectant product kills germs associated with disease(s), unless such representation expressly mentions the name(s) of the disease(s); the representation is true; and respondent(s) making such representation has(have) competent and reliable scientific evidence that such use reduces the incidence or prevents the spread of the named disease(s); or

E. Use of any household disinfectant product kills viruses or bacteria associated with influenza, colds, streptococcal infection, staphylococcal infection, or other upper respiratory diseases unless the advertisement is which such representation appears clearly and conspicuously discloses that there is no evidence that the product portrayed will protect the family against flu or strep throat, *Provided,* That nothing in this subparagraph shall be construed to apply to a representation that Lysol Brand Disinfectants kill bacteria which cause streptococcal or staphylococcal skin infections.

II. *It is further ordered,* That nothing herein contained shall be construed to require any alteration of, or deletion from, the labeling of any of Sterling's household disinfectant products of legends, claims or information heretofore specifically accepted by the Environmental Protection Agency or its predecessor agency pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended 7 U.S.C. section 135 et seq.

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

It is further ordered, That respondents forthwith distribute a copy of this order to each of its operating divisions or subsidiaries involved in the advertising, promotion, distribution or sale of Lysol Brand Disinfectants.

It is further ordered, That each respondent shall, within sixty (60) days and at the end of six (6) months after the effective date of this order, file with the Commission a report, in writing, signed by respondents, setting forth in detail the manner and form of its compliance with this order.

The Decision and Order was issued by the Commission, October 1, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2322 Filed 1-24-75;8:45 am]

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

[Docket No. C-2560]

PART 13—PROHIBITED TRADE PRACTICES

Timothy, Lynn, Daniel, Inc., et al.

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

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; 15 U.S.C. 45, 1601-1605) [Cease and desist order, Timothy, Lynn, Daniel, Inc., et al., Houston, Tex., Docket C-2560, Oct. 7, 1974]

In the Matter of Timothy, Lynn, Daniel, Inc., a Corporation, Trading and Doing Business as Laufman's and Timothy Gallagher Individually and as an Officer of Said Corporation

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

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

It is ordered, That respondents Timothy, Lynn, Daniel, Inc., a corporation, trading and doing business as Laufman's, or under any other name or names, its successors and assigns, and its officers, and Timothy Gallagher, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate, subsidiary, division or other device in connection with any extension of consumer credit as "consumer credit" is defined in Regulation Z (12 CFR Part 226) of the Truth in Lending Act (Pub. L. 90-321, 12 U.S.C. 1601 et seq.), do forthwith cease and desist from:

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

2. Failing to disclose the term "finance charge" more conspicuously than other required terminology, as required by § 226.6(a) of Regulation Z.

3. Failing to disclose the term "annual percentage rate" more conspicuously than other required terminology as required by § 226.6(a) of Regulation Z.

4. Failing to disclose the outstanding balance in the account at the beginning

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

of the billing cycle, using the term "previous balance", as required by § 226.7 (b) (1) of Regulation Z.

5. Failing to employ the term "payments" to describe the amounts credited to the account during the billing cycle for payments, as required by § 226.7(b) (3) of Regulation Z.

6. Failing to disclose the amount of any finance charge, using the term "finance charge", debited to the account during the billing cycle, as required by § 226.7(b) (4) of Regulation Z.

7. Failing to disclose each periodic rate, using the term "periodic rate" (or "rates") that may be used to compute the finance charge (whether or not applied during the billing cycle), as required by § 226.7(b) (5) of Regulation Z.

8. When a finance charge is imposed during the billing cycle, failing to disclose the annual percentage rate or rates determined under § 226.5(a) of Regulation Z using the term "annual percentage rate" (or "rates"), as required by § 226.7(b) (6) of Regulation Z.

9. Failing to disclose the balance on which the finance charge was computed, and the statement of how that balance was determined, as required by § 226.7 (b) (8) of Regulation Z.

10. Failing to disclose the term "new balance" to describe the outstanding balance in the account on the closing date of the billing cycle, as required by § 226.7(b) (9) of Regulation Z.

11. Failing to employ a statement accompanying the term "new balance" indicating the date by which, or the period, if any, within which payment must be made to avoid additional finance charges, as required by § 226.7(b) (9) of Regulation Z.

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

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

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

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

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

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

The Decision and Order was issued by the Commisison, October 7, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2323 Filed 1-24-75;8:45 am]

[Docket C-2563]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Camp Chevrolet, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.20 *Comparative data or merits;* § 13.205 *Scientific or other relevant facts.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 *Comparative data or merits;* § 13.1740 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45.) [Cease and desist order, Camp Chevrolet, Inc., et al., Spokane, Wash., Docket C-2563, Oct. 7, 1974]

In the Matter of Camp Chevrolet, Inc., a Corporation, and Jerry W. Camp, Individually and as an Officer of Said Corporation

Consent order requiring a Spokane, Wash., seller, lessor and distributor of new and used automobiles and automotive accessories, among other things, to cease making any claims as to the fuel consumption or economy of operation or ownership of any vehicle without a reasonable basis for such claim consisting of tests or surveys using statistically valid methodology and having such results available at places of retail sales in a language understandable to the average consumer.

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

I. *It is ordered* That respondents Camp Chevrolet, Inc., a corporation, its successors and assigns, and its officers, and Jerry W. Camp, individually and as an officer of said corporation, and respondent's agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, offering for sale or lease, sale, lease, or distribution of motor vehicles, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from making any representation, directly, or by implication, as to the fuel consumption or economy of operation or ownership of any vehicle or type of vehicle, unless:

A. The representation reflects the average consumer's customary or usual driving experience with the vehicles referred to;

B. At the time the representation is made, respondents:

1. have a reasonable basis for such representation, consisting of tests or surveys using statistically valid methodology, and

2. have made available to the general public, at the point of retail sale, copies of a brief but comprehensive statement of the results and methodology of such tests or surveys, in terms understandable to the average consumer;

C. In immediate conjunction with the representation, respondents clearly and conspicuously disclose:

1. the year, make, and model of each vehicle or type of vehicle referred to or used as a basis of comparison, and

2. where and how the test or survey results and methodology may be obtained; and

D. Respondents retain copies of all sales promotional materials which contain such representations, including newspaper advertisements and radio and television scripts, for a period of three years after use of such materials; and retain for a like period all records made pursuant to this order.

II. *It is further ordered* That the corporate respondent shall forthwith distribute a copy of this order to each of its officers, agents, representatives or employees who are engaged in the preparation or placement of advertisements.

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

IV. *It is further ordered* That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment, and of his affiliation with a new business or employment, in the event of such discontinuance or affiliation. Such notice shall include his current business address and a statement as to the nature of the business or employment in which he is engaged, as well as a description of his duties and responsibilities.

V. *It is further ordered* That the respondents herein shall within sixty 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.

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

The Decision and Order was issued by the Commission, October 7, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2314 Filed 1-24-75;8:45 am]

[Docket No. C-2561]

PART 13—PROHIBITED TRADE PRACTICES

Commercial Automotive Service, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.20 *Comparative data or merits;* § 13.205 *Scientific or other relevant facts.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 *Comparative data or merits;* § 13.1740 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Commercial Automotive Service, Inc., et al. Seattle, Wash., Docket C-2561, Oct. 7, 1974]

In the Matter of Commercial Automotive Service, Inc., a corporation doing business as Frank Hawkins Buick Co., and S. M. Rood, individually and as an officer of said corporation

Consent order requiring a Seattle, Wash., seller, lessor and distributor of new and used automobiles, automotive accessories and household appliances, among other things to cease making any claims as to the lifespan, maintenance costs, or fuel consumption of any vehicle without a competent and reliable basis, in the form of tests or surveys, substantiating such claims.

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

I. *It is ordered,* That respondents Commercial Automative Service, Inc., a corporation doing business as Frank Hawkins Buick Co., or under any other name, its successors and assigns, and its officers, and S. M. Rood, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale or lease, sale, lease, or distribution of motor vehicles, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from making any representation, in writing, orally, visually, or in any other manner, directly or by implication, which refers to the lifespan, maintenance cost, or fuel consumption of any vehicle or type of vehicle, unless:

A. The representation reflects the average consumer's customary or usual driving experience with the vehicles referred to;

B. At the time the representation is made, respondents:

1. Have a reasonable basis for such representation, consisting of competent and reliable tests or surveys which substantiate the representation, and

2. Have made available to the general public, at the point of retail sale, copies of a brief but comprehensive statement of the results and methodology of such tests or surveys, in terms understandable to the average consumer;

C. In immediate conjunction with the representation, respondents clearly and conspicuously disclose:

1. Where and how the test or survey results and methodology may be obtained.

2. The year, make, and model of each vehicle or type of vehicle referred to or used as a basis of comparison, and

3. If any lifespan representation is made, exactly how the term "life," or any similar term, is defined; and

D. Respondents retain copies of all sales promotional materials which contain such representations, including newspaper advertisements and radio and television scripts, for a period of three years after use of such materials; and retain for a like period all records made pursuant to this order.

II. *It is further ordered,* That the corporate respondent shall forthwith distribute a copy of this order to each of its officers, agents, representatives or employees who are engaged in the preparation or placement of advertisements.

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

IV. *It is further ordered,* That the individual respondent named herein promptly notify the Commission if he discontinues his present business or employment and affiliates with another business or employment engaged in the sale, lease or distribution of motor vehicles. Such notice shall include respondent's current business address and a statement the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

V. *It is further ordered,* That respondents shall, within sixty days after service upon them of this order, file with the Commission a written report setting forth in detail the manner and form of their compliance with this order.

The Decision and Order was issued by the Commission, October 7, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2315 Filed 1-24-75;8:45 am]

[1] Copies of the Complaint & decision and order filed with the original document.

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket Nos. R-240; Order 280(a)]

PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT

Applications by Pipeline Companies; Clarifying Order and Amendment

JANUARY 20, 1975.

On November 27, 1963, the Commission issued Order No. 274 to implement Executive Order 11095 of February 26, 1963 [28 FR 1859, February 29, 1963] regarding national emergency plans and preparedness programs in the natural gas and electric power industries by amending, among other sections, § 157.22 of the regulations under the Natural Gas Act.

On March 31, 1964, the Commission issued order No. 280 which also amended § 157.22 of the regulations in order to include sales in the coverage. In so doing, the last sentence of § 157.22(a) was inadvertently left off. This error has caused latter parts of the section to be ambiguous.

We are, therefore, amending this section to return it to the form intended by Orders No. 274 and No. 280.

The Commission finds:

(1) The notice public procedure and effective date provisions of 5 U.S.C. 553 do not apply with respect to the amendment here adopted.

(2) In view of the purpose, intent and effect of the amendment herein ordered, good cause exists for making it effective upon issuance of this order.

(3) The revision as herein adopted is necessary and appropriate for the administration of the Federal Power Act, the Natural Gas Act, Executive Order 11095, and Commission Orders 274 and 280.

The Commission:

Acting pursuant to the authority granted by the Natural Gas Act, is amended, particularly sections 7, 15, and 16 thereof (52 Stat. 824, 829, 830; 56 Stat. 84; 76 Stat. 72; 15 U.S.C. 7170, 717d, 717f, 7170) orders:

(A) Paragraph (a) §157.22 of the Commission's regulations under the Natural Gas Act, Subchapter E, Chapter I of Title 18 of the Code of Federal Regulations, is revised to read as follows:

§ 157.22 Exemption of temporary acts and operation.

(a) Public interest does not require the issuance of a certificate for the construction and operation of facilities or the sale of natural gas necessary to assure maintenance of adequate natural gas service where interruption or serious curtailment of service exists or is threatened because of failure of facilities or failure or curtailment of supply or

unusual and unexpected demand on such facilities or supply, and where such acts and operations are limited to a single period of not more than sixty days or in the event a national emergency has been declared by the President, for six months or such further period as the Commission may, by order, allow.

* * * * *

(Secs. 4, 5, 15, 52 Stat. 822, 823, 829; 56 Stat. 83, 84, 76 Stat. 72 (15 U.S.C. 717C, 717d, 717n))

(B) These amendments shall be effective upon issuance of this order.

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

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-2286 Filed 1-24-75;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER H—RIGHT-OF-WAY AND ENVIRONMENT

PART 712—THE ACQUISITION FUNCTION

Policy

This will amend the regulations of the Federal Highway Administration by revising § 712.103(r) of 23 CFR Part 712, Subpart A. Subpart A was published in the FEDERAL REGISTER on August 16, 1974 (39 FR 29590). Section 712.103(r) is amended to conform the regulations to a legislative amendment contained in section 112 of the Federal-Aid Highway Amendments of 1974 which amended section 323, "Donations", of Title 23 of the United States Code. This regulation codifies a similar revision made to paragraph 4(r) of Federal Highway Program Manual (FHPM) Volume 7, Chapter 2, Section 1.

The purpose of the revision is to permit the acceptance of donations of property without the necessity of making a formal appraisal of property and tender of an offer as long as an owner has been fully informed of his right to receive just compensation for his property. Prior to the amendment of the statute on donations, the law and the regulations had required appraisal and the tender of an offer even though the land was to be donated.

Section 712.103(r) is hereby revised to read as follows:

§ 712.103 Policies.

* * * * *

(r) *Donations.* Nothing in this regulation shall be construed to prevent a person whose real property is being acquired for a federally aided highway project from making a gift or donation of such property, or any part thereof, or of any of the compensation paid therefor, after such person has been fully informed of his right to receive just compensation for the acquisition of his property.

This revision will take effect immediately.

Issued on: January 20, 1975.

NORBERT T. TIEMANN, *Federal Highway Administrator.*

[FR Doc.75-2326 Filed 1-24-75;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Correction

Part 1910 of Title 29 of the Code of Federal Regulations was republished in its entirety on June 27, 1974 (39 FR 23502), in order to incorporate all changes made in the occupational safety and health standards up to June 3, 1974, and thereby to improve their usefulness and facilitate their enforcement.

When the standards were republished, Table H-12 of § 1910.106(d)(2)(iii) was inadvertently omitted. The purpose of this amendment is to correct the error of omission in the text of the standard.

Since the correction makes no change in the standards, it is not necessary to provide notice of proposed rulemaking, opportunity for public participation therein, nor any delay in the effective date under either section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 or 5 U.S.C. 553.

Accordingly, pursuant to authority in sections 6 and 8(g) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593, 1600; 29 U.S.C. 655, 657), in Secretary of Labor's Order No. 12-71 (36 FR 8754), and in 29 CFR Part 1911, Part 1910 of Title 29 of the Code of Federal Regulations is hereby amended by adding, in § 1910.106(d)(2)(iii), Table H-12 as follows:

TABLE H-12.—*Maximum allowable size of containers and portable tanks*

Container type	Flammable liquids			Combustible liquids	
	Class IA	Class IB	Class IC	Class II	Class III
Glass or approved plastic	1 pt	1 qt	1 gal	1 gal	1 gal.
Metal (other than DOT drums)	1 gal	5 gal	5 gal	5 gal	5 gal.
Safety cans	2 gal	5 gal	5 gal	5 gal	5 gal.
Metal drums (DOT specifications)	60 gal	60 gal	60 gal	60 gal	60 gal.
Approved portable tanks	660 gal	660 gal	660 gal	660 gal	660 gal.

NOTE.—Container exemptions: (a) Medicines, beverages, foodstuffs, cosmetics, and other common consumer items, when packaged according to commonly accepted practices, shall be exempt from the requirements of § 1910.106(c)(2)(i) and (ii).

This amendment is effective January 27, 1975.

(Secs. 6, 8, Pub. L. 91-596, 84 Stat. 1596, 1600 (29 U.S.C. 655, 657), Secretary of Labor's Order No. 12-71 (36 FR 8754), 29 CFR Part 1911)

Signed at Washington, D.C., this 21st day of January, 1975.

JOHN STENDER, *Assistant Secretary of Labor.*

[FR Doc.75-2361 Filed 1-24-75;8:45 am]

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Mechanical Power Presses; Corrections

In FR Doc. 74-28092, beginning at 39 FR 41841 in the issue dated Tuesday, December 3, 1974, there were a number of typographical errors. Accordingly, FR Doc. 74-28092 is corrected as follows:

1. On page 41845, column 1, second full paragraph, eighth line, in the preamble by changing "disclosure" to "die closure."

2. On page 41845, column 2, fourth line, in the preamble by changing "fromula" to "formula."

3. On page 41845, column 3, first full paragraph, fifth line, in the preamble by changing "operator's" to "operators'."

4. On page 41846, column 1, second line, in the preamble by inserting the word "Development" after the word "Standards."

5. On page 41846, column 2, first full paragraph, fourth line, in the preamble by changing "Safeaty" to "Safety."

§ 1910.217 [Amended]

6. In § 1910.217(b)(14)(ii) (page 41846, column 3, fourth full paragraph, first line), by replacing the word "which" with the words "such that it."

7. In § 1910.217(c)(3)(viii)(*a*) (page 41847, column 3, fifth full paragraph, sixth line), by changing "operators" to "operators' controls."

Signed at Washington, D.C., this 13th day of January, 1975.

JOHN STENDER, *Assistant Secretary of Labor.*

[FR Doc.75-2358 Filed 1-24-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-452]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24(a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	
Arizona	Coconino	Flagstaff, city of	Jan. 15, 1975. Emergency	June 28, 1974		
California	San Bernardino	Colton, city of	do	June 7, 1974		
Do	Imperial	Imperial, city of	do	Feb. 1, 1974		
Florida	Broward	Deerfield Beach, city of	Jan. 6, 1975. Suspension. Withdrawn.	Nov. 10, 1972		
Maine	Hancock	Ellsworth, city of	Jan. 15, 1975. Emergency	July 19, 1974		
Michigan	Chippewa	Sault Ste. Marie, city of	do	June 28, 1974		
Montana	Missoula	Unincorporated areas	do	Aug. 30, 1974		
New York	Steuben	Cohocton, village of	do	Oct. 18, 1974		
Do	Orange	Warwick, village of	do	Mar. 29, 1974		
Do	Cortland	Homer, town of	do	Sept. 20, 1974		
Ohio	Hancock	Findlay, city of	do	Jan. 23, 1974		
Oregon	Malheur	Vale, city of	do	Nov. 30, 1973		
Do	Harney	Unincorporated areas	do			
Do	Morrow	Lexington, town of	do	Sept. 6, 1974		
Pennsylvania	Washington	West Brownsville, borough of.	Jan. 6, 1975. Suspension. Withdrawn.	Apr. 27, 1973		
Do	Beaver	Franklin, township of	Jan. 15, 1975. Emergency	June 28, 1974		
Tennessee	Tipton	Covington, town of	do	Jan. 23, 1974		
Texas	Johnson	Cleburne, city of	Jan. 6, 1975. Suspension withdrawn.	July 13, 1972		
Do	Galveston	Galveston, city of	do	May 26, 1970 and May 8, 1971		
Washington	Yakima	Sunnyside, city of	Jan. 15, 1975. Emergency	Aug. 2, 1974		
West Virginia	Logan	Unincorporated areas	Jan. 6, 1975. Suspension withdrawn.	Apr. 8, 1972		
Do	do	Logan, city of	do	July 16, 1971		

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

Issued: January 7, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-2008 Filed 1-24-75;8:45 am]

[Docket No. FI-451]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Arizona	Apache	Springerville, town of	Jan. 16, 1975. Emergency	May 24, 1974		
California	Los Angeles	Bellflower, city of	do	June 28, 1974		
Do	Sonoma	Santa Rosa, city of	do	July 26, 1974		
Florida	Washington	Chipley, city of	do	do		
Illinois	La Salle	La Salle, city of	do	Mar. 22, 1974		
Iowa	Harrison	Logan, town of	do	Apr. 12, 1974		
Kansas	Reno	Nickerson, city of	do	Mar. 8, 1974		
Kentucky	Hopkins	Earlington, city of	do	May 17, 1974		
Louisiana	Lafayette Parish	Youngsville, town of	do	Apr. 5, 1974		
Michigan	Berrien	Niles, city of	do	May 31, 1974		
Do	Oakland	Oak Park, city of	do			
New Jersey	Hunterdon	Tewksbury, township of	do	June 28, 1974		
New York	Ulster	Saugerties, town of	do	May 31, 1974		
Do	Onondaga	Solvay, village of	do			
Do	Saratoga	Waterford, village of	do	Mar. 29, 1974		
North Carolina	Alamance	Unincorporated areas	do			
Ohio	Montgomery	Germantown, village of	do	June 28, 1974		
Do	Putnam	Glandorf, village of	do	May 17, 1974		
Oklahoma	Oklahoma	Midwest City, city of	do			
Oregon	Malheur	Nyssa, city of	do	Nov. 30, 1973		
Pennsylvania	York	Peach Bottom, township of	do	Nov. 8, 1974		
Texas	Nacogdoches	Nacogdoches, city of	do	June 28, 1974		
Utah	Piute	Junction, town of	do			
Do	Utah	Provo City, city of	do	Feb. 15, 1974		
Wisconsin	Marathon	Brokaw, village of	do	Dec. 17, 1973		

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

Issued: January 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-2007 Filed 1-24-75;8:45 am]

[Docket No. FI-453]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Arkansas	Ashley	Wilmot, city of	Jan. 14, 1975. Emergency	Mar. 15, 1974		
Connecticut	Hartford	Berlin, town of	do	Aug. 16, 1974		
Do	do	Hartland, town of	do	June 28, 1974		
Illinois	Jackson	Carbondale, city of	do	May 3, 1974		
Do	Champaign	Unincorporated areas	do			
Do	Du Page	Elmhurst, city of	do	May 3, 1974		
Do	St. Clair	Fairview Heights, city of	do			
Do	Cook	Palos Park, village of	do	Mar. 15, 1974		
Iowa	Van Buren	Keosauqua, town of	do	Jan. 16, 1974		
Kentucky	Harlan	Lynch, city of	do	May 10, 1974		
Louisiana	Washington Parish.	Franklinton, town of	do	Nov. 9, 1973		
Nebraska	Custer	Sargent, city of	do	May 24, 1974		
Nevada	Clark	Henderson, city of	do	June 28, 1974		
New Jersey	Ocean	Plumsted, township of	do	do		
New York	Suffolk	Huntington Bay, village of	do			
Do	Nassau	Woodsburgh, village of	do	June 28, 1974		
Pennsylvania	Beaver	Ambridge, borough of	do	Feb. 22, 1974		
Do	Beaver	Baden, borough of	do	Mar. 22, 1974		
Do	Chester	Elk, township of	do	Nov. 15, 1974		
Texas	Kinney	Brackettville, city of	do	Mar. 1, 1974		
Do	Hidalgo	Hidalgo, town of	do	Feb. 1, 1974		
Virginia	Buckingham	Unincorporated areas	do	Nov. 1, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974)

Issued: January 7, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-2009 Filed 1-24-75;8:45 am]

[Docket No. FI-455]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

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

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Alabama	Blount	Allgood, town of	H 010229 01	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Town Manager, Town of Allgood, Allgood, Ala. 35013.	Jan. 24, 1975.
Do	Dale	Pinckard, town of	H 010249 01 through H 010249 04	do	Town Manager, Town of Pinckard, Pinckard, Ala. 36371	Do.
Do	Pike	Troy, city of	H 010285 01 through H 010285 07	do	City Mayor, City of Troy, Troy, Ala. 36081.	Do.
Arizona	Coconino	Unincorporated areas.	H 040019 01 through H 040019 20	Arizona State Land Department, 1624 West Adams, Room 400, Phoenix, Ariz. 85007. Arizona Department of Insurance, P.O. Box 7089, 718 West Glenrosa, Phoenix, Ariz. 85011.	Chairman, Coconino County Board of Supervisors, P.O. Box 1813, Flagstaff, Ariz. 86001.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Arkansas	Cleburne	Heber Springs, city of.	H 050240 01	Division of Soil and Water Resources, State Department of Commerce, 1920 West Capitol Ave., Little Rock, Ark. 72204.	City Manager, City of Heber Springs, Heber Springs, Ark. 72543.	Do.
Do	Randolph	Maynard, town of.	H 050265 01	Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Town Manager, Town of Maynard, Maynard, Ark. 72444.	Do.
California	Modoc	Unincorporated areas.	H 060192 01 through H 060192 11	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	Chairman, Modoc County Board of Supervisors, County Courthouse, Alturas, Calif. 96101.	
Do	Santa Clara	San Jose, city of	H 060349 01 through H 060349 64	do	Mayor, City Hall, 801 North 1st St., San Jose, Calif. 95110.	Do.
Do	Fresno	Parlier, city of	H 060454 01	do	City Manager, City of Parlier, Parlier, Calif. 93648.	Do.
Colorado	Mesa	Fruita, town of	H 080194 01	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Town Manager, Town of Fruita, Fruita, Colo. 81521.	Do.
Connecticut	New London	Lebanon, town of.	H 090155 01 through H 090155 05	Department of Environmental Protection, Division of Water and Related Resources, Room 207, State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	Town Manager, Town of Lebanon, Lebanon, Conn. 06249.	Do.
Do	Windham	Danielson, borough of.	H 090169 01 through H 090169 02	do	President, P.O. Box 726, Danielson, Conn. 06239.	Do.
Florida	Levy	Unincorporated areas.	H 120145 01 through H 120145 05	Department of Community Affairs, 2571 Executive Center Circle, East, Howard Bldg., Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Chairman of County Commissioners, County of Levy, Levy County, Fla. (No ZIP.)	Do.
Do	Palm Beach	Boca Raton, city of.	H 120195 01 through H 120195 10	do	Director of Engineering, Office of the City Clerk; Boca Raton City Hall, 201 West Palmetto Park Rd., Boca Raton, Fla. 33432.	Do.
Do	Santa Rosa	Unincorporated areas.	H 120274 01 through H 120274 04	do	Office of the Clerk of the Circuit Court, Santa Rosa County Courthouse, Milton, Fla. 32570.	Do.
Do	St. Lucie	do	H 120285 01 through H 120285 06	do	County Engineer, St. Lucie County, P.O. Box 700, Fort Pierce, Fla. 33450.	Do.
Idaho	Jefferson	Roberts, city of	H 160152 01	Department of Water Administration, State House—Annex 2, Boise, Idaho 83707. Idaho Department of Insurance, Room 206—Statehouse, Boise, Idaho 83707.	City Manager, City of Roberts, Roberts, Idaho 83444.	Do.
Illinois	De Kalb	Somonauk, village of.	H 170190 01	Governor's Task Force on Flood Control, 300 North State St., Room 1010, Lisle, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	President of the Board, Village of Somonauk, Somonauk, Ill. 60552.	Do.
Do	Hancock	Unincorporated areas.	H 170267 01 through H 170267 08	do	County Manager, County of Hancock, Hancock, Ill. (No ZIP.)	Do.
Iowa	Sioux	Ireton, city of	H 190511 01	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	City Manager, City of Ireton, Ireton, Iowa 51027.	Do.
Kansas	Harvey	Walton, city of	H 200874 01	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, State House, Topeka, Kans. 66612.	City Manager, City of Walton, Walton, Kans. 67151.	Do.
Louisiana	Assumption	Unincorporated areas.	H 220017 01 through H 220017 02	State Department of Public Works, P.O. Box 44155, Capitol Station Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	President, Assumption Parish Police Jury, Police Jury Bldg., Napoleonville, La. 70390.	Do.
Maine	Aroostook	Portage Lake, town of.	H 230031 01 through H 230031 12	Bureau of Civil Emergency, Preparedness, State House, Augusta, Maine 04330.	First Selectman, Town Office, Portage, Maine 04768.	Do.
Do	Oxford	Stow, town of	H 230186 01 through H 230186 07	Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	Town Manager, Town Hall, Town of Stow, Stow, Maine (No ZIP.)	Do.
Do	Knox	St. George, town of.	H 230299 01 through H 230299 17	do	Town Manager, Town Hall, Town of St. George, St. George, Maine 04857.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Kennebec	Benton, town of.	H 230233 01 through H 230233 03	do.	Town Manager, Town of Benton, Benton, Maine 04919.	Do.
Do.	do.	Oakland, town of.	H 230242 01 through H 230242 03	do.	Town Manager, Town of Oakland, Oakland, Maine 04963.	Do.
Do.	do.	Randolph, town of.	H 230244 01	do.	Town Manager, Town Hall, Town of Randolph, Randolph, Maine (No ZIP.)	Do.
Do.	Hancock	Amherst, town of.	H 230272 01 through H 230272 04	do.	Town Manager, Town of Amherst, Amherst, Maine (No ZIP.)	Do.
Do.	do.	Penobscot, town of.	H 230290 01 through H 230290 07	do.	Town Manager, Town of Penobscot, Penobscot, Maine 04476.	Do.
Do.	do.	Sedgwick, town of.	H 230291 01 through H 230291 03	do.	Town Manager, Town Hall, Town of Sedgwick, Sedgwick, Maine 04676.	Do.
Do.	do.	Sorrento, town of.	H 230292 01 through H 230292 02	do.	Town Manager, Town Hall, Town of Sorrento, Sorrento, Maine 04677.	Do.
Do.	do.	Trenton, town of.	H 230299 01 through H 230299 03	do.	Town Manager, Town Hall, Town of Trenton, Trenton, Maine (No ZIP.)	Do.
Do.	Washington	Baileyville, town of.	H 230304 01 through H 230304 04	do.	Town Chairman, Town of Baileyville, Baileyville, Maine (No ZIP).	Do.
Do.	Somerset	Jackman, town of.	H 230362 01 through H 230362 06	do.	Town Manager, Town of Jackman, Jackman, Maine 04945.	Do.
Do.	do.	Smithfield, town of.	H 230370 01 through H 230370 02	do.	Town Manager, Town Hall, Town of Smithfield, Smithfield, Maine 04978.	Do.
Do.	Penobscot	Eddington, town of.	H 230382 01 through H 230382 08	do.	Town Manager, Town of Eddington, Eddington, Maine 04428.	Do.
Do.	do.	Springfield, town of.	H 230400 01 through H 230400 12	do.	Town Manager, Town Hall, Town of Springfield, Springfield, Maine 04487.	Do.
Do.	do.	Winn, town of.	H 230404 01 through H 230404 06	do.	Town Manager, Town Hall, Town of Winn, Winn, Maine 04495.	Do.
Do.	Piscataquis	Shirley, town of.	H 230415 01 through H 230415 08	do.	Town Manager, Town Hall, Town of Shirley, Shirley, Maine 04485.	Do.
Do.	Washington	Trescott, township of.	H 230473 01 through H 230473 11	do.	Township Manager, Township Office Bldg., Township of Trescott, Trescott, Maine No Zip.	Do.
Do.	Penobscot	Kingman, township of.	H 230474 01 through H 230474 07	do.	Township Manager, Township of Kingman, Kingman, Maine 04451.	Do.
Maryland	Kent	Betterton, town of.	H 240095 01	Department of Water Resources, State Office Bldg., Annapolis, Md. 21401. Maryland Insurance Department, 301 West Preston St., Baltimore, Md. 21201.	Town Manager, Town Hall, Town of Betterton, Betterton, Md. 21610.	Do.
Massachusetts	Bristol	Rehoboth, town of.	H 250062 01 through H 250062 09	Division of Water Resources, Water Resources Commission, State Office Bldg., 100 Cambridge St., Boston, Mass. 02202. Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Town Hall, Peck Street, Rehoboth, Mass. 02769.	Do.
Do.	Franklin	Warwick, town of.	H 250130 01 through H 250130 10	do.	Chairman, Board of Selectmen, Town Hall, Warwick, Mass. 01378.	Do.
Michigan	Saginaw	Spaulding, township of.	H 260303 01 through H 260303 09	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Mosmer St., Lansing, Mich. 48913.	Mayor, Township of Spaulding, 5176 East Rd., Saginaw, Mich. 48601.	Do.
Minnesota	Big Stone	Correll, city of.	H 270025 01	Division of Water, Soils, and Minerals, Department of Natural Resources, Cenrennial Office Bldg., St. Paul, Minn. 55101.	Mayor, City of Correll, Correll, Minn. 56227.	Do.
Do.	Crow Wing	Fort Ripley, city of.	H 270097 01	Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	City Manager, Fort Ripley City, Fort Ripley, Minn. 56449.	Do.
Do.	Hubbard	Unincorporated areas.	H 270195 01 through H 270195 10	do.	County Board of Supervisors, County of Hubbard, Hnbbard, Minn. No ZIP.	Do.
Do.	Kittson	Donaldson, city of.	H 270225 01	do.	Mayor, City of Donaldson, Donaldson, Minn. 56720.	Do.
Do.	Pine	Denham, city of.	H 270346 01	do.	Mayor, City of Denham, Denham, Minn. 55728.	Do.
Do.	St. Louis	Hibbing, city of.	H 270557 01 through H 270557 08	do.	Chairman, City of Hibbing, Hibbing, Minn. 55746.	Do.
Do.	Ramsey	Roseville, city of.	H 270599 01 through H 270599 04	do.	City Manager, City of Roseville, Roseville, Minn. 55113.	Do.
Do.	Mower	Taopi, city of.	H 270604 01	do.	City Manager, City of Taopi, Taopi, Minn. 55977.	Do.
Do.	Hennepin	Loretta, city of.	H 270659 01	do.	City Manager, City of Loretta, Loretta, Minn. 55357.	Do.
Do.	McLeod	Silver Lake, city of.	H 270662 01	do.	City Manager, City of Silver Lake, Silver Lake, Minn. 55381.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Mississippi	Lincoln	Brookhaven, city of.	H 280107 01 through H 280107 03	Mississippi Research and Development Center, P.O. Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Wolfolk Bldg., P.O. Box 79, Jackson, Miss. 39205.	Office of the City Clerk, City Hall, Brookhaven, Miss. 39601.	Do.
Do	Hancock	Unincorporated areas.	H 285254 01 through H 285254 03	do	Chairman, Board of Supervisors Commission, Hancock County, Hancock County, Miss. (No Zip).	Do.
Missouri	Platte	Farley, city of	H 290292 01	Department of Natural Resources, Division of Program and Policy Development, Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Mayor, P.O. Box 93, Farley, Mo. 64028.	Do.
Do	Moniteau	Jamestown, city of.	H 290581 01	do	City Manager, City of Jamestown, Jamestown, Mo. 65046.	Do.
Do	Bates	Adrian, city of	H 290749 01	do	City Manager, City of Adrian, Adrian, Mo. 64720.	Do.
Montana	Golden Valley	Lavina, town of	H 300031 01	Montana Department of Natural Resources and Conservation, Water Resources Division, 32 South Ewing St., Helena, Mont. 59601. Montana Insurance Department, Capitol Bldg., Helena, Mont. 59601.	Chairman, Board of County Commissioners, Golden Valley County, Ryegate, Mont. 59074.	Do.
Nebraska	Hall	Doniphan, village of.	H 310102 01	Nebraska Natural Resources Commission, 7th Floor, Terminal Bldg., Lincoln, Nebr. 68508. Nebraska Insurance Department, 1335 "L" St., Lincoln, Nebr. 68509.	Mayor, Village of Doniphan, Doniphan, Nebr. 68832.	Do.
New Hampshire	Coos	Carroll, town of	H 330030 01 through H 330030 07	Office of State Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301. New Hampshire Insurance Department, 78 North Main St., Concord, N.H. 03301.	Selectman, Town of Carroll, Town Office, Twin Mountain, N.H. (No ZIP).	Do.
Do	Sullivan	Grantham, town of.	H 330158 01 through H 330158 02	do	Chairman, Board of Selectman, Town of Grantham, Grantham, N.H. 03753.	Do.
Do	Cheshire	Harrisville, town of.	H 330212 01 through H 330212 05	do	Chairman, Board of Selectman, Town of Harrisville, Harrisville, N.H. 03450.	Do.
Do	Cheshire	Jaffrey, town of	H 330215 01 through H 330215 09	do	Chairman, Board of Selectman, Town of Jaffrey, Jaffrey, N.H. 03452.	Do.
New Jersey	Ocean	Jackson, township of.	H 340375 01 through H 340375 25	Bureau of Water Control, Department of Environmental Protection, P.O. Box 1390, Trenton, N.J. 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Administrators Office, Municipal Bldg., Rural Delivery No. 4, Box 62, Jackson, N.J. 08527.	Do.
Do	do	Lacey, township of.	H 340376 01 through H 340376 26	do	Lacey Township Municipal Bldg., 818 West Lacey Rd., Township of Lacey, Forked River, N.J. 08731.	Do.
Do	Sussex	Hampton, township of.	H 340531 01 through H 340531 04	do	Township Committee Chairman, Township of Hampton, Hampton, N.J. No ZIP.	Do.
New York	Chautauqua	Chautauqua, town of.	H 361071 01 through H 361071 06	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, 123 William St., New York, N.Y. 10038.	Town Manager, Town Hall, Town of Chautauqua, Chautauqua, N.Y. 14722.	Do.
Do	Allegany	Cuba, town of	H 361099 01 through H 361099 12	do	Mayor, Town of Cuba, Cuba, N.Y. 14727.	Do.
Do	Genessee	Stafford, town of	H 361118 01 through H 361118 03	do	Town Manager, Town Hall, Town of Stafford, Stafford, N.Y. 14143.	Do.
Do	St. Lawrence	Edwards, town of.	H 361176 01 through H 361176 04	do	Town Manager, Town Hall, Town of Edwards, Edwards, N.Y. 13635,	Do.
Do	do	Gouverneur, town of.	H 361178 01 through H 361178 18	do	Mayor, Town of Gouverneur, Gouverneur, N.Y. 13642.	Do.
Do	Schoharie	Jefferson, town of	H 361196 01 through H 361196 05	do	Town Manager, Town Hall, Town of Jefferson, Jefferson, N.Y. 12093.	Do.
Do	Steuben	Dansville, town of.	H 361209 01 through H 361209 13	do	Town Manager, Town Hall, Town of Dansville, Dansville, N.Y. No ZIP.	Do.
Do	Chautaqua	Ripley, town of	H 361372 01 through H 361372 07	do	Town Manager, Town Hall, Town of Ripley, Ripley, N.Y. 14775.	Do.
Do	Clinton	Clinton, town of	H 361380 01 through H 361380 17	do	Town Manager, Town Hall, Town of Clinton, Clinton, N.Y. No ZIP.	Do.
Do	Essex	Newcomb, town of.	H 361390 01 through H 361390 15	do	Town Manager, Town Hall, Town of Newcomb, Newcomb, N.Y. 12852.	Do.
Do	Hamilton	Inlet, town of	H 361404 01 through H 361404 05	do	Town Manager, Town Hall, Town of Inlet, Inlet, N.Y. 13360.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	do	Lake Pleasant, town of.	H 361405 01 through H 361405 11	do	Town Manager, Town Hall, Town of Lake Pleasant, Lake Pleasant, N.Y. 121208.	Do.
Do	Washington	Hebron, town of.	H 361443 01 through H 361443 14	do	Town Manager, Town Hall, Town of Hebron, Hebron, N.Y. No ZIP.	Do.
Do	Essex	Elizabethtown, village of.	H 361491 01	do	Village Manager, Village Hall, Village of Elizabethtown, Elizabethtown, N.Y. 12932.	Do.
Do	Genesee	Elba, village of.	H 361499 01 through H 361499 02	do	Village Manager, Village Hall, Village of Elba, Elba, N.Y. 14058.	Do.
Do	Schoharie	Esperance, village of.	H 361542 01	do	Village Manager, Village Hall, Village of Esperance, Esperance, N.Y. 12066.	Do.
Do	Ulster	New Paltz, village of.	H 361544 01	do	Village Clerk, Village of New Paltz, New Paltz, N.Y. 12561.	Do.
Do	Suffolk	The Branch, village of.	H 361551 01	do	Village Manager, Village Hall, Village of The Branch, The Branch, N.Y. No ZIP.	Do.
North Dakota	Hettinger	Regent, city of.	H 380198 01	State Water Commission, State Office Bldg., 900 East Boulevard, Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	City Manager, City of Regent, Regent, N. Dak. 58650.	Do.
Do	Wells	Harvey, city of.	H 380231 01	do	City Manager, City of Harvey, Harvey, N. Dak. 58341.	Do.
Oklahoma	Garfield	North Enid, town of.	H 400425 01	Oklahoma Water Resources Board, 2241 Northwest 14th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, Room 408 Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Town Manager, Town of North Enid, North Enid, Okla. No ZIP.	Do.
Do	Oklahoma	Valley Brook, town of.	H 400445 01	do	Town Manager, Town of Valley Brook, Valley Brook, Okla. No ZIP.	Do.
Oregon	Grant	Dayville, city of.	H 410076 01	Executive Department, State of Oregon, Salem, Oreg. 97310. Oregon Insurance Division, Department of Commerce, 158 12th St., NE., Salem, Oreg. 97310.	City Manager, City of Dayville, Dayville, Oreg. 97825.	Do.
Do	Marion	Unincorporated areas.	H 410154 01 through H 410154 21	do	Planning Administrator, Mid Willamette Valley Council of Government, County of Marion, Room 19, County Courthouse, Salem, Oreg. 97301.	Do.
Do	Morrow	do	H 410173 01 through H 410173 12	do	Morrow County Planning Office, Room 201, Morrow County Courthouse, Box 541, Heppner, Oreg. 97836.	Do.
Do	Washington	do	H 410238 01 through H 410238 22	do	Washington County Administration Bldg., 150 North 1st Ave., Hillsboro, Oreg. 97123.	Do.
Pennsylvania	Berks	Strausstown, borough of	H 420152 01	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Mayor, Borough of Strausstown, Strausstown, Pa. 19559.	Do.
Do	Columbia	Orangeville, borough of.	H 420345 01 through H 420345 02	do	Mayor, Borough of Orangeville, Mill Street, Orangeville, Pa. 17859.	Do.
Do	Monroe	Mount Pocono, borough of.	H 420692 01 through H 420692 02.	do	Mayor, Borough of Mount Pocono, Church Ave., Mt. Pocono, Pa. 18344.	Do.
Do	Montour	Derry, township of.	H 421135 01 through H 421135 06	do	Derry Township, 749 East Chocolate Ave., Hershey, Pa. 17033.	Do.
Do	Union	Buffalo, township of.	H 421237 01 through H 421237 10	do	Chairman, Board of Supervisors, Township of Buffalo, Rural Delivery No. 2, Lewisburg, Pa. 17837.	Do.
Do	Beaver	Darlington, borough of.	H 421319 01	do	Mayor, Borough of Darlington, Darlington, Pa. 16115.	Do.
Do	Bedford	Harrison, township of.	H 421338 01 through H 421338 18	do	Chairman, Board of Supervisors, Township of Harrison, Rural Delivery No. 1, Manns Choice, Pa. 15550.	Do.
Do	do	Snake Spring, township of.	H 421349 01 through H 421349 09	do	Chairman, Board of Supervisors, Township of Snake Spring, Rural Delivery No. 1, Everett, Pa. 15537.	Do.
Do	Berks	Alsace, township of.	H 421376 01 through H 421376 03	do	Chairman, Board of Supervisors, Township of Alsace, Rural Delivery No. 1, Temple, Pa. 19560.	Do.
Do	Blair	North Woodbury, township of.	H 421392 01 through H 421392 02	do	Chairman, Board of Supervisors, Township of North Woodbury, Rural Delivery No. 1, Martinsburg, Pa. 16662.	Do.
Do	Bradford	Orwell, township of.	H 421401 01 through H 421401 08	do	Chairman, Board of Supervisors, Township of Orwell, Rural Delivery No. 4, Wyalusing, Pa. 18853.	Do.
Do	Centre	Halfmoon, township of.	H 421463 01 through H 421463 02	do	Chairman, Board of Supervisors, Township of Halfmoon, Rural Delivery No. 1, Port Matilda, Pa. 16870.	Do.
Do	Chester	East Marlborough, township of.	H 421480 01 through H 421480 03	do	Chairman, Board of Supervisors, Township of East Marlborough, Unionville, Pa. 19375.	Do.
Do	Clearfield	Burnside, township of.	H 421518 01 through H 421518 15	do	Chairman, Board of Supervisors, Township of Burnside, Rural Delivery No. 2, Cherry Tree, Pa. 15724.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Dauphin	West Hanover, township of.	H 421600 01 through H 421600 02	do	Chairman Board of Supervisors, Township of West Hanover, Rural Delivery No. 3, Harrisburg, Pa. 17112.	Do.
Do.	Delaware	Bethel, township of.	H 421606 01 through H 421606 03	do	Chairman, Board of Supervisors, Township of Bethel, P.O. Box 2137, Boothwyn, Pa. 19061.	Do.
Do.	Fayette	Georges, township of.	H 421626 01 through H 421626 12	do	Chairman, Board of Supervisors, Township of Georges, Rural Delivery No. 2, Box 167, Uniontown, Pa. 15401.	Do.
Do.	do.	Wharton, township of.	H 421642 01 through H 421642 25	do	Chairman, Board of Supervisors, Township of Wharton, Farmington, Pa. 15437.	Do.
Do.	Forest	Green, township of.	H 421644 01 through H 421644 05	do	Chairman, Board of Supervisors, Township of Green, Rural Delivery No. 1, Tionesta, Pa. 16353.	Do.
Do.	Franklin	Metal, township of.	H 421653 01 through H 421653 13	do	Chairman, Board of Supervisors, Township of Metal, Fannettsburg, Pa. 17221.	Do.
Do.	Huntington	Brady, township of.	H 421684 01 through H 421684 11	do	Chairman, Board of Supervisors, Township of Brady, Mill Creek, Pa. 17060.	Do.
Do.	do.	Tell, township of.	H 421702 01 through H 421702 11	do	Chairman, Board of Supervisors, Township of Tell, Blairs Mills, Pa. 17213.	Do.
Do.	Indiana	Cherryhill, township of.	H 421714 01 through H 421714 09	do	Chairman, Board of Supervisors, Township of Cherryhill, Penn. Run, Pa. 15765.	Do.
Do.	do.	East Wheatfield, township of.	H 421716 01 through H 421716 04	do	Chairman, Board of Supervisors, Township of East Wheatfield, Box 76, Armagh, Pa. 15920.	Do.
Do.	do.	West Mahoning, township of.	H 421723 01 through H 421723 02	do	Chairman, Board of Supervisors, Township of West Mahoning, Rural Delivery No. 1, Smicksburg, Pa. 16256.	Do.
Do.	Jefferson	McCalmont, township of.	H 421731 01 through H 421731 08	do	Chairman, Board of Supervisors, Township of McCalmont, Box 258, Anita, Pa. 15711.	Do.
Do.	Juniata	Susquehanna, township of.	H 421746 01 through H 421746 06	do	Chairman, Board of Supervisors, Township of Susquehanna, Rural Delivery No. 1, Liverpool, Pa. 17045.	Do.
Do.	Lackawanna	Clifton, township of.	H 421751 01 through H 421751 09	do	Chairman, Board of Supervisors, Township of Clifton, Star Route, Gouldsboro, Pa. 18424.	Do.
Do.	do.	South Abington, township of.	H 421758 01 through H 421758 06	do	Chairman, Board of Supervisors, Township of South Abington, 112 Hill St., Chinchilla, Pa. 18410.	Do.
Do.	Lawrence	Pulaski, township of.	H 421798 01 through H 421798 02	do	Chairman, Board of Supervisors, Township of Pulaski, Rural Delivery No. 3, New Castle, Pa. 16101.	Do.
Do.	do.	Union, township of.	H 421801 01 through H 421801 04	do	Chairman, Board of Supervisors, Township of Union, 1910 Wilson Dr., New Castle, Pa. 16101.	Do.
Do.	Luzerne	Dorrance, township of.	H 421826 01 through H 421826 09	do	Dorrance Township, Municipal Bldg., Box 181 A, Rural Delivery No. 3, Mountain Top, Pa. 18707.	Do.
Do.	do.	Pittston, township of.	H 421834 01 through H 421834 09	do	Chairman, Board of Supervisors, Township of Pittston, 174 East Railroad St., Pittston, Pa. 18640.	Do.
Do.	do.	Ross, township of.	H 421835 01 through H 421835 06	do	Chairman, Board of Supervisors, Township of Ross, Rural Delivery No. 1, Sweet Valley, Pa. 18656.	Do.
Do.	McKean	Norwich, township of.	H 421859 01 through H 421859 07	do	Chairman, Board of Supervisors, Township of Norwich, Crosby, Pa. 16724.	Do.
Do.	Mercer	South Pymatuning, township of.	H 421876 01 through H 421876 07	do	Chairman, Board of Supervisors, Township of South Pymatuning, Rural Delivery No. 1, Sharpsville, Pa. 16150.	Do.
Do.	Monroe	Smithfield, township of.	H 421896 01 through H 421896 09	do	Chairman, Board of Supervisors, Township of Smithfield, Rural Delivery No. 3, East Stroudsburg, Pa. 18301.	Do.
Do.	Perry	Carroll, township of.	H 421949 01 through H 421949 04	do	Chairman, Board of Supervisors, Township of Carroll, Rural Delivery No. 1, Shermansdale, Pa. 17090.	Do.
Do.	do.	Saville, township of.	H 421956 01 through H 421956 04	do	Chairman, Board of Supervisors, Township of Saville, Rural Delivery No. 1, Elliottsburg, Pa. 17024.	Do.
Do.	Potter	Sweden, township of.	H 421989 01 through H 421989 12	do	Chairman, Board of Supervisors, Township of Sweden, Rural Delivery No. 3, Coudersport, Pa. 16915.	Do.
Do.	Schuylkill	East Brunswick, township of.	H 422002 01 through H 422002 05	do	Chairman, Board of Supervisors, Township of East Brunswick, Rural Delivery No. 1, Orwigsburg, Pa. 17961.	Do.
Do.	Somerset	Jenner, township of.	H 422051 01 through H 422051 06	do	Chairman, Board of Supervisors, Township of Jenner, Rural Delivery No. 2, Boswell, Pa. 15531.	Do.
Do.	do.	Somerset, township of.	H 422055 01 through H 422055 19	do	Chairman, Board of Supervisors, Township of Somerset, Rural Delivery No. 1, Friedens, Pa. 15541.	Do.
Do.	Sullivan	Elkland, township of.	H 422061 01 through H 422061 13	do	Chairman, Board of Supervisors, Township of Elkland, Rural Delivery No. 1, Forksville, Pa. 18616.	Do.
Do.	do.	Shrewsbury, township of.	H 422066 01 through H 422066 16	do	Chairman, Board of Supervisors, Township of Shrewsbury, Rural Delivery No. 1, Muncy Valley, Pa. 17758.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Warren	Freehold, township of.	H 422121 01 through H 422121 04	do.	Chairman, Board of Supervisors, Township of Freehold, Pittsfield, Pa. 16340.	Do.
Do.	do.	Pine Grove, township of.	H 422124 01 through H 422124 04	do.	Chairman, Board of Supervisors, Township of Pine Grove, Rural Delivery No. 2, Russell, Pa. 16345.	Do.
Do.	Cambria	Upper Yoder, township of.	H 422257 01 through H 422257 02	do.	Chairman, Board of Supervisors, 541 Sell St., Township of Upper Yoder, Johnstown, Pa. 15905.	Do.
Do.	do.	Allegheny, township of.	H 422265 01 through H 422265 10	do.	Chairman, Board of Supervisors, Township of Allegheny, Rural Delivery No. 1, Loretto, Pa. 15940.	Do.
Do.	Armstrong	Hovey, township of.	H 422299 01	do.	Chairman, Board of Supervisors, Township of Hovey, Rural Delivery No. 2, Parker, Pa. 16049.	Do.
Do.	do.	Rural Valley, borough of.	H 422302 01 through H 422302 06	do.	Mayor, Borough of Rural Valley, Rural Valley, Pa. 16249.	Do.
Do.	do.	Sugar Creek, township of.	H 422303 01 through H 422303 08	do.	Chairman, Board of Supervisors, Township of Sugar Creek, Rural Delivery No. 1, East Brady, Pa. 16028.	Do.
Do.	Beaver	Ohioville, borough of.	H 422324 01 through H 422324 07	do.	Mayor, Borough of Ohioville, Rural Delivery No. 1, Industry, Pa. 15052.	Do.
Do.	Bradford	Le Raysville, borough of.	H 422334 01	do.	Mayor, Borough of Le Raysville, Le Raysville, Pa. 16829.	Do.
Do.	Butler	Franklin, township of.	H 422350 01 through H 422350 04	do.	Chairman, Board of Supervisors, Township of Franklin, Rural Delivery No. 5, Butler, Pa. 16001.	Do.
Do.	do.	Harrisville, borough of.	H 422351 01	do.	Mayor, Borough of Harrisville, Box 382, Harrisville, Pa. 16038.	Do.
Do.	do.	Summit, township of.	H 422358 01 through H 422358 02	do.	Chairman, Board of Supervisors, Township of Summit, Rural Delivery No. 3, Butler, Pa. 16001.	Do.
Do.	do.	Venango, township of.	H 422359 01 through H 422359 02	do.	Chairman, Board of Supervisors, Township of Venango, Rural Delivery No. 1, Hilliards, Pa. 16040.	Do.
Do.	Clarion	Beaver, township of.	H 422362 01 through H 422362 06	do.	Chairman, Board of Supervisors, Township of Beaver, Star Route, Knox, Pa. 16232.	Do.
Do.	do.	Licking, township of.	H 422368 01 through H 422368 04	do.	Chairman, Board of Supervisors, Township of Licking, Rural Delivery No. 1, Parker, Pa. 16049.	Do.
Do.	do.	Paint, township of.	H 422373 01 through H 422373 03	do.	Chairman, Board of Supervisors, Township of Paint, Rural Delivery No. 1, Shippenville, Pa. 16254.	Do.
Do.	Crawford	Sadsbury, township of.	H 422396 01 through H 422396 08	do.	Chairman, Board of Supervisors, Township of Sadsbury, Rural Delivery No. 1, Conneaut, Pa. 16316.	Do.
Do.	do.	Townville, borough of.	H 422401 01	do.	Mayor, Borough of Townville, Box E, Townville, Pa. 16360.	Do.
Do.	Delaware	Millbourne, borough of.	H 422408 01	do.	Mayor, Borough of Millbourne, 35 Sellers Ave., Millbourne, Pa. 19082.	Do.
Do.	Erie	Elgin, borough of.	H 422411 01 through H 422411 03	do.	Mayor, Borough of Elgin, R.F.D. No. 3, Corry, Pa. 16407.	Do.
Do.	do.	Elk Creek, township of.	H 422412 01 through H 422412 10	do.	Chairman, Board of Supervisors, Township of Elk Creek, Rural Delivery No. 2, Albion, Pa. 16401.	Do.
Do.	do.	Waterford, township of.	H 422419 01 through H 422419 15	do.	Chairman, Board of Supervisors, Township of Waterford, Rural Delivery No. 4, Bagdad Rd., Waterford, Pa. 16441.	Do.
Do.	Franklin	Warren, township of.	H 422427 01 through H 422427 09	do.	Chairman, Board of Supervisors, Township of Warren, Rural Delivery No. 2, Hancock, Md. 21750.	Do.
Do.	Indiana	Glen Campbell, borough of.	H 422437 01 through H 422437 02	do.	Mayor, Borough of Glen Campbell, Glen Campbell, Pa. 15742.	Do.
Do.	do.	South Mahoning, township of.	H 422439 01 through H 422439 02	do.	Chairman, Board of Supervisors, Township of South Mahoning, P.O. Box 154, Home, Pa. 15747.	Do.
Do.	Jefferson	Pine Creek, township of.	H 422445 01 through H 422445 11	do.	Chairman, Board of Supervisors, Township of Pine Creek, Rural Delivery No. 1, Brookville, Pa. 15825.	Do.
Do.	do.	Timblin, borough of.	H 422448 01 through H 422448 02	do.	Mayor, Borough of Timblin, Box 263, Timblin, Pa. 15778.	Do.
Do.	Lawrence	Ellport, borough of.	H 422462 01	do.	Mayor, Borough of Ellport, South Main St., Bessemer, Pa. 16112.	Do.
Do.	Mercer	New Lebanon, borough of.	H 422484 01 through H 422484 02	do.	Mayor, Borough of New Lebanon, Rural Delivery No. 3, Sandy Lake, Pa. 16145.	Do.
Do.	do.	West Salem, township of.	H 422490 01 through H 422490 10	do.	Chairman, Board of Supervisors, Township of West Salem, 107 McCracken Rd., Greenville, Pa. 16125.	Do.
Do.	do.	Worth, township of.	H 422492 01 through H 422492 06	do.	Chairman, Board of Supervisors, Township of Worth, Rural Delivery No. 1, Jackson Center, Pa. 16133.	Do.
Do.	Snyder	West Beaver, township of.	H 422507 01 through H 422507 11	do.	Chairman, Board of Supervisors, Township of West Beaver, Rural Delivery No. 2, McClure, Pa. 17841.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Somerset	Black, township of.	H 422510 01 through H 422510 07	do.	Chairman, Board of Supervisors, Township of Black, Rural Delivery No. 1, Rockwood, Pa. 15557.	Do.
Do.	do.	Lower Turkeyfoot, township of.	H 422517 01 through H 422517 04	do.	Chairman, Board of Supervisors, Township of Lower Turkeyfoot, Rural Delivery No. 3, Confluence, Pa. 15424.	Do.
Do.	Sullivan	Eagles Mere, borough of.	H 422527 01 through H 422527 03	do.	Mayor, Borough of Eagles Mere, Eagles Mere, Pa. 17731.	Do.
Do.	Venango	Jackson, township of.	H 422535 01 through H 422535 09	do.	Chairman, Board of Supervisors, Township of Jackson, Rural Delivery No. 1, Cooperstown, Pa. 16317.	Do.
Do.	do.	Oil Creek, township of.	H 422537 01 through H 422537 08	do.	Chairman, Board of Supervisors, Township of Oil Creek, Rural Delivery No. 2, Pleasantville, Pa. 16341.	Do.
Do.	do.	Pine Grove, township of.	H 422538 01 through H 422538 10	do.	Chairman, Board of Supervisors, Township of Pine Grove, Rural Delivery No. 1, Venus, Pa. 16346.	Do.
Do.	do.	Plum, township of.	H 422539 01 through H 422539 09	do.	Chairman, Board of Supervisors, Township of Plum, Rural Delivery No. 1, Cooperstown, Pa. 16317.	Do.
Do.	do.	Richland, township of.	H 422540 01 through H 422540 07	do.	Chairman, Board of Supervisors, Township of Richland, Rural Delivery No. 1, Emlenton, Pa. 16373.	Do.
Do.	Warren	Sugar Grove, township of.	H 422549 01 through H 422549 04	do.	Chairman, Board of Supervisors, Township of Sugar Grove, Rural Delivery No. 3, Sugar Grove, Pa. 16350.	Do.
Do.	Washington	Midway, borough of.	H 422558 01	do.	Mayor, Borough of Midway, 406 Dickson St., Midway, Pa. 15060.	Do.
Do.	Huntingdon	Three Springs, borough of.	H 422576 01 through H 422576 02	do.	Mayor, Borough of Three Springs, Three Springs, Pa. 17264.	Do.
Do.	Susquehanna	Forest Lake, township of.	H 422578 01 through H 422578 09	do.	Chairman, Board of Supervisors, Township of Forest Lake, Rural Delivery No. 1, Friendsville, Pa. 18818.	Do.
Do.	do.	Thompson, borough of.	H 422582 01 through H 422582 02	do.	Mayor, Borough of Thompson, Jackson St., Thompson, Pa. 18465.	Do.
Do.	do.	Uniondale, borough of.	H 422584 01 through H 422584 02	do.	Mayor, Borough of Uniondale, Rural Delivery No. 2, Uniondale, Pa. 18470.	Do.
Do.	Lycoming	Limestone, township of.	H 422588 01 through H 422588 09	do.	Chairman, Board of Supervisors, Township of Limestone, Rural Delivery No. 3, Williamsport, Pa. 17701.	Do.
Do.	do.	Jordan, township of.	H 422596 01 through H 422596 07	do.	Chairman, Board of Supervisors, Township of Jordan, Rural Delivery No. 4, Benton, Pa. 17814.	Do.
Do.	Butler	Fairview, township of.	H 422603 01 through H 422603 06	do.	Chairman, Board of Supervisors, Township of Fairview, Box 323, Petrolia, Pa. 16050.	Do.
Rhode Island	Kent	West Greenwich, town of.	H 440037 01 through H 440037 04	Rhode Island State Wide Planning Program, 265 Melrose St., Providence, R.I. 02907. Rhode Island Insurance Division, 169 Weybosset St., Providence, R.I. 02903.	Mayor, Town of West Greenwich, West Greenwich, R.I. No ZIP.	Do.
South Carolina	Clarendon	Tubeville, town of.	H 450055 01	South Carolina Water Resources, Commission, P.O. Drawer 164, 700 Knox Abbott Dr., Cayce, S.C. 29033.	Town Manager, Town of Tubeville, Tubeville, S.C. 29162.	Do.
Do.	Kershaw	Elgin, town of.	H 450118 01	South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Town Manager, Town of Elgin, Elgin, S.C. 29045.	Do.
Do.	Newberry	Silverstreet, town of.	H 450155 01	do.	Town Manager, Town of Silverstreet, Silverstreet, S.C. 29145.	Do.
Tennessee	Robertson	Cross Plains, town of.	H 470160 01	Tennessee State Planning Office, 660 Capitol Hill Bldg., Nashville, Tenn. 37219.	Mayor, Town of Cross Plains, Cross Plains, Tenn. 37049.	Do.
Do.	Crockett	Gadsden, town of.	H 470221 01	Tennessee Department of Insurance and Banking, 114 State Office Bldg., Nashville, Tenn. 37219.	Town Manager, Town of Gadsden, Gadsden, Tenn. 38337.	Do.
Do.	Gibson	Troy, city of.	H 470226 01 through H 470226 02	do.	City Manager, City of Troy, Troy, Tenn. No ZIP.	Do.
Texas	Collin and Denton.	Frisco, city of.	H 480134 01 through H 480134 18	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711.	Mayor, Box 177, Frisco, Tex. 75034.	Do.
Do.	Guadalupe	Unincorporated areas.	H 480266 01 through H 480266 07	Texas Insurance Department, 1110 San Jacinto St., Austin, Tex 78701.	Honorable Pat H. Baker, County Judge, Guadalupe County, Sequin, Tex. 78155.	Do.
Do.	Harris	Tomball, city of.	H 480315 01 through H 480315 05	do.	Mayor, 401 West Market St., Tomball, Tex. 77375.	Do.
Do.	El Paso	Anthony, town of.	H 480804 01	do.	Town of Anthony, 103 Main St., Anthony, Tex. 88021.	Do.
Utah	Box Elder	Elwood, town of.	H 490007 01 through H 490007 06	Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114.	President, Elwood Town Board, Tremonton, Utah 84337.	Do.
Do.	Tooele	Stockton, town of.	H 490144 01	Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Mayor, Town of Stockton, Stockton, Utah 84069.	Do.
Do.	Wayne	Bicknell, town of.	H 490184 01	do.	Mayor, Town of Bicknell, Bicknell, Utah 84715.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Vermont	Addison	Granville, town of.	H 500003 01 through H 500003 13	Management and Engineering Division, Water Resources Department, State Office Bldg., Montpelier, Vt. 05602.	Chairman, Granville Board of Selectmen, Town of Granville, Granville, Vt. 05747.	Do.
Do	do	Monkton, town of.	H 500167 01 through H 500167 04	Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Town Manager, Town of Monkton, Monkton, Vt. 05469.	Do.
Do	Rutland	Sudbury, town of.	H 500269 01 through H 500269 02	do	Chairman, Sudbury, Board of Selectmen, Town of Sudbury, Sudbury, Vt. No ZIP.	Do.
Virginia	Lancaster	Unincorporated areas.	H 510084 01 through H 510084 15	Bureau of Water Control Management, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230.	Chairman Board of Supervisors, Lancaster County, Lancaster, Va. 22503.	Do.
Do	Prince George	do	H 510204 01 through H 510204 22	Virginia Insurance Department, 700 Blanton Bldg., P.O. Box 1157, Richmond, Va. 23209.	Mr. Richard E. Bain, County Administrator, Prince George Court House, Prince George, Va. 23875.	Do.
Do	Patrick	do	H 510252 01 through H 510252 31	do	County Administrator, Patrick County Board of Supervisors, County of Patrick, P.O. Box 466, Stuart, Va. 41471.	Do.
Washington	Clallam	do	H 530021 01 through H 530021 14	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	Director, Clallam County Department of Emergency Services, Clallam County Courthouse, Port Angeles, Wash. 98362.	Do.
Do	Douglass	Rock Island, town of.	H 530039 01	do	Town Manager, Town of Rock Island, Rock Island, Wash. 98850.	Do.
Do	Snohomish	Brier, city of	H 530276 01	do	City Manager, City of Brier, Brier, Wash. 98036.	Do.
Do	Clark	Ridgefield, town of.	H 530298 01	do	Town Manager, Town of Ridgefield, Ridgefield, Wash. 98642.	Do.
West Virginia	Braxton	Unincorporated areas.	H 540009 01 through H 540009 33	Office of Federal-State Relations, Room W 115, Capitol Bldg., Charleston, W. Va. 25305.	Braxton County Court, Braxton County, Sutton, W. Va. 26601.	Do.
Do	Clay	do	H 540022 01 through H 540022 24	West Virginia Insurance Department, State Capitol, Charleston, W. Va. 25305.	Clay County Court, Clay County, Clay, W. Va. 25043.	Do.
Do	Pocahontas	do	H 540156 01 through H 540156 62	do	County Court of Pocahontas County, Marlinton, W. Va. 24954.	Do.
Do	Ritchie	Auburn, town of.	H 540262 01	do	Mayor, Town of Auburn, Auburn, W. Va. 26325.	Do.
Wisconsin	Green Lake	Unincorporated areas.	H 550165 01 through H 550165 02	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53708.	County Clerk, Green Lake County, Green Lake, Wis. 54941.	Do.
Wyoming	Sublette	Big Piney, town of.	H 560070 01 through H 560070 02	Wyoming Disaster and Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001. Department of Insurance, State of Wyoming, State Office Bldg., Cheyenne, Wyo. 82201.	Town Manager, Town of Big Piney, Big Piney, Wyo. 83113.	Do.

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

Issued: January 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-2179 Filed 1-24-75;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 204—DANGER ZONE REGULATIONS

Albemarle Sound, N.C.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriations Act of July 9, 1918 (40 Stat. 892; 33 U.S.C. 3), § 204.54 governing the use and navigation of danger zones in Albemarle Sound, Pamlico Sound and adjacent waters in North Carolina is hereby amended with respect to the disestablishment of the target area designated in paragraph (a) (3), (a) (4) and (a) (5), effective January 27, 1975.

Since this revocation constitutes only an agency organizational or procedural matter, notice of proposed rulemaking and public procedures thereto are considered unnecessary. Accordingly, § 204.54 is hereby amended by revoking paragraphs (a) (3), (4) and (5) and revising paragraph (d) (1) as follows:

§ 204.54 Albemarle Sound, Pamlico Sound and adjacent waters, N.C.; danger zones for naval aircraft operations.

(a) * * *

(3) *North of Currituck Beach Light.* [Revoked]

(4) *South of Caffey Inlet Coast Guard Station.* [Revoked]

(5) *Southeast of Caffey Inlet Coast Guard Station.* [Revoked]

* * * * * * * * * * *

(d) *The regulations*—(1) *Target areas.* The area described in paragraph (1) (a) of this section will be used as a dive bombing target by naval aircraft. In peacetime, munitions will be limited to miniature bombs which contain only small explosive charges for producing smoke puffs to mark points of impact. All operations will be conducted during daylight hours, and the area will be open to navigation at night. No vessel shall enter this area during the hours of daylight without special permission from the enforcing agency. The area will be patrolled and vessels will be warned not to enter. "Buzzing" by plane will warn vessels that they are in a danger zone, and upon being so warned vessels which have inadvertently entered the area shall immediately leave the area.

* * * * * * * * * * *

(Sec. 7, 40 Stat. 266; 33 U.S.C. 1: Chapter XIX, 40 Stat. 892; 33 U.S.C. 3)

[Regs., January 6, 1975, 1522-01 Albemarle Sound, N.C.—DAEN-CWO-N]

By authority of the Secretary of the Army.

FRED R. ZIMMERMAN,
Lt. Colonel, U.S. Army,
Chief, Plans Office, TAGO.

[FR Doc.75-2351 Filed 1-24-75;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 317-5]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Arizona; Approval of Compliance Schedule

On September 27, 1974, there was published in the FEDERAL REGISTER (39 FR 34671) a notice of proposed rulemaking which proposed to approve a compliance schedule for the Flintkote Company, Nelson, Arizona. The schedule was submitted pursuant to 40 CFR 51.6 by the Governor of Arizona, through his designee, as a revision to the compliance schedule portion of the Arizona plan for the implementation of the National Ambient Air Quality Standards. EPA received no comments from the public on the proposed rulemaking.

The revision establishes a new date by which the individual air pollution source must comply with the applicable air-pollution control regulations specified in the table below. This date is indicated in the table under the heading "Final Compliance Date." The schedule includes incremental steps towards compliance with the specified regulations. While the table below does not include these interim dates, the actual compliance schedule does. The increments of progress, as well as the final compliance date, are legally enforceable by the Administrator pursuant to Section 113 of the Clean Air Act, as amended (42 U.S.C. 1857c-8).

The heading "Effective Date" in the table below refers to the date the compliance schedule becomes effective for purposes of federal enforcement. The entry "Immediately" under that heading indicates that the schedule will be federally-enforceable when the final promulgation of the schedule becomes effective.

A copy of the complete Arizona State Implementation Plan, including this schedule, is available for public inspection at the addresses listed below:

Arizona Department of Health Services
State Health Building
1740 West Adams Street
Phoenix AZ 85007

Environmental Protection Agency, Region IX
Enforcement Division
100 California Street
San Francisco CA 94111

Environmental Protection Agency
Division of Stationary Source Enforcement
Room 3202, Waterside Mall
401 M Street, SW
Washington DC 20460

An evaluation report setting forth EPA's position on the schedule is also available at the office of EPA, Region IX.

The Administrator has determined that the compliance schedule for the Flintkote Company is consistent with the requirements of Section 110 of the Clean Air Act and 40 CFR Part 51. The schedule is therefore approved, pursuant to Section 110 of the Act and 40 CFR 51.8, as a revision to the compliance schedule portion of the approved Arizona State Implementation Plan. Accordingly, the amendment proposed in the FEDERAL REGISTER on September 27, 1974 is hereby adopted without change and is set forth below.

EPA finds that good cause exists to make this rulemaking immediately effective because the schedule is already in effect in Arizona under State law, the affected source is necessarily aware of the existence of the applicable schedule and of its increments, and EPA's approval of the schedule imposes no additional regulatory burdens. Therefore, for the reasons stated, this rulemaking is effective January 27, 1975.

(Sec. 110, Clean Air Act, as amended (42 U.S.C. 1857c-5))

Dated January 17, 1975.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart D—Arizona

1. Section 52.134(c) is amended by adding the following schedule to the table:

§ 52.134 Compliance schedules.

* * * * * * *

(c) * * *

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Flintkote Co	Nelson	7-1-3.1, 7-1-3.2, and 7-1-3.6.	Apr. 26, 1974	Immediately	Feb. 28, 1975

[FR Doc.75-2265 Filed 1-24-75;8:45 am]

[FRL 317-4]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Nevada; Approval of Compliance Schedules

On September 24, 1974, there was published in the FEDERAL REGISTER (39 FR 34303) a notice of proposed rulemaking which proposed to approve two compliance schedules submitted by the Governor of Nevada and through his designee, pursuant to 40 CFR 51.6, as revisions to the compliance schedule portion of the Nevada plan for the implementation of the National Ambient Air Quality Standards. It was proposed to delete U.S. Gypsum Corporation from the table of compliance schedules disapproved, 40 CFR 52.1482(c) (39 FR 14209), and to amend the table of compliance schedules approved, 40 CFR 52.1482(b) (39 FR 14209), by adding U.S. Gypsum Corporation and the Baroid Division of National Lead Industries, Inc. EPA received no comments from the public on the proposed rulemaking.

Each revision establishes a new date by which the individual air pollution source must comply with the applicable air pollution control regulations specified in the table below. This date is indicated in the table under the heading "Final Compliance Date." Each schedule includes incremental steps towards compliance with the specified regulations. While the table below does not include these interim dates, the actual compliance schedule does. The increments of progress, as well as the final compliance date, are legally enforceable by the Administrator pursuant to Section 113 of the Clean Air Act, as amended (42 USC 1857c-8).

The heading "Effective Date" in the table below refers to the date the compliance schedule becomes effective for purposes of federal enforcement. The entry "Immediately" under that heading indicates that the schedule will be federally enforceable when the final promulgation of the schedule becomes effective.

A copy of the complete Nevada State Implementation Plan, including these schedules, is available for public inspection at the addresses listed below:

Washoe County District Health Department
Division of Environmental Protection
10 Kirman Avenue
Reno NV 89502

Nevada Environmental Commission
201 South Fall Street
Carson City NV 89701

Environmental Protection Agency, Region IX
Enforcement Division
100 California Street
San Francisco CA 94111

Environmental Protection Agency
Room 3202, Waterside Mall
401 M Street, SW
Washington DC 20460

An evaluation report setting forth EPA's position on each of the schedules is also available at the office of EPA, Region IX.

The Administrator has determined that the compliance schedules for U.S. Gypsum Corporation and the Baroid Division of National Lead Industries, Inc. are consistent with the requirements of Section 110 of the Clean Air Act and 40 CFR Part 51. The schedules are therefore approved, pursuant to Section 110 of the Act and 40 CFR 51.8, as revisions to the compliance schedule portion of the approved Nevada State Implementa-

tion Plan. Accordingly, the amendments proposed in the FEDERAL REGISTER on September 24, 1974 are hereby adopted without change and are set forth below.

EPA finds that good cause exists to make this rulemaking immediately effective because each schedule is already in effect in Nevada under State law, each affected source is necessarily aware of the existence of the applicable schedule and of its increments, and EPA's approval of the schedules imposes no additional regulatory burdens. Therefore, for the reasons stated, this rulemaking is effective January 27, 1975.

(Sec. 110, Clean Air Act, as amended (42 U.S.C. 1857c-5))

Dated January 17, 1975.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart DD—Nevada

1. In § 52.1482(b) the table is amended by adding the following schedules:

§ 52.1482 Compliance schedules.

* * * * * * *

(b) * * *

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
U.S. Gypsum Corp.	Empire	Washoe Co. § 040.005, § 040.010, § 040.020.	Jan. 30, 1974	Immediately	May 30, 1975
Baroid Division National Lead Industries, Inc.	Battle Mountain.	Article 4	Jan. 27, 1973	do	Jan. 1, 1975

2. In § 52.1482(c) the table is revised to read as follows:

§ 52.1482 Compliance schedules.

* * * * * * *

(c) * * *

Source	Location	Regulation involved	Date of adoption
Jack N. Tedford, Inc.	Fallon	Not given	Aug. 14, 1972
Basic, Inc.	Gabbs	Article 4	Feb. 13, 1973
		Article 7	June 26, 1973
Duval Corp.	Battle Mountain	Article 5	Feb. 13, 1973
Mohave Generating Station, Southern California Edison Co.	Laughlin	Clark County, Section 16.	Jan. 11, 1973
		Section 26	July 17, 1973

[FR Doc.75-2269 Filed 1-24-75;8:45 am]

[FRL 318-2]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Commonwealth of Pennsylvania Implementation Plan; Administrator's Response to Exclusive Bus/Carpool Lane Study

Purpose. The purpose of this notice is to state the Administrator's response to the Commonwealth of Pennsylvania's Bus/Carpool lane study requested by him in two of the regulations promulgated on November 28, 1973 (38 FR 32884).

Background. Transportation Control Plans for the Pennsylvania portion of the Metropolitan Philadelphia Interstate and the Southwest Pennsylvania Intrastate Air Quality Control Regions (AQCR) were submitted on April 15, 1973 by the Commonwealth of Pennsylvania, pursuant to section 110 of the Clean Air Act. The strategies included improved mass transit and emission inspection programs. Although portions of these plans were approvable, neither plan could be approved in its entirety. Therefore, on June 15, 1973, the Administrator issued an approval/disapproval notice containing his evaluation of the Commonwealth of Pennsylvania's plan. This notice was published in the FEDERAL REGISTER on June 22, 1973 (38 FR 36559).

On July 3, 1973, the Administrator published a proposed Transportation Control Plan for the Pennsylvania portion of the Metropolitan Philadelphia and the Southwest Pennsylvania Air Quality Control Regions (38 FR 37793). The proposals were largely based on the material submitted by the Commonwealth of Pennsylvania. Public hearings were held on July 30 and 31, 1973 in Pittsburgh and on July 23, 24 and September 14, 1973 in Philadelphia.

Some portions of these submissions made in April were approved in a FEDERAL REGISTER notice that appeared on November 28, 1973. In this same notice, EPA promulgated other measures which, to the maximum extent possible, reflected the preferences of the Commonwealth of Pennsylvania. Two of these regulations dealt with the establishment of suburban corridor exclusive bus/carpool lanes and a third regulation dealt with associated parking restrictions.

Sections 52.2048 and 52.2050 required that the Commonwealth of Pennsylvania, by November 1, 1974, submit to the Administrator detailed analyses of specific route locations considered within the required corridors mentioned in these sections. Further, the studies had to designate the most practicable route for each corridor, presenting advantages and disadvantages for the specific route. The Administrator is to approve the Commonwealth's selection of the most practicable routes or designate an alternative route on which bus/carpool lanes must be established.

In accordance with the November 28, 1973 FEDERAL REGISTER,

(a) Section 52.2048 required radial corridors to the Philadelphia Central Business District (CBD) from the following six suburban areas to be examined:

(1) King of Prussia.
(2) Chester.
(3) Paoli.
(4) Media.
(5) West Chester.
(6) Tacony.

(b) Section 52.2050 required a similar examination of radial corridors to the Pittsburgh CBD from the following nine suburban areas to be examined:

(1) Bellevue.
(2) Bethel Park.
(3) Clairton.
(4) The Greater Pittsburgh International Airport.
(5) McKeesport.
(6) McKees Rocks.
(7) Monroeville.
(8) North Braddock.
(9) Penn Hills.

In addition to studying the specified corridors, the Commonwealth was to examine the feasibility of establishing exclusive bus/carpool lanes on substitute alternate corridors if it was determined that any one of the original corridors was infeasible. Section 52.2051, a regulation limiting public parking related to the establishment of bus/carpool lanes, required that parking be prohibited on any particular street or highway where such parking would interfere with the use of aforementioned exclusive lanes.

Summary. In compliance with §§ 52.2048 and 52.2050, the Pennsylvania Department of Transportation submitted studies to the EPA Philadelphia Regional Office containing detailed analyses of the feasibility of bus/carpool lanes in the Pennsylvania portion of the Metropolitan Philadelphia AQCR and the Southwest Pennsylvania AQCR. The studies were received on October 31, 1974, and as amended November 26, 1974.

In accordance with the requirements set forth in the transportation control plans for Philadelphia and Pittsburgh, the Administrator is setting forth his response to the PennDOT study in the following comments:

(1) The Administrator compliments the Pennsylvania Department of Transportation on the timely submission of the bus/carpool lane study by the November 1, 1974 deadline.

(2) The Administrator takes this opportunity to restate EPA's strong commitment to exclusive bus and bus/carpool lanes as an effective transportation measure for achieving air quality and

energy conservation goals. Successful implementation of express bus service (most notably the Shirley Highway service) demonstrates that substantial demand exists for fast, efficient transit options that can replace the auto for the work trip. Finally, EPA's commitment to exclusive lane express bus service is consistent with the policy objectives of the Federal Energy Administration and the Department of Transportation.

(3) On the basis of the six corridors studied in the Philadelphia area, the Administrator concludes that three appear suitable for bus/carpool lanes: I–95 north of the CBD, I–95 south of the CBD, and a portion of West Chester Pike. In the Pittsburgh area, the Administrator finds that one exclusive bus lane on a portion of West Liberty Avenue, one exclusive bus/carpool on-ramp at Stanwix Street, and one pair of exclusive bus/carpool lanes on a portion of the Parkway East appear suitable.

(4) The Administrator concludes that the Commonwealth of Pennsylvania should continue planning for the implementation of the above corridors and routes determined suitable by the Administrator in both the Metropolitan Philadelphia AQCR and the Southwest Pennsylvania AQCR. Accordingly, the Commonwealth should proceed with the necessary follow-up studies and interagency coordination in order to meet the deadline for submission of a compliance schedule. The deadline, originally February 1, 1975 (40 CFR 52.2048(e) and 52.2050(e)), is hereby extended to April 1, 1975, in order for each jurisdiction to have adequate time to submit the compliance schedules.

(5) The Administrator has several reservations, explained below, about the PennDOT conclusion concerning the infeasibility of all other bus/carpool lanes set forth in the FEDERAL REGISTER (38 FR 32884).

(6) The Administrator recognizes that the detailed PennDOT bus/carpool lane evaluation study was forced to address a number of complex issues in a very short time period. Due to this situation, all appropriate agencies and interested parties did not have the opportunity to contribute to the assessment of the potential bus/carpool lane corridors or to evaluate the findings of the final report. Consequently, a critical review of the assumptions and methodologies is warranted. The Administrator is thus calling for comment on the PennDOT study and invites the affected jurisdictions and agencies as well as the general public to review and discuss this study. Comments will be accepted in response to this request until February 15, 1975. The Administrator particularly solicits comments on the following:

(a) Have all alternative routes been adequately analyzed? Has the most practicable route in each corridor been selected as mandated in 38 FR, §§ 52.2048 and 52.2050?

(b) The economic, environmental, and energy benefits of diverting commuters from car to bus.

(c) The methodology used to predict express bus and carpool demand.

(d) The difficulties associated with implementing express bus/carpool lanes on all alternative routes and how these operational problems have been overcome where bus/carpool lanes have been successfully implemented.

(e) Discussion is also sought on routes determined both feasible and infeasible by the PennDOT study and on alternative practicable routes that may have been omitted from this report.

At the minimum, comment from the following key agencies should be obtained. Philadelphia: City of Philadelphia, Delaware Valley Regional Planning Commission, Southeastern Pennsylvania Transit Authority, Bucks, Chester, Delaware and Montgomery Counties. Pittsburgh: City of Pittsburgh, Allegheny County, Southwest Pennsylvania Regional Planning Commission, Port Authority of Allegheny County. Additional comment should be obtained from the State Department of Environmental Resources and the appropriate Federal Department of Transportation offices.

(7) Finally, the Administrator agrees with the PennDOT conclusion that additional specific transit and carpool measures also offer a promising potential for reducing areawide vehicle miles traveled (VMT). These measures which include provision of peripheral parking lots, expansion of radial bus and rail service, and provision of non-radial transit service could significantly improve public transportation, air quality, and energy conservation efforts. Therefore, the Administrator encourages the Commonwealth to include, in the Fiscal Year 1976 Unified Work Program for both regions, feasibility and preliminary engineering studies on the above measures.

Philadelphia Area. In accordance with §§ 52.2048 and 52.2051 (38 FR 32884) for the Pennsylvania portion of the Metropolitan Philadelphia AQCR, the Administrator designates the following routes: (1) exclusive bus/carpool lanes for West Chester Pike; (2) exclusive bus/carpool lanes for I–95, upon completion of the highway; (3) the commencement of a detailed analysis for establishing an exclusive bus/carpool lane on the Schuylkill Expressway (I–76) from the Roosevelt Boulevard (Route 1) Interchange to Vine Street Philadelphia.

1. *West Chester Pike.* The bus/carpool lanes on West Chester Pike will be located in the right-hand operating lanes of the highway from Township Line Road (Route 1) to 69th Street and will operate eastbound from 6:30 a.m. to 9:30 a.m. and westbound from 3:30 p.m. to 6:30 p.m. on or before January 1, 1976.

2. *Delaware Expressway (I–95).* The exclusive bus/carpool lanes on I–95 to serve the Tacony and Chester Corridors will be located in the medial lanes of Interstate 95 from the City of Chester to the Woodhaven Road Interchange and will operate in both directions between the hours of 6:30 a.m. to 9:30 a.m. and 3:30 p.m. to 6:30 p.m. upon completion of that segment of the highway.

3. *Schuylkill Expressway (I–76).* The analysis to be performed for the Schuylkill Expressway segment of Interstate 76 from the Roosevelt Boulevard Interchange to Vine Street shall be comprehensive in nature and include the impact of the establishment of exclusive bus/carpool lanes on the Roosevelt Boulevard. This study shall be completed by the Pennsylvania Department of Transportation and shall demonstrate full cooperation from the City of Philadelphia for the section of the Roosevelt Boulevard up to and including Broad Street, and its impact upon the exclusive bus/carpool lane on the aforementioned section of the Schuylkill Expressway. The study shall be completed and forwarded to the Administrator on or before June 1, 1975. Should the study indicate the feasibility of such exclusive lanes, implementation is required on or before January 1, 1976.

Pittsburgh Area. In accordance with §§ 52.2050 and 52.2051 (38 FR 32884), the Administrator approves the following: (1) bus/carpool lanes for the Penn Lincoln Parkway East (I–76); (2) a bus/carpool ramp onto the Fort Pitt Bridge at Stanwix Street, and (3) an exclusive bus lane ramp from West Liberty Avenue into the existing trolley tunnel which parallels the Liberty Tunnel.

1. *Parkway East (I–76).* The bus/carpool lanes on the Parkway East will be located in the medial lanes of the highway from the Squirrel Hill Interchange to the Boulevard of the Allies Interchange, a distance of approximately 2.2 miles. The westbound lane will provide exclusive service for buses and carpools from 6:30 a.m. to 9:30 a.m.; the eastbound lane will provide exclusive service from 3:30 p.m. to 6:30 p.m.

2. *Stanwix Street On-Ramp.* The Stanwix Street ramp onto the Fort Pitt Bridge will be established for the exclusive use of buses and carpools from 3:30 p.m. to 6:30 p.m.

3. *West Liberty Avenue.* The exclusive bus lane on West Liberty Avenue will be located in the center of West Liberty Avenue from Cape May Avenue to the existing trolley ramp. The buses will utilize the existing trolley right-of-way of the ramp and the trolley tunnel and will traverse the Smithfield Street Bridge into the Pittsburgh CBD. The exclusive bus lane on West Liberty Avenue will be one-way north from 6:30 a.m. to 9:30 a.m. and one-way south from 3:30 p.m. to 6:30 p.m.

These bus and bus/carpool lanes for the Pittsburgh area shall be implemented by July 1, 1975.

Participation of Other Entities. The regulations require that the Commonwealth request the participation of a county or local jurisdiction, if the participation of that jurisdiction is necessary to the establishment of the lanes required by this notice. This requirement is extended to include the request for participation of any entity, such as the Port Authority of Allegheny County, the Southwest Pennsylvania Regional Planning Commission (SPRPC), the South-

east Pennsylvania Transportation Authority, or the Delaware Valley Regional Planning Commission (DVRPC), if necessary to the establishment of the lanes required by this notice. In accordance with § 52.2051 (38 FR 32884), legally adopted parking regulations must be submitted to the Administrator no later than 2 months after the Commonwealth requests participation of such entity in an exclusive lane program.

Submission of Compliance Schedules and Regulations. On or before April 1, 1975 the Commonwealth of Pennsylvania and such jurisdictions and entities as the Commonwealth has requested to participate must submit to the Administrator compliance schedules to show in detail the steps which each entity will take to establish the bus or bus/carpool lanes required by this notice and to enforce the limitations on their use.

No later than June 1, 1975 each governmental entity required by this notice to establish lanes shall submit to the Administrator all remaining legally adopted regulations sufficient to implement and enforce all of the requirements of this notice.

Other Strategies. In the study submitted by the Commonwealth and in subsequent discussions, at least three additional transportation strategies requiring further study were identified that would concurrently improve transportation service, reduce automotive emissions, and contribute to energy conservation. These were expansion of fringe parking facilities on radial bus and rail routes, acceleration of improvements to existing rail facilities and development of new passenger rail service, and examination of potential transit service for non-radial travel. However, in order to achieve the air quality standards at the earliest possible date, the Administrator necessarily places a higher priority on short-term transit improvements although the longer range improvements are certainly viewed as essential longer range strategies.

In the Philadelphia area the planning emphasis will be on fringe parking for radial rail lines with additional fringe parking for express bus service. Second, improvements to existing rail rights-of-way, rolling stocks, and service levels is complementary to the increased parking availability. Third, because of the continuing growth in non-CBD oriented travel, a need exists for development of transit programs to serve the expanding suburban and non-CBD employment concentrations.

In the Pittsburgh area, the planning emphasis will be on the assembling of fringe parking facilities to serve existing and future express bus service. Provision of new radial rail and other exclusive right-of-way transit service plus improvements to existing commuter rail lines through additional parking and expanded service will not be felt as quickly as the implementation of fringe parking for express bus service, but will have a more lasting impact. Finally, as in the Philadelphia area continuing growth in non-CBD oriented travel necessitates an improvement in transit service to serve the expanding suburban and non-CBD employment centers.

By this notice the Administrator requests that the Commonwealth of Pennsylvania recommend priority inclusion of these three study areas in the Unified Work Programs (UWP) of DVRPC and SPRPC for Fiscal Year 1976. As elements of the UWP, these areas should include a determination of their impact on air quality and energy consumption. According to Federal Highway Administration (FHWA) Air Quality Guidelines, the UWP's will be reviewed by both FHWA and EPA and a determination will be made as to the consistency of the transportation plan and program with the applicable state air quality implementation plan of which this notice is a part.

The Administrator further requests that the Commonwealth of Pennsylvania submit along with the Compliance Schedule due April 1, 1975 those elements of the Unified Work Programs that identify these three study areas.

Public information. Copies of the Commonwealth of Pennsylvania study prepared by the Pennsylvania Department of Transportation are available for inspection at the Freedom of Information Center, U.S. Environmental Protection Agency, Room W232, 401 M Street, SW., Washington, D.C. 20460 and at the EPA Region III Office, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106. Comments on the study should be submitted in triplicate to the Air and Hazardous Materials Division Director, EPA Region III Office, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106. All comments received before February 15, 1975 will be considered.

Dated: January 20, 1975.

JOHN QUARLES,
Acting Administrator.

[FR Doc.75-2271 Filed 1-24-75;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 4—DEPARTMENT OF AGRICULTURE

PART 4-3—PROCUREMENT BY NEGOTIATION

Form AD-744

This amendment involves matters relating to agency management and contracting. It is not subject by law to the notice and public procedure requirements for rule making under 5 U.S.C. 553 but is subject to the Secretary's Statement of Policy (36 FR 13804). The amendment corrects or clarifies existing policy and embodies already existing Government-wide policy. No useful purpose would be served by public participation, and it is found upon good cause, in accordance with the Secretary's Policy Statement, that notice and other public procedures with respect to the amendment are impracticable and unnecessary.

1. The table of contents, Part 4-3, § 4-3.605-1 is revised to read as follows:

§ 4-3.605-1 Department of Agriculture Form AD-744 Purchase Order/Invoice/Voucher

2. Section 4-3.605-1 is revised to read as follows:

§ 4-3.605-1 Department of Agriculture Form AD-744, Purchase Order/Invoice/Voucher.

(a) *Prescribed form.* The Department of Agriculture Form is prescribed for use by this Department. The form is to be used as a combination purchase order and vendor's invoice/voucher for making local, small commercial purchases of items and services for immediate delivery. The Form AD-744 will replace the Standard Form 44 for all such purchases. The Standard Form 44 may continue to be used for the functions listed in (b) below.

(b) *Restrictions on use.* The Form AD-744 shall not be used for any of the following:

(1) Purchases involving future delivery of the items purchased.

(2) As a confirming purchase order.

(3) As an order under a Blanket Purchase Arrangement.

(4) Purchases from GSA or other Government Agencies.

(5) Purchases for which the vendor is paid in cash or as a receipt for such purchase.

(6) Purchases which may be accomplished through an imprest fund transaction.

(c) *Availability.* Both Form AD-744 and SF-44 are stocked by the Central Supply Branch, Office of Operations. The forms are four part snap out sets bound in books of twenty-five sets.

Effective date: February 1, 1975.

(5 U.S.C. 301, 40 U.S.C. 486(c))

Done at Washington, D.C., this 21st day of January, 1975.

GEORGE C. KNAPP,
Deputy Director,
Office of Operations.

[FR Doc.75-2306 Filed 1-24-75;8:45 am]

PART 4-5—SPECIAL TYPES AND METHODS OF PROCUREMENT

Procurement From Federal Prison Industries and the Products of the Blind and Other Severely Handicapped

This amendment involves matters relating to agency management and contracting and while not subject by law to the notice and public procedure requirements for rule making under 5 U.S.C. 553 is subject to the Secretary's Statement of Policy (36 FR 13804). The Amendment corrects or clarifies existing policy and embodies already existing Government-wide policy. No useful purpose would be served by public participation, and it is found upon good cause, in accordance with the Secretary's Policy Statement that notice and other public procedures with respect to the imendment are impracticable and unnecessary.

1. The Table of Contents of Part 4–5 is amended as follows:

a. The following Subpart is added:

Subpart 4–5.4—Procurement of Prison-Made Products

b. The following section is added to Subpart 4–5.4:

§ 4–5.408 Clearances

c. Subparts 4–5.51—Federal Prison Industries, and 4–5.56—National Industries for the Blind are deleted.

2. The following Subpart 4–5.4 is added to Part 4–5:

Subpart 4–5.4—Procurement of Prison-Made Products

§ 4–5.408 Clearances.

(a) Clearances are granted by Federal Prison Industries for limited periods. Decisions to request renewal of a clearance should be considered carefully to assure that the circumstances requiring clearance still exist.

(b) Supplies purchased from other sources as a result of clearances from Federal Prison Industries must be identical with the description of the supplies cleared in all material respects, e.g., material width, thickness, strength, performance characteristics, etc.

Subpart 4–5.51 [Deleted]

Subpart § 4–5.56 [Deleted]

3. Subparts 4–5.51 and 4–5.56 are deleted from Part 4–5.

Effective date. January 27, 1975.

(5 U.S.C. 301, 40 U.S.C. 486(c)).

Done at Washington, D.C., this 21st Day of January, 1975.

GEORGE C. KNAPP,
Acting Director,
Office of Operations.

[FR Doc.75-2307 Filed 1-24-75;8:45 am]

Transfer of Material

CROSS REFERENCE: For a document transferring material from 41 CFR Ch. 5 to 41 CFR Ch. 5A, see FR Doc. 75–2353, *infra.*

PART 5–60—CONTRACT APPEALS

Cancellation of Part

Correction

In FR Doc. 75–1703 appearing at page 3291 in the issue for Tuesday, January 21, 1975, and cross-referenced on the same page, Chapter 5 of Title 41 of the Code of Federal Regulations was cancelled in error. Paragraph 2. of FR Doc. 75–1703 should be corrected to show that only Part 5–60 of 41 CFR Chapter 5 is cancelled and should read as follows:

2. *Cancellation.* Part 5–60 of 41 CFR Chapter 5 is cancelled.

The cross reference appearing immediately above FR Doc. 75–1703 should be corrected accordingly.

CHAPTER 5A—FEDERAL SUPPLY SERVICE, GENERAL SERVICES ADMINISTRATION

MISCELLANEOUS AMENDMENTS

Specifications and Standards

This change to the General Services Administration Procurement Regulations (GSPR) updates and transfers material regarding specifications, standards, and purchase descriptions from Chapter 5, GSPR (41 CFR Ch. 5), to Chapter 5A, GSPR (41 CFR Ch. 5A), and updates related portions of Chapter 5A, GSPR (41 CFR Part 5A).

PART 5A–1—GENERAL

The table of contents for Part 5A–1 is amended to revise § 5A–1.305–70 and to add new entries as follows:

5A–1.305–2	Exceptions to mandatory use of Federal Specifications.
5A–1.305–3	Deviations from Federal Specifications.
5A–1.305–6	Military and departmental specifications.
5A–1.305–70	Processing waivers and deviations.
5A–1.307–6	Invitations for bids, "band name or equal" descriptions.

Subpart 5A–1.3—General Policies

§ 5A–1.305 [Amended]

1. Section 5A–1.305 is amended by deleting the text and retaining the number and captions as § 5A–1.305 *Specifications.*

2. Sections 5A–1.305–2, 5A–1.305–3 and 5A–1.305–6 are added as follows:

§ 5A–1.305–2 Exceptions to mandatory use of Federal specifications.

(a) Pursuant to § 1–1.305–2(f), when an Interim Federal Specification exists for a specific item which is also described in a Federal Specification, procuring activities shall use the Interim Federal Specification in lieu of the Federal Specification upon determination that the Interim Federal Specification is more suitable for the specific application. In the absence of a Federal Specification, an Interim Federal Specification, if any, shall be used.

(b) If a procuring activity finds that an Interim Federal Specification is not suitable for use, or that changes are desirable, the appropriate branch chief (or Division Director, FMA) in the Office of Standards and Quality Control shall be so notified. The reasons why the specification is considered unsuitable and any recommendations for changes shall be submitted on GSA Form 2967; Request for Specification and/or Purchase Description Action, in an original and one copy.

§ 5A–1.305–3 Deviations from Federal specifications.

Any deviation from the requirements in a Federal or Interim Federal Specification contemplated under § 1–1.305–3 shall be submitted to the appropriate branch chief (or Division Director, FMA) in the Office of Standards and Quality Control for approval prior to use in a solicitation or contract modification. The request shall include a statement describing the deviation, with justification therefor, and, when appropriate, a recommendation for revision or amendment to the specification. (For procedures applicable to the processing and approval of requests for waivers of specification requirements in connection with the acceptance of nonconforming supplies or services, see § 5A–14.206.)

§ 5A–1.305–6 Military and departmental specifications.

In the absence of a Federal or Interim Federal Specification, military and departmental specifications shall be considered. The contracting officer shall select the most appropriate specification with the advice and assistance of technical personnel.

3. Section 5A–1.305–50 is revised as follows:

§ 5A–1.305–50 Use and availability of specifications and standards.

(a) Formal specifications and standards shall be incorporated by reference in solicitations for offers. The reference shall fully identify the specification or standard by the series printed thereon, i.e. Federal, military, or departmental (e.g., Forest Service), followed by the number and date. (The specification number includes the revision indicator.) Amendments shall be separately identified, e.g., Federal Specification PPP–B–636G, dated February 17, 1972, and Interim Amendment 1, dated August 30, 1972.

(b) Canceled or superseded specifications or standards shall not be used.

(c) When formal specifications or standards are referenced in the solicitation for offers, the following clause (included in GSA Form 1424) shall be included in the solicitation:

COPIES OF GOVERNMENT SPECIFICATIONS AND STANDARDS

The Government specification(s) or standard(s), if any, applicable to each article is stated in the Solicitation for Offers in connection with the general description of the article. A single copy of the referenced Federal or Interim Federal Specification or Standard is available without charge from the General Services Administration Business Service Centers in Boston; New York; Atlanta; Chicago; Kansas City, MO; Ft. Worth; Denver; San Francisco; Los Angeles; and Seattle; or from Specification Sales, GSA, Bldg. 197, Washington Navy Yard, Washington, DC 20407. Additional copies may be purchased from the Specification Sales Office, Washington, DC. Military Specifications, Standards, and Qualified Products Lists may be obtained from Commanding Officer, Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120. If other specifications or standards are applicable, the Solicitation for Offers will state where copies of such specifications may be obtained.

(d) In formally advertised procurements, when the contracting officer discovers prior to the time set for the opening of bids that a specification has been improperly cited (e.g., revision indicator not compatible with date) resulting in an ambiguity concerning the intended specification, the solicitation shall be amended in accordance with § 1–2.207. If the current version of a specification

has not been cited (e.g., basic specification cited correctly, but latest interim amendment not shown), the solicitation shall be amended if such action will serve the Government's best interest.

(1) If such a discovery is made after bid opening, but prior to award, the bids should not be rejected and the solicitation canceled unless it is determined that cancellation is in the best interest of the Government. For example, cancellation may be in the best interest of the Government when the supplies to be furnished under the cited specification would differ significantly from the Government's current actual requirements or where bidders may have been misled as to the actual specification intended.

(2) When the discovery is not made until after award, the contractor shall be required to comply with the cited specification unless the supplies furnished thereunder would be unsatisfactory to the Government. In such case, the contract may be modified by mutual agreement or by change order, *provided, however,* That such modification would not change the design, construction, and cost, of the item to the extent that it would be unfair to deprive other suppliers of the opportunity to submit offers under the revised specification. If the contracting officer determines that it would be in the best interest of the Government to do so, the contract shall be cancelled and new offers solicited.

(e) In negotiated procurements, discoveries made either before the closing date for the receipt of proposals or after award, shall be handled in accordance with the procedure provided in § 5A-1.305-50(d) for discoveries made either before the time set for the opening of bids or after award, respectively. When discovery is made after the closing date for receipt of proposals but prior to award, and it is determined that award on the basis of the cited specification would not be in the best interest of the Government, negotiations on the basis of the specification which should have been cited in the request shall be conducted with offerors as provided in § 1-3.805-1(d), or the request shall be canceled.

4. Section 5A-1.305-70 is revised as follows:

§ 5A-1.305-70 Processing waivers and deviations.

(a) Section 101-26.100-2 of the Federal Property Management Regulations (FPMR) sets forth instructions to agencies regarding the submission of requests for waivers, and provides that such requests shall be submitted to the Commissioner, Federal Supply Service, for approval or disapproval. The Commissioner, FSS, has delegated to the Assistant Commissioner, Office of Standards and Quality Control (FM), the authority to approve or disapprove agency requests for waivers.

(b) In processing agency requests for waivers, the Office of Standards and Quality Control will coordinate with the Office of Procurement or the regional procuremnt division having procurement responsibility for the category of items involved, and any other interested FSS organizational element.

(c) A copy of the FSS letter in response to the agency request will be forwarded to the Customer Market Research Branch, FFMR. That activity will review waiver actions on a continuing basis and identify any items having substantial value and recurrent demand that should be included in the supply system.

(d) Normally, when an agency submits a request for a waiver it intends to purchase the proposed item through its own procurement office. Occasionally, an agency may submit a waiver request and at the same time (or subsequent to approval of the waiver) request FSS to make the procurement. When the agency submits a purchase request to FSS, the contracting officer shall determine if an item in the GSA supply system will fulfill the end-use purpose of the item requested to be procured and, if such an item is available in the GSA supply system, the agency should be contacted to determine whether it will satisfy the agency's needs. If the agency is unwilling to accept a GSA item as a substitute for the requested item, the procurement activity shall coordinate with the Office of Standards and Quality Control which will determine whether procurement of the proposed item is justified. If the purchase request is for a particular make, model, or brand of item, the justification submitted by the agency must meet the requirements of FPMR 101-26.105(b).

(e) With respect to maintenance, repair, and rehabilitation of equipment, FPMR 101-42.102-1(b) states that when an agency determines that services available from an existing term contract price schedule will not fill its required needs, a request to waive the requirement shall be submitted to the GSA regional FSS office administering the contract. Such request shall specify the quantities involved, describe the difference between the services required and those listed in the price schedule, and give reasons why the service will not meet requirements. Waivers are not required in the case of public exigencies.

5. Section 5A-1.306 is revised as follows:

§ 5A-1.306 Standards.

The provisions of §§ 5A-1.305-2 and 5A-1.305-3 relating to the mandatory use of Federal Specifications and the processing of requests for deviations from Federal Specifications are also applicable to Federal Standards.

6. Section 5A-1.307-1 is revised as follows:

§ 5A-1.307-1 Applicability.

(a) When it has been determined in accordance with § 1-1.307-1(b) that only a particular brand name product has features which are essential to the Government's requirements, the purchase description shall specify the brand name of the product without adding the words "or equal." In such cases, the procurement should be made by negotiation (see also paragraphs (1), (2), and (13) of § 1-3.210(a)).

(b) Repeated use of the same purchase description indicates that consideration should be given to developing a specification. In such cases, procurement activities shall prepare and forward an original and duplicate of GSA Form 2967, request for Specification and/or Purchase Description Action, to the Specification Management Staff, FMR. The recommendation should be supported by annual purchase statistics and any other pertinent data. The Office of Standards and Quality Control will obtain a detailed description of the item from the manufacturer(s) of products known to be acceptable and will coordinate with registered users to develop a specification when demand for the item warrants such action. A completed copy of GSA Form 2967 will be returned to the procurement activity originating the request.

7. Section 5A-1.307-4 is amended by revising paragraph (a) as follows:

§ 5A-1.307-4 Brand name products or equal.

(a) *Referencing of brand name products.* Brand name or equal purchase descriptions shall reference all brand name products known to be acceptable and of current manufacture. Where the use of a brand name or equal purchase description results in the purchase of an acceptable brand name product which was not referenced in the description (an "equal" product), a reference to that brand name product should be included in the purchase description for subsequent procurements. Where it is found that a referenced brand name product is no longer applicable, the reference thereto shall be deleted from the purchase description. Information regarding such additions and deletions coming to the attention of procurement personnel shall be immediately communicated to the appropriate Branch Chief (or Division Director, FMA) in the Office of Standards and Quality Control for formal revision of the purchase description.

* * * * *

8. Section 5A-1.307-5 is amended by revising paragraph (b) as follows:

§ 5A-1.307-5 Limitations on use of "brand name or equal" purchase descriptions.

* * * * *

(b) *Approval required.* A "brand name or equal" purchase description shall not be used unless it has been approved by the Office of Standards and Quality Control, with the following exceptions:

(1) Purchase descriptions applicable to Forest Service items shall be approved in accordance with § 5A-72.106-2.

(2) Purchase descriptions covering Veterans Administration items shall be approved by the Director, Supply Service, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420.

(3) Purchase descriptions applicable to (i) public exigency procurements of

nonstock items, or (ii) other procurements valued at $5,000 or less, may be approved by the Director of the Procurement Division.

9. Section 5A–1.307–6 is added as follows:

§ 5A–1.307–6 Invitations for bids, "brand name or equal" descriptions.

The entries prescribed in § 1–1.307–6 shall be prominently inserted in the item listing after each item or component part of an end item to which a "brand name or equal" purchase description applies. In addition, because bidders frequently overlook the requirements of Clause 24 of GSA Form 1424, the following cautionary note shall be inserted in the item listing after each "brand name or equal" item (or component part), or at the bottom of each page listing several "brand name or equal" items, or in a manner which may be otherwise considered appropriate to direct the bidder's attention to this important clause of GSA Form 1424:

BIDDERS OFFERING OTHER THAN BRAND NAME ITEMS IDENTIFIED HEREIN SHOULD FURNISH WITH THEIR BIDS ADEQUATE INFORMATION TO ASSURE THAT DETERMINATION CAN BE MADE AS TO EQUALITY OF THE PRODUCT(S) OFFERED (SEE CLAUSE 24 OF GSA FORM 1424).

PART 5A–16—PROCUREMENT FORMS

The table of contents for Part 5A–16 is amended to add the following new entry:

5A–16.950–2967 GSA Form 2967, Request for Specification and/or Purchase Description Action.

NOTE: A copy of the form illustrated in § 5A–16.950–2967 is filed with the original document.

PART 5A–72—REGULAR PURCHASE PROGRAMS OTHER THAN FEDERAL SUPPLY SCHEDULE

Subpart 5A–72.1—Procurement of Stock Items

1. Sections 5A–72.101 through 5A–72.103 are revised as follows:

§ 5A–72.101 General.

Stock items, excepting those available from Government sources of supply (see Subpart 5A–5.50), shall be procured in accordance with this subpart.

§ 5A–72.102 Specifications.

To facilitate procurement and inspection, and to maintain uniformity and established quality standards of stock items, only authorized stock item purchase descriptions as contained in GSA Form 419A, SIPD Data Transmittal Sheet, issued by the Office of Standards and Quality Control, or specifications/purchase descriptions prepared by the U.S. Forest Service and used by Region 8 to purchase special fire-control equipment and supplies, shall be used in describing stock items, except under the circumstances indicated in § 5A–72.103.

§ 5A–72.103 Exceptions to Use of Authorized Stock Item Purchase Descriptions.

(a) Procurement Division Directors may authorize exceptions from the requirement for use of item purchase descriptions (IPD) for stock items when the purchase value is $5,000 or less, provided the product(s) to be purchased are known to meet the applicable specifications or, if not known, are good quality off-the-shelf products. (For interim stock replenishments see § 5A–72.105–29.)

(b) When item purchase descriptions (IPD) specifying Level B packaging and/or packing requirements are used for direct delivery procurements, these requirements may be modified by the contracting officer. The consignee shall be contacted to determine if Level C commercial packing is adequate. If direct deliveries are made under existing contracts, the packaging and packing requirements specified in the contract need not be modified.

2. Section 5A–72.104 is amended by revising the introductory text and paragraph (a).

§ 5A–72.104 Uniform firm stock price policy requirements.

Firm issue prices are established for stock items on the basis of average cost prices being paid by all GSA offices procuring the items and are published in the GSA Supply Catalog. The following procurement price factors and procedures are to be observed by all Federal Supply Service purchasing officers:

(a) Where current prices shown in the current edition of the GSA Supply Catalog are substantially lower than prices being offered, purchasing officers shall request information from other GSA offices procuring the item as to the names of other suppliers, in an effort to locate more satisfactory sources of supply.

* * * * *

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective on the date shown below.

Dated: January 2, 1975.

M. J. TIMBERS,
Commissioner,
Federal Supply Service.

[FR Doc.75–2353 Filed 1–24–75;8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

CFR Correction

In 45 CFR (Parts 200–499), revised as of October 1, 1974, § 205.102 was inadvertently omitted from page 19. The text of this section reads as follows:

§ 205.102 Separation of services from assistance payments.

(a) *State plan requirements.* A State plan under title I, IV–A, X, XIV or XVI of the Social Security Act must provide:

(1) For development of a plan for separation of services from assistance payments and for the establishment of a separated service system, which will accord with guidelines issued by the Social and Rehabilitation Service, and will be submitted no later than October 1, 1972, to the SRS Regional Commissioner for approval;

(2) For statewide operation of the approved separation plan no later than January 1, 1973; and

(3) For submittal of a progress report on the implementation of separation, no later than March 15, 1973.

(b) *Definitions.* (1) "Separation of services from assistance payments" means the administration and operation of the srevices function independently from the assistance payments function, with separate lines of authority for each function.

(i) In addition to the single State agency head, for both the services and the assistance payments functions, there may be a common head at the level of State supervision of local office operations and at the overall local administrative level.

(ii) There must be, at all levels, separate lines of authority and separate staff directly and exclusively responsible for services programs as distinguished from assistance payments programs. This includes all staff engaged in policy and program development supervision of local operation of service programs, and actual provision of services to clients.

(iii) There may be common or separate facilitating services at any State or local agency level, depending on the need.

(iv) In the case of a sparsely populated geographical area, upon justification by the State agency documenting a lack of administrative feasibility in assigning separate local staff for services and for assistance payments functions, the SRS Regional Commissioner may approve alternate arrangements, based upon criteria set forth in SRS guides, and designed to achieve the purposes of separation in such area to the maximum extent possible, and to provide reporting and cost allocation methods which will assure compliance with other Federal requirements and proper claims for Federal financial participation.

(2) The "services function" encompasses those activities included in the approved State plan and carried out by the agency, pursuant to Parts 220, 222, 223, and 226 of this chapter, in order to enable an individual or family, or groups of individuals or families, to overcome barriers to the achievement of their objectives and the goals of the

public social services programs. It includes determination of eligibility for services of those individuals or families who are neither applicants for nor recipients of financial or medical assistance, and, under title IV–A, for those who can qualify under § 220.52(a)(3)(iii) or (iv) of this chapter.

(3) The "assistance payments function" encompasses all activities and payments for basic maintenance, i.e., furnishing the income to which an individual or family is entitled under the approved State plans for meeting day-to-day ongoing living costs and special needs. It includes the complete process of determining initial and continuing eligibility for financial and medical assistance and for commodities distribution or food stamps. It also includes maintaining the case in assistance payment or certification status.

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19622; FCC 75–67]

PART 73—RADIO BROADCAST SERVICES

Prime Time Access Rule; Second Report and Order

In the matter of consideration of the operation of, and possible changes in, the prime time access rule, § 73.658(k) of the Commission's rules.

1. In this Second Report and Order, the Commission decides the form of the "prime time access rule" (§ 73.658(k) of the Commission's rules). The substance of the various provisions of the rule, to be effective in September 1975, is set forth in the next paragraph; it will be noted that it is similar to "PTAR I", the original rule adopted in 1970, except for certain exemptions which largely represent waivers regularly granted under that rule, new provisions as to use of feature film, and an exemption for network or off-network programming which is: (1) Programming designed for children; (2) public affairs programs; or (3) documentary programs. In paragraph 62, below, we discuss the future of the rule. Also, in paragraph 60, below, we set forth our view, that the public interest requires stations subject to the rule to devote a substantial proportion of prime time to programming of particular local significance.[1]

2. In substance, the provisions of the new rule, effective September 8, 1975, are as follows:

(a) Network-owned or affiliated stations in the 50 largest markets (in terms of prime time audience for all stations in the market) may present no more than three hours of network or off-network programs (including movies previously shown on a network) during the hours of prime time (7–11 p.m. E.T. and P.T., 6–10 p.m. C.T. and M.T.).

(b) Certain categories of network and off-network programming are not to be counted toward the three hour limitation; these are generally:

Network or off-network programs designed for children, public affairs programs or documentary programs.

Special news programs dealing with fast-braking news events, on-the-spot coverage of news events or other material related to this coverage, and political broadcasts by or on behalf of legally qualified candidates for public office.

Regular half-hour network news programs when immediately adjacent to a full hour of locally produced news or public affairs programming.

Runovers of live network coverage of sports events, where the event has been reasonably scheduled to conclude before prime time.

For stations in the Mountain and Pacific time zones, when network prime time programming consists of a sports or other live program broadcast simultaneously throughout the United States, these stations may schedule programming as though the live network broadcast occupies no more of their prime time than that of stations in the other time zones.

Broadcasts of international sports events (such as the Olympics), New York's Day college football games, or other network programming of a special nature (except other sports or motion pictures) when the network devotes all of its evening programming time, except for brief "fill" material, to the same programming.

(c) Another provision includes definitions of the terms "programs designed for children" and "documentary programs".

I. Background and Description of Comments.[2]

3. The prime time access rule, § 73.658(k) of the Commission's rules, was originally adopted in May 1970, and, with some modifications adopted later that year, went into effect October 1, 1971, as far as the basic restriction on prime-time network programming was concerned. The restriction on use of off-network and feature film material during the time cleared of network programs went into effect October 1, 1972.[3] This rule, "PTAR I", provides that stations (network-owned or network-affiliated) in the 50 largest U.S. television markets may not carry more than three hours of network programs each evening during the four prime time hours (7–11 p.m. E.T. and P.T., 6–10 p.m. C.T. and M.T.); and that the one hour thus cleared of network programs may not be filled with off-network material or feature films shown by a station in the market within the previous two years. The rule contains an exemption for network programs which are "special news programs dealing with fast-breaking news events, on-the-spot coverage of news events and political broadcasts by legally qualified candidates for public office." The May 1970 decision also contemplated waivers of the rule generally in two other types of situations, which have been granted since: (1) where stations carry a full hour of local news or local public affairs material immediately before prime time, and wish to carry a half-hour of network news at the beginning of prime time without its counting toward the permissible three hours;[4] and (2) sports runovers, where a network telecast of a sports event normally would conclude within the allotted time but possibly may not. This matter arises chiefly with late-afternoon sports events scheduled to last until 7 p.m. E.T., but also sometimes occurs with respect to evening sports events. While not specifically mentioned in the decision adopting the rule, there has also been in effect since 1971 a waiver for one-time network news and public affairs programs, those not part of a regular series. Waivers have been granted since early 1972 for particular off-network programs (Wild Kingdom, National Geographic, etc.). There have also been waivers to take into account time zone differences. In a few cases, where requested by individual stations, waivers have been granted to permit use of 3½ hours of network or off-network material in one evening if accompanied by a reduction in such material on a later night soon after.

4. While not required by the terms of the rule, two other developments have occurred. First as far as network origination of programs is concerned, the time cleared of network programs has been the first hour of prime time, or 7–8 p.m. E.T., Monday through Saturday. On Sunday, CBS and NBC have run from 7:30 to 10:30, leaving 7–7:30 and 10:30–11 as cleared time; ABC has alternated between that schedule and 8–11 p.m. Second, while the rule applies only to the top 50 markets, as a matter of business judgment, the networks decided not to present more prime time programming on affiliated stations below the top 50 markets. Therefore, the rule has led to an across-the-board reduction in network schedules, from 3½ hours on weekdays and 4 hours on Sunday before the rule (25 hours total) to 3 hours a night (21 hours total).[5]

5. Because of complaints about the rule's effects and the filing of three peti-

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[1] We do not consider at this time, nor discuss further herein, the "anti-multiple exposure" rule proposed by Sandy Frank Program Sales, Inc., a syndicator, under which no more than one program of the same series could be broadcast each week during access time by a station subject to the rule. Such a rule, which if adopted would mean considerable change in the operation of many stations, is outside the scope of this proceeding.

[2] For a longer discussion of the background of this matter, see the January 1974 decision in Docket 19622, modifying the rule, pars. 4–25, 44 FCC 2d 1081, 1082–1092.

[3] See Report and Order in Docket 12782 (May 1970), 23 FCC 2d 382, and decision on reconsideration (August 1970) generally affirming but making some minor changes, 25 FCC 2d 318.

[4] This principle was extended in a few cases in 1973 to permit carriage of the ABC Reasoner Report program at 7 p.m. e.s.t. without counting toward the permissible three hours, where it is both preceded and followed by a half-hour local program, one of which is public affairs.

[5] ABC presented four hours of programming on Sundays in late 1970, but early in 1971 cut its Sunday programming back to three hours.

tions seeking its repeal, the Commission instituted the present inquiry and rule-making proceeding, Docket 19622, on October 26, 1972. This was designed to explore the rule's operation and consider changes in, or repeal of, the rule. Comments in response to the Notice of Inquiry and of Proposed Rule Making[6] were filed early in 1973, and two days of oral argument was held in July 1973 (with additional written submissions). A total of 59 parties filed initial and/or reply comments or participated in oral argument, including independent producers, distributors and their association strongly supporting the rule; major film producers and other independent producers urging repeal; the three networks; labor organizations (opposing the rule); three "public" groups supporting the rule; station licensees on both sides; and various other parties.

6. On January 23, 1974, a Report and Order was issued, making certain changes in the rule to be effective in September 1974.[7] All restrictions were removed from Sundays and from the first half-hour of prime time (7–7:30 E.T., etc.). One of the remaining six 7:30–8 p.m. half-hours could be used for network or off-network material of certain types—children's specials, public affairs or documentary programming ("documentary" was defined to include programs which are educational and informational and non-fictionary, but not where the information is part of a contest among participants). Finally, feature films were barred entirely from access time periods. Following this decision, the networks made plans to use the additional time made available to them. All three networks planned to present four hours on Sundays; NBC planned one-hour shows on 44 Saturdays mostly of a news-magazine type; CBS planned 44 half-hour programs at 7:30 on Saturdays, generally children's programming; and ABC planned only 6 to 12 one-hour news documentaries or children's programs on Saturdays. Thus, under these plans, all of Sunday prime time would be occupied by network programs, and, on an annual basis, about half of the Saturday hour previously cleared.[8]

7. The National Association of Independent Television Producers and Distributors (NAITPD), one of the most vigorous proponents of the original rule, sought judicial review of this decision, appealing to the U.S. Court of Appeals for the Second Circuit which had affirmed the original rule in May 1971.[9] In connection with its appeal, NAITPD sought a stay of the changes for a year, or until September 1975, claiming that the period of 7–8 months allowed was too short a time for independent producers to adjust to "PTAR II". This stay request was denied by us and also by the Court, but the Court set an expedited schedule and on June 18, 1974, issued a decision. The decision (NAITPD et al v. FCC)[10] did not rule on the merits of our January changes or the contentions of the appellants on both sides (NAITPD et al. urging a return to the original rule, some major film producers and independent producers urging repeal). Rather, it held that the Commission had acted too precipitously in making the changes effective this fall, particularly since, when the original rule was adopted in May 1970, the networks were given some 16 months grace before the effective date in the fall of 1971. The Court enjoined us from putting the changes into effect before September 1975, and remanded the matter to us to determine what the effective date should be.

8. While the Court did not rule on the substance of the changes, it did indicate some areas where it believed further Commission inquiry would be appropriate. It is suggested that we get the views of public groups—consumer groups, minority groups, etc.—particularly concerning the effect of the rule on television advertising in prime time,[11] and the impact of the rule on programming for minorities. It was also suggested that playwrights and actors could offer views as to the effect of the rule on their professions. Aside from this broader input, the Court also expressed the desire for more definite statements concerning three matters: the argument that the rule works to increase, rather than diminish, network dominance; the effect of the rule on competition, as to which we were urged to get the views of the Justice Department; and the question of economic impact on Hollywood, the argument being that the rule, by reducing the amount of prime time available for network programs, has a serious impact on the U.S. program production industry and employment in it.

9. In light of these Court observations, we issued on July 9, 1974, a Further Notice Inviting Comments in this proceeding (FCC 74–756, released July 17, 1974, 39 FR 26918). We invited comments from parties on the six points mentioned by the Court, and from consumer groups, minority groups, and the public on these points as well as concerning the rule generally. The question of the appropriate effective date was also raised. Shortly after issuance of the Further Notice, the Commission's Office of Network Study directed letters to numerous consumer and minority groups, as well as labor and guild organizations, specifically inviting their comments. Most of these responded, as did numerous other organizations.[12] Comments and reply comments in response to this Further Notice were due by September 20 and October 10, respectively (though a number of parties, particularly public groups, filed late).

10. *Description of comments in response to the Further Notice.* A total of 43 formal and informal initial comments were filed in response to the Further Notice. Of these, 17 were from public groups, all but one of them supporting the original rule and opposing the January PTAR II modifications. They also opposed waivers or any other relaxations, and also suggested additional regulatory requirements. The Department of Justice also supported the original rule. The Office of Telecommunications Policy (OTP) urged repeal of the rule entirely. Of 24 comments from private parties, 9 urged return to the original rule—NAITPD; ABC (although not viewing the PTAR II compromise as unsatisfactory); Westinghouse Broadcasting Company, Inc. (Westinghouse); Station Representatives Association (SRA); program suppliers Sandy Frank, Time-Life Films, Inc., and Viacom International, Inc.; and TV licensees Leake TV, Inc. (Little Rock and Tulsa), and Wometco Enterprises, Inc. (comments relating chiefly to Miami). Ten (10) comments from private parties urged repeal of the rule—three from six major film companies (Warner Bros. Television-United Artists-MGM Television, MCA Inc.-20th Century Fox, and Columbia Pictures Television); CBS; National Committee of Independent Television Producers (NCITP); Screen Actors Guild, Hollywood Film Council and Writers Guild of America (West) in joint comments; Authors League of America, Inc.; and licensees Metromedia, Inc. (Chiefly independent stations in New York, Washington, Los Angeles, etc.), KOOL Radio Television (KOOL–TV, Phoenix) and Newhouse Broadcasting Corp. (comments relating chiefly to Syracuse). NBC supported the PTAR II compromise. Four other parties took no position as to the basic rule. The

[6] Notice of Inquiry and Notice of Proposed Rule Making in Docket 19622, FCC 72–957, adopted October 26 and released October 30, 1972, 37 FR 23349, 37 FCC 2d 900.

[7] Report and Order in Docket 19622, FCC 74–80, adopted January 23 and released February 6, 1974, 44 FCC 2d 1081.

[8] It appears that the expansion of network time by an hour each on Sundays would have resulted in six additional situation comedies (although the new programs would not necessarily have been all on Sundays since there was to be some rearrangement of schedules). As to NBC's planned use of an hour on most Saturdays, strong opposition to this was expressed by NBC affiliates in May, and it was not at all certain as of early June that this planned programming would have been presented had the rule remained in effect, or that affiliates generally would have cleared it if it had been carried on the network.

[9] Mt. Mansfield Television, Inc. v. FCC, 442 F. 2d 470 (C.A. 2, May 1971).

[10] National Association of Independent Television Producers and Distributors et al. v. FCC and U.S. 502 F. 2d 249 (U.S.C.A. 2, decided June 18, 1974).

[11] The Court noted the two sides of this question urged by opponents and proponents of the rule respectively: that the rule has increased the number of commercials in access time, and that this development is offset by increased opportunity for local advertisers.

[12] The groups contacted by letter from whom no response was received (directly or through another affiliated organization) were the Consumers Federation of America, National Association for Better Broadcasting, Asian Americans for Fair Media, and the National Council of Senior Citizens.

latter were Motion Picture Association of America, Inc. (MPAA, urging repeal of the feature-film ban), Association of Independent Television Stations, Inc. (INTV, specifically taking no position because of a split among its members); the Wolper Organization, Inc. (urging further consideration of its proposal for an exemption for "educational value" programming); and Bill Burrud Productions, Inc. (seeking definition and clarification as to the status of off-foreign network material under the off-network restriction).

11. Fourteen reply comments were filed, including 9 by parties who had filed earlier comments, and five new parties. The new filings included Post-Newsweek Stations, Inc. (Washington, Miami, Hartford and Jacksonville), and four public groups—the American Civil Liberties Union (which had participated in the proceeding in 1973) and public groups in the St. Louis and San Francisco Bay areas and in Alabama. All of the new parties supported the original rule. The 5 comments from new parties are in large part not proper reply material, being original statements of position rather than an answer to something filed in initial comments. This is not entirely true of the ACLU and Post-Newsweek comments, and the other three are, for the purposes of this decision, cumulative of earlier material filed by public groups. The comments listed are considered herein.[12] Parties filing comments and reply comments are listed in Appendix B.[12A]

12. *Changes in position.* A few parties participating in the proceeding at this stage have changed position from their earlier views. INTV, the independent station association, and Metromedia, formerly strong supporters of PTAR I, now either take no position or urge repeal. Metromedia claims that the rule works to the detriment of independent stations because of more sophisticated techniques used by affiliated stations in selling access-period advertising. Leake TV's position supporting the rule (because of successful hour-long news operations on weekdays) is a reversal of its earlier stand. Post-Newsweek's support for the rule is to some extent a departure from its oral argument position supporting the basic network restriction, but urging repeal of the off-network limitation. NBC's position favoring PTAR II, and (in reply comments) vigorously opposing the majors' argument for repeal, is roughly the same as its oral argument position expressing support for the rule in the interest of certainty and an end to controversy. This position, however, is completely at odds with its original position, as one of the 1972 petitioners strongly urging repeal.[14] Otherwise, the parties have much the same positions as they had earlier. A detailed analysis of the comments mentioned appears in Appendix C.[14A]

II. Discussion and Conclusions

13. As stated at the outset, the Commission has decided to return to PTAR I, the original rule adopted in 1970, except for the codification of certain waiver practices which have grown up under it (sports runovers, network news following an hour of local news, time-zone differences, etc.), and except for network or off-network programming which is designed for children, public affairs or documentary programs, and different provisions as to feature films. Most paragraph references below are to Appendix C (C–3 etc.)

A. *Arguments of opponents of the rule.* 14. In evaluating the arguments of the majors and other opponents of the rule, it is important to bear in mind the rule's primary objectives: to lessen network dominance and free a portion of valuable prime time in which licensees of individual stations present programs in light of their own judgments as to what would be most responsive to the needs, interests and tastes of their communities. At the same time, the rule seeks to encourage alternative sources of programs not passing through the three-network funnel so that licensees would have more than a nominal choice of material. These are still valid objectives. It was also noted that this increased supply would be a concomitant benefit to independent stations; and "it may also be hoped that diversity of program ideas may be encouraged by removing the network funnel for this half-hour * * *". Thus, diversity of programming was a hope, rather than one of the primary objectives. It was emphasized that the Commission's intention is not to smooth the path for existing syndicators or encourage the production of any particular type of program; the "types and cost levels of programs which will develop must be the result of competition which will develop."[15]

15. As to the matter of network dominance, it is readily apparent that, as far as network control over station time is concerned, it is reduced by the requirement of cleared or access time, and that certain public advantages have resulted. These include, the local programming activities which have been stimulated, including those mentioned by the various minority and other citizens' groups filing herein (pars. C–3—C–5), and others such as those mentioned by Leake TV, Wometco in Miami, and Post-Newsweek stations (par. C–50), and others in Boston, Washington and other places. It may be that these programs in some cases would have been presented anyhow, and possibly at a reasonably desirable hour in prime or fringe time; but their presentation in high-audience hours is certainly facilitated by the rule, as Wometco, Urban League and the others point out. These showings afford tangible evidence of the benefits flowing from the rule.[16] The same applies to the presentation of syndicated programs which, in the licensees' judgment, have particular appeal to their stations' audiences, such as Lawrence Welk and Hee Haw after their cancellation on the networks. In sum, the rule in this respect has provided a significant public benefit, in freeing licensees to exercise their own programming judgments. Also of significance in this connection is the fact that affiliated stations are able to retain all of the revenues from access program time (less the amount they spend for programming, typically no more than 33 per cent according to earlier material herein)[17], compared to about 30 percent which they typically get from the networks for network time. Thus they have more money from which to support local programming efforts. We find it an important and valid consideration.

16. Also of considerable importance is the encouragement of a body of new syndicated programming, which independent stations may use as well as affiliated stations, by making prime time

[12] We do not consider herein, except to note the general position taken pro or con, material filed later than October 11, the due date for filing comments. This includes comments from the Office of Communication of the United Church of Christ (supporting the rule), some Urban League chapters filing informal comments to the same effect as Youngstown and Grand Rapids filings earlier, and supplemental material filed by Warner Bros. Television and other majors, and Sandy Frank.

[12A] Appendix B is filed with the original document.

[14] As to the other networks, ABC at all stages of this proceeding has been a strong supporter of the rule, although it states that it did not find the PTAR II compromise unacceptable to it. CBS urges ultimate repeal, as it has before, although it urges a delay before full repeal just as it did in oral argument (its position is now that PTAR II should be in effect for 1975–76, with full repeal effective in September 1976).

[14A] Appendix C is filed with the original document.

[15] See the May 1970 Report and Order in Docket 12782, pars. 23, 25–26, 23 FCC 2d 382, 395–397. The matter of local programming was also mentioned in a footnote as being in the public interest (23 FCC 2d 395, footnote 37).

[16] In the reply comments of Warner et al., it is claimed that the impetus to local programming cannot be used to justify the rule, since it was not essentially one of the reasons for its adoption. Three cases are cited in this connection: SEC v. Chenery Corp., 332 U.S. 194 (1947); Burlington Truck Lines v. U.S., 371 U.S. 156 (1962); and Columbia Broadcasting System, Inc. v. FCC, 454 F 2d 1018 (C.A.D.C. 1971). These cases do not support the concept claimed, since they deal with the extent to which a reviewing Court may consider matters not mentioned in the agency's decision but otherwise asserted, for example in its appellate brief or oral argument. In fact, the Chenery case cited (the second of these well-known decisions) basically stands for just the reverse. There, the Supreme Court affirmed an SEC decision which reached the same result as an earlier decision in the matter which the Court had reversed because it found it to be based on an invalid rationale. The Court approved the SEC's reaching the same result on further consideration for a different reason. It is clearly erroneous to claim that we cannot consider an obvious public-interest benefit from the rule even though it was not one of the main reasons for its adoption.

[17] See Report and Order in Docket 19622, January 1974, 44 FCC 2d 1081, 1111.

available for its presentation. Such a body of programming has developed (see pars. C–29, C–49, C–55 and Appendix D).[17A] While the majors et al. urge that this is not of significance (being game shows, foreign imports or other network "retreads"), it is premature to make any final judgment at this time as to the character of this programming (assuming that such a judgment is ever appropriate). There has, of course, been a reduction in network programs, and thus no doubt in programs which could become off-network material; however, the later is rather speculative as to quantity, in view of the rather large number of current and recent network prime-time programs not lasting long enough to make a syndication package, and increased network use of movies, sports, etc. In any event, we conclude that it is definitely in the public interest to encourage the development of a body of new (not repeat) programs outside of the network process, and thus provide opportunity for the development of new program approaches and ideas.[18]

17. On balance, we conclude that the rule also has other benefits. These include the increased opportunity for non-national advertisers as well as an optional outlet for national advertisers who may choose to use spot rather than network messages.[19] There is increased programming of a public service character presented by ABC as a result of its greater profitability under the rule (see par. C–50). Finally, there is the emergence of successful distributors who are able to finance their own and others' production of network and non-network programs, e.g., Worldvision and Viacom (see pars. C–28 and C–49(a)). As a result there is now an increased number of producers active in prime time. In light of the different views as to the present effect on independent stations, we do not attach significance at this time to the benefit to independent stations formerly claimed and still asserted by some parties.

18. *Diversity and other programming considerations.* We do not regard the various points urged by Warner et al., and other opponents as warranting repeal of the rule, or modification beyond that adopted herein. Of the 9 points mentioned by Warner (other than First Amendment arguments discussed below), the most significant are those relating to the character of access-period programming, since we must always keep foremost in mind the interest of the viewing public rather than the interests of private parties. We reject the argument concerning lack of diversity and quality, as a basis for action at this time beyond that taken herein, for a combination of reasons. First, we are persuaded that the rule has not yet been fully tested. An evaluation of its long-term potential cannot be made at this point, with respect to the kind of programming which is likely to develop with time and a more favorable climate. The uncertainties mentioned in par. C–49(b), have undoubtedly had a discouraging effect on investment in the development of programs other than those most easily produced and readily saleable. We note the failures mentioned by Warner, et al. (par. C–61); but it is arguable that a number of these resulted from various uncertainties, including the uncertainty as to the judicial affirmance of the rule until May 1971.[20] Also, we cannot agree with Warner, et al. that the first year afforded a test simply because, although the "off-network" and feature film restrictions were not in effect, only 23% of access time was occupied by such material. This, over 450 half-hours, when taken together with the amount of time then and now devoted to news and other long-established usages, could well have been a formidable obstacle, along with the other uncertainties just mentioned. Finally, we believe that the case for economic factors being an iron-clad, immutable obstacle to more elaborate programming efforts has not been made. See par. C–62, particularly NAITPD's filing, and the January 1974 decision herein, pars. 89–91,44 FCC 2d 1081, 1137–38. In sum, we do not think it is established that "nothing different is to be expected", given reasonable certainty as to the rule.

19. It is also to be noted that there is by no means a total lack of diversity, even though the emphasis is on game shows. There are a number of programs of other types, including animal shows and musical variety shows. Thus, the picture is not as monotonous as Warner's description might indicate, even looking at syndicated programming alone. See pars. C–51–52 and C–55, and Appendix D.

20. Perhaps more fundamental is the question of to what extent repeal or really substantial abridgement of the rule would be justified on the basis of a Commission evaluation of such matters. Action on a basis like this has the danger of reflecting the Commission's personal predilections and prejudices. A related question is, assuming such an inquiry is appropriate, what standards should be used, and whether they should be applied, in a sense, retroactively and without any public input into their formulation. For example, assuming that 65.6 percent of access entertainment time devoted to game shows is undesirable, what about 41.2 percent of network prime time devoted to crime-drama shows of various types? If we look at the concentration of game shows in certain markets such as Cincinnati or Albany, must we not look also at three network crime-drama shows opposite each other on Wednesdays at 10 p.m.?

21. We do regard it as important to provide greater opportunity for the presentation in access time of certain kinds of material which are to some extent inhibited by the rule. One of our objectives in so doing is to promote an increase in the range of fare available to the public at these times. Should the time come to review the rule again, it may well be that a continuing lack of diversity will be grounds for change; but we do not find it so now except as provided herein.

22. Warner et al. urge two other points concerning programming: the undesirability of use of foreign product, and underrepresentation in access programming of minority groups and women. As to the first, Warner claims that the rule discriminates against American producers and favors foreign producers, which is also urged by another producer, Bill Burrud. Our conclusions are basically the same as they were earlier; see January 1974 decision, pars. 98–99, 44 FCC 2d 1141. In light of the reduced role which foreign product plays in access programming this year as compared to earlier years under the rule, action to repeal or substantially abridge the rule on this basis is not warranted.[21] While it is regrettable that American producers face off-foreign-network competition, which comes in with a cost advantage, this is a situation which obtains elsewhere in our economy. As to the other point—alleged irrelevance of access-period programs from the standpoint of minority groups and women, and American social problems generally—this is much too speculative a matter to afford basis for action at this time, particularly in view of the impetus to local programming. See also pars. C–8 and C–42.

23. *Other arguments.* With respect to the argument concerning increased network dominance in the broad sense, the case for that proposition is not established in this proceeding. Network dominance is obviously reduced by the reduction in network prime time programming; and this reduction is only slightly lessened by the somewhat greater carriage of network programs during network prime time through decline in station preemptions and non-clearances. As indicated in par. C–22, station preemptions have generally been small in the past (nothing in the order of the amount of time involved in the rule), and they continue despite the clearance of time resulting from the rule;

[17A] Appendix D is filed with the original document.

[18] At the 1973 oral argument some NCITP members claimed that the networks exercise no creative control but are simply a conduit. Whether or not this is true with respect to the conception and actual production of a program, the networks obviously exercise a high degree of control in the real sense that they select the programs for network exhibition, according to their views of their needs at a particular time, and also control the continuation or cancellation of the program.

[19] We believe that this is not outweighed by programming (pars. C–11–12 and C–45–4). We note in this regard that most of the public groups did not express great concern about the commercial level of prime time access programming.

[20] See Report and Order in Docket 19622, 44 FCC 2d 1081, 1165, concerning Metromedia's Primus program.

[21] According to the majors' joint appendix, off-foreign network programming (the only foreign-produced material which probably should be considered in this connection) occupied 7.2 percent of access entertainment time in 1974–75, compared to 14.3 percent last year and 17.6 percent in 1972–73.

for ABC, the only data given, the decrease has been from 7.1 to 3.7 percent of U.S. TV homes for the average program. With respect to the role of network-owned stations in access program success (pars. C–23—C–26), while this is often quite important and sometimes vital, it is certainly not necessary for all programs. Some, including some of the most successful, have no owned-station exposure at all, and in other cases the sale to an O&O is on an individual basis, not representing any group purchase. The networks have a greater veto power over programs offered for network exhibition. As to the economic respects in which network control probably is increased, the relationships with national advertiser customers, and producer suppliers, the material set forth (pars. C–18, C–20–21) indicates that this increase in dominance is still an unresolved issue. As to relations with producers, the situation may well be an undesirable one, as indicated by the article noted in Appendix C; but it is not at all clear how much this results from the prime time access rule, or would be changed by repealing it.[23] If the number of unsold pilots is as great as Warner et al. claim, nearly 300, it does not appear that the expansion of network prime time by four hours a week per network would necessarily alter substantially the "leverage" situation. In any event, this particular situation is one which could be approached in other ways, such as the current Justice Department antitrust action (refiled December 10, 1974) or consideration of some restriction on network control and rental of production facilities. Moreover, as the proponents of the rule point out, both advertisers and producers have an alternative under the rule—access period programming—which they are free to use. For purposes of the prime time access rule, we conclude that network dominance is decreased, and that there is no warrant here for modifying it.

24. With respect to the impact on employment in the program production industry, on the basis of the facts presented herein (pars. C–33 and C–39–40 and related footnotes), we find nothing presented to us which could be considered relevant to our decision. What is claimed to be involved are some 3,570 fulltime jobs, with at least some of this loss attributed to the rule made up by increased station employment (up more than 1,000 at top-50-market affiliated stations from 1971 to 1973 according to ABC, and some of this is attributable to the rule). Additionally, there are gains in production of non-network programs as well as sales and similar activity. Bearing in mind also the uncertainties involved (such as the lack of comment from AFTRA, which represents many actors in taped shows), we conclude that it is not a relevant factor on the basis of what is before us.

[23] According to Daily Variety, December 3, 1974, conversations between CBS, NBC and their program suppliers are in progress on this subject. It would be improper to act to modify the rule on the basis of this situation when it is subject to change.

25. As to the more general subject of the well-being of Hollywood entities such as the major film companies and film producers (pars. C–38 and C–39), we do not find in these arguments reason to repeal or substantially abridge the rule. As has been pointed out many times, the problems of Hollywood are of long standing, having many causes, and it is unclear as to the extent the problems are attributable to the rule, or how much help repeal of the rule would afford. We agree with the proponents of the rule that it is not the responsibility of the Commission to return Hollywood companies to their buoyant health of pre-1948 days; and, as ABC points out, most of the majors are doing rather well and they always have the choice of producing for access time. It may be that the majors would benefit from repeal of the off-network restriction; but in our judgment that would clearly be inconsistent with the public interest in stimulating the development of new material, as well as having a tendency to reduce employment in program production even more. In sum, we do not find in these considerations anything of decisional significance in this proceeding.

26. The last argument in this area is the effect on creative persons—actors and playwrights referred to by the Court, and others such as producers, musicians, etc. (pars. C–36–37 and C–41). In this connection, there is an impact on the creative opportunities for some persons as the rule has operated so far, since there is less network programming of a dramatic or comedy nature which uses them, and very little from U.S. sources of the same type for access-period use. But in this respect, it is simply too early to evaluate the rule's long-term effect. Other categories of persons, such as musicians, may well have gained by virtue of the musical variety shows which occupy a certain amount of access time but which are almost totally absent from current network prime time. Playwrights appear not to be significantly affected by the rule one way or the other, since original drama has greatly diminished on network television over the years, and, as the Authors League points out, the rule has not resulted in any such material on stations. We do not find reason here to repeal the rule.

27. With respect to the last of the majors' points—the greater level of commercial activity in access-period programming—our views have been set forth in par. 17 and footnote 19 above.

B. *The Exemption for children's, public affairs and documentary programs; arguments of rule proponents.* 28. As mentioned above, we have decided to permit an exemption for "programs designed for children" and "public affairs programs or documentaries." The definition of children's programming is "programs primarily designed for children aged 2 through 12". The term documentary program is defined as "programs which are non-fictional and educational or informational, but not including programs where the information is used as part of a contest among participants in the program, and not including programs relating to the visual entertainment arts (stage, motion pictures or television) where more than 50% of the program is devoted to the presentation of entertainment material itself". It should be noted that the exemption is different from that in PTAR II in two respects: (1) it refers to "children's programming" without limiting it to children's "specials"; and (2) the definition of documentaries is designed to exclude (in addition to game shows) documentaries about the entertainment world more than half of which are devoted to showing entertainment material.[25]

29. We find that the prime time access rule has had the effect of inhibiting certain kinds of programming which we believe are entitled to special treatment so as to encourage their timely presentation in prime time. We believe that the importance of these kinds of programming outweighs any concern as to its source, whether locally produced, first-run syndicated, network or off-network, and that the public interest is better served by allowing children's programming, public affairs programs or documentaries to appear to some extent in cleared time regardless of their source, and that stations should not be prohibited from also presenting three hours of other network or off-network prime time programming. The viewing public has a right to these types of programming, and the prime time access rule, by its operation, has had the effect of limiting this right.

30. With respect to children's programs, it appears that a very small amount of such material is locally produced and carried in access time (programs in Boston and San Francisco were mentioned in the comments). A small number of syndicated programs (current or in earlier years under the rule) might also fall into this category, although we would not necessarily regard all programs so considered by some as falling within the scope of this exemption.[26] We have also recently granted waiver for a total of six off-network specials of this type. However, our concern here is with the numerous children's spe-

[25] This limitation on the exemption is designed to deal with a possible loophole—the presentation of substantial amounts of what is really regular entertainment programming in the form of a documentary concerning the entertainment industries. If a program of this sort is to be presented under the exemption, it must be at least 50 percent devoted to material other than the entertainment material itself.

[26] NAITPD in its January 1973 comments listed six syndicated programs as falling in the "children's" category—Black Beauty, Circus, Family Classics, Lassie, Mouse Factory and Story Theatre—with Wait Till Your Father Gets Home listed as Children's Variety. A number of these shows are no longer in production; the data in Appendix D shows only Family Classics and Mouse Factory carried in one market each, and Wait Till Your Father Gets Home in three. The newer Salty program, listed by some parties as a children's program, is carried in three markets, and Rainbow Sundae, a program produced by ABC-owned stations and described by ABC as a children's program, is carried in four markets.

cial programs presented by the networks, generally starting at 8 p.m. E.T. or later under the network schedules which have resulted from the rule, as well as with the potential for regular programming significant in this area. As noted in our January 1974 decision herein (44 FCC 2d 1081, 1134) and in par. C–16, the Commission has received numerous complaints from parents, educators and others interested in children's matters, and sometimes from the children themselves, to the effect that this starting time is simply too late in relation to children's bedtime (except, perhaps, on Saturday). As emphasized in the recent policy statement concerning children's television (Docket 19142, FCC 74–1174, released November 6, 1974, pars. 26–27), the Commission wishes to encourage licensees to meet the needs of children with a variety of programming, especially at a time other than Saturday or Sunday morning. In order to foster such material, and avoid the problem mentioned with network broadcasts, we conclude that an exemption to permit access-period presentation of such material (in addition to the usual three hours of network material) should be granted, with respect to both network and off-network programs. As mentioned, we are extending this to regular as well as special programs, since they may be equally beneficial to the public. For example, we note the waiver request filed by Children's Television Workshop late in 1972, seeking permission for a CTW-produced regular network series at 7:30. Action on this was held in abeyance pending overall consideration of the rule in this proceeding, and it was not renewed (apparently because no agreement was reached with ABC, the network involved). See Children's Television Workshop, 40 FCC 2d 76 (March 1973).

31. It is our expectation that networks and licensees will not abuse this exception to the rule, particularly in access-period use of network or off-network programs which, while having some appeal to children, were or are not primarily designed for them but for viewing by adults, or adults and children, and for presentation of normal commercial advertising addressed to adults. The programming permitted by the exemption is intended to be only that primarily designed for pre-school and elementary school children, ages 2 to 12, taking into account their immaturity and special needs.[25] Also, while the exemption is not limited to educational or informational material, an important purpose of it is to promote the presentation of such material, whose importance we have recently emphasized in our Children's Television Report and Policy Statement (Docket 19142, FCC 74–1174, released October 31, 1974 39 FR 39396, pars. 16, 17, 18 and 22).

32. With respect to public affairs programming, this is not available in significant amount in new syndicated material, although of course there is a substantial amount of such programming produced locally and presented in access time, one of the important benefits of the rule as already mentioned (see par. 15, above and pars. C–5 and C–50). As to the networks, there is a substantial amount of public affairs programming (and similar news documentary material) in prime time on all three networks, but no regularly scheduled material,[26] whereas before the rule both CBS and NBC had regular prime-time programs of this nature, and it is also noted that some such network programming occurs outside of prime time. We conclude, therefore, that the rule constitutes an inhibition on the networks' exercise of this highly important part of their activities, fulfillment of part of their journalistic function to advise and inform the public concerning matters of public importance, and that this added benefit outweighs the impingement on access time. This exemption is a codification and extension of the existing waiver for one-time network news and public affairs programs which has been in effect throughout the rule's history. That exemption has not been used to an inordinate extent by the networks, and, as discussed below, we assume that this exemption also will not be utilized to effectively undercut the basic rule.[27]

33. Documentaries as defined herein also, of course, includes other programs, such as National Geographic and Jacques Cousteau specials and the America series, both network and off-network programs. In our January 1974 decision we noted the value of these programs (usually produced independent of network control) to the public, as well as the difficulties involved in getting network prime time for programs such as National Geographic under the rule, or of producing them for distribution in syndication. See Report and Order, pars. 66–67, 84: 44 FCC 2d 1127–1128, 1134–1135. We are still of the same view.[28] It is also recognized that, particularly as to use of off-network material, the exemption includes half-hour animal series, such as Wild Kingdom and Animal World, as well as a series of one-hour off-network outdoor specials for which a waiver request is pending (from the producer of the World of Survival series). We conclude that the exemption should be broad enough to include such material. When it comes to the off-network restriction, this is not related to network dominance directly, but is simply a restraint on licensee freedom of choice, designed to preserve the potential of cleared time availability for new non-network material. We conclude that preservation of this restraint is not warranted, when it comes to barring a station from using programs such as Wild Kingdom or Animal World (which were independently produced) in cleared time, instead of another program of the same or different type. In sum, in view of the obvious informational value of documentary programs, the benefit to the public from facilitating the presentation thereof outweighs in importance what might be termed an increase in network dominance (to the extent these are network programs) and an incursion into the full availability of 3 hours a night of cleared time for other new material. Here, as with public affairs and programs designed for children, the public interest is on the side of the programs, and not their place of origin. If licensees are better able to serve the needs and interests of their viewing public by presenting network or off-network public affairs and documentary programs, or are better able to serve the needs and interests of children, then we should remove the obstacles to this service which exist under the prime time access rule. Permitting this additional material into the access period will also serve to increase the diversity of fare available.

34. We expect the networks, and licensees in their acceptance of network programs and use of off-network material, to keep such programming to the minimum consistent with their programming judgments as to what will best serve the interests of the public generally.[29] We continue to attach high importance to

[25] In the networks' regular prime time schedules starting in January 1975, it appears that only NBC's Disney program would come within this exemption.

[26] In January 1974 Report and Order herein (par. 83, 44 FCC 2d 1134) it was stated that one criticism of the rule is that it has resulted in the total or partial disappearance of public affairs and related documentary material from prime time. The reference was intended to be to regular programming of this sort, as made clear later in the document, par. 101 (44 FCC 2d 1141).

While there are some regular public affairs programs in the early evening, such as ABC's Reasoner Report on Saturday and CBS programs on Sunday, we believe the rule has had the effect of limiting prime time presentations of this type of programming.

[27] See *Waivers of the Prime Time Access Rule for 1974–75 Broadcast Year*, FCC 74–974 (September 1974, pars. 15–16, 31 R.R. 2d 409, 417).

[28] We note in this connection that while the Cousteau series is on ABC in prime time this year, there will be no National Geographic specials. Their absence (which has been the subject of numerous letters of complaint from the public) is probably not directly attributable to the rule itself (since such programs have been shown on networks during the previous three years) but relates rather to the timing of the Court's decision in relation to the 1974–75 season. However, this does illustrate the problems involved in contraction of network prime time.

[29] Thus, the stripping of off-network material on the theory that it is a program designed for children or a documentary program, would not be regarded as consistent with the spirit or objectives of the rule.

the rule as a limit on network dominance over station time, and as a means of opening up substantial amounts of prime time to sources of new non-network programming, be they producers and distributors for syndication, or local sources. We attach particular importance to the programming opportunities available on Saturday in the access time period. We do so because of the significance of existing local programming efforts in this time period, and the fact that this time offers the most significant opportunity for hour-long access programs. We caution networks to avoid any incursion into this period unless there are compelling public interest reasons for so doing. If there are extensive deviations from these precepts, the exemption may have to be re-visited.

35. In acting herein to permit an increase of network programming of certain types, we are only opening up an option for licensees to use such additional network material if, in light of their programming judgments as licensee-trustees meeting the needs, tastes, interests and problems of their coverage areas, they deem it appropriate to do so. Our purpose is to make available to licensees programming which, to some extent, was removed from prime time or caused to be run at a much later hour. There is intended no requirement, or even a suggestion, that such additional network programming should be carried in order for a licensee to carry out properly his programming obligations.[30]

36. *Arguments of proponents of the rule.* In light of the foregoing, we turn to the arguments advanced by the proponents of PTAR I, including the numerous citizens groups (pars. C–4—C–14) and NAITPD Frank, Westinghouse, ABC and other private parties (pars. C–49 and C–54—C–59 and NAITPD's Court brief). These arguments are addressed largely either to repeal of the rule or the more substantial modifications made in the PTAR II decision; but they apply pro tanto to the exemption discussed above. Some arguments, concerning the impropriety or illegality of preferred classes of programs, relate entirely to this exemption; these are discussed below as part of the First Amendment discussion. Others include: the importance of local programming efforts and the impact of any diminished access time on them; the objectives of the rule; the contentions that any additional network time works to increase network dominance and diminishes opportunities for alternative program sources and a healthy syndication industry; the success of the rule and advantages flowing from it (par. C–49); the potential harm done by the modifications in PTAR II, for example local programming and the chilling effect on the production of programs having to compete with the additional network or off-network material; the rule's shortcomings in practice are not chargeable to it but to stations or networks, and these shortcomings should be attacked by other ways consistent with the rule such as requiring the networks to advance their children's programming by giving up 10: 30–11 instead of 7:30–8, making them carry adequate amounts of public affairs programming in their own time, questioning stations as to over-use of game shows or stripped programming, etc.; that weakening the rule affects the entire package adopted in 1970; and NAITPD's contention that under the Commission's approach and its waiver decisions, almost everything seems to be more important than preserving the rule.

37. The short answer to many of these objections is that it is not to be anticipated that these changes will have the untoward results claimed, so as to lessen significantly the advantages flowing from the rule. We do not expect that syndicated programming opportunities, for example the development of material such as dramatic or comedy programs, will be seriously affected by the minimal reduction in time. Similarly with local programming activities, there appears little reason to believe that they will be seriously affected, particularly taking into account the licensee's established obligation to present material of particular significance to his community. We find much too speculative NAITPD's argument that increased competitive pressure will force diminution of this kind of programming activity. It is apparent, in our judgment, that sufficient cleared time is left for local stations to garner the economic support necessary to present such local efforts. We appreciate the participation of the numerous public groups in this proceeding, and we respect their views; but we cannot accept the proposition (which is more or less explicit in the comments of some groups such as the Urban League, and implicit in others) that network programming has little to offer, so that we would not be justified in permitting its expansion if there is the slightest chance that the cause of localism in prime time television would be impeded. We have noted on many occasions over the years the value of national network programming, and the contribution it makes to American television.

38. Aside from the impact in terms of time, there is also the impact in terms of program type, of which NAITPD and others complain. The argument is based on the assumption that nothing can possibly compete with network or off-network programs of the same type, so that no one will attempt to produce new material of this nature. In this kind of situation, we have to consider what is really precluded. As far as we know, there has been very little syndicated public affairs programming, or documentaries like America or National Geographic, except for material from foreign sources. There are other half-hour animal shows. But in view of the extent to which these are also of foreign origin (e.g., Wild, Wild World of Animals) or are easily made largely from stock footage, it does not appear that there is a substantial impact in this respect.[31] As to children's programming, we conclude that the public interest in promoting this from whatever source, for reasons stated in our recent children's television decision outweighs any minimum incursion into the access period. In connection with public affairs and similar programs, we recognize the importance of encouraging a multiplicity of voices. But as mentioned, very few such voices have come forward other than at the local level, which we do not believe will be substantially affected. Bearing in mind the tremendous resources which the net works have for such programming, we conclude that the facilitation of such material from network sources outweighs the claimed disadvantage.

39. We have kept the exemptions narrow so as to avoid any undue incursion into the access period. There will continue to be excluded from access time those programs which make up the bulk of present and former network programming—entertainment programs such as drama, comedy and variety—thus leaving the field for the development of such material to eligible access-period sources.

40. We have considered the argument that we should take other approaches to meet what we consider the shortcomings of broadcasting under the rule—require the networks to run children's programs earlier (giving up the 10:30 time slot instead of 7:30), requiring them to run a certain amount of public affairs in their own time, questioning stations about over-use of game shows or stripping, etc., rather than by relaxing the rule and nullifying its benefits. The same kind of argument applied to off-network material—licensees should be required to run it at other times or, if early evening access time is so important, to run it then and preempt network programs later. We do not agree. We believe that these alternatives would involve the Commission too

[30] According to a May 29, 1974 Variety article concerning the intensive discussion at the NBC affiliates' meeting about affiliate carriage of the Saturday news documentary hour contemplated under PTAR II, an NBC official stated: "This gives you a chance to do what the commission (FCC) has asked you to do. If any station wishes to separate from the network, that's your decision. It is not a decision I would make." All that is involved in our decision here is giving licensees a "chance" to use this material, if their judgment as licensee-trustees so indicates.

NAITPD argues that "any regulation which permits the use of prime time for network or off-network material in fact ensures the use of prime time for such material * * *". This proposition is obviously not literally true. There has always been, and still is, pre-emption of network prime time material; and during the first year of the rule, when off-network material was permitted in access time, only 23% of such time was devoted to it.

[31] See Newsweek, December 9, 1974, pp. 119 and 121, concerning the making of animal programs.

deeply in day-to-day programming and scheduling decisions.[a]

41. We do not find persuasive the argument that modification of the rule increases network dominance and returns time to the monopoly whose excesses led to the rule. As to the necessity of a full hour of cleared time for the adequate development and health of the industry, this was the conclusion of the 1970 Report and Order in Docket 12782, but the decision contains no particular discussion of the exact amount of cleared time, and there had been no study of the syndication market. We are still committed to the concept of a substantial access period. The limited modifications adopted at this time simply reflect a desire to mitigate certain undesirable effects which came about as a result of PTAR I. We call attention to the statement in the 1970 Report and Order that it was not our objective to smooth the path for existing syndicators, or to create for them a competition-free enclave (23 FCC 2d 397). Our action here is in line with those concepts. We conclude that the time reduction involved here is not sufficient to impair the opportunity for the growth of a reasonably healthy syndication industry, and that, even if it does represent some small impairment, this is outweighed by the benefit to the public of the resulting programming. As to the argument concerning the impact on the package of rules adopted in 1970 (prime time access, financial interests and syndication) there is nothing in our action here which affects the financial interest and syndication rules.

42. Warner Brothers and other opponents of the rule renew herein their arguments that the rule violates the First Amendment in a number of respects; see par. C–64. Some of these were considered and rejected by the U.S. Court of Appeals in its 1971 affirmance of the rule (Mount Mansfield Television, Inc. v. FCC, 442 F. 2d 470, C.A. 2, 1971) and need not be discussed here. There remain for consideration the contentions that experience shows the rule to be invalid because of the infringment on the public's right to diversity, and that the rule cannot be justified on the basis of its impetus to minority-group and other local programming activities because it is an over-broad restraint on the right to diversity. Finally, the contention is raised that it is illegal because the Commission is getting into the business of determining programming by setting up categories of preferred programs, as well as by earlier waiver policy. The latter contention is the same as that of proponents NAITPD et al., and is discussed below.

43. As to the first of these, our conclusion is the same as that already given with respect to the majors' arguments as a matter of policy, that the rule has not had a full test so that it can be determined what will ultimately result, and the other considerations mentioned in pars. 18–20, above. The same thing applies with respect to the lack of diversity, and we call attention to our observations in par. 15, above.

44. The proponents' arguments are mostly those contained in NAITPD's Court brief included in its comments herein. The elaborate argument in substance runs along the following lines: (1) the rule was adopted to further the public's First Amendment right to as much diverse programming as possible from the maximum number of diverse sources—"the widest possible dissemination of information from diverse and antagonistic sources" (Associated Press v. U.S., 326 U.S. 1, 20 (1945)); (2) the PTAR II amendments (including those involved here) violate that concept by returning time to the networks (either directly or through use of former network material), when these were the very monopolies whose excessive dominance led to the impairment of the public's right which the rule was designed to remedy, thus infringing the right; and (3) the returning of time, to the extent it involves preferred program categories, gets the Commission into the business of judgments as to what kinds of programs the public should see, a role completely contrary both to the Constitution and to the § 326 and other provisions of the regulatory framework set up in the Communications Act.

45. We point out that the Commission does not violate the First Amendment in interesting itself in the general program formats and the kinds of programs broadcast by licensees (Red Lion Broadcasting Co. v. FCC, 395 U.S. 367, 390 (1969)). It is also well recognized of course, that the inherent limitations in broadcast spectrum space make necessary restraints—restricting the speech of some so that others may speak—not elsewhere appropriate (Mt. Mansfield, supra).

46. As we see it, our adoption of the prime time access rule, and its modification herein, may be roughly described from a First Amendment standpoint as follows: the rule was designed to lessen the tendency of licensees which led them to carry network or off-network programming, in order that the voices of other persons might be heard. The rule was a restraint on licensees designed to reduce the impact of another restraint, that of the networks, by preventing licensees from choosing present or former network programs so that new program sources might arise and be heard by the public. Such new persons or sources have come forward, but by and large, as far as syndicated programming is concerned, they present mostly game shows. At the same time, other sorts of programming important to the public—those included in the exemptions herein—have been somewhat reduced in amount, or, in the case of children's programming, have not been available at the most appropriate time. Therefore, since it was the Commission's rule which has had this effect, we have an affirmative duty to relax our restraint to permit such programming to be made more readily available. We point out that the kinds of programs involved here are to a large extent those whose importance has been recognized in the Communications Act (§ 315) or by us recently in the children's programming proceeding.

47. We also regard as without merit NAITPD's attack on the legality of the exemptions. The exemptions have been drawn as narrowly as possible consistent with the interest of the public discussed above, to avoid any unwarranted incursion into cleared time. Thus, we have drawn the exemption so as to exclude the possibility of its being used for network game shows (since game shows are plentiful in access time), and to exclude the whole range of entertainment such as drama, comedy and variety, where there appears a potential for impact on the development and success of material which might otherwise develop for access use.

48. We do not believe that permitting the carriage of programs in the categories exempted raises any questions of a Constitutional nature. We state again that the purpose of these exemptions is to facilitate the carriage of programs which the rule has had the effect of limiting. If we did not believe that we had the authority to make these modifications, we would then give further consideration to the advisability of continuing the rule.

D. *Off-network and feature film restrictions.* 49. As noted in pars. C–67–68, some of the opponents of the rule urge that we should repeal the off-network and feature film restrictions of PTAR I, even if we leave the rule in effect otherwise. As to the off-network restriction, we find that repeal or relaxation is not warranted, except to the limited extent adopted herein and discussed above. It is readily apparent that elimination of this restriction would lead to a large-scale incursion into cleared time by use of off-network material, sharply reducing the availability of time to sources of new non-network material. While the off-network aspects of the rule do constitute a restraint which is not directly related to present network dominance, the drastic impact on our objective of encouraging the development of new material would obviously be completely disserved. While there are some results which might be considered anomalous (see par. C–64(b)), this is doubtless true in the short run of any regulation which imposes restrictions looking toward longer-term benefits. We are retaining

[a] We are also not adopting rules, suggested by some parties in this connection and others, which would provide for some of cleared time to be later in the evenings. We have decided to abandon the tie of cleared time to specific periods adopted in PTAR II, to return to the basic three-hour limitation, in the belief that any tighter limitation unduly reduces licensee freedom and flexibility, and gets the Commission too deeply into the details of station operation. As to the networks being required to give up the 10:30 time slot in order to run children's specials at 7:30, it is far from clear that an irregular schedule of this sort would serve the interest of access-period program producers, stations or the public. The Commission is concerned that such a trade off might have the effect of discouraging the early scheduling of children's programming.

the restriction except as indicated herein.

50. We have decided to modify prior provisions regarding the use of feature films in access time. Under the changes made here, we eliminate the restriction on movies which have been shown by a station in the same market within a two-year period. At the same time, however, the new rule bars any feature film which has ever appeared on a network from the access period. If a movie has never appeared on a network, it may now be presented during the access hour, regardless of when or whether it has ever appeared on a station in the same market. If it appeared on a network—whether or not made for television—it is barred. We believe that this will ease the administration of this portion of the rule for licensees, motion picture distributors, and the Commission. We also believe this to be an appropriate resolution of the two sides of the feature film question raised by the supporters and opponents of our total ban in PTAR II. The supporters of the ban (mainly Sandy Frank) stated that there were sufficient opportunities for feature films outside of the access period, and that use of theatrical features cuts down television production activity. The opponents argued that the ban was an unconstitutional restraint that would harm independent production of motion pictures. Our approach here will allow certain movies in, thus relieving to some extent this complaint. In addition, this provision is consistent with the goals of limiting network dominance, and encouraging new sources of programming. Feature films are thus treated exactly like any other programming. Upon further consideration, we have concluded that this approach is more in keeping with the basic purpose of the rule.

51. *Sports runovers.* In subparagraph (4) of new § 73.658(k), we are codifying the existing practice under the rule, of waiving sports runover time, where a football game, golf match, or other sports event is scheduled so that it normally would conclude before prime time, but lasts unexpectedly long and the telecast runs until after 7 p.m. E.T. In a much smaller number of cases, the problem is an evening event scheduled to occupy some but not all of the three permissible network hours. While the present situation is by no means entirely satisfactory, and some of the citizens' groups and other proponents of the rule urge us to preserve access time by requiring either a give-back or a roll-back by the networks in these cases, we are not persuaded that this is a serious enough problem to warrant a basically different approach. Certainly, there is not enough incidence of runovers to affect the potential market for syndicated programming. There are other problems, particularly the possible disruption of local programming activities, and NAITPD's claimed problems in connection with "making good" commercial positions in the access program lost because of the runover. We have no specific information as to these sufficient to warrant any basic change.

52. However, as far as professional football is concerned, there appears to have been a high incidence of runovers this fall, with some abuses—one network when the second game of a doubleheader concluded about 6:45, picking up a third game which lasted until nearly 7:15—and some use of time after 7 p.m. for post-game scoreboard or interview shows. We expect that in the future the networks will exercise a greater degree of care in their scheduling of sports events. Such events should be scheduled so that it would be expected that they would conclude prior to the access period in the absence of unusual occurrences such as overtime or delays due to weather.

53. *Network news following a full hour of local news.* The new rule (§ 73.658(k)(3)) codifies the existing waiver for a half-hour of regular network news if it is preceded by a full hour of local news or local public affairs programming. This waiver was envisaged in the decision adopting the rule, has been granted since the rule went into effect, and there is no substantial objection to its continuation. The rule does not include the extension of this concept to weekend scheduling arrangements involving ABC's Reasoner Report program (which a few licensees wish to delay until 7 p.m.) because that is exempt under (1) as a network public affairs program.

54. *Time zone differences.* The new rule (§ 73.658(k)(5)) also deals with time zone difference situations, codifying waivers granted in the past for situations such as NBC's Academy Awards and Miss America telecasts, where live simultaneous programming is involved. It provides that a network evening schedule which meets the requirements of the rule in the Eastern and Central time zones will also be held to comply with it in the Mountain and Central time zones. This concept, to deal with the problems presented by such broadcasts in the four time zones of the U.S., has not been the subject of substantial objection.

55. *Exemption for special network programming.* In new § 73.658(k)(6), we are adopting the same kind of exemption as in PTAR II, for what might be called the "Summer Olympic" situation, so called because of the 1972 denial of waiver to ABC to carry material concerning the Olympic games in access time in addition to its own network prime time, an action which aroused considerable protest from the public. This provides that where a network uses all of its prime time on an evening (or all except for brief incidental "fill" material for truly special programming), cleared time may be used for the same material. The exemption reads in terms of an international sports event such as the Olympic games, New Year's Day college football games (NBC's long-standing Rose Bowl-Orange Bowl telecasts), and any other special programming except other sports or movies. In comments early in 1973, NAITPD as well as all other commenting parties who discussed the subject expressed the view that some such accommodation should be made. While a few parties in the present stage of the proceeding oppose this kind of exemption, it appears that relaxation of the rule's provisions is warranted to include such unusual programming.

56. Special network news coverage and similar material. New § 73.658(k)(2) retains the exemption for special network news coverage and political broadcasts as adopted in PTAR I, with the slight expansions adopted in PTAR II to include material related to on-the-spot news coverage (e.g., previously filmed material) and political broadcasts on behalf of as well as by qualified candidates. We adhere to the conclusions reached in pars. 103–105 of the January Report and Order (44 FCC 2d 1142) in these connections. NAITPD expresses objection to the expansion to include related material, but in our judgment this is clearly warranted to lessen any impediment to the networks' proper exercise of their journalistic function.

F. *Other matters concerning the substance of the rule*—57. *Views of the Department of Justice and the Office of Telecommunications Policy (OTP).* The views of our two sister government agencies, the Justice Department and the OTP, are set forth elsewhere in pars. C1–2. It may be that the Department would disagree with our conclusion that PTAR I should be modified to permit additional opportunity for programming of certain types from network and off-network sources; if so, we must respectfully disagree, for reasons stated at length above concerning the importance of increased opportunity for the presentation of such material. As to OTP, we are, of course, reaching a decision largely contrary to its position urging repeal of the rule. As mentioned herein, we believe that it is premature to reach a conclusion at this point as to the programming which may ultimately develop under the rule for cleared time. For reasons discussed above, we must also disagree with OTP's suggestion that it is beyond our proper role to act to increase the opportunity for certain kinds of programs. Our views as to impact on Hollywood employment opportunity, and the welfare of the program production industry, have been set forth in pars. 23–24, above. We point out in this connection that OTP's March 1973 study included data only as to the first year of operation under the rule, 1971–72, a period when off-network material in cleared time was still permitted; and therefore it cannot be regarded as of great significance as to longer-term developments, particularly since it focussed almost entirely on production and employment in Hollywood and did not discuss employment gains in other syndicated or local programming efforts, gains in distribution and sales activity, etc.

58. *The rule and competition.* One of the questions raised by the Court in its June 1974 opinion was the rule in relation to the national policy favoring competition in broadcasting, as to which it particularly sought the views of the Department of Justice. We agree with the Department that it is probably too early to give a definitive answer to this question. The rule opens up substantial

amounts of cleared time to additional, largely different, producers, and, while much of this time is occupied by the programs of a handful of producers (chiefly game-show entrepreneurs), the situation in this respect is not much different from that of network prime time, where the majors occupy about 55% of it with their material (about the same percentage as the access-period producers mentioned). While some producers who claim that they cannot use the access route may be foreclosed from reaching prime-time television, it is too early to say that this will be a permanent matter. The access-period option remains open to them, as well as affording increased opportunity for non-national advertisers as well as an option for national advertisers wishing to use spot rather than network messages. We do not consider the exclusion of off-network material from access time a significant anti-competitive consideration (even though to some extent it may work to the disadvantage of the majors and others), in view of the importance of affording full opportunity for the development of new material.

59. *Reasons for not re-adopting PTAR II.* We are not adopting four of the five rule changes contemplated by the PTAR II decision last January because we find on further consideration that a general increase in network programming, or opportunity for off-network programming on a general basis, is not warranted in light of the importance of the objectives of the rule. Therefore, we are not adopting the provisions removing restrictions from Sundays and from the first half-hour of prime time on other days. As to the latter, it appeared to us earlier that there is something to be said for increasing diversity by permitting off-network material in addition to the news and game shows which generally fill this period Monday–Friday. As a short-run proposition, this might be true. However, for the longer term, we conclude that this would have too much of an impact on the availability of cleared prime time for the development of new material, and that it might tend to increase the use of stripped game shows in the second half-hour of prime time. With respect to the specification of cleared time as the 7:30 half-hour, on further consideration we conclude that this is an unwarranted restriction on licensee flexibility in scheduling.

G. Other Matters: the Licensee's Duty with respect to locally significant material; the future of the rule; effective date. 60. As mentioned above, one of the really significant benefits from the rule is its impetus to the development of local programming efforts, and this is one of the principal reasons for retaining it in a form close to PTAR I. We expect that stations subject to the rule will devote an appropriate portion of "cleared time," or at least of total prime time to material particularly directed to the needs or problems of the station's community and area as disclosed in its regular efforts to ascertain community needs, including programming addressed to the special needs of minority groups. Such programming efforts are necessary if the benefit of the rule in stimulating locally meaningful programming is to be significantly achieved, as well as to carry out the licensee's obligation to serve the public interest. We point out, however, that programming of the significant character mentioned need not necessarily be all locally produced. Syndicated or network programming, where it deals with needs or problems common in substantial degree to many communities, may also make an important contribution.

61. *The future of the rule.* As noted above, the Department of Justice, as well as many of the private proponents of the rule, assert that a period of assured stability for the rule is highly important for realization of its potential for the development of new and varied programming. A five-year guarantee is urged by NAITPD, Frank, Westinghouse, et al.

62. The Commission, however, does not believe it appropriate to give the kind of absolute assurance sought, for a period such as five years, in view of the various uncertainties involved as to what will develop in the fairly near future. While we recognize the need for stability, we do not feel it appropriate for this Commission to bind itself or its successors in this manner.

63. *Effective date.* The matter of an effective date for the changes adopted herein is important, particularly since the only actual holding of the U.S. Court of Appeals last June was that we had erred in making the changes effective in the fall of 1974. As set forth in pars. C–72–73, many proponents of the rule claim that we cannot make any changes, reducing the amount of cleared time, effective for at least 16 months after this decision, the same amount of time given the networks in adopting the original rule in 1970.

64. We respectfully disagree. The changes adopted herein constitute less of an incursion into available access time (particularly in light of our admonition of network and licensee restraint) than would have occurred under PTAR II. We believe that the public interest dictates that the new modifications become effective at an early date because we feel that the rule as amended in this Report and Order will best serve the public interest. Finally, parties to this proceeding have been on notice as to the specific changes adopted in the rule since November 15, 1974, the date of our Public Notice concerning staff instructions in this matter. Therefore, we conclude that these changes can go into effect in September, 1975.

ORDER

65. In view of the foregoing, *It is ordered,* That, effective Monday, September 8, 1975, § 73.658(k) of the Commission's rules, the prime time access rule, is amended, as set forth below. Authority for the rules changes adopted herein is contained in sections 1, 2, 4(i), 301, 303 (b), (f), (g)i, (i), and (r), and 313 of the Communications Act of 1934, as amended.

66. *It is further ordered,* That this proceeding, Docket No. 19622, is terminated.

(Secs. 1, 2, 4(i), 301, 303 (b), (f), (g), (i), and (r), 313, 48 Stat. as amendde, 1064, 1066, 1081, 1082, 1087; (47 U.S.C. 151, 152, 154, 301, 303, 313)).

Adopted: January 16, 1975.

Released: January 17, 1975.

FEDERAL COMMUNICATIONS COMMISSION,[*]

[SEAL] VINCENT J. MULLINS, *Secretary.*

Effective September 8, 1975, § 73.658 (k) of the Commission's rules, the prime time access rule, is revised to read as follows:

§ 73.658 Affiliation agreements and network program practices.

* * * * *

(k) Effective September 8, 1975, television stations owned by or affiliated with a national television network in the 50 largest television markets (see NOTE 1 to this paragraph) shall devote, during the four hours of prime time (7–11 p.m. E.T. and P.T., 6–10 p.m. C.T. and M.T.), no more than three hours to the presentation of programs from a national network, programs formerly on a national network (off-network programs) or feature films which have previously appeared on a network: *Provided, however,* That the following categories of programs need not be counted toward the three-hour limitation:

(1) Network or off-network programs designed for children, public affairs programs or documentary programs (see NOTE 2 to this paragraph for (definitions).

(2) Special news programs dealing with fast-breaking news events, on-the-spot coverage of news events or other material related to such coverage, and political broadcasts by or on behalf of legally qualified candidates for public office.

(3) Regular network news broadcasts up to a half hour, when immediately adjacent to a full hour of continuous locally produced news or locally produced public affairs programming.

(4) Runovers of live network broadcasts of sporting events, where the event has been reasonably scheduled to conclude before prime time or occupy only a certain amount of prime time, but the event has gone beyond its expected duration due to circumstances not reasonably foreseeable by the networks or under their control. This exemption does not apply to post-game material.

(5) In the case of stations in the Mountain and Pacific time zones, on evenings when network prime-time programming consists of a sports event or other program broadcast live and simultaneously throughout the contiguous 48 states, such stations may assume that the network's schedule that evening occupies no more of prime time in these time zones than it does in the Eastern and Central time zones.

(6) Network broadcasts of an international sports event (such as the Olym-

[*] Commissioners Wiley, Chairman; Lee and Reid concurring and issuing statements; Commissioner Robinson dissenting and issuing a statement. Statements of Commissioners Wiley, Chairman; Lee, and Robinson are filed as part of the original document. Statement of Commissioner Reid to be released at a later date.

pic Games), New Year's Day college football games, or any other network programming of a special nature other than motion pictures or other sports events, when the network devotes all of its time on the same evening to the same programming, except brief incidental fill material.

NOTE 1. The top 50 markets to which this paragraph applies on the 50 largest markets in terms of prime time audience for all stations in the market, as listed each year in the Arbitron publication Television Market Analysis. This publication is currently issued each November, and shortly thereafter the Commission will issue a list of markets to which the rule will apply for the year starting the following September.

NOTE 2. As used in this paragraph, the term "programs designed for children" means programs primarily designed for children aged 2 through 12. The term "documentary programs" means programs which are non-fictional and educational or informational, but not including programs where the information is used as part of a contest among participants in the program, and not including programs relating to the visual entertainment arts (stage, motion pictures or television) where more than 50% of the program is devoted to the presentation of entertainment material itself.

[FR Doc.75-2332 Filed 1-24-75;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 1033—CAR SERVICE

[S.O. No. 1209]

Grand Trunk Western Railroad Company Authorized To Operate Over Tracks of Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees

At a Session of the INTERSTATE COMMERCE COMMISSION, Railroad Service Board, held in Washington, D.C., on the 20th day of January 1975.

It appearing, That, in order to cooperate in an area re-development plan the Grand Trunk Western Railroad Company (GTW) proposes to discontinue interchanging traffic with the Canadian National Railways (CN) via the use of a car ferry operated by the CN between Detroit, Michigan, and Windsor, Ontario, Canada, and to substitute therefor direct all-rail operations over tracks of the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees, (PC); that such operation by the GTW over the PC will enable the GTW to make available for redevelopment land presently required for railroad operation; that interchange between the GTW and the CN via the all-rail route described herein will be faster than via the present car ferry and will less frequently be subjected to interruption because of weather; that the GTW, in Finance Docket No. 27778 has requested authority from the Commission to operate over tracks of the PC between a point of connection between these companies in the vicinity of Bay City Jct., Yard, Detroit, Michigan and the point where tracks of the PC cross the international boundary between Detroit, Michigan, and Windsor, Ontario, Canada; that the Commission is of the opinion that operation by the GTW over the aforementioned trackage of the PC is necessary in the interest of the public and the commerce of the people, pending disposition of the application of the GTW in Finance Docket No. 27778; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1209 Service Order 1209.

(a) *Grand Trunk Western Railroad Company authorized to operate over tracks of Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees.* The Grand Trunk Western Railroad Company (GTW) be, and it is hereby, authorized to operate over tracks of the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees (PC), between a point of connection between these lines in the vicinity of Bay City Jct., Yard, Detroit, Michigan, and the point where the tracks of the PC cross the international boundary between Detroit, Michigan, and Windsor, Ontario, Canada.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Rates applicable.* Inasmuch as this operation by the GTW over tracks of the PC is deemed to be due to carrier's disability, the rates applicable to traffic moved by the GTW over the tracks of the PC shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 11:59 p.m., January 24, 1975.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., July 31, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended (49 U.S.C. 1, 12, 15, and 17 (2)). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911 (49 U.S.C. 1(10-17), 15(4), and 17(2)))

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-2388 Filed 1-24-75;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Wheeler National Wildlife Refuge, Ala.

JANUARY 20, 1975.

The following special regulation is issued and is effective on March 1, 1975.

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

ALABAMA

WHEELER NATIONAL WILDLIFE REFUGE

With the exception of the display pool adjoining the observation building, the area immediately north of its dike, and along the headquarters shoreline, which are closed to all fishing throughout the year, the area is open to transportation of unstrung bows and arrows when used for fishing in conformance with Alabama State fishing regulations. This regulation effective March 1, 1975, through June 15, 1975.

RAY R. VAUGHN,
Acting Regional Director,
U.S. Fish and Wildlife Service.

[FR Doc.75-2355 Filed 1-24-75;8:45 am]

PART 33—SPORT FISHING

Quivira National Wildlife Refuge, Kans.

The following special regulation is issued and is effective January 27, 1975.

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

KANSAS

QUIVIRA NATIONAL WILDLIFE REFUGE

Sport fishing on the Quivira National Wildlife Refuge, Stafford, Kansas is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 990 acres, are delineated on maps available at refuge headquarters, Stafford, Kansas and from the office of the Area Manager, U.S. Fish and Wildlife Service, 601 East 12th Street, Room 1748, Kansas City, Missouri 64106. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from May 1, 1975 to September 30, 1975, inclusive.

(2) Fishing will be with closely attended rod(s) and line(s) only.

(3) The use of boats is not permitted. One-man floater tubes may be used.

(4) Overnight camping is not permitted.

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, and are effective through September 30, 1975.

CHARLES R. DARLING,
Refuge Manager, Quivira National Wildlife Refuge, Stafford, Kansas.

JANUARY 9, 1975.

[FR Doc.75-2354 Filed 1-24-75;8:45 am]

Title 7—Agriculture

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

[Navel Orange Reg. 335, Amdt. 1]

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

Limitation of Handling

This regulation increases the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period January 17–23, 1975. The quantity that may be shipped is increased due to improved market conditions for Navel oranges. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907.

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

(2) The need for an increase in the quantity of oranges available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Navel Orange Regulation 335 (40 FR 2792). The marketing picture now indicates that there is a greater demand for Navel oranges than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of Navel oranges to fill the current market demand thereby making a greater quantity of Navel oranges available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become affective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Navel oranges grown in Arizona and designated part of California.

(b) *Order, as amended.* The provisions in paragraph (b)(1) (i), (ii), and (iii) of § 907.635 (Navel Orange Regulation 335; 40 FR 2792) are hereby revised to read as follows:

§ 907.635 Navel Orange Regulation 335.

* * * * *

(b) * * *

(1) * * *

(i) District 1: 1,118,000 cartons;
(ii) District 2: 156,000 cartons;
(iii) District 3: 26,000 cartons.

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

Dated: January 22, 1975.

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

[FR Doc.75-2300 Filed 1-24-75;8:45 am]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Subpart—Rules and Regulations

PEAR COMMODITY COMMITTEE; REAPPORTIONMENT OF REPRESENTATION

This document reapportions the grower representation on the Pear Commodity Committee by amending the rules and regulations (Subpart—Rules and Regulations; 7 CFR 917.100 et seq.) currently in effect pursuant to the applicable provisions of the amended marketing agreement and Marketing Order No. 917 (7 CFR Part 917), as amended, hereinafter referred to collectively as "the order." The order regulates the handling of fresh pears, plums, and peaches grown in California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The principal function of the committee is to analyze supply and demand conditions and recommend, to the Secretary of Agriculture, the seasonal grade, size, quality, maturity, or pack regulation of fresh shipments of California Bartlett pears. The committee also establishes marketing research and development projects and production research on pears.

The production area is geographically divided into six representation areas comprised of one or more Districts, as defined in the marketing order, for purposes of representation on the 12-member Pear Commodity Committee. The number of members from each representation area is based, insofar as practicable, upon the proportionate quantity of pears shipped from the respective representation areas during the preceding three fiscal years.

During the 1972–through–1974 shipping seasons the proportional increase in total shipments from representation area (b), as hereinafter designated, and the proportional decrease in total shipments from representation area (f) were such that the Pear Commodity Committee originated a proposal to reapportion membership from the two areas. Specifically, the committee believes that, on the foregoing basis, one membership from representation area (f) should be transferred to representation area (b). Such a transfer would result in a total of one member from representation area (f) and four members from representation area (b). Accordingly, the Control Committee, established under the order as the agency to administer the terms and conditions thereof, proposed amendment, as hereinafter set forth, of the rules and regulations.

Notice was published in the December 30, 1974, issue of the FEDERAL REGISTER (39 FR 45019) that the Department was giving consideration to the aforesaid proposal to amend the rules and regulations. The notice invited interested persons to submit written data, views, or arguments on the proposal not later than January 17, 1975. No such material was received.

After consideration of all relevant matter presented, including the proposal set forth in the aforesaid notice, the recommendation and information submitted by the Control Committee, and other available information, it is hereby found that amendment, as hereinafter set forth, of said rules and regulations is in accordance with the provisions of the order and will tend to effectuate the declared policy of the act. Therefore, said rules and regulations are hereby amended by adding a new § 917.121 reading as follows:

§ 917.121 Changes in nomination of Pear Commodity Committee members.

Nominations for membership on the Pear Commodity Committee shall be made by the growers of pears in the respective representation areas as follows:

(a) North Sacramento Valley District and the Central Sacramento Valley District one nominee.

(b) Sacramento River District, Stockton District, Contra Costa District, Santa Clara District, and Solano District four nominees.

(c) Placer-Colfax District one nominee.

(d) Lake District four nominees.

(e) Mendocino District and the North Bay District one nominee.

(f) El Dorado District and all of the area not included in the North Sacramento Valley District, Central Sacramento Valley District, Placer-Colfax District, Sacramento River District,

Stockton District, Solano District, Contra Costa District, Santa Clara District, Lake District, Mendocino District, and North Bay District one nominee.

Dated: January 22, 1975, to become effective February 28, 1975.

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

[FR Doc.75-2302 Filed 1-24-75;8:45 am]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Modification of Salable and Reserve Percentages for 1974–75 Crop Year

Notice was published in the December 17, 1974, issue of the FEDERAL REGISTER (39 FR 43634) regarding a proposal to modify the salable and reserve percentages, previously established for the 1974–75 crop year (§ 993.210; 39 FR 32733), from 82 and 18 percent to 90 and 10 percent, respectively. Modification of the percentages was favored by a 14 to 7 vote of the Prune Administrative Committee.

The proposal was pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The notice gave interested persons until January 3, 1975, to submit written data, views, or arguments with respect to the proposal. Six comments were received, all in opposition to the proposal.

The percentages currently effective were based on an early season estimate that California's 1974 production of dried prunes would be 155,000 natural condition tons, although it was recognized in the rulemaking establishing the current percentages that this production could be less because of adverse weather conditions during July 1974.

In November 1974, the Department's Crop Reporting Board estimated that production at 133,000 tons. The Committee's recommendation to modify the current percentages was based, in part, on that estimate. The Committee's report of its modified marketing policy also included an estimate that export trade demand for the 1974–75 crop year would approximate 37,000 tons, processed weight, 8,000 tons less than its original estimate. On January 13, 1975, the Crop Reporting Board increased its estimate to 138,000 tons.

Of the six written comments submitted pursuant to the notice, three opposed any modification of the current percentages, and three favored elimination of the reserve for the 1974–75 crop year—i.e., establish salable and reserve percentages of 100 percent and zero percent, respectively.

The reduction in the production estimate from 155,000 tons, on which the current percentages are based, to 138,000 tons, necessitates modification of these percentages. On the other hand, while the 138,000 ton estimate of production may not be of sufficient magnitude so as to be considered unduly burdensome, especially after deduction of an estimated 5,600 to 5,800 tons of trash and undersized prunes, the large carryout (over 54,000 tons) on July 31, 1974, from the substantial 1973 production results in a total supply in excess of that which can normally be marketed during a crop year. Thus, some volume regulation of prunes for the 1974–75 crop year should be continued to permit orderly marketing of the supply; e.g., to avoid making too many prunes available as salable prunes which could result in oversupplying domestic and export markets, thereby creating instability, while protecting against a short 1975 crop. On the basis of all information, currently available, the proposed percentages as published in the notice, are the best alternative to achieve this.

After consideration of all relevant matter presented, including that in the notice, the comments received pursuant to the notice, the recommendations of the Committee, and other available information it is found that to modify the salable and reserve percentages as hereinafter set forth will tend to effectuate the declared policy of the act.

§ 993.210 [Amended]

Therefore, the previously established salable and reserve percentages for the 1974–75 crop year of 82 percent and 18 percent, respectively, as set forth in the first sentence of § 993.210 *Salable and reserve percentages for prunes and handler obligation for the 1974–75 crop year* (39 FR 32733) are hereby modified to read "90 percent" and "10 percent" respectively.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provision of said amended marketing agreement and this part require that salable and reserve percentages established for a particular crop year shall be applicable to all dried prunes received during the crop year by handlers from producers and dehydrators, excluding the weight obligation of § 993.49(c); (2) the current crop year began August 1, 1974, and the modified percentages will apply automatically to all such dried prunes received on or after that date; and (3) this action relieves restrictions on the handling of dried prunes.

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

Dated: January 21, 1975.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division.

[FR Doc.75-2382 Filed 1-24-75;8:45 am]

CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MILK), DEPARTMENT OF AGRICULTURE

MILK IN THE MIDDLE ATLANTIC AND CERTAIN OTHER MARKETING AREAS

Order Suspending a Certain Provision of the Orders

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the orders regulating the handling of milk in the aforesaid marketing areas.

It is hereby found and determined that for the months of February and March 1975 the following provision in each of the above listed orders does not tend to effectuate the declared policy of the Act:

The word "second" in §§ 1004.50(a), 1001.61(a), 1002.50a(a), 1006.50(a), 1007.50(a), 1011.51(a), 1012.50(a), 1013.50(a), 1015.61(a), 1030.50(a), 1033.51(a), 1036.50(a), 1040.50(a), 1044.51(a), 1046.50(a), 1049.50(a), 1050.50(a), 1060.50(a), 1061.50(a), 1062.50(a), 1063.50(a), 1064.50(a), 1065.50(a), 1068.50(a), 1069.50(a), 1070.50(a), 1071.50(a), 1073.50(a), 1075.51(a), 1076.50(a), 1078.50(a), 1079.50(a), 1090.50(a), 1094.50(a), 1096.50(a), 1097.50(a), 1098.50(a), 1099.50(a), 1101.51(a), 1102.50(a), 1106.50(a), 1108.50(a), 1120.50(a), 1121.50(a), 1124.51(a), 1125.50(a), 1126.50(a), 1127.50(a), 1128.50(a), 1129.50(a), 1130.50(a), 1131.50(a), 1132.50(a), 1133.50(a), 1134.51(a), 1136.50(a), 1137.51(a), 1138.50(a), and 1139.50(a).

STATEMENT OF CONSIDERATION

This suspension will result in the Class I prices for February and March 1975 under each of the aforesaid orders being based on the basic formula price for the preceding month. Presently, Class I prices are based on the basic formula price for the second preceding month.

Class I prices under such orders are determined by adding a specified differential to the basic formula price, which is an average of prices paid for manufacturing grade milk in Minnesota and Wisconsin. Without suspension, the Class I price under each order for February and March 1975 would be that determined by adding the appropriate Class I differential to the December 1974 and January 1975 basic formula prices, respectively. Under the suspension, Class I prices for February 1975 will be based on the basic formula price for January.

The suspension will result in producers in all 61 Federal order markets receiving for February and March 1975 a Class I price that reflects more promptly any increase in manufacturing milk values resulting from the January 4 increase in the support price for manufacturing grade milk. Without the suspension, such higher values would not be reflected in Class I prices before March.

Although no provisions in the Red River Valley and Southern Illinois orders (Parts 1104 and 1032) are being suspended, Class I prices under these orders nevertheless will be affected through this action. The Red River Valley Class I

is tied to the Class I price under the Oklahoma Metropolitan order. The Southern Illinois Class I price is based on the St. Louis-Ozarks Class I price.

It is essential to make this suspension effective immediately to carry out the intent of the Secretary of Agriculture in raising the support price for manufacturing milk. The higher support price was deemed necessary because farm milk prices had declined while costs remained at high levels. Without the price support action, farm milk prices would have dropped further in the coming months at a time when milk producers must feed greater quantities of grain and high-priced, commercially-prepared concentrate feeds. Under these circumstances it was anticipated that many producers would leave dairying and that the future production of milk and dairy products would decline.

The higher price support level can be expected to increase farm prices for both manufacturing grade milk and milk approved for fluid consumption. Without this suspension, however, the immediate impact of the price support action will be limited to milk used in manufactured products. This is because Class I prices are based on manufacturing milk values for the second preceding month. With one-third of the milk produced in the United States being priced as Class I milk under Federal orders, a very substantial part of the nation's milk production will not be immediately affected by the price support action unless the Class I price formulas of the orders are changed. This suspension will help carry out the intent of the price support action to increase farm milk prices on an immediate basis.

The suspension is based on a public hearing held January 20 in Washington, D.C. At the hearing, a substantial number of producer groups asked that emergency suspension action be taken to assure that the February and March Class I prices reflect any increased value in manufacturing milk resulting from the January 4 price support action. Although handlers opposed any change in the pricing formulas by suspension, they did indicate that Class I prices should reflect any increase in the M–W price resulting from the higher support price level. It was their position however, that handlers should have advance notification of any change in the pricing formulas for February that would result in Class I prices above those prevailing in January.

The Chief issue presented at the hearing is that of reflecting in Class I prices at the earliest possible time the price support action of the Secretary. The provisions for "advance" pricing impede this, thereby necessitating the suspension. Any delay in changing the orders could deprive producers of the price relief sought by the Secretary for dairy farmers in his price support action effective January 4. This suspension is the only means available to the Department to reflect the higher price support level in Class I prices on a timely basis.

It is hereby found and determined that notice of proposed rulemaking, public procedure thereon, and thirty days' notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the aforesaid marketing areas in that it is necessary to implement at the earliest opportunity the objectives of the United States Department of Agriculture in providing an increase in the support price for manufacturing milk effective January 4, 1975;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Producers requested this suspension at a public hearing held January 20, 1975.

Therefore, good cause exists for making this order effective February 1, 1975.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the months of February and March 1975.

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

Effective date: February 1, 1975.

Signed at Washington, D.C., on: January 24, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.75–2529 Filed 1–24–75;9:28 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Definition of Eligible Firm

On November 29, 1974, FEA adopted the final rule for the allocation of old oil (39 FR 42246, December 4, 1974). The final rule invited interested persons to submit further comments by December 15, 1974, as to the definition of eligible firm set forth in the final rule. FEA received over 30 comments with respect to this matter. FEA has carefully considered these comments and is hereby adopting a revised definition of eligible firm which would be effective for entitlements issued for eligible product imports in December 1974 and subsequent months.

Current Definition of Eligible Firm. Section 211.62 generally defines eligible firm as a firm (including a refiner) that has received a fee free license to import an eligible product under 10 CFR 213.15, 213.32 or 213.34 (formerly sections 12, 28, and 30 of Oil Import Regulation I), or a firm that would otherwise qualify for such fee free license under § 213.15 or § 213.34 but for the fact that (a) the firm is not in the business of selling eligible products in PAD District I, (b) the firm had not received an allocation of No. 2 heating oil or No. 2–D diesel fuel in the allocation period beginning prior to January 1, 1973 or (c) the firm is a refiner and/or a petrochemical producer.

To qualify as an eligible firm under the current definition, a firm (including a refiner or a wholesale purchaser-consumer) must be the importer of eligible products (which, under the definition of importer in § 211.51, means the owner thereof at the first place of storage), and must have a deepwater terminal under its management and operational control or have a throughput agreement with the operator of a deepwater terminal. A deepwater terminal is defined under the regulations as a facility having 100,000 barrels or more of storage capacity and able to receive deliveries from a tanker rated 15,000 cargo deadweight tons, drawing not less than 25 feet of water. Throughput agreements are defined to include agreements which provide for delivery of the eligible products to a deepwater terminal by a person that owns the product at the time of delivery and that has the right to withdraw an identical quantity of such product on call from the terminal.

Revised Definiton of Eligible Firm. FEA believes that inclusion within the definition of eligible firm of marketers that have significant imports of residual fuel oil, No. 2 heating oil and 2–D diesel fuel is consistent with FEA's legislative mandate to protect the competitive viability of the independent marketing sector of the petroleum industry. Marketers which are now dependent upon imported product supplies must be allowed to participate in the old oil allocation program to remain competitive with those marketers with domestic suppliers.

FEA has determined that, while reference to the deepwater terminal or throughput agreement requirements imposed by §§ 213.15, 32 and 34 generally covers most significant importers, certain marketers that directly import large volumes of eligible products were excluded. On the basis of comments received and its own analysis of the market situation of product importers, FEA has concluded that the definition of eligible firm shall be revised to include those firms on inland waterways which perform import and marketing functions comparable to those performed by a deepwater terminal operator.

The revised definition adopted has been expanded to include as eligible firms those importers of No. 2 heating oil, No. 2–D diesel fuel and residual fuel oil which have inland waterway terminals with a storage capacity for the eligible product concerned of 150,000 barrels. These minimum storage requirements are designed to include those inland waterway terminals able to store a full shipment of an eligible product from a T–2 tanker or other vessel rated 15,000 cargo deadweight tons.

In addition, the reporting requirements for eligible firms have been amended to confirm that the eligible firm must certify, as to its import volumes of eligible products, that no other firm is reporting any portion of such volumes for purposes of the old oil allocation program. This certification is

presently included in the FEA form for eligible product imports.

Under § 211.66(j) reports from eligible firms setting forth their import volumes of eligible products are required to be filed by January 28, 1975 for December 1974 imports. The publication of this amendment will not afford adequate notice to enable all firms that are included within the revised definition to comply with the reporting requirements for December 1974 imports. Accordingly FEA hereby gives notice that it will accept the affidavits required by § 211.66(k) and the reports for December imports from firms newly included within the definition of eligible firm if such affidavits and reports are filed with FEA on or prior to February 3, 1975.

Finally, FEA realizes that the revised definition of eligible firm adopted hereby may continue to exclude certain importers, the inclusion of which would be consistent with the purposes of the Emergency Petroleum Allocation Act of 1973. Accordingly, FEA will further revise this definition to the extent it deems revisions necesary or appropriate to fulfill its statutory mandate.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, Part 211 of Chapter II, Title 10 Code of Federal Regulations, is hereby amended as set forth below effective immediately.

Issued in Washington, D.C. January 23, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

1. Section 211.62 is amended by revising the definition of "eligible firm" to read as follows:

§ 211.62 Definitions.

* * * * *

"Eligible firm" means, an importer (as defined in § 211.51) of eligible products that has received, as to the particular eligible product imported, an import allocation not subject to a license fee under 10 CFR §§ 213.15, 213.32 or 213.34, or a firm which would otherwise qualify for such an import allocation under § 213.15 or § 213.34 if (a) that firm were in the business in PAD District I of selling the eligible product concerned, (b) that firm had received an allocation of imports of No. 2 heating oil or No. 2-D diesel fuel in the allocation period beginning prior to January 1, 1973, or (c) that firm were not a refiner and/or a petrochemical producer. The term eligible firm shall also include an importer of an eligible product which owns and operates an inland terminal and which receives the eligible product concerned into that inland terminal by transportation along an inland waterway. An inland terminal for purposes of this definition means a facility which consists of bulk storage tanks having not less than 150,000 barrels of operational capacity, with respect to the particular eligible product imported, together with pumps and pipelines and which is used for storage, transfer and handling of that eligible product.

* * * * *

2. Section 211.66 is amended in paragraph (j) by redesignating paragraph (j)(2) as paragraph (j)(3) and by adding a new paragraph (j)(2) to read as follows:

§ 211.66 Reporting requirements.

* * * * *

(j) * * *

(2) That no other firm has reported any portion of the volumes of eligible products reported by that eligible firm pursuant to subparagraph (1) of this paragraph (j) for purposes of receiving entitlements with respect to the import thereof.

* * * * *

[FR Doc.75-2528 Filed 1-24-75;8:45 am]

proposed rules

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[21 CFR Part 1308]

SCHEDULES OF CONTROLLED SUBSTANCES

Proposed Placement of Chlordiazepoxide, Diazepam, Oxazepam, Chlorazepate, Flurazepam and Clonazepam in Schedule IV

On August 14, 1973, the Administrator of the Drug Enforcement Administration requested the Assistant Secretary for Health of the Department of Health, Education and Welfare to submit, in behalf of the Secretary of Health, Education and Welfare, a scientific and medical evaluation and recommendation that clordiazepoxide(Librium®) and diazepam(Valium®) be placed in Schedule IV of the Controlled Substances Act.

By a letter dated November 25, 1974, the Assistant Secretary for Health submitted the requested scientific and medical evaluation and recommendation concerning chlordiazepoxide and diazepam, and further submitted scientific and medical evaluations and other recommendations that oxazepam(Serax®), flurazepam(Dalmane®), and clonazepam(Clonopin®), which are other members of the benzodiazepine class of drugs, be similarly placed in Schedule IV.

In his November 25, 1974, letter, the Assistant Secretary re-submitted an earlier recommendation made by his office that clorazepate(Tranxene®), another member of the benzodiazepine class, be placed in Schedule IV.

The recommendation and evaluation, and the supporting documentation concerning chlorazepate were originally submitted on November 1, 1972, and February 7, 1973, respectively. However, control proceedings were not commenced at that time by the Bureau of Narcotics and Dangerous Drugs (BNDD, predecessor agency to DEA), because of pending proceedings involving Librium ® and Valium ®. The Assistant Secretary's letter of November 25, 1974, which requests that proceedings be initiated to control all the above-listed members of the benzodiazepine class of drugs, is set out as follows:

NOVEMBER 25, 1974.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration,
Washington, D.C.

DEAR MR. BARTELS: The Drug Enforcement Administration recommended that chlordiazepoxide (Librium) and diazepam(Valium) be controlled in Schedule IV of the Public Law 91-513 (the Controlled Substances Act) and requested in August 1973, that the Department of Health, Education, and Welfare (DHEW) review the scientific and medical aspects of this proposal. This review was postponed pending the establishment of the FDA Controlled Substances Advisory Committee and a complete review of the benzodiazepine class of drugs.

This recommendation has now been reviewed by the appropriate agencies within DHEW, and the FDA Controlled Substances Advisory Committee. We have concluded that Schedule IV controls for chlordiazepoxide and diazepam are appropriate and justifiable under the provisions of the CSA.

As noted above, the review of chlordiazepoxide and diazepam was expanded to include other members of the benzodiazepine class of drugs. As a result of this evaluation we also recommend that flurazepam (Dalmane) and oxazepam (Serax), both of which are marketed drugs, be controlled in Schedule IV and reaffirm our previously forwarded recommendation for similar controls on chlorazepate (Tranxene). In addition, data on clonazepam, an unmarketed investigative drug, were evaluated. We recommend that, should the New Drug Application for clonazepam be approved, it be controlled in Schedule IV at the time of marketing.

A summary of the basis for these recommendations is enclosed. Briefly, extensive documentation of the medical and scientific aspects of the dependence liability and potential for abuse of chlordiazepoxide and diazepam was developed during the several years of hearings held on the subject of control. These documents and findings, although developed under the criteria established by the Drug Abuse Control Amendments of 1965, constitute an ample basis for support of Schedule IV controls under the Controlled Substances Act of 1970. It is our best judgment, based on analysis of presently available data, that none of the other benzodiazepines (oxazepam, chlorazepate, flurazepam and clonazepam) possess a potential for abuse and a dependence liability which is significantly different from that of chlordiazepoxide and diazepam.

The quantum of evidence delineating the dependence liability or potential for abuse (and the consequent risk to public health) differs for each benzodiazepine. For example, specific testing to determine these factors has not, to our knowledge, been performed with clonazepam.

Yet its pharmacological profile strongly suggests that these factors would be the same as those for benzodiazepines on which testing and clinical experience have demonstrated a potential for abuse and dependence.

Reasonable predictions of this type, although they can never be made with absolute certainly, are not unusual in making scientific or medical judgment. This line of thought has been the basis of our "class-action" approach to the evaluation of drugs for control.

We have learned for example from experiences with methaqualone and phenmetrazine, that drugs have been marketed with a claim that they were not abusable. Subsequently, after marketing or after restrictions on similar drugs, such as the barbiturates and amphetamines, these become subject to serious and significant abuse. In retrospect we observed that the differences between their pharmacological profiles and those of related drugs were not as important as the similarities.

Appropriate members of FDA staff will be available to assist the Drug Enforcement Administration in evaluating aspects of this recommendation or will make available relevant information which you may need for the operational procedures at DEA. In particular, the Drug Abuse Staff of the Food and Drug Administration is in possession of several volumes of material which have been considered by the Controlled Substances Advisory Committee in making its evaluation. In order to facilitate this exchange of information FDA staff are authorized to transmit relevant materials directly to appropriate members of DEA Staff. Dr. Barrett Scoville, Director, Division of Neuropharmacological Drug Products will act as liaison for transmittal of information.

Sincerely yours,

CHARLES C. EDWARDS, M.D.,
Assistant Secretary for Health.

Upon receipt of this letter, the Drug Enforcement Administration undertook a review of the following: (1) Materials submitted to DEA by the Department of Health, Education and Welfare with the letter of November 25, 1974; (2) materials submitted to BNDD by the Department of Health, Education and Welfare on February 7, 1973, in support of its letter of November 1, 1972; (3) materials on file with the Food and Drug Administration, and the Drug Enforcement Administration; (4) published scientific and medical literature from the United States and other nations regarding this drug; (5) selected investigatory files compiled for law enforcement purposes by the Drug Enforcement Administration; and (6) the legislative history of the Controlled Substances Act.

Based upon the investigations and review of the Drug Enforcement Administration and upon the scientific and medical evaluations and recommendations of the Secretary of Health, Education, and Welfare, received pursuant to sections 201(a) and 201(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available, chlordiazepoxide, diazepam, oxazepan, chlorazepate, flurazepam, and clonazepam have a low potential for abuse relative to the drugs or other substances currently listed in Schedule III.

2. Chlordiazepoxide, diazepam, oxazepam, chlorazepate, and flurazepam have a currently accepted medical use in treatment in the United States.

3. Clonazepam will, upon the approval of New Drug Application by the FDA, have a currently accepted medical use in treatment in the United States.

4. Abuse of chlordiazepoxide, diazepam, oxazepam, chlorazepate, and clonazepam may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Therefore, under the authority vested in the Attorney General by section 201(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(a)), and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations, the Administrator proposes that, upon approval of the New Drug Application for clonazepam by FDA, § 1308.14 of Title 21 of the Code of Federal Regulations (CFR) be amended to read:

§ 1308.14 Schedule IV.

* * * * *

(b) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1)	Barbital	2145
(2)	Chloral betaine	2460
(3)	Chloral hydrate	2465
(4)	Chlorazepate	2768
(5)	Chlordiazepoxide	2744
(6)	Clonazepam	2737
(7)	Diazepam	2765
(8)	Ethchlorvynol	2540
(9)	Ethinamate	2545
(10)	Flurazepam	2767
(11)	Mebutamate	2800
(12)	Meprobamate	2820
(13)	Methohexital	2264
(14)	Methlyphenobarbital	2250
(15)	Oxazepam	2835
(16)	Paraldehyde	2585
(17)	Petrichloral	2591
(18)	Phenobarbital	2285

* * * * *

All interested persons are invited to submit their comments or objections in writing regarding this proposal. The comments or objections should state with particularity the issues concerning which the person desires to be heard. Comments and objections should be submitted in quintuplicate to the Hearing Clerk, Office of the Administrative Law Judge, Drug Enforcement Administration, Department of Justice, Room 1130, 1405 Eye Street N.W., Washington, D.C. 20537, and must be received no later than March 28, 1975.

In the event that an interested party submits objections to this proposal which present reasonable grounds for this rule not to be finalized and requests a hearing in accordance with 21 CFR 1308.45, the party will be notified by registered mail that a hearing on these objections will be held as soon as the matter may be heard at the Drug Enforcement Administration, 1405 Eye Street, NW., Washington, D.C. 20537. If objections submitted do not present such reasonable grounds, the party will be so advised by registered mail.

If no objections presenting reasonable grounds for a hearing on the proposal are received within the time limitations, and all interested parties waive or are deemed to waive their opportunity for the hearing or to participate in the hearing, the Administrator may, without a hearing, and, after giving consideration to written comments, issue his final order pursuant to 21 CFR 1308.48 without a hearing.

Dated: January 22, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2363 Filed 1-24-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[9 CFR Part 113]

VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS

Notice of Proposed Rulemaking

Notice is hereby given in accordance with the provisions contained in section 553 of Title 5, United States Code, that it is proposed to amend certain of the regulations relating to viruses, serums, toxins, and analogous products in Part 113 of Title 9, Code of Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158).

These proposed amendments would provide a new two stage potency test to simultaneously evaluate the Eastern and the Western fractions of Encephalomyelitis Vaccine. This new test would replace the two tests currently being used for this product. This test has been developed as a cooperative endeavor between the Veterinary Services Laboratories and the biologics industry.

It is proposed to revise § 113.127(b) to read as follows:

§ 113.127 Encephalomyelitis Vaccine, Eastern and Western, Killed Virus.

* * * * *

(b) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency in accordance with the two stage test provided in this paragarph. The serological interpretations required in this test shall be made for the Eastern Type fraction and the Western Type fraction independent of each other except that a serial or subserial found unsatisfactory for either fraction shall not be released.

(1) For this test, a guinea pig dose shall be one-half the amount recommended on the label for a horse and shall be administered as recommended for a horse. Each of 10 healthy guinea pigs (vaccinates) shall be injected with two guinea pig doses with an interval of 14 to 21 days between doses. Two additional guinea pigs from the same source shall be held as controls.

(2) Fourteen to 21 days after the second injection, serum samples from each vaccinate and each control shall be tested by the plaque reduction serum neutralization test.

(3) If the control serum samples show a titer greater than 1:2 for either or both fractions, the test is inconclusive for that fraction or fractions, as the case may be, and may be repeated; *Provided,* That, if 4 or more of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than 1:32 for the Western type fraction, the serial or subserial is unsatisfactory without further testing.

(4) If 2 or 3 of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than 1:32 for the Western type fraction or both, the second stage may be used; *Provided,* That, if 1 or less such samples meet the titer requirements for one fraction in the first stage, such fraction need not be retested. Otherwise, the second stage shall be conducted in a manner identical to the first stage.

(5) If the second stage is used and 4 or more of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than 1:32 for the Western type fraction, the serial or subserial is unsatisfactory.

(6) The results shall be evaluated according to the following table:

Cumulative totals

Stage	Vaccinates	Failures for acceptance	Failures for rejection
1	10	1 or less	4 or more.
2	20	3 or less	Do.

Interested parties are invited to submit written data, views, or arguments regarding the proposed regulations to Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 828–A, Federal Building, Hyattsville, Maryland 20782. All comments received on or before February 28, 1975, will be considered.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business. (7 CFR 1.27 (b)).

Done at Washington, D.C. this 22nd day of January, 1975.

J. M. HEJL,
Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.75-2303 Filed 1-24-75;8:45 am]

Commodity Exchange Authority

[17 CFR Part 150]

[Hearing Docket CE–P19]

LIVE SLAUGHTER CATTLE, LIVE HOGS, AND FROZEN PORK BELLIES

Proposed Limits on Position and Daily Trading

Section 4a of the Commodity Exchange Act (7 U.S.C. 6a) directs that, for the purpose of diminishing, elim-

inating, or preventing excessive speculation in any commodity named in the Act, the Commodity Exchange Commission shall, from time to time, after due notice and opportunity for hearing, proclaim and fix such limits on the amount of daily trading which may be done, and positions which may be held, by any person under contracts of sale of such commodity for future delivery on or subject to the rules of any contract market as the Commission finds are necessary for such purpose.

Notice is hereby given that it is proposed by the Commodity Exchange Authority that the Commodity Exchange Commission establish limits on (1) the maximum net long or net short positions in live slaughter cattle, live hogs, and frozen pork bellies, respectively, which any person may hold or control under contracts of sale for future delivery on or subject to the rules of any contract market, and (2) the maximum amount of live slaughter cattle, live hogs, and frozen pork bellies, respectively, which any person directly or indirectly may buy or sell under contracts of sale for future delivery on or subject to the rules of any contract market, on any one business day.

The proposed limits on any person's positions and daily trading would not apply to transactions and positions which are shown to be bona fide hedging transactions and positions as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93–463.

The Orders which the Commodity Exchange Authority proposes be issued by the Commodity Exchange Commission concerning limits on positions and daily trading in live slaughter cattle, live hogs, and frozen pork bellies are respectively as follows. It is proposed to add §§ 150.12, 150.13, and 150.14 to read as follows:

§ 150.12 Limits on position and daily trading in live slaughter cattle for future delivery.

The following limits on the amount of trading under contracts of sale of live slaughter cattle for future delivery on or subject to the rules of any contract market, which may be done by any person, are hereby proclaimed and fixed, to be in full force and effect on and after [date to be inserted at time of issuance of order]:

(a) *Position limit.* The limit on the maximum net long or net short position any person may hold or control in live slaughter cattle on or subject to rules of any one contract market is 120,000 cwt. in any one future and 240,000 cwt. in all futures combined.

(b) *Daily trading limit.* The limit on the maximum amount of live slaughter cattle which any person may buy, and the maximum amount which any one person may sell, on or subject to the rules of any one contract market during any one business day is 120,000 cwt. in any one future and 240,000 cwt. in all futures combined.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93–463.

(d) *Manipulations; corners; responsibility of contract market.* Nothing contained in this section shall be construed to affect any provisions of the Commodity Exchange Act relating to manipulation or corners, nor to relieve any contract market or its governing board from responsibility under section 5(d) of the Commodity Exchange Act (7 U.S.C. 7(d)) to prevent manipulation and corners.

(e) *Definition.* As used in this part, the word "person" imports the plural or singular and includes individuals, associations, partnerships, corporations, and trusts.

(f) *Application of limits.* The foregoing limits upon positions and daily trading shall be construed to apply, respectively, to positions held by, and trading done by, two or more persons acting pursuant to an expressed or implied agreement or understanding, the same as if the positions were held by or the trading were done by, a single individual.

§ 150.13 Limits on position and daily trading in live hogs for future delivery.

The following limits on the amount of trading under contracts of sale of live hogs for future delivery on or subject to the rules of any contract market, which may be done by any person, are hereby proclaimed and fixed, to be in full force and effect on and after [date to be inserted at time of issuance of order]:

(a) *Position limit.* The limit on the maximum net long or net short position which any person may hold or control in live hogs on or subject to rules of any one contract market is 60,000 cwt. in any one future and 120,000 cwt. in all futures combined.

(b) *Daily trading limit.* The limit on the maximum amount of live hogs which any person may buy, and the maximum amount which any one person may sell, on or subject to the rules of any one contract market during any one business day is 60,000 swt. in any one future and 120,000 cwt. in all futures combined.
and 120,000 cwt. in all futures combined.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93–463.

(d) *Manipulations; corners; responsibility of contract market.* Nothing contained in this section shall be construed to affect any provisions of the Commodity Exchange Act relating to manipulation or corners, nor to relieve any contract market or its governing board from responsibility under section 5(d) of the Commodity Exchange Act (7 U.S.C. 7(d)) to prevent manipulation and corners.

(e) *Definition.* As used in this part, the word "person" imports the plural or singular and includes individuals, associations, partnerships, corporations, and trusts.

(f) *Application of limits.* The foregoing limits upon positions and daily trading shall be construed to apply, respectively, to positions held by, and trading done by, two or more persons acting pursuant to an expressed or implied agreement or understanding, the same as if the positions were held by or the trading were done by, a single individual.

§ 150.14 Limits on position and daily trading in frozen pork bellies for future delivery.

The following limits on the amount of trading under contracts of sale of frozen pork bellies for future delivery on or subject to the rules of any contract market, which may be done by any person, are hereby proclaimed and fixed, to be in full force and effect on and after [date to be inserted at time of issuance of order]:

(a) *Position limit.* The limit on the maximum net long or net short position which any person may hold or control in frozen pork bellies on or subject to rules of any one contract market is 54,000 cwt. in any one future and 90,000 cwt .in all futures combined.

(b) *Daily trading limit.* The limit on the maximum amount of frozen pork bellies which any person may buy, and the maximum amount which any one person may sell, on or subject to the rules of any one contract market during any one business day is 54,000 cwt. in any one future and 90,000 cwt. in all futures combined.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93–463.

(d) *Manipulations; corners; respondibility of contract market.* Nothing contained in this section shall be construed to affect any provisions of the Commodity Exchange Act relating to manipulation or corners, nor to relieve any contract market or its governing board from responsibility under section 5(d) of the Commodity Exchange Act (7 U.S.C. 7(d)) to prevent manipulation and corners.

(e) *Definition.* As used in this part, the word "person" imports the plural or singular and includes individuals, associations, partnerships, corporations, and trusts.

(f) *Application of limits.* The foregoing limits upon positions and daily trading shall be construed to apply, respectively, to positions held by, and trading done by, two or more persons acting pur-

suant to an expressed or implied agreement or understanding, the same as if the positions were held by or the trading were done by, a single individual.

If any interested person desires a hearing with reference to this proposed regulation, he should make a request to that effect stating the reasons therefor, addressed to the Administrator, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, on or before March 13, 1975.

Written statements with reference to the subject matter of this proposal may be submitted by any interested person. Such statements should be mailed to the Administrator of the Commodity Exchange Authority prior to March 13, 1975.

The transcript of the proceedings at any hearing which may be held and all written submissions made pursuant to this notice will be made available for public inspection in the Office of the Administrator, Commodity Exchange Authority, during regular business hours.

Issued: January 22, 1975.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

[FR Doc.75-2305 Filed 1-24-75;8:45 am]

Commodity Credit Corporation

[7 CFR Parts 1421, 1446]

LOAN AND PURCHASE PROGRAM FOR 1975 CROP PEANUTS

Notice of Proposed Rulemaking

Notice is hereby given that the Secretary of Agriculture proposes to make determinations and issue regulations concerning a loan and purchase program for 1975 crop peanuts. This notice also provides that interested persons may submit to the office designated below written data, views and recommendations concerning the proposals not later than the date stated herein.

It is proposed that the general regulations governing 1974 and subsequent crop peanut warehouse storage loans (39 FR 25949—July 15, 1974) will continue in effect for the 1975 crop. New regulations to be issued will be a 1975 crop supplement to the general regulations. These regulations will include (1) loan and purchase rates by types of peanuts, (2) premiums and discounts, and (3) other operating provisions necessary to carry out the program.

Authority for such actions are sections 101, 401, and 403 of the Agricultural Act of 1949, as amended, (63 Stat. 1051, as amended; 7 USC 1441, 1421, and 1423), and sections 4 and 5 of the Commodity Credit Corporation Charter Act, as amended, (62 Stat. 1070, as amended (15 USC 714b, 714c)).

Section 101 of the Agricultural Act of 1949 directs the Secretary to make support available on peanuts to cooperators, if producers have not disapproved marketing quotas, at a level between 75 and 90 percent of the parity price, with the minimum permissible level of support within such range to be determined by the supply percentage.

Section 401 of that act requires that in determining the level of support in excess of the minimum level provided by law, consideration be given to the supply of the commodity in relation to the demand therefor, the levels of which other commodities are being supported, the availability of funds, the perishability of the commodity, the importance of the commodity to agriculture and the national economy, the ability to dispose of stocks acquired through a support operation, the need for offsetting temporary losses of export markets, and the ability and willingness of producers to keep supplies in line with demand.

Section 403 of the act provides that appropriate adjustments may be made in the support level for differences in grade, type, quality, location and other factors. The average of any such adjustments shall, so far as practicable, be equal to the level of support for peanuts for the applicable crop year determined in accordance with the Agricultural Act of 1949, as amended.

Current program provisions regarding peanut warehouse storage loans may be found in regulations in Title 7, Part 1446 of the Code of Federal Regulations. Current program provisions regarding peanut farm storage loans may be found in regulations governing loans, purchases and other operations for grain and similarly handled commodities which appear in Title 7, Part 1421 of the Code of Federal Regulations.

Prior to making any of the foregoing determinations, consideration will be given to data, views and recommendations which are submitted in writing to the Director, Tobacco and Peanut Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be postmarked on or before February 28, 1975.

All written submissions made pursuant to this notice will be made available for inspection from 8:15 a.m. to 4:45 p.m. Monday through Friday, in Room 6741 South Building, 14th and Independence Avenue, SW., Washington, D.C. (7 CFR 1.27(b)).

Signed at Washington, D.C. on January 22, 1975.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.75-2381 Filed 1-24-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

STANDARDS COMPLETION PROJECT

Camphor, Chloroacetaldehyde, Alpha-Chloroacetophenone, Mesityl Oxide, 5-Methyl- 3-Heptanone, P-Nitroaniline, Ozone, Pival

ADVANCE NOTICE OF PROPOSED RULEMAKING

On March 18, 1974, the Assistant Secretary of Labor for Occupational Safety and Health announced the joint OSHA/NIOSH Standards Completion Project. The purpose of the project is to issue completed standards for all the toxic materials listed in Tables G-1, G-2, and G-3 of 20 CFR 1910.93, with the exception of some substances which are or will be the subjects of NIOSH Criteria Documents. These exceptions will be the subjects of separate rulemaking proceedings, outside of the Standards Completion Project.

Section 1910.93 lists exposure limits for certain hazardous or toxic substances. The new standards will establish requirements for monitoring employee exposure, medical surveillance, methods of compliance, handling and use of liquid forms of the substance, employee training, record-keeping, and sanitation and housekeeping, among other things. In addition, the proposals are also designed to enable employers to better understand and comply with existing OSHA safety standards. The exposure limits listed in § 1910.93 are not at issue in the proposals, and no changes to these limits will be proposed or made in the standards issued as part of the Standards Completion Project.

The Office of Standards Development, Occupational Safety and Health Administration, U.S. Department of Labor invites public participation in the development of the proposed standards. Drafts of the technical content of proposed standards have been prepared for the following substances: Camphor, Chloroacetaldehyde, Alpha-Chloroacetophenone [Phenacyl Chloride], Mesityl oxide, 5-Methyl-3-Heptanone, P-Nitroaniline, Ozone, Pival [2-Pivalyl -1, 3-Indandione]. These draft technical standards reflect only the technical intent of NIOSH and OSHA and do not necessarily contain the specific language which will appear in the proposed standards.

Interested persons are invited to submit written data, views and arguments concerning these drafts or the program in general. Comments are requested concerning requirements of each section of the draft technical standards and alternatives to the provisions of each section. Information submitted in response to the Notice of Intent to Prepare an Environmental Impact Statement, published in the FEDERAL REGISTER on September 20, 1974 (39 FR 33843) need not be resubmitted.

Communications should be submitted to the Docket Officer, Standards Completion Project, Occupational Safety and Health Administration, U.S. Department of Labor, Room 260, 1726 M Street NW., Washington, D.C. 20210, postmarked no later than February 21, 1975. The communications will be available for public inspection and copying at the above location.

Copies of the draft technical standards on the above listed substances are available for inspection and copying, upon request, at the above address and at any of the following OSHA regional and area offices:

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
18 Oliver Street
Boston, Massachusetts 02110

U.S. Department of Labor
Occupational Safety and Health Administration
1515 Broadway (1 Astor Plaza)

U.S. Department of Labor
U.S. Department of Labor
Occupational Safety and Health Administration
Gateway Building—Suite 15220
3535 Market Street
Philadelphia, Pennsylvania 19104

U.S. Department of Labor
Occupational Safety and Health Administration
1375 Peachtree Street, N.E.—Suite 587
Atlanta, Georgia 30309

U.S. Department of Labor
Occupational Safety and Health Administration
230 South Dearborn Street
32d Floor
Chicago, Illinois 60604

U.S. Department of Labor
Occupational Safety and Health Administration
7th Floor—Texaco Building
1512 Commerce Street
Dallas, Texas 75201

U.S. Department of Labor
Occupational Safety and Health Administration
911 Walnut Street
Room 3000
Kansas City, Missouri 64106

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 15010
1961 Stout Street
Denver, Colorado 80202

U.S. Department of Labor
Occupational Safety and Health Administration
9470 Federal Building
450 Golden Gate Avenue
Box 36017
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety and Health Administration
506 Second Avenue
1808 Smith Tower Building
Seattle, Washington 98104

AREA OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
Custom House Building
Room 703
State Street
Boston, Massachusetts 02109

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 426
55 Pleasant Street
Concord, New Hampshire 03301

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 617B
450 Main Street
Hartford, Connecticut 06103

U.S. Department of Labor
Occupational Safety and Health Administration
U.S. Post Office and Courthouse Building
436 Dwight Street
Room 501
Springfield, Massachusetts 01103

U.S. Department of Labor
Occupational Safety and Health Administration
90 Church Street—Room 1405
New York, New York 10007

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Office Building
970 Broad Street—Room 1435C
Newark, New Jersey 07102

U.S. Department of Labor
Occupational Safety and Health Administration
Room 203—Midtown Plaza
700 East Water Street
Syracuse, New York 13210

U.S. Department of Labor
Occupational Safety and Health Administration
370 Old Country Road
Garden City, Long Island, New York 11530

U.S. Department of Labor
Occupational Safety and Health Administration
Condominium San Alberto Building
605 Condado Avenue—Room 328
Santurce, Puerto Rico 00907

U.S. Department of Labor
Occupational Safety and Health Administration
William J. Green, Jr. Federal Building
Room 4456—600 Arch Street
Philadelphia, Pennsylvania 19106

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 1110–A
31 Hopkins Plaza—Charles Center
Baltimore, Maryland 21201

U.S. Department of Labor
Occupational Safety and Health Administration
Charleston National Plaza—Suite 1726
700 Virginia Street
Charleston, West Virigina 25301

U.S. Department of Labor
Occupational Safety and Health Administration
Room 802, Jonnet Building
4099 William Penn Highway
Monroeville, Pennsylvania 15146

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 8015
400 N. 8th Street, P.O. Box 10186
Richmond, Virginia 23240

U.S. Department of Labor
Occupational Safety and Health Administration
Building 10—Suite 33
La Vista Perimeter Park
Tucker, Georgia 30084

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Office Building—Room 406
310 New Bern Avenue
Raleigh, North Carolina 27601

U.S. Department of Labor
Occupational Safety and Health Administration
Room 204—Bridge Building
3200 E. Oakland Park Boulevard
Fort Lauderdale, Florida 33308

U.S. Department of Labor
Occupational Safety and Health Administration
1600 Hayes Street—Suite 302
Nashville, Tennessee 37203

U.S. Department of Labor
Occupational Safety and Health Administration
2809 Art Museum Drive
Art Museum Plaza—Suite 4
Jacksonville, Florida 32207

U.S. Department of Labor
Occupational Safety and Health Administration
Todd Mall, 2047 Canyon Road
Birmingham, Alabama 35216

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 554–E—600 Federal Place
Louisville, Kentucky 40202

U.S. Department of Labor
Occupational Safety and Health Administration
Enterprise Building—Suite 204
6605 Abercorn Street
Savannah, Georgia 31405

U.S. Department of Labor
Occupational Safety and Health Administration
Commerce Building—Room 600
118 North Royal Street
Mobile, Alabama 36602

U.S. Department of Labor
Occupational Safety and Health Administration
Riverside Plaza Shopping Center
2720 Riverside Drive
Macon, Georgia 31204

U.S. Department of Labor
Occupational Safety and Health Administration
1710 Gervais Street—Room 205
Columbia, South Carolina 29201

U.S. Department of Labor
Occupational Safety and Health Administration
650 Cleveland Street
Room 44
Clearwater, Florida 33515

U.S. Department of Labor
Occupational Safety and Health Administration
57601—55 North Frontage Road East
Jackson, Mississippi 39211

U.S. Department of Labor
Occupational Safety and Health Administration
230 South Dearborn Street
10th Floor
Chicago, Illinois 60604

U.S. Department of Labor
Occupational Safety and Health Administration
847 Federal Office Building
1240 East Ninth Street
Cleveland, Ohio 44199

U.S. Department of Labor
Occupational Safety and Health Administration
360 S. Third Street—Room 109
Columbus, Ohio 43215

U.S. Department of Labor
Occupational Safety and Health Administration
Michigan Theatre Building—Room 626
200 Bagley Avenue
Detroit, Michigan 48226

U.S. Department of Labor
Occupational Safety and Health Administration
110 South Fourth Street—Room 437
Minneapolis, Minnesota 55401

U.S. Department of Labor
Occupational Safety and Health Administration
Clark Building—Room 400
633 West Wisconsin Avenue
Milwaukee, Wisconsin 53203

U.S. Department of Labor
Occupational Safety and Health Administration
U.S. Post Office and Courthouse
Room 423
46 East Ohio Street
Indianapolis, Indiana 46202

U.S. Department of Labor
Occupational Safety and Health Administration
Room 4028—Federal Office Building
550 Main Street
Cincinnati, Ohio 45202

U.S. Department of Labor
Occupational Safety and Health Administration
Room 734 Federal Office Building
234 N. Summit Street
Toledo, Ohio 43604

U.S. Department of Labor
Occupational Safety and Health Administration
Room 2118
2320 La Branch Street
Houston, Texas 77004

U.S. Department of Labor
Occupational Safety and Health Administration
Adolphus Tower—Suite 1820
1412 Main Street
Dallas, Texas 75202

U.S. Department of Labor
Occupational Safety and Health Administration
Room 421—Federal Building
1205 Texas Avenue
Lubbock, Texas 79401

U.S. Department of Labor
Occupational Safety and Health Administration
546 Carondelet Street—Room 202
New Orleans, Louisiana 70130

U.S. Department of Labor
Occupational Safety and Health Administration
Room 512—Petroleum Building
420 South Boulder
Tulsa, Oklahoma 74103

U.S. Department of Labor
Occupational Safety and Health Administration
Room 526—Donaghey Building
103 East 7th Street
Little Rock, Arkansas 72201

U.S. Department of Labor
Occupational Safety and Health Administration
1015 Jackson Keller Road—Room 122
San Antonio, Texas 78213

U.S. Department of Labor
Occupational Safety and Health Administration
Room 302—Federal Building
421 Gold Avenue, S.W.
P.O. Box 1428
Albuquerque, New Mexico 87103

U.S. Department of Labor
Occupational Safety and Health Administration
1627 Main Street—Room 1100
Kansas City, Missouri 64108

U.S. Department of Labor
Occupational Safety and Health Administration
210 North 12th Boulevard, Room 554
St. Louis, Missouri 63101

U.S. Department of Labor
Occupational Safety and Health Administration
Petroleum Building
221 South Broadway Street—Suite 312
Wichita, Kansas 67202

U.S. Department of Labor
Occupational Safety and Health Administration
Room 643
210 Walnut Street
Des Moines, Iowa 50309

U.S. Department of Labor
Occupational Safety and Health Administration
City National Bank Building
Harney and 16th Street
Room 803
Omaha, Nebraska 68102

U.S. Department of Labor
Occupational Safety and Health Administration
113 West 6th Street
North Platte, Nebraska 69101

U.S. Department of Labor
Occupational Safety and Health Administration
8527 W. Colfax Avenue
Lakewood, Colorado 80215

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 525 Petroleum Building
2812 1st Avenue—North
Billings, Montana 59101

U.S. Department of Labor
Occupational Safety and Health Administration
Court House Plaza Building—Room 406
300 North Dakota Avenue
Sioux Falls, South Dakota 57102

U.S. Department of Labor
Occupational Safety and Health Administration
U.S. Post Office Building—Room 452
350 South Main Street
Salt Lake City, Utah 84111

U.S. Department of Labor
Occupational Safety and Health Administration
100 McAllister Street—Room 1706
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 318—Amerco Towers
2721 North Central Avenue
Phoenix, Arizona 85004

U.S. Department of Labor
Occupational Safety and Health Administration
333 Queen Street—Suite 505
Honolulu, Hawaii 96813

U.S. Department of Labor
Occupational Safety and Health Administration
1100 E. William Street
Suite 222
Carson City, Nevada 89701

U.S. Department of Labor
Occupational Safety and Health Administration
Hartwell Building—Room 401
19 Pine Avenue
Long Beach, California 90802

U.S. Department of Labor
Occupational Safety and Health Administration
121—107th Street, N.E.
Bellevue, Washington 98004

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 227
605 West 4th Avenue
Anchorage, Alaska 99501

U.S. Department of Labor
Occupational Safety and Health Administration
Room 526 Pittock Block
921 S.W. Washington Street
Portland, Oregon 97205

U.S. Department of Labor
Occupational Safety and Health Administration
228 Idaho Building
216 North 8th Street
Boise, Idaho 83702

The draft technical standards will also be available for inspection and copying at the national and regional offices of the U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, at the following addresses:

U.S. Department of HEW
National Institute for Occupational Safety and Health
Room 10–A22
5600 Fishers Lane
Rockville, Maryland 20852

U.S. Department of HEW
National Institute for Occupational Safety and Health
1114 Commerce Street, Rm 1612
Dallas, Texas 75202

U.S. Department of HEW
National Institute for Occupational Safety and Health
P.O. Box 13716
Philadelphia, Pennsylvania 19108

U.S. Department of HEW
National Institute for Occupational Safety and Health
John F. Kennedy Federal Bldg.
Government Center
Boston, Massachusetts 02203

U.S. Department of HEW
National Institute for Occupational Safety and Health
26 Federal Plaza
New York, New York 10007

U.S. Department of HEW
National Institute for Occupational Safety and Health
601 East 12th Street
Kansas City, Missouri 64106

U.S. Department of HEW
National Institute for Ocupational Safety and Health
9017 Federal Building
19th and Stout Streets
Denver, Colorado 80202

U.S. Department of HEW
National Institute for Occupational Safety and Health
50 Seventh Street, N.E.
Atlanta, Georgia 30323

U.S. Department of HEW
National Institute for Occupational Safety and Health
Arcade Building
1321 Second Street
Seattle, Washington 98101

U.S. Department of HEW
National Institute for Occupational Safety and Health
254 Federal Office Building
50 Fulton Street
San Francisco, California 94102

U.S. Department of HEW
National Institute for Occupational Safety and Health
300 South Wacker Drive
Chicago, Illinois 60607

This advance notice of proposed rulemaking is issued under section 6 of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29

U.S.C. 655) and Secretary of Labor's Order No. 12–71 (36 FR 8754).

Signed at Washington, this 21st day of January, 1975.

JOHN H. STENDER,
Assistant Secretary of Labor.

[FR Doc.75–2362 Filed 1–24–75;8:45 am]

[29 CFR Part 1952]

APPROVED CALIFORNIA PLAN

Proposed Supplements

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved under section 18(c) of the Act and Part 1902 of this chapter. On May 1, 1973, a notice was published in the FEDERAL REGISTER concerning the approval of the California plan and of the adoption of Subpart K of Part 1952 containing the decision (38 FR 10717). On November 7, 1974, the State of California submitted supplements to the plan involving a developmental change (see Subpart B of 29 CFR Part 1953) and a State initiated change (see Subpart E of 29 CFR Part 1953).

The decision approving the California plan incorporated assurances from the State that enabling legislation would be enacted within one (1) year of plan approval. That goal was met on October 23, 1973, following the enactment of Assembly Bill No. 150 authorizing complete implementation of the State plan (see 39 FR 14723). However, it was discerned by the State that there were certain errors and inconsistencies in the enabling legislation which needed to be rectified. Accordingly, Assembly Bill 3335 was enacted by the California Legislature and signed by the Governor on September 23, 1974. The legislation became effective on January 1, 1975. Among other things, the Bill revises the jurisdiction of the Bureau of Investigations in the Division of Industrial Safety to those investigations for accidents involving serious injury to five or more employees rather than for any serious injury as originally enacted, thus making it more consistent with section 5313 of the California Labor Code; extends citation and penalty provisions to recordkeeping violations; and clarifies the authority of the Occupational Safety and Health Appeals Board where an employer files an appeal but fails to appear at the hearing.

The second supplement involves the establishment of a Management Information System. The State has established a complete system for providing evaluation data required by the Assistant Secretary of Labor for Occupational Safety and Health on a timely basis. Copies of forms and instructions in current use in this system are included in the supplement.

2. *Location of the plan and its supplements for inspection and copying.* A copy of the plan and its supplements may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, Room 850, 1726 M Street, N.W., Washington, D.C. 20210; Office of the Assistant Regional Director for Occupational Safety and Health, Room 9410, Federal Office Building, 450 Golden Gate Avenue, San Francisco, California 94102; California Occupational Safety and Health Administration, 1006 4th Street, Third Floor, Sacramento, California 95814; California Occupational Safety and Health Administration, 455 Golden Gate Avenue, Room 2152, San Francisco, California 94102; and Division of Industrial Safety, 3460 Wilshire Boulevard, Los Angeles, California 90010.

3. *Public participation.* Interested persons are hereby given until February 26, 1975, in which to submit written data, views and arguments concerning whether the supplement should be approved. Such submissions are to be addressed to the Associate Assistant Secretary for Regional Programs at his address as set forth above where they will be available for inspection and copying.

Any interested person may request an informal hearing concerning the proposed supplements, by filing particularized written objections with respect thereto within the time allowed for comments with the Associate Assistant Secretary for Regional programs. If in the opinion of the Assistant Secretary substantial objections are filed, which warrant further public discussion, a formal or informal hearing on the subjects and issues involved may be held.

The Assistant Secretary shall consider all relevant comments, arguments and requests submitted in accordance with this notice and shall thereafter issue his decision as to approval or disapproval of the supplements, make appropriate amendments to Subpart K of Part 1952 and initiate further appropriate proceedings if necessary.

(Secs. 8(g), 18, Pub. L. 91–596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g), 662))

Signed at Washington, D.C., this 21st day of January 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75–2360 Filed 1–24–75;8:45 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 271]

FEDERAL OPEN MARKET COMMITTEE

Freedom of Information Act; Availability of Information; Proposed Fee Schedule

Pursuant to its authority under section (a)(4)(A) of the Freedom of Information Act (5 U.S.C. 552), the Federal Open Market Committee proposes to amend § 271.4 of its rules regarding availability of information. The purpose of the proposed amendments is to specify a uniform schedule of fees for services performed in response to requests for records under the Freedom of Information Act.

The present schedule of fees appears at § 271.4(c) of Part 271 of Title 12 of the Code of Federal Regulations.

The proposed amendments will set the cost of the duplication of available information at 10 cents per standard page. The cost for search time will be $10 per hour. Furthermore, the charge for the retrieval and production of information through computer and other information program systems will not exceed the direct and reasonable costs of such services. Detailed schedules of such costs will be available upon request from the Secretary of the Committee. These schedules are not included in this notice because of their detailed nature. Finally, any or all of the above charges may be reduced or waived where the Secretary of the Committee finds that the public interest will be benefited.

To aid in the consideration of this matter by the Committee, interested persons are invited to submit relevant data, views, comments, or argument. Any such material should be submitted in writing to the Secretary, Federal Open Market Committee, Washington, D.C. 20551, to be received not later than February 13, 1975.

The Committee's Rules Regarding Availability of Information (12 CFR § 271) are proposed to be revised as follows: Paragraph (c) is proposed to be amended by ending the last sentence with the word "difficulty" and striking the remaining language in that sentence, and a new paragraph (to be designated later) is proposed to be added as follows:

§ 271.4 Records available to the public on request.

* * * * *

Fee schedule. A person requesting access to or copies of particular records shall pay the costs of searching and copying such records at the rate of $10 per hour for searching and 10 cents per standard page for copying. With respect to information obtainable only by processing through a computer or other information systems program, a person requesting such information shall pay a fee not to exceed the direct and reasonable cost of retrieval and production of the information requested. Detailed schedules of such charges are available upon request from the Secretary of the Committee. Documents may be furnished without charge or at a reduced charge where the Secretary of the Committee or such person as he may designate determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

By order of the Federal Open Market Committee, January 21, 1975.

ARTHUR L. BROIDA,
Secretary.

[FR Doc.75–2295 Filed 1–24–75;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order No. 97 (Rev. 12)]

ASSISTANT COMMISSIONERS ET AL.

Closing Agreements Concerning Internal Revenue Tax Liability; Delegation Order

Pursuant to authority granted to the Commissioner of Internal Revenue by 26 CFR 301.7121–1(a); Treasury Department Order No. 150–32, dated November 18, 1953; Treasury Department Order No. 150–36, dated August 17, 1954 (C.B. 1954–2, 733); and Treasury Department Order No. 150–83, dated August 21, 1973, subject to the transfer of authority covered in Treasury Department Order No. 221, dated June 6, 1972.

(1) The Assistant Commissioner (Technical) is hereby authorized in cases under his jurisdiction to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts) in respect of any prospective transactions or completed transactions affecting returns to be filed.

(2) The Assistant Commissioner (Compliance) is hereby authorized in cases under his jurisdiction to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts) for a taxable period or periods ended prior to the date of agreement and related specific items affecting other taxable periods. The Assistant Commissioner (Compliance) is also authorized to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts) with respect to the performance of his functions as the competent authority in the administration of the operating provisions of the tax conventions of the United States.

(3) The Assistant Commissioner (Employee Plans and Exempt Organizations) is hereby authorized to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts) in cases under his jurisdiction, that is, in respect of any transaction concerning employee plans or exempt organizations.

(4) Regional Commissioners; Assistant Regional Commissioners (Apellate); Assistant Regional Commissioners (Audit); District Directors; Director of International Operations; Chiefs and Assistant Chiefs of Appellate Branch Offices, are hereby authorized in cases under their jurisdiction (but excluding cases docketed before the United States Tax Court) to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts) for a taxable period or periods ended prior to the date of agreement and related specific items affecting other taxable periods.

(5) Regional Commissioners; Assistant Regional Commissioners (Employee Plans and Exempt Organizations); and District Directors are hereby authorized in cases under their jurisdiction, that is, in respect of any transaction concerning employee plans or exempt organizations, (but excluding cases docketed before the United States Tax Court) to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts).

(6) Regional Commissioners; Assistant Regional Commissioners (Appellate) and (Employee Plans and Exempt Organizations); Chiefs and Assistant Chiefs of Appellate Branch Offices, are hereby authorized in cases under their jurisdiction docketed in the United States Tax Court to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts) but only in respect to related specific items affecting other taxable periods.

(7) The Director of International Operations is hereby authorized to enter into and approve a written agreement with any person relating to the Internal Revenue tax liability of such person (or of the person or estate for whom he acts) to provide for the mitigation of economic double taxation under section 3 of Revenue Procedure 64–54, C.B. 1964–2, 1008, under Revenue Procedure 72–22, C.B. 1972–1, 747, and under Revenue Procedure 69–13, C.B. 1969–1, 402, and to enter into and approve a written agreement providing the treatment available under Revenue Procedure 65–17, C.B. 1965–1, 833.

(8) The authority delegated herein does not include the authority to set aside any closing agreement.

(9) Authority delegated in this Order may not be redelegated, except that the Assistant Commissioner (Technical) may redelegate the authority contained in paragraph 1 to the Deputy Assistant Commissioner (Technical) and to the Technical Advisors on the Staff of the Assistant Commissioner (Technical) for cases that do not involve precedent issues, the Assistant Commissioner (Compliance) may redelegate the authority contained in paragraph 2 of this Order to the Deputy Assistant Commissioner (Compliance), and the Assistant Commissioner (Employee Plans and Exempt Organizations) may redelegate the authority contained in paragraph 3 of this Order to the Deputy Assistant Commissioner (Employee Plans and Exempt Organizations) and to the Technical Advisors on the Staff of the Assistant Commissioner (Employee Plans and Exempt Organizations) for cases that do not involve precedent issues.

(10) Delegation Order No. 97 (Rev. 11) issued October 19, 1973, is hereby superseded.

Date of issue: January 16, 1975.

Effective date: January 16, 1975.

DONALD C. ALEXANDER,
Commissioner.

[FR Doc.75–2384 Filed 1–28–75;8:45 am]

[Order No. 96 (Rev. 2)]

ASSISTANT COMMISSIONER (TECHNICAL) AND DEPUTY ASSISTANT COMMISSIONER (TECHNICAL)

Application of Rulings Without Retroactive Effect; Delegation of Authority

1. Pursuant to authority granted to the Commissioner of Internal Revenue by 26 CFR 301.7805–1(b), the Assistant Commissioner (Technical) and the Deputy Assistant Commissioner (Technical) are hereby authorized to prescribe the extent, if any, to which any ruling issued by or pursuant to authorization from the Assistant Commissioner relating to the internal revenue laws shall be applied without retroactive effect, except with respect to:

a. Alcohol, tobacco, and firearms laws imposed under Subtitle E of the Internal Revenue Code.

b. Internal revenue laws specifically applicable to employee plans, exempt organizations (other than IRC 521, exemption of farmers' cooperatives from tax), and actuarial determinations.

2. Pursuant to authority granted to the Commissioner of Internal Revenue by 26 CFR 301.7805–1(b), the Assistant Commissioner (Employee Plans and Exempt Organizations) and the Deputy Assistant Commissioner (Employee Plans and Exempt Organizations) are hereby authorized to prescribe the extent, if any, to which any ruling issued by or pursuant to authorization from the Assistant Commissioner relating to 1b. above, shall be applied without retroactive effect.

3. This authority may not be redelegated.

4. This Order supersedes Delegation Order No. 96 (Rev. 1) issued August 31, 1972, which superseded Delegation Order No. 96, dated October 27, 1964.

Date of issue: January 15, 1975.

Effective date: January 15, 1975.

DONALD C. ALEXANDER,
Commissioner.

[FR Doc.75-2383 Filed 1-24-75;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Navy

INTERIM STANDARD AIRBORNE DIGITAL COMPUTER (ISADC)

Project Briefing; Notice of Meeting

The Naval Air Systems Command is planning the procurement of an Interim Standard Airborne Digital Computer (ISADC) for use in Naval airborne weapon systems prior to the availability of the All Applications Digital Computer (AADC). The ISADC will be a militarized, modularly partitioned, simplex computer using presently available, off-the-shelf hardware and software.

An ISADC briefing will be held on February 4, 1975, at 8 a.m., at the Holiday Inn, National Airport, Arlington, Virginia. The purpose of the briefing is to acquaint private and Government sectors with the technical goals and the procurement strategy of the ISADC project, as presently formulated in a Preliminary Specification, Preliminary Deliverables, and Project Plan, and to solicit comments and constructive criticism from those in attendance. As space and time will be limited, it is requested that organizations limit their attendance to two persons per organization.

The ISADC has been identified by the Manager, Electronic Standardization for the Department of Defense, as a likely candidate for multisource "From-Fit-Function" procurement action.

The Preliminary Specification, Preliminary Deliverables List, and Project Plan are being distributed to all organizations listed on the Naval Air Systems Command Master Bidders List under the heading of Computer and Control Systems (Computers). Other parties desirous of participating in the ISADC briefings are requested to provide written request for the Preliminary Specification, Preliminary Deliverables List, and Project Plan to the address listed below by January 31, 1975. Requests should provide complete mail and telephone-contact information. Forward requests to the ISADC Project, Code 53313, Naval Air Systems Command, Washington, D.C. 20361. Telephone inquiries may be made to Mr. R. Entner, Mr. H. Mendenhall, or Mr. R. Balestra at (202) 692-6474, 692-6475, 692-6476, or 692-6477.

Dated January 17, 1975.

H. B. ROBERTSON, Jr.,
Rear Admiral, JAGC, U.S. Navy
Acting Judge Advocate General.

[FR Doc.75-2282 Filed 1-24-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-8]

MAURICE W. ROSENBERG, M.D.

Revocation of Registration

On August 8, 1974, a hearing was held before Administrative Law Judge George A. Koutras on the issues raised by an Order to Show Cause directed to Maurice W. Rosenberg, M.D., as to why his DEA registration AR1435709 should not be revoked.

The Order to Show Cause was predicated on the April 15, 1974 conviction of Dr. Rosenberg in the United States District Court for the Central District of California on all twenty-seven counts of an indictment charging him with unlawful distribution of controlled substances in Schedules II, III and IV, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2(b). Dr. Rosenberg was sentenced to two years imprisonment on each of the twenty-seven counts to run concurrently and fined $20,000. Execution of the sentence of imprisonment was suspended and Dr. Rosenberg, who was 73 or 74 years of age at the time of sentencing, was placed on three years probation.

Title 21, United States Code, Section 824(a)(2) provides that a registration to manufacture, distribute or dispense controlled substances may be suspended or revoked on a finding that the registrant has been convicted of a felony relating to a controlled substance.

The Administrative Law Judge found as a matter of law that Dr. Rosenberg had been convicted of such a felony and the Administrator concurs in that finding as a matter of fact and as a matter of law.

The Administrative Law Judge also found as a matter of law that Dr. Rosenberg's conviction was sufficient to permit the Administrator to exercise his authority to suspend or revoke Dr. Rosenberg's registration although an appeal from that conviction was then pending. This finding of law is consistent with the position taken by administrative law judges in previous matters in which the issue of pending appeals was raised. See In the Matter of Leonard S. Cohen, 38 F.R. 9522, April 17, 1973; In the Matter of Dr. Carl Oslin Ramzy, 36 F.R. 24077, December 18, 1971. The Administrator concurs in this finding of law.

The Administrative Law Judge found as a matter of law that "there is substantial evidence on the record" for the Administrator to suspend or revoke Dr. Rosenberg's registration. The record is clear and the Administrator, therefore, concurs in that finding of law.

The Administrative Law Judge recommends to the Administrator that Dr. Rosenberg's registration be revoked as to two of the Schedule II drugs involved in his conviction and that his registration authorizing him to dispense all other drugs be suspended for twelve months. Before considering the recommendation, the Administrator believes it necessary to comment on the basis for that recommendation as set forth by the Administrative Law Judge under the heading "Discussion."

The Administrative Law Judge has correctly stated the Administrator's discretion to suspend or revoke a registration in the event of a drug related felony. He apparently believes that to aid in the exercise of that discretion the administrative hearing should consider, in part at least, whether the jury's verdict was correct on various counts of the indictment. Thus, under "Discussion," we find comments on whether Dr. Rosenberg's conviction "indicates conduct exceeding the scope of his legitimate professional medical practice." As to some of the counts, the Administrative Law Judge seems to have found that Dr. Rosenberg's conduct did exceed the scope of legitimate practice; as to others he "cannot conclude that no physician-patient relationship existed."

Insofar as these comments indicate a position that the Federal district court jury reached incorrect verdicts on some counts or that the Federal district court judge may even have erred in permitting some counts to reach the jury, the Administrator rejects the position. It cannot be the function of an administrative hearing to review the correctness of the verdict in a criminal case upon which an order to show cause is based. Neither an administrative law judge nor an Administrator is authorized to act as an appellate tribunal. The Administrator therefore finds, as a matter of law, that as to each of the twenty-seven counts on which Dr. Rosenberg was convicted every element of the offense charged has been proved beyond a reasonable doubt.

This is not to say that the character of the criminal conduct underlying the Order to Show Cause cannot be considered by the Administrator in the exercise of his discretionary authority. Obviously some crimes are worse than others. The Administrator finds little that is ameliorative in the Administrative Law Judge's comment that "aside from his criminal conviction there is nothing of record to suggest that he (Dr. Rosenberg) has otherwise run afoul of the law or that his practice of medicine has ever been called into question." The indictment in this case charges continuous criminal activity over a four month period which ended only with the doctor's arrest. The fact of no prior record is a frail reed with which to defend against such disregard of the public health and safety.

The Administrator does agree with the Administrative Law Judge that Dr. Rosenberg's medical service for many elderly patients over many years should be considered. It is clear from the testimony of these patients at the hearing that they trust Dr. Rosenberg; that they rely on him and that they express fear and anxiety over the possible curtailment of his ability to practice medicine. It is in the interests of these people that less than outright revocation of Dr. Rosenberg's registration can even be considered.

The Administrator cannot accept the recommendation that Dr. Rosenberg's registration be revoked as to two parti-

cular drugs in Schedule II. Such revocation in the case of a practitioner is impracticable since there is no way for a pharmacy to know that a doctor registered to prescribe in a particular schedule is unable to prescribe as to part of that schedule. The solution, which to the Administrator seems best to fit the total situation, would be to revoke Dr. Rosenberg's registration as to the most dangerous drugs and permit him to continue his registration for those of lesser danger. This action would relieve the doctor, who is after all 74 years of age, from the responsibility of any connection with those drugs most sought after by addicts and by traffickers. In the interest of Dr. Rosenberg's elderly patients, he should be permitted to dispense drugs in the lower schedules without a period of suspension.

Therefore, under the authority vested in the Attorney General by Section 304 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 824), and redelegated to the Administrator of the Drug Enforcement Administration, by Section 0.100, as amended, Title 28, Code of Federal Regulations, the Administrator orders that the Certificate of Registration issued to Maurice W. Rosenberg, M.D. (DEA Registration AR1435709) be revoked and that upon proper application by Dr. Rosenberg, a new registration limited to Schedules III, IV and V be issued. The revocation of DEA Registration AR1435709 shall be effective on publication of this order in the FEDERAL REGISTER.

Dated: January 21, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2364 Filed 1-24-75;8:45 am]

KNOLL PHARMACEUTICAL CO.

Importation of Controlled Substances; Notice of Application

Pursuant to section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedules I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations, notice is hereby given that on November 27, 1974, Knoll Pharmaceutical Co., 30 North Jefferson Road, Whippany, New Jersey 07981, made application to the Drug Enforcement Administration to be registered as an Importer of Morphine, a basic class controlled substance listed in schedule II.

Any person registered to manufacture Morphine in bulk may, on or before February 26, 1975, file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street, NW, Washington, D.C. 20537.

Dated: January 21, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2341 Filed 1-24-75;8:45 am]

KNOLL PHARMACEUTICAL CO.

Importation of Controlled Substances; Notice of Application

Pursuant to section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedules I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations, notice is hereby given that on November 27, 1974, Knoll Pharmaceutical Co., 30 North Jefferson Road, Whippany, New Jersey 07981, made application to the Drug Enforcement Administration to be registered as an Importer of Hydrocodone, a basic class controlled substance listed in schedule II.

Any person registered to manufacture Hydrocodone in bulk may, on or before February 26, 1975, file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street, NW, Washington, D.C. 20537.

Dated: January 21, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2342 Filed 1-24-75;8:45 am]

KNOLL PHARMACEUTICAL CO.

Importation of Controlled Substances; Notice of Application

Pursuant to section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedules I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations, notice is hereby given that on November 27, 1974, Knoll Pharmaceutical Company, 30 North Jefferson Road, Whippany, New Jersey 07981, made application to the Drug Enforcement Administration to be registered as an Importer of Codeine, a basic class controlled substance listed in schedule II.

Any person registered to manufacture Codeine in bulk may, on or before February 26, 1975, file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street NW., Washington, D.C. 20537.

Dated: January 21, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2343 Filed 1-24-75;8:45 am]

KNOLL PHARMACEUTICAL CO.

Importation of Controlled Substances; Notice of Application

Pursuant to section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedules I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations, notice is hereby given that on November 27, 1974, Knoll Pharmaceutical Company, 30 North Jefferson Road, Whippany, New Jersey 07981, made application to the Drug Enforcement Administration to be registered as an Importer of Pethidine, a basic class controlled substance listed in schedule II.

Any person registered to manufacture Pethidine in bulk may, on or before February 26, 1975, file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with partic-

ularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street NW., Washington, D.C. 20537.

Dated: January 21, 1975.

JOHN R. BARTELS, Jr.,
Administrator, Drug Enforcement Administration.

[FR Doc.75-2344 Filed 1-24-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

BOIS FORTE INDIAN RESERVATION—NETT LAKE

Acceptance of Retrocession of Jurisdiction

JANUARY 15, 1975.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Pursuant to the authority vested in the Secretary of the Interior by Executive Order No. 11435 (33 FR 17339) and redelegated to the Commissioner of Indian Affairs by 230 DM 1, I hereby accept, as of 12:01 a.m. (e.s.t.) of the day following publication in the FEDERAL REGISTER of this notice, retrocession to the United States of all criminal jurisdiction exercised by the State of Minnesota over the Bois Forte Indian Reservation at Nett Lake as offered on August 20, 1973 by the Governor of Minnesota pursuant to the direction of the Minnesota Legislature.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.75-2105 Filed 1-22-75;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (P.L. 93-205).

Applicant:

Mr. Michael R. McKennirey
National Film Board of Canada
3155 Cote de Liesse Road
Montreal, Quebec, Canada

OMB NO. 42-R1670

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
A co-operative film project on the status of the Whooping Crane, its history and present day research programs.

3. APPLICANT. (If one, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Michael R. McKennirey
National Film Board of Canada
3155 Cote de Liesse Rd.
Montreal, Quebec, Canada

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

☒ MR. ☐ MRS. ☐ MISS ☐ MS.	HEIGHT 6' 1"	WEIGHT 170
DATE OF BIRTH July 8, 1935	COLOR HAIR Black	COLOR EYES Hazel
PHONE NUMBER WHERE EMPLOYED 333-3377	SOCIAL SECURITY NUMBER	

OCCUPATION: Film Maker

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT
The Dept. of the Interior, U.S. Fisheries and Wildlife is co-sponsoring this project with the Canadian Wildlife Service and the Nat'l. Film Board.

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
National Film Board of Canada - a non-profit Government Film Agency.

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED
MONTREAL, QUEBEC, CANADA

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
The Aransas National Wildlife Refuge.

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☒ NO
(If yes, list license or permit number)

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☒ YES ☐ NO
(If yes, list jurisdictions and type of documents)

9. CERTIFIED CHECK OR MONEY ORDER (If applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. DESIRED EFFECTIVE DATE: Feb. 15/75

11. DURATION NEEDED: Two Weeks

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink): Michael R. McKennirey
DATE: December 15, 1974

3-200
10/74

Michael R. McKennirey

COOPERATIVE FILM PRODUCTION AND DISTRIBUTION PROJECT

by

UNITED STATES FISH AND WILDLIFE SERVICE
CANADIAN WILDLIFE SERVICE

and

NATIONAL FILM BOARD OF CANADA

[Agreement No. 14-16-0008-1148]

This agreement, made this 27th day of June 1974, is entered into by the (1) United States Fish and Wildlife Service, Department of the Interior, hereinafter referred to as the "U.S. Service", (2) Department of Environment of Canada, Canadian Wildlife Service, hereinafter referred to as the "Canadian Service", and (3) National Film Board of Canada, hereinafter referred to as the "Board".

Witnesseth that,

Whereas, the "U.S. Service" is authorized under Public Law 93-205 (87 Stat. 884) December 28, 1973, to enter into agreements with foreign countries to provide for the

purpose of conservation of endangered species; and

Whereas, the whooping crane is an endangered species, and as of June 3, 1974, there was a wild flock of only 48 birds; and

Whereas, the production of a film on the entire life cycle of the whooping crane starting at the only remaining nesting area which is in Wood Buffalo National Park, Canada, and continuing as they migrate to their wintering ground at Aransas National Wildlife Refuge, United States of America, would be of benefit to the scientists and the public; and

Whereas, this project will be facilitated by a cooperative undertaking. The parties hereto mutually agree to cooperate in fulfilling the following project:

1. Produce and finish a 16mm color/sound motion picture film with full mixed soundtrack, complete through answer print on the life cycle of the whooping crane. The project will consist of either a 52-minute film or a 20-minute film or both a 52-minute film and a 20-minute film, hereinafter referred to as the "film". The project will also consist of footage shot on the whooping crane during the term of the project, hereinafter referred to as the "stock shots".

I. *Editorial Control.* 1. The "Board" will have editorial control over the "film" which it will complete by March 1, 1976.

2. The "U.S. Service" and the "Canadian Service" will have the right of approval of the film at rough cut, commentary cutting copy, and test print stages.

3. All titles and credits used in the film must be approved by all parties to this agreement.

II. *Prints.* 1. The "Board" will give to the "U.S. Service", one inter-negative and one print of the film. The "U.S. Service" may purchase from the "Board", at the "Board's" laboratory cost, additional inter-negatives as required to meet requirements for distribution in the United States of America.

2. The "Board" will retain and be responsible for all stock shots.

III. *Financial Contributions.* The total budget for production of the project is $197,000 and the contributions thereto will be paid as follows:

1. The "U.S. Service" shall pay a total of $50,000 to the Board for production of the film. Payment will be made according to the following schedule:

a. Approved story treatment: $17,500.

b. Completion of all photography: $17,500.

c. Interlock: $15,000.

2. The "Canadian Service", as of the date of this agreement has paid $70,000 for the production of this project.

3. The "Board" will contribute $77,000 to the production of the project during the term of the project. Any expenditure over $197,000 during the course of production will be borne by the "Board", unless such expenditures are the direct result of additional work requested by either the "U.S. Service" or the "Canadian Service" which was not part of the original project as outlined in the shooting schedule.

IV. *Logistic Support.* 1. In addition to the payment of $50,000, the "U.S. Service" will provide for normal logistic support at shooting sites on lands and facilities it administers where possible and consistent with routine operations after approval of such filming activities by the Office of Endangered Species and International Activities, Washington, D.C., U.S.A., and appropriate Regional Directors. The "Board" will provide the "U.S. Service" with shooting schedules 14 calendar days prior to actual visits by Board film crews to the United States so that logistic arrangements can be initiated. For the purpose of this agreement, "logistic support" includes such things as jeeps, blinds, regularly scheduled flights of helicopters or planes, and assistance by "U.S. Service" personnel.

2. The "U.S. Service" and the "Canadian Service" will also provide technical advice to the "Board" during the course of production of the project.

IV. *Distribution rights.* 1. The "U.S. Service" shall have the exclusive irrevocable right, license and privilege to distribute, exploit, utilize, and exhibit the film via any non-commercial methods or means in the United States, its territories and possessions, in perpetuity. The foregoing does not preclude the "U.S. Service" from considering entering into commercial arrangements for distribution or viewing of the film in the United States; however, any such commercial arrangement the "U.S. Service" might wish to make is subject to prior approval, in writing, by the "Board".

2. The "U.S. Service" warrants it will distribute only the entire film and not portions thereof or stock shots therefrom.

3. The "Board" shall have the exclusive irrevocable right, license, and privilege to distribute, exploit, utilize and exhibit the "film" via any methods or means throughout the World, except the United States of America, its territories and possessions, in perpetuity. The "Board" will distribute the "film" through its usual commercial and/or noncommercial means as it sees fit within any given territory in the World, except the United States of America, its territories and possessions.

4. The "Board" will have the exclusive irrevocable right, license, and privilege to distribute, exploit, utilize and exhibit the "stock shots" throughout the World, in perpetuity, for educational use at the current stock shot rates. Educational use for the purpose of this agreement is defined as follows: That use for the purpose of creating audio visual materials which will be used for educational, teaching, or instructional purposes in schools, colleges, universities, adult training, on-the-job training, etc. The audio visual materials so produced may be rented, loaned, given, or sold to the user. They may also be telecast on recognized educational television networks, stations or programs, or on a public affairs or news program. Educational use specifically does not mean the use of the "stock shots" for entertainment theatrical or television shows or programs, or for the purpose of producing commercials or advertisements which advertise or promote consumer or industrial products.

5. All or any revenue earned by the "U.S. Service" as a result of its distribution of the film shall be retained by the U.S. Government.

6. All or any revenue earned by the "Board" as a result of its distribution of the film shall be retained by the "Board."

7. Both the "U.S. Service" and the "Board" will report to each other within 30 days of January 1, each year after completion of the film, the number of prints distributed in their respective territories and the manner in which the prints were used; e.g., number sold, number rented, number exhibited on television, etc.

V. *Festivals—Competitions.* Both the "U.S. Service" and the "Board" have the right to enter the film in festivals or competitions within the territories where they have distribution rights.

VI. *Warranty.* The "Board", the "U.S. Service", and the "Canadian Service" warrant that they have full rights to enter into this Agreement and further represent and warrant that the project shall contain no material defamatory, libelous, or otherwise unlawful, and that the project shall in no way infringe in whole or in part any proprietary right, copyright, right of privacy or any other right of any person whomsoever.

VII. *Notice and delivery.* Notice to be given under this Agreement shall be given by mailing the notice by prepaid registered mail, addressed, in the case of notice to the "Board," to the National Film Board of Canada, at P.O. Box 6100, Montreal, Quebec H3C 3H5, Canada, and, in the case of notice to the "U.S. Service" to the United States Fish and Wildlife Service, Department of the Interior, 18th and C Streets NW., Washington, D.C. 20240; and in the case of the "Canadian Service," to the Department of Environment of Canada, Canadian Wildlife Service, Ottawa, Ontario K1A OH3, or at such other address as either party, respectively, in writing, designates for the purpose of giving notice to it. Deliveries under this Agreement shall be made at the address to which notices may be sent.

This Agreement is not valid unless signed by officials of the three parties with delegated authority to sign such agreements.

UNITED STATES DEPARTMENT OF THE INTERIOR, U.S. FISH AND WILDLIFE SERVICE
LELAND H. BARRINEAU,
Chief, Division of Contracting and General Services.

JUNE 27, 1974.

DEPT. OF ENVIRONMENT OF CANADA,
CANADIAN WILDLIFE SERVICE
A. G. LOUGHREY.

SEPTEMBER 30, 1974.

NATIONAL FILM BOARD OF CANADA,
ANTHONY VIELFAURE,
Director of Distribution.

SEPTEMBER 9, 1974.

R. VERRALL,
Director of Production.

SEPTEMBER 26, 1974.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received within 30 days of the date of publication will be considered.

Dated: January 20, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-2227 Filed 1-24-75;8:45 am]

COYOTE DAMAGE CONTROL: SHEEP AND GOATS

Report on Emergency Use of M–44 Devices Through October

Notice is hereby given on the emergency use of M–44 devices by the Department of Interior's operational predator damage control program, from inception and through the month of October. This is in compliance with the experimental use permit (No. 6704–EXP–6G) issued by the Environmental Protection Agency pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (7 U.S.C. 135–135K), and in accordance with 40 CFR, part 162.19, as promulgated in the FEDERAL REGISTER on January 31, 1974 (39 FR 3939). This report is made pursuant to FEDERAL REGISTER notice of June 20, 1974 (39 FR 2216G).

Cumulative data for approval to use the M–44 device for June through October 1974 is as follows:

M–44 Emergency use approval—June 1 through Oct. 31, 1974

State	Number of counties	Number of ranches	Number of sheep and goats protected	Number of M–44's approved
Arizona	3	16	3,290	357
California	1	2	1,000	30
Idaho	2	2	2,278	35
Montana	21	39	27,465	1,167
Nevada	2	5	7,021	180
New Mexico	8	18	8,862	630
Oklahoma	6	6	1,441	117
Oregon	6	28	3,607	319
Texas	37	156	117,926	2,788
Utah	11	26	25,042	560
Wyoming	7	36	87,183	1,325
Total	107	334	236,015	7,508

One or more coyotes were taken with this device on approximately one-half of the emergency areas, but losses were not necessarily halted in each case. During this time period, 573 coyotes were taken by this device. Other species taken with the device during this period include 119 foxes, 6 feral dogs, 10 raccoons, 10 skunks, 14 opossums, and one calf.

All of the above use of M–44 devices as a supplemental tool to attempt to resolve coyote depredation on sheep and goats was conducted by trained Service personnel in accordance with the "Procedure For Advance Identification and Approval of Areas For the Possible Emergency Use of Sodium Cyanide Delivered by the M–44 Device for the Control of Depredating Canids," as it appears in the FEDERAL REGISTER, Volume 39, No. 120, Thursday, June 20, 1974.

Dated: January 21, 1975.

M. J. SPEAR,
Acting Director,
U.S. Fish and Wildlife Service.

[FR Doc.75–2284 Filed 1–24–75;8:45 am]

Geological Survey

SUBSEA PRODUCTION EQUIPMENT

Notice

By Notice in the FEDERAL REGISTER of July 10, 1973, (38 FR 18390), the Department of the Interior requested comments concerning several proposals to develop oil and gas resources on the Outer Continental Shelf offshore the States of Mississippi, Alabama, and Florida with a minimum of platforms visible above the waterline. This included an assessment of the state-of-the-art of subsea well completion techniques.

The Department now requests comments as to the current status of technology in subsea well completion techniques and subsea production systems. Comments are also requested as to the impacts that would result from requiring subsea completions as a condition to granting some OCS leases. Responses will be evaluated as part of an overall assessment of deepwater production technology. It is requested that respondents forecast developments in subsea technology and provide a time frame for their application. Comments should address all aspects of subsea operation, including the following:

1. Water depth capabilities, depths at which subsea systems are economical (vs bottom-founded platforms).
2. Cost of drilling, completing, and maintaining subsea wells.
3. Flowline connections and servicing.
4. Navigation for well location and re-entry.
5. Well maintenance and repairs.
6. Subsea separation and storage.
7. Diving limitations.

Comments should be forwarded to the Director, U.S. Geological Survey, National Center, Mail Stop 100, 12201 Sunrise Valley Drive, Reston, Virginia 22092, on or before March 3, 1975.

JACK W. CARLSON,
Assistant Secretary of the Interior.

JANUARY 20, 1975.

[FR Doc.75–2324 Filed 1–24–75;8:45 am]

Office of the Secretary

COMMITTEE ON EMERGENCY PREPAREDNESS NATIONAL PETROLEUM COUNCIL

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is hereby given of the following meeting:

The Coordinating Subcommittee of the Committee on Emergency Preparedness of the National Petroleum Council will meet on February 7, 1975 at 10:00 a.m. at 1700 One Main Place, Dallas, Texas. The agenda includes the following items:

1. A request by the Assistant Secretary-Energy and Minerals, Department of the Interior, to the Chairman of the National Petroleum Council, dated December 20, 1974, that the Council extend the work of its Committee on Emergency Preparedness to develop additional information on the emergency petroleum security storage system recommended in the Committee's summary report of September 10, 1974.

2. A letter from the Assistant Secretary-Energy and Minerals, Department of the Interior, to the Chairman of the National Petroleum Council, dated December 31, 1974, outlining the major factors to be covered by the Committee on Emergency Preparedness in the development of additional information on the emergency petroleum security storage system requested on December 20, 1974.

3. Development of a schedule and an outline for preparation of a report in response to the request from the Assistant Secretary—Energy and Minerals, Department of the Interior.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

The purpose of the National Petroleum Council is to provide advice, information and recommendations to the Secretary of the Interior, upon request, on any matter relating to petroleum or the petroleum industry.

Further information with respect to this meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C., telephone number 343–7976.

Dated: January 23, 1975.

JACK W. CARLSON,
Assistant Secretary of the Interior.

[FR Doc.75–2531 Filed 1–24–75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

NATIONAL RICE ADVISORY COMMITTEE

Public Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of the National Rice Advisory Committee on February 11, 1975, beginning at 9 a.m., in Room 218–A, U.S. Department of Agriculture, Washington, D.C. 20250.

The purpose of the meeting is to consider the various aspects of producing and marketing rice, both in the U.S. and abroad. The meeting will be open to the public. Any member of the public may file a written statement with the Committee, before or within one week following the meeting.

The names of the members of the Committee, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Terrance G. Harman, Director, Cotton, Rice & Oilseeds Division, Room 5725–S, U.S. Department of Agriculture, Washington, D.C. 20250.

Signed at Washington, D.C., on January 17, 1975.

TERRANCE G. HARMAN,
Executive Secretary, National Rice Advisory Committee.

[FR Doc.75–2304 Filed 1–24–75;8:45 am]

Economic Research Service

NATIONAL COTTON MARKETING STUDY COMMITTEE

Public Meeting

Pursuant to the provisions of section 10 (a) (2) of Pub. L. 92–463, notice is hereby given of a meeting of the National Cotton Marketing Study Committee established by Secretary's Memo 1852. The Committee will meet at 1:30 p.m. on Wednesday, February 26, 1975, and 8:30 a.m. on Thursday, February 27, 1975 in the International Hotel at 3000 Canal Street, New Orleans, Louisiana.

The meeting will be open to the public and a brief period will be set aside for public comments and questions. The agenda of the Committee meeting includes a review of study group progress, discussion of problem areas, and development of a format for the final report.

The names of the appointees comprising the Committee, agenda and other information pertaining to the meeting may be obtained from Mr. Irving Starbird, Executive Secretary, Room 212, 500 12th Street, SW, Washington, DC. 20250 (202–447–8400).

AMOS D. JONES,
Chairman, Economic Research Service.

[FR Doc.75–2380 Filed 1–24–75;8:45 am]

Soil Conservation Service

CHICOD CREEK WATERSHED PROJECT, NORTH CAROLINA

Notice of Availability of Final Environmental Impact Statement (Rev.)

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (revised) for the Chicod Creek Watershed Project, Pitt and Beaufort Counties, North Carolina, USDA–SCS–EIS–WS–(ADM)–72–27 (F)–NC. (Revised)

The EIS concerns a plan for reducing flooding and providing outlets for drainage for 10,000 acres of cropland and pastureland. The planned works of improvement include conservation land treatment supplemented by 66 miles of channel modification which consists of: (1) 30 miles of new channels with continuous flow through some seasons of the year, but little or no flow through other seasons; (2) 5 miles of new channels with flow only during periods of surface runoff; (3) 11 miles of enlargement of previously modified channels which have continuous flow through some seasons but little or no flow through other seasons; (4) 10 miles of previously modified channels with flows only during periods of surface runoff; (5) 10 miles of existing streams with perennial flow except during extreme drought. Also included are a 12.4 acre lake, 11 channel pools, two wetland preservation areas, 30 water control structures, and 10 sediment traps. Disturbed earth will be vegetated for sediment control and wildlife food and cover areas.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, P.O. Box 27307, Raleigh, North Carolina 27611.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

JANUARY 20, 1975.

[FR Doc.75–2312 Filed 1–24–75;8:45 am]

MARCOLA RC&D MEASURE, OREG.

Notice of Negative Declaration

Pursuant to section 102(2)(C) of the National Envlironmental Policy Act of 1969; part 1500.6(e) of the Council of Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Marcola RC&D Measure, Lane County, Oregon.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. James W. Mitchell, State Conservationist, Soil Conservation Service, USDA, 1218 SW. Washington Street, Portland, Oregon 97205, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The measure is a plan for flood prevention. The planned works of improvement include about 1,000 feet of interceptor diversions and 120 feet of 24-inch pipe, which will be installed to intercept flood water. This will be associated with, installation of 1,500 feet of 54-inch pipe, which will transport flood flows under the railroad, and the roadbed of Carson Street, the cleaning and slight enlargement of 1,500 feet of manmade channel around Marcola School, and the replacement of two culverts.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, 1218 SW. Washington Street, Portland, Oregon 97205.

No administrative action on implementation of the proposal will be taken until February 11, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.901, National Archives Reference Services.)

VICTOR H. BARRY, Jr.,
Deputy Administrator for Field Services, Soil Conservation Service.

JANUARY 17, 1975.

[FR Doc.75–2311 Filed 1–24–75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

TEXAS TECH UNIVERSITY

Decisions on Applications for Duty-Free Entry of Scientific Articles

Correction

In FR Docs. 74–22821 and 75–1286 appearing at pages 35586 and 2727 in the issues for Wednesday, October 2, 1974 and Wednesday, January 15, 1975, respectively, on pages 35587 and 2729, the docket number for the applications received from Texas Tech University should read as follows: "75–00098–33–46040".

PRESIDENT'S EXPORT COUNCIL

Open Meeting

A meeting of the President's Export Council will be held from 9:30 a.m. to 12:30 p.m. on Thursday, February 27, 1975, in Conference Room 4832 of the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C.

The Export Council was established by Executive Order 11753 of December 20, 1973 (38 FR 34983) to advise the President, the Council for International Economic Policy (CIEP), and the President's Interagency Committee for Export Expansion (PICEE), through the Secretary of Commerce, on export trade. The Council consists of 22 members who are all chief executive officers of major U.S. firms.

The purpose of this meeting will be to discuss the status of the Council's ongoing studies as well as other topics related to ways and means to increase U.S. export sales.

The public will be permitted to attend the meeting and approximately 20 seats will be available on a first-come, first-served basis. Inquiries may be addressed to Mr. Friedrich R. Crupe, Executive Sec-

retary of the President's Export Council, U.S. Department of Commerce, Domestic and International Business Administration, Bureau of International Commerce, Washington, D.C. 20230 (telephone 202–967–2373).

Copies of minutes of the meeting will be available on request.

Any member of the public who wishes to file a written statement with the Committee may do so before or after the meeting.

Dated: January 22, 1975.

CHARLES W. HOSTLER,
Deputy Assistant Secretary for International Commerce.

[FR Doc.75–2404 Filed 1–24–75;8:45 am]

[File No. 22(71)–6]

KOMMANDETGESELLSCHAFT FUER TECHNISCHWIRTSCHAFTLICHE SYSTEME AND INDUSTRIE VERWALTUNGS UND BETRIEBSGESELLSCHAFT M.B.H.

Notice of Related Party Determinations

An Order dated March 27, 1974, was entered by the Office of Export Administration, Bureau of East-West Trade, Domestic and International Business Administration, Department of Commerce, against Wolfgang G. Prenosil and Apexa Deutschland G.m.b.H., Bauteile fuer Elektronik (Apexa), Egerstrasse 2, 6200 Wiesbaden, Federal Republic of Germany, indefinitely denying all privileges of participating, in any manner or capacity, in the exportation of U.S.-origin commodities or technical data. The Order was published in the FEDERAL REGISTER on March 27, 1974, at Page 11125.

Section 388.1(b) of the Export Administration Regulations provides, in pertinent part, that:

> Any order denying export privileges or excluding persons from practice before the Bureau of East-West Trade may be made applicable not only to persons named therein but also, to the extent necessary to prevent evasion, to other persons with whom such persons may then or thereafter be related by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or related services.

By separate letters of March 27, 1974, Industrie Verwaltungs und Betriebsgesellschaft (hereinafter, IVB) and Kommandetgesellschaft fuer Technischwirtschaftliche Systeme (hereinafter, KTS), were notified by the Hearing Commissioner of the issuance of the above-referenced Denial Order of the same date. Those letters drew the attention of IVB and KTS to part III of the Denial Order which provides that:

> Such denial of export privileges shall extend not only to the respondents, but also to their agents and employees and to any successor, and to any person, firm, corporation, or business organization with which they or either of them now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of export trade or services connected therewith.

Based upon information received by the Bureau of East-West Trade to the effect that the denied party, Prenosil, had established, and was currently a partner in, IVB and KTS, those companies were informed in the above-referenced letters that, unless each company showed within 20 days that it had not been, or had wholly ceased to be, related to Prenosil, a related party determination would issue against it and it would become subject to the prohibitions of the Denial Order of March 27, 1974. No reply having been received from IVB or KTS, it has been determined, based upon the cited information, that they are related parties to Prenosil and are within the terms of § 388.1(b) of the Export Administration Regulations and Part III of the Denial Order issued against Prenosil, and are, therefore, subject to all prohibitions and restrictions of that Order.

The related parties, IVB and KTS, are notified that if either chooses to contend that the determination which is the subject of this Notice is not justified, either may make application to have the appropriate ruling reconsidered or terminated. Such application must be made to the Hearing Commissioner, Bureau of East-West Trade, Department of Commerce, Washington, D.C. 20230.

Dated: January 15, 1975.

RAUER H. MEYER,
Director, Office of Export Administration.

[FR Doc.75–2350 Filed 1–24–75;8:45 am]

Office of the Secretary

COMMERCE TECHNICAL ADVISORY BOARD

Meeting

A meeting of the Department of Commerce Technical Advisory Board will be held on Wednesday, February 26, 1975, from 9 a.m. to 5 p.m., and Thursday, February 27, 1975, from 8:30 a.m. to 12 Noon in Room 6802, Main Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C.

The Board was established to study and evaluate the technical activities of the Department of Commerce and recommend measures to increase their value to the business community. Agenda items are as follows:

1. Progress Report of the Sulfur Dioxide Control Technology Panel;
2. Plans for a Study of "Industrial Utilization of Federally Funded Energy R&D;"
3. Plans for a Study of Materials Shortages;
4. Technology Transfer in East-West Trade.

A limited number of seats will be available to the press and to the public. The public will be permitted to file written statements or inquiries with the Chairman before or after the meeting. Minutes of the meeting will be available 30 days from the date of the meeting upon written request addressed to: Central Reference and Records Inspection Facility, U.S. Department of Commerce, Washington, D.C. 20230.

Persons desiring to obtain further information concerning the Board should contact Mrs. Florence S. Feinberg, Room 3877, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230, telephone (202) 967–5065.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology.

JANUARY 21, 1975.

[FR Doc.75–2313 Filed 1–24–75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

OCCUPATIONAL SAFETY AND HEALTH

Applications for Certification of Certain Gas Detector Tube Units

In the FEDERAL REGISTER of May 8, 1973 (38 FR 11458), the Department adopted regulations which set forth the requirements and procedures for the evaluation and certification of gas detector tube units (42 CFR Part 84). In accordance with § 84.3(a) of the regulations, notice is hereby given that the National Institute for Occupational Safety and Health will accept applications for certification of gas detector tube units pursuant to the following schedule:

Gas	Dates for submittal	Test standard
1. Styrene (C_8H_8)	Mar. 1 to Mar. 31, 1975.	100 ppm.
2. Ethane, 1,2-dichloro ($C_2H_4Cl_2$) ethylene dichloride.	Apr. 1 to Apr. 30, 1975.	50 ppm.
3. Hydrofluoric acid (HF) hydrogen fluoride.	May 1 to May 31, 1975.	3 ppm.

All applications and any questions concerning the certification program should be submitted to the Institute's Testing and Certification Laboratory, 944 Chestnut Ridge Road, Morgantown, West Virginia 26505.

Dated: January 21, 1975.

EDWARD J. BAIER,
Acting Director, National Institute for Occupational Safety and Health.

[FR Doc. 75–2348 Filed 1–24–75;8:45 am]

Food and Drug Administration

TECHNICAL ELECTRONIC PRODUCT RADIATION SAFETY STANDARDS COMMITTEE

Notice of Rechartering

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776; 5 U.S.C. App. I), the Food and Drug Administration announces the rechartering by the Secretary, Department of Health, Education, and Welfare of the Technical Electronic Product Radiation Safety Standards Committee for an additional period of 2 years beyond January 5, 1975.

Dated: January 21, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75–2329 Filed 1–24–75;8:45 am]

BOARD OF TEA EXPERTS

Notice of Rechartering

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; U.S.C. App. I), the Food and Drug Administration announces the rechartering by the Secretary, Department of Health, Education, and Welfare, of the Board of Tea Experts for an additional period of 2 years beyond January 5, 1975.

Dated: January 21, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-2328 Filed 1-24-75;8:45 am]

PANEL ON REVIEW OF TOPICAL ANALGESICS

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the renewal by the Secretary, Department of Health, Education, and Welfare, of the Panel on Review of Topical Analgesics including antirheumatic, otic, burn, and sunburn treatment and prevention drugs for an additional period of 2 years beyond December 27, 1974.

Authority for this committee will expire December 27, 1976, unless the Secretary formally determines that continuance is in the public interest.

Dated: January 21, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-2327 Filed 1-24-75;8:45 am]

Health Resources Administration

REGIONAL MEDICAL PROGRAMS NATIONAL ADVISORY COUNCIL

Notice of Rechartering

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, the Health Resources Administration announces the rechartering by the Secretary, DHEW, on December 26, 1974, of the following advisory council:

Council	*Termination Date*
National Advisory Council on Regional Medical Programs	Continuing.

Dated: January 9, 1975.

DANIEL F. WHITESIDE,
Associate Administrator for Operations and Management, Health Resources Administration.

[FR Doc.75-2283 Filed 1-24-75;8:45 am]

Office of Education

STRENGTHENING DEVELOPING INSTITUTIONS; ADVANCED INSTITUTIONAL DEVELOPMENT PROGRAM

Notice of Closing Date for Applications

Notice is hereby given that pursuant to the authority contained in Title III of the Higher Education Act of 1965, as amended (20 U.S.C. 1054), the Commissioner of Education has decided to provide additional funding to selected "devide additional funding to selected "developing" institutions of higher education which received grants under the Advanced Institutional Development program in Fiscal Years 1973 and 1974, to enable such institutions to make greater progress in achieving both operational and fiscal stability and participation in the mainstream of American higher education. These awards will be made on a one-time only basis and will be made to those institutions whose progress in developing and implementing their final plan of operation has been deemed satisfactory.

Applications for grants will be evaluated on the basis of the criteria set forth in § 169.37 of the Title III regulations (45 CFR 169.37), and in selecting grantees under § 169.37, the Commissioner will give preferential consideration to those applications whose proposed activities are likely to best carry out one or more of the objectives listed in § 169.35 of the Title III regulations (45 CFR 169.35).

Eligible institutions desiring to receive additional funding must submit their applications to the U.S. Office of Education Application Control Center on or before March 17, 1975.

A. Application sent by mail. An Application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue SW., Washington, D.C. 20202. Attention: 13.454. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. Hand delivered applications. An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. Program information and forms. Information and application forms may be obtained from the Developing Institutions Program, U.S. Office of Education, Room 4921, 7th and D Streets SW., Washington, D.C. 20202.

(20 U.S.C. 1054)

(Catalog of Federal Domestic Assistance Number 13.454; Strengthening Developing Institutions)

Dated: January 20, 1975.

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

[FR Doc.75-2345 Filed 1-24-75;8:45 am]

Office of Human Development

TRANSPORTATION FOR THE ELDERLY

Hearing

The Commissioner on Aging transmitted a report to the Secretary of Health, Education, and Welfare, to the President, and to the Congress, on the State of the Art of Transportation for the Elderly on January 1, 1975. This report is required under Title IV, Section 412 of the 1973 Comprehensive Services Amendments to the Older Americans Act. The Act also requires that the Commissioner prepare and transmit to the Secretary of Health, Education, and Welfare, to the President, and to the Congress, recommendations, including a plan for implementation of improved transportation services for older Americans and recommendations for additional legislative, administrative and other measures to provide solutions to the transportation problems of older Americans.

Issues raised in the report on the State of the Art of Transportation for the Elderly will be presented, and suggestions and recommendations for further action will be solicited from interested parties at four hearings to be conducted by the Commissioner on Aging in different parts of the country.

Major issues to be addressed at the hearings revolve around possible actions which could be taken at the Federal, State and community levels to improve transportation services for the elderly that make the most effective use of existing authorities and resources. Such issues include:

The coordination of special transportation systems;
Expanded use of existing public transportation resources;
Improved design of public transit vehicles;
Improved use of volunteerism and carpooling;
Overcoming barriers to the use of school buses for nonschool purposes;
Increased access to personal transportation.

Hearings will be held on the following dates and times at the places indicated:

Date	Time	Place
Friday, Feb. 14, 1975.	9:00 a.m.	William Green, Jr., Federal Bldg., 600 Arch St., Room 3306, Philadelphia, Pa.
Thursday, Feb. 20, 1975.	9:00 a.m.	New Federal Bldg., 601 East 12th St., Room 140, Kansas City, Mo.
Saturday, Mar. 1, 1975.	10:00 a.m.	Sanford, N.C. (for address, contact Administration on Aging, in Washington, D.C.).
Monday, Mar. 3, 1975.	9:00 a.m.	Federal Office Bldg., 450 Golden Gate Ave., Room 13450, San Francisco, Calif.

All hearings will be open to the public.

Interested parties wishing to make statements at any of the hearings should contact Ms. Dolli Cutler, Office of Planning and Evaluation, Administration on Aging, Office of Human Development, Department of Health, Education, and Welfare, Room 4920, 400 6th Street SW., Washington, D.C. 20201. Telephone: (202) 245–0641.

Issued in Washington, D.C. on January 27, 1975.

ARTHUR S. FLEMING,
Commissioner on Aging,
Administration on Aging.

[FR Doc.75–2285 Filed 1–24–75;8:45 am]

Office of the Secretary

ADMINISTRATOR, HEALTH RESOURCES ADMINISTRATION

Delegation of Authority

Pursuant to the authority delegated to me by the Secretary on April 4, 1973, I hereby redelegate to the Administrator, Health Resources Administration, the authority to perform the functions under section 225 of the Public Health Service, as amended, relating to the National Health Service Corps-PHS Scholarship Training Program, except for the designation of "other health-related specialists" under section 225(a).

This authority may be redelegated and supersedes any previous redelegations within the Public Health Service which are inconsistent with its provisions.

This delegation is effective immediately.

Dated: January 15, 1975.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

[FR Doc.75–2347 Filed 1–24–75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD–248; FDAA–3007–EM]

ALABAMA

Notice of Emergency Declaration and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D–74–285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on January 18, 1975, the President declared an emergency as follows:

I have determined that the impact of tornadoes on the State of Alabama, beginning about January 10, 1975, is of sufficient severity and magnitude to warrant a declaration of an emergency under Public Law 93–288. I therefore declare that such an emergency exists in the State of Alabama. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D–74–285, I hereby appoint Mr. Thomas P. Credle, HUD Region IV, to act as the Federal Coordinating Officer for this declared emergency.

I do hereby determine the following areas in the State of Alabama to have been adversely affected by this declared emergency:

The Counties of:
Jefferson
Lee
Macon
St. Clair
Shelby

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: January 20, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.75–2308 Filed 1–24–75;8:45 am]

[Docket No. NFD–247; FDAA 3006–EM]

MISSISSIPPI

Notice of Emergency Declaration and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D–74–285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on January 18, 1975, the President declared an emergency as follows:

I have determined that the impact of tornadoes on the State of Mississippi, occurring on January 10, 1975, is of sufficient severity and magnitude to warrant a declaration of an emergency under Public Law 93–288. I therefore declare that such an emergency exists in the State of Mississippi. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D–74–285, I hereby appoint Mr. Thomas P. Credle, HUD Region IV, to act as the Federal Coordinating Officer for this declared emergency.

I do hereby determine the following areas in the State of Mississippi to have been adversely affected by this declared emergency:

The Counties of:

Lincoln Pike

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: January 20, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.75–2309 Filed 1–24–75;8:45 am]

DEFENSE MANPOWER COMMISSION

NOTICE OF MEETING

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that the Commissioners of the Defense Manpower Commission will meet on February 14, 1975, at 9 a.m. in the New Executive Office Building, Room 2008, 726 Jackson Place NW., Washington, D.C. 20036.

The purpose of the meeting will be to meet with Dr. Eli Ginzberg, Chairman of the National Commission for Manpower Policy. Additionally, the Executive Director's report and a discussion of recruiting systems in the Army and Air Force by members of the staff will be presented to the Commissioners.

The meeting will be open to the public. Since meeting space is limited, interested persons wishing to attend should telephone (202) 254–7803 before close of business February 13, 1975.

Dated: January 21, 1975.

BRUCE PALMER, JR.,
General, USA (Ret.)
Executive Director.

[FR Doc.75–2339 Filed 1–24–75;8:45 am]

MANPOWER REQUIREMENTS OF DEPARTMENT OF DEFENSE

Public Hearing

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that the Defense Manpower Commission will hold a public hearing on March 13, 1975, in the New Executive Office Building, Room 2010, 726 Jackson Place NW., Washington, D.C. 20036 from 9 a.m. to 4 p.m. so that representatives of public and private organizations and interested citizens can express their views on the issues which the Commission is required to address by its enabling legislation.

Pub. L. 93–155 directs the Commission to conduct a comprehensive study and

investigation of the overall manpower requirements of the Department of Defense on both a short and long term basis with a view to determining what the manpower requirements are currently and will likely be over the next ten years, and how manpower can be more effectively utilized in the Department of Defense.

The Commission is required to submit its final report to the Congress and to the President not more than twenty-four months after the appointment of the Commission, and shall cease to exist sixty days after the submission of its final report.

In carrying out its study and investigation, the Commission has been directed to give special consideration to:

(1) The effectiveness with which civilian and active duty personnel are utilized, particularly in headquarters staffing and in the number of support forces in relation to combat forces;

(2) Whether the pay structure, including fringe benefits, is adequate and equitable at all levels;

(3) The distribution of grades within each armed force and the requirements for advancement in grade;

(4) The cost effectiveness and manpower utilization of the United States Armed Forces as compared with the armed forces of other countries;

(5) Whether the military retirement system is consistent with overall Department of Defense requirements and is comparable to civilian retirement plans;

(6) The methods and techniques used to attract and recruit personnel for the armed forces, and whether such methods and techniques might be improved or new and more effective ones utilized;

(7) The implications for the ability of the armed forces to fulfill their mission as a result of the change in the socio-economic composition of military enlistees since the enactment of new recruiting policies provided for in Public Law 92–129 and the implications for national policies of this change in the composition of the Armed forces; and

(8) Such other matters related to manpower as the Commission deems pertinent to the study and investigation.

Interested persons may make an oral presentation and/or submit a written statement for consideration by the Commission during the meeting.

The length and number of oral presentations to be made will depend on the number of requests received. Maximum time permitted per presentation will be fifteen (15) minutes.

Each person desiring to make an oral presentation or submit a written statement must notify the Commission and provide at least 10 copies of the presentation statement by March 6, 1975. The order of the presentations on the agenda will be determined by the order in which requests are received by the staff.

Statements should be limited to the mission of the Commission as outlined in Pub. L. 93–155, or other current issues regarding Department of Defense manpower.

Written material in furtherance of presentations will be accepted by the Commission at the time of the meeting and for four days thereafter.

Persons wishing to make presentations, or interested persons wishing to attend the public hearing as observers, must notify Mr. Rippa of the Commission staff (202/254–7803) by March 6, 1975. Copies of statements and other correspondence must be sent to: Defense Manpower Commission, 1111 18th Street, NW., Room 301, Washington, D.C. 20036, Attn: Hearing Management.

Dated: January 20, 1975.

BRUCE PALMER, Jr.,
General, USA (Ret.),
Executive Director.

[FR Doc.75–2340 Filed 1–24–75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

INDIANA

[FRL 325–8]

PROGRAM FOR CONTROL OF DISCHARGES OF POLLUTANTS TO NAVIGABLE WATERS

Notice of Approval

Notice is given hereby that the U.S. Environmental Protection Agency has granted the State of Indiana's request for approval of its program for controlling discharges of pollutants to navigable waters in accordance with the National Pollutant Discharge Elimination System (NPDES), pursuant to section 402(b) of the Federal Water Pollution Control Act, as amended (Pub. L. 92–500, 86 Stat. 816, 33 U.S.C. 1251; the Act).

Section 402 of the Act establishes a permitting system, known as the National Pollutant Discharge Elimination System, under which the Administrator of the U.S. Environmental Protection Agency (EPA) may issue permits for the discharge of any pollutant, upon condition that the discharge meets the applicable requirements of the Act. Section 402(b) provides that any State desiring to administer its own permit program for discharges into navigable waters within its jurisdiction may submit such program to the Administrator. If the Administrator determines that the State has adequate authority to carry out the requirements of the Act, he shall approve the submitted program and suspend the issuance of permits as to those navigable waters subject to such program, except with respect to agencies and instrumentalities of the Federal Government. Guidelines specifying procedural and other elements for State NPDES programs appear at 40 CFR Part 124 (as amended by 38 FR 18000, July 5, 1973, and 38 FR 19894, July 24, 1973).

On October 3, 1974, Indiana submitted a program for carrying out the NPDES. On November 26, 1974, EPA conducted a public hearing on the proposed approval in Indianapolis, Indiana. After a thorough review of the Indiana program, the accompanying legal certification, and all comments submitted by the public during and following the public hearing, the Administrator determined that the State's authority was adequate to carry out the requirements of the Act, and so informed Governor Otis R. Bowen in a letter dated January 1, 1975.

As of January 2, 1975, the Indiana NPDES permit program is being administered by the Indiana Stream Pollution Control Board, 1330 West Michigan Street, Indianapolis, Indiana 46206 (telephone (317) 633–4941). Mr. Oral H. Hert is the Technical Secretary of the Indiana Stream Pollution Control Board. The Indiana program is being administered in accordance with Indiana statutes and regulations and a Memorandum of Agreement between Indiana and the EPA Region V Office, 230 South Dearborn Street, Chicago, Illinois 60604 (telephone (312) 353–5250). All pertinent documents are available for inspection at the Indiana State agency and EPA Regional office at the addresses given above and EPA Headquarters in Room 3201, Waterside Mall, 401 M Street SW., Washington, D.C. 20460.

ALAN G. KIRK,
Assistant Administrator for Enforcement and General Counsel.

[FR Doc.75–2273 Filed 1–24–75;8:45 am]

[OPP–32000/177; FRL 325–7]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB–31, East Tower, 401 M Street SW., Washington, D.C. 20460.

On or before March 28, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH–569), Office of Pesticide Programs, 401 M Street SW., Washington D.C. 20460. Every such claimant must include, at a minimum, the information

listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after March 28, 1975.

Dated: January 20, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP-32000/177)

EPA File Symbol 8612-IN. B & G Co., PO Box 20372, Dallas TX 75220. B & G BGS 10 DUST INSECTICIDE. Active Ingredients: Carbaryl (1-Naphthyl Methylcarbamate) 10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1324-T. Du-Rite Chem. Co., Inc., 3564 Bladensburg Rd., Brentwood MD 20722. TAHITIAN CONCENTRATED SWIMMING POOL ALGAECIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11694-UE. Dymon, Inc., PO Box 6175, Kansas City KS 66106. X-IT SPOT WEED KILLER. Active Ingredients: Isooctylester of 2,4-dichlorophenoxyacetic acid 1.64%; Isooctylester of silvex [2-(2,4,5-trichlorophenoxy)] 0.54%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 2124-764. W. R. Grace & Co., PO Box 277, Memphis TN 38101. WONDER GRO X-IT 14-4-4. Active Ingredients: N-butyl-N-ethyl-a,a,a,-trifluoro - 2,6-dinitro-p-toluidine 0.54%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 961-283. Lebanon Chem. Corp., PO Box 180, Lebanon PA 17042. GREEN VIEW EVER PREEN FOR EVERGREENS AND AZALEAS. Active Ingredients: Trifluralin (a,a,a - trifluoro-2-6-dinitro-N,N-dipropyl-6-toluidine) 0.74%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 618-75. Merck & Co., Merck Chem. Div., Rahway NJ 07065. FLOWABLE MERTECT 340-F FUNGICIDE. Active Ingredients: 2-(4-thiazolyl)-benzimidazole 42.28%. Method of Support: Label amendment 1 proceeds under 2(c); Label amendment 2 proceeds under 2(b) of interim policy.

EPA Reg. No. 618-74. Merck & Co., Merck Chem. Div., Rahway NJ 07065. MERTECT 360-WP FUNGICIDE. Active Ingredients: 2-(4-thiazolyl) benzimidazole 60%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9556-EN. Ortex Products Inc., 560 Ferry St., Newark NJ 07105. ORTEX CONCENTRATED COPPER ALGAECIDE. Active Ingredients: Copper Sulphate Pentahydrate 10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 99-104. Watkins Products, Inc., 150 Liberty St., Winona MN 55987. WATKINS GRAIN KEEP II. Active Ingredients: Propionic acid 99.6%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 984-AA. Whitmoyer Lab., Inc., 19 N. Railroad St., Myerstown PA 17067. WHITMOYER DEAD SURE. Active Ingredients: N-3-pyridyimethyl N'-p-nitrophenyl urea 2%. Method of Support: Application proceeds under 2(b) of interim policy.

[FR Doc.75-2270 Filed 1-24-75;8:45 am]

[FRL 320-5]

ENERGY RELATED SUSPENSION AUTHORITY

Report on Progress and Impact

Section 119(k)(2) of the Clean Air Act, as amended by the Energy Supply and Environmental Coordination Act of 1974, directs the Administrator to publish in the FEDERAL REGISTER at no less than 180 day intervals beginning January 1, 1975, certain reports and findings on the implementation of EPA's energy related suspension authority under section 119 of the Act. Specifically, the Administrator is directed to publish a concise summary of progress reports required to be filed by any person or source owner or operator to which the compliance date extension provisions of subsection 119(c) apply. Such reports are to include information on the status of compliance with requirements imposed by the Administrator under subsection 119(c). In addition, the Administrator is directed to publish up-to-date findings on the impact of section 119 upon applicable State implementation plans and upon ambient air quality.

As of January 1, 1975, no applications for compliance date extensions under subsection 119(c) had been received by the Administrator and no such extensions were granted. Therefore, no progress reports were required of or filed by any person or source owner or operator under subsection 119(c). In addition, no temporary suspensions or postponements under subsections 119(b) and 119(l) became effective before January 1, 1975. Section 119, therefore, had no impact on applicable State implementation plans or ambient air quality from the date of its enactment on June 22, 1974, up to January 1, 1975.

Date: January 17, 1975.

JOHN QUARLES,
Acting Administrator.

[FR Doc.75-2272 Filed 1-24-75;8:45 am]

[FRL 326-1]

SCIENTIFIC SEMINAR ON AUTOMOTIVE POLLUTANTS

Seminar

Notice is hereby given that a scientific seminar will be held at the Thomas Jefferson Memorial Auditorium, U.S. Department of Agriculture, South Building, 14th Street and Independence Avenue, Washington, D.C., on February 10, 11, and, if necessary, February 12, 1975, each day at 9 a.m.

The purpose of the seminar is to continue to assemble the most recent research knowledge on the health effects and atmospheric chemistry of air pollutants from automobiles by offering the scientific community and other interested persons the opportunity to present information through this forum.

Representatives of industry, environmental groups, government agencies, universities and private research institutions are invited to present and discuss research findings pertaining to the subject. The principal concern of the seminar will be NO_x because of recently developed information on this subject; however, the presentation of any new information related to CO, HC, or other automotive pollutants is also in order. Presentations should address the following agenda items: (1) health effects (experimental animal and human studies); and (2) atmospheric chemistry of NO_x including the relationship of NO_x to hydrocarbons and the formation of photochemical oxidants.

The meeting will be open to the public. Persons wishing to submit a paper, attend, or obtain further information should contact Dr. Herbert L. Wiser, Deputy Assistant Administrator for Environmental Sciences, Office of Research and Development (RD-682), Environmental Protection Agency, Washington, D.C. 20460. The telephone number is (202) 755-0655.

Persons failing to notify EPA by February 3, 1975 of their intent to give an oral presentation at the seminar shall not be entitled to give such a presentation except at the discretion of EPA. Such persons are not precluded, however, from submitting written statements for the record.

WILSON K. TALLEY,
Assistant Administrator for
Research and Development.

JANUARY 21, 1975.

[FR Doc.75-2274 Filed 1-24-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 737]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

JANUARY 20, 1975.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an appli-

[1] All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's Rules, regulations and other requirements.

[2] The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

cation, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to Section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to §§ 21.27 of the Commission's Rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPLICATION ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

21010–CD–P–(3)–75, Advanced Radio Communications Company (new). C.P. for a new 2-way station to operate on 454.025, 454.050, and 454.250 MHz to be located at 5232 Lee Highway, Arlington, Virginia.

21011–CD–P–75, The Lincoln Telephone and Telegraph Company (new). C.P. for a new 2-way station to operate on 152.72 MHz to be located at 591 "D" St., David City, Nebraska.

21012–CD–P–75, Mobilphone-Paging Radio Corporation (KRS653). C.P. for additional facilities to operate on 152.24 MHz at Loc. #3: Rt. 165, 6.3 miles W. of Exeter, Rhode Island.

21013–CD–P–75, Mobilfone Corporation (KSV992). C.P. to change antenna system and relocate facilities operating on 158.70 MHz located at 120 South 6th Street, Minneapolis, Minnesota.

21014–CD–P–(2)–75, Kidd's Communications, Inc. (KMD349). C.P. to change antenna system and for additional facilities to operate on 35.58 MHz located at 215 East 18th Street, Bakersfield, California.

21015–CD–TC–(2)–75, Radio Dispatch Corporation. Consent to Transfer of Control from Radio Dispatch Corporation, Transferor, to Robert H. Stopher, Transferee. Stations: KSV928 and KMD992, Pomona, California.

21016–CD–P–75, General Communications Service (KOE257). C.P. to add antenna Loc. #3 to operate on 35.22 MHz located at Shaw Butte Mtn., 1.5 miles N. of Phoenix, Arizona.

21017–CD–P–75, Answer Iowa, Inc. (KWH325). C.P. to relocate facilities operating on 152.24 MHz to be located at 805 Brady Street, Davenport, Iowa.

21018–CD–P–75, Answer Iowa, Inc. (KAF642). C.P. to relocate facilities operating on 152.03 MHz to be located at 805 Brady Street, Davenport, Iowa.

21019–CD–P–75, Mobilefone Northwest (KFL 918). C.P. to relocate facilities, control, operating on 454.35 MHz located at 347 2nd Avenue, Walla Walla, Washington.

21020–CD–P–75, General Communications Service, Inc. (KLB562). C.P. to relocate standby facilities operating on 152.12 MHz located 1 mile W. of Andrews, Texas.

21021–CD–P–75, Radio Phone Communications, Inc. (new). C.P. for a new 1-way station to operate on 35.22 MHz to be located at 5232 Lee Highway, Arlington, Virginia.

21022–CD–P–75, Valcom, Inc. (new). C.P. for a new 1-way station to operate on 152.24 MHz to be located at Flanders Hill, 1 mile N. of Norwich, Vermont.

20853–CD–P–75, Tel-Illinois, Inc. (KWH304), Mt. Vernon, Illinois. Amend to add additional transmitter location for the 158.70 MHz facilities to be located at a site described as water tank adjacent to City Hall, Collinsville, Illinois. All other particulars to remain as reported on PN #732 dated December 16, 1974.

20854–CD–P–75, Tel-Illinois, Inc. (KUO565), Mt. Vernon, Illinois. Amend to add additional transmitter location for the 43.22 MHz facilities to be located at a site described as water tank adjacent to City Hall, Collinsville, Illinois. All other particulars to remain as reported on PN #732 dated December 16, 1974.

20900 – CD – P – (2) – 75, Tel-Missouri, Inc. (KRS636), St. Charles, Missouri. Amend to add additional transmitter location for the 158.70 MHz facilities to be located at Lindenwood College Campus, St. Charles, Missouri. All other particulars to remain as reported on PN 3733 dated December 23, 1974.

20901 – CD – P – (2) – 75, Tel - Missouri, Inc. (KDN396), Clayton, Missouri. Amend to add additional transmitter location for the 35.58 MHz facilities to be located at Lindenwood College Campus, St. Charles, Missouri. All other particulars to remain as reported on PN #733 dated December 23, 1974.

20937–CD–AL–75, Jennings B. Bacon dba Telephone Message Exchange. (KRS678). Amend to reflect that CP for station KUC918 is also included among the Assignments. KUC918, Baldy Hill, Washington. All other particulars to remain as reported on PN #735 dated January 6, 1975.

Corrections

Correction appearing on PN #735 dated January 6, 1975, should have listed file number as 21085–C2–P–(3)–74 instead of 21086–C2–P–(2)–74. All other particulars to remain as reported.

DPRS, Inc. t/a Zipcall. 20853–C2–P–(2)–74 (KTS212), 20855–C2–P–74 (KCB891), 21282–C2–P–74 (KCB890), and 20118–CD–P–(2)–75 (KCB890) have been made part of 20854–C2–P–(2)–74, all under call sign KCB890, in the area of Boston, Massachusetts. All other participants to remain as reported on PN's dated 4/29/74, 1/8/74, and 8/5/74.

INFORMATIVE

DOMESTIC PUBLIC LAND MOBILE SERVICE

On the Common Carrier Public Notice of January 13, 1975 (Report No. 736) applicants were advised that FCC Rules implementing the National Environmental Policy Act of 1969 would become effective January 20, 1975. Applicants are advised that all applications for construction permit are required to contain the following statement:

This application is -- is not -- a "major action" as defined by § 1.1305 of the Commission's Rules.

We request that this statement be made as Exhibit No. 1 to each application, until we can amend the forms. We realize that this may require renumbering of previously prepared exhibits (e.g., from No. 1 to No. 1A), but we believe that it will speed the initial processing if the processors know where to look for the statement.

Applications which would involve a major action must contain the environmental information specified by rule § 1.1311. In view of the late notification of this new requirement, applications received on or after January 20, 1975 will be given until February 10, 1975 to amend their applications with the above information. All applications received after February 10, 1975, and the aforementioned applications which have not been amended to include this information will be returned as defective pursuant to § 21.20 of the rules.

RURAL RADIO SERVICE

60243–CR–P/L–75, The Mountain States Telephone and Telegraph Company (new). C.P. for a new rural subscriber station to operate on 157.95 MHz to be located 18.5 miles East of Cheyenne, Wyoming.

60244–CR–P/L–75, The Mountain States Telephone and Telegraph Company (new). C.P. for a new rural subscriber station to operate on 157.89 MHz to be located 6 miles NE. of San Luis, Colorado.

60245–CR–P–75, RCA Alaska Communications, Inc. (new). C.P. for a new interoffice station to operate on 459.450 MHz to be located 336 miles North of Fairbanks, Pump Station #2, Alaska.

INFORMATIVE

RURAL RADIO SERVICE

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Applications which would involve a major action must contain the environmental information specified by rule § 1.1311. In view of the late notification of this new requirement, applications re-

ceived on or after January 20, 1975 will be given until February 10, 1975 to amend their applications with the above information. All applications received after February 10, 1975, and the aforementioned applications which have not been amended to include this information will be returned as defective pursuant to § 21.20 of the Rules.

POINT-TO-POINT MICROWAVE RADIO SERVICE

2045–CF–P–75, CPI Satellite Telecommunications Inc. (WPE35), One Main Place, corner of Field & Main Streets, Dallas, Texas. Lat. 32°46'49" N., Long. 96°48'07" W. C.P. to add frequency 11465.0V MHz and 11225.0V MHz toward Cedar Hill, Texas, on azimuth 217°07'.

2046–CF–P–75, Same (new), 1.5 Miles Southwest of Cedar Hill, Texas. Lat. 32°34'42" N., Long. 96°58'56" W. C.P. for a new station on frequencies 11175.0V, 10935.0V toward Dallas, Texas on azimuth 37°00'.

2115–CF–P–75, Carter-Goeken, Inc. (new), 233 S. Wacker Drive, Chicago, Illinois. Lat. 41° 52'44" N., Long. 87°38'10" W. C.P. for a new station on 2177.0H MHz toward Grays Lake, Illinois, on azimuth 328°48'.

2116–CF–P–75, Same (new), 1.42 Miles from Grays Lake on 105° bearing, Grays Lake, Illinois. Lat. 42°20'22" N., Long. 88°00'45" W. C.P. for a new station on 2127.0H MHz toward Chicago, Illinois on azimuth 148° 32' and 2120.0H MHz toward Union Grove, Wisconsin, on azimuth 4°43'.

2117–CF–P–75, Same (new), 250 E. Wisconsin Avenue, Milwaukee, Wisconsin. Lat. 43° 02'15" N., Long. 87°54'30" W. C.P. for a new station on 2163.0V MHz toward Union Grove, Wisconsin, on azimuth 187°27'.

2118–CF–P–75, Same (new), 5.1 miles from Union Grove on 133° bearing, Union Grove, Wisconsin. Lat. 42°36'15" N., Long. 87°58'45" W. C.P. for a new station on 2170.0H MHz toward Grays Lake, Illinois, on azimuth 184°44' and 2113.0V MHz toward Milwaukee, Wisconsin, on azimuth 7°24'.

2267–CF–P–75, MCI Telecommunications Corporation (WOE57), 500 Griswold Street, (Guardian Bldg.), Detroit, Michigan. Lat. 42°19'47" N., Long. 83°02'46" W. C.P. to add point of communication on 11465.0V MHz toward Detroit Grand, Michigan on azimuth 330°41'.

2168, Same (new), 3044 W. Grand Blvd., Detroit, Michigan. Lat. 42°22'07" N., Long. 83°04'32" W. C.P. for a new station on frequency 11055.0V MHz toward Detroit, Michigan, on azimuth 150°40'.

2160–CF–ML–75, American Telephone and Telegraph Company (KIV70), 4.8 Miles East of Chatsworth, Georgia. Lat. 34°46' 12" N., Long. 84°41'16" W. Mod. of License to change polarization from vertical to horizontal on frequency 4010 MHz toward Adairsville, Georgia, on azimuth 201 degrees/03 minutes.

2263–CF–P–75, RCA Alaska Communications, Inc. (new), Franklin Bluff Camp, Alyeska pipeline construction site near Hill 961 357 miles North of Fairbanks, Alaska. Lat. 69° 43'04" N., Long. 148°42'02" W. C.P. for new station on frequency 2168.0H MHz toward Franklin Bluff, Alaska, on azimuth 45 degrees/15 minutes.

2264–CF–P–75, Same (WOF50), Franklin Bluff, remote repeater site at Hill 961 on Alyeska pipeline route, 362 miles North of Fairbanks, Alaska. Lat. 69°47'24" N., Long. 148°29'22" W. C.P. to add 2118.0H MHz toward Franklin Bluff Camp, Alaska, on azimuth 225 degrees/27 minutes.

2265–CF–P/ML–75, General Telephone and Telegraph Company of the Northwest, Inc. (KPJ99), 1109 Midway Blvd., Oak Harbor, Washington. Lat. 48°17'32" N., Long. 122° 38'35" W. C.P. and Mod. of License to add 5937.8H MHz toward Camano, Washington, on azimuth 135 degrees/54 minutes. Applicant requests authority to change from temporary fixed location to permanent, pursuant to section 21.707(2) of FCC rules.

2266–CF–P/ML–75, Same (KPJ97), Camano Island, 2.0 miles ENE of Camano, Washington. Lat. 48°11'21" N., Long. 122°29'38" W. C.P. and Mod. of License to add frequency 6189.8H MHz toward Oak Harbor, Washington, on azimuth 316 degrees/01 minute. Applicant requests authority to change from temporary fixed location to permanent, pursuant to section 21.707(2) of FCC rules.

2275–CF–P–75, Southern Bell Telephone and Telegraph Company (KTF60), 125 Reese Street, Athens, Georgia. Lat. 33°57'27" N., Long. 83°22'52" W. C.P. to change output power of frequencies 6197.2H, 6315.9H MHz, and to add frequency 6375.2H MHz toward Alcovy Mtn., Georgia, on azimuth 233 degrees/35 minutes.

2276–CF–P–75, Same (KIB39), Alcovy Mountain, 3.3 miles ENE. of Jersey, Georgia. Lat. 33°43'57" N., Long. 83°44'43" W. C.P. to replace transmitters and change output power on frequencies 5974.8H, 6034.2H, 6093.5H, and 6152.8H toward Rockdale, Georgia, on azimuth 242 degrees/05 minutes; add frequency 6123.1H MHz and change output power on frequencies 5945.2H and 6063.8H MHz toward Athens, Georgia, on azimuth 53 degrees/23 minutes.

2277–CF–P–75, Same (KJG94), Rockdale, approximately 3 miles SE. of Conyers, Georgia. Lat. 33°37'42" N., Long. 83°58'47" W. C.P. to replace transmitter on frequency 6286.2H MHz and to change output power on frequencies 6226.9H, 6345.5H, and 6404.8H MHz toward Alcovy Mtn., Georgia, on azimuth 61 degrees/57 minutes.

2280–CF–P–75, The Mountain States Telephone and Telegraph Company (KPH75), 10.3 miles East of Glendive, Montana. Lat. 47°07'05" N., Long. 104°28'35" W. C.P. to add frequency 2112.0V MHz toward a new point of communication at Rim Road, Mid-Rivers Co-op, Montana, on azimuth 284 degrees/39 minutes.

2281–CF–P–75, Continental Telephone Company of Texas (KLF30), South West corner Walnut and Church Streets, Hemphill, Texas. Lat. 31°20'23" N., Long. 93°50'56" W. C.P. to change frequency, power and emission, and replace transmitter from 6135V and 6375V MHz to 1225.0V and 1465.0V MHz toward Hurricane Hill, Texas, on corrected azimuth 178 degrees/02 minutes, and length of radio path 27.76 Km.

2282–CF–P–75, Same (KLF31), Newton, Texas, C.P. to change frequency, power and emission and replace transmitter from 6175V and 6415V MHz to 11585.0V and 11095.0V MHz toward Hurricane Hill, Texas, on corrected azimuth 343 degrees/27 minutes.

2283–CF–P–75, Same (KLF32), Hurricane Hill, Texas. Lat. 31°05'22" N., Long. 93°50'20" W. C.P. to change frequency, power and emission and replace transmitter from 6055V and 6295V MHz to 10855.0V and 11095.0V MHz toward Newton, Texas, on corrected azimuth 163 degrees/25 minutes and length of radio path 27.37 Km.; from 6015V and 6255V MHz to 10735.0V and 10975.0V MHz toward Hemphill, Texas, on corrected azimuth 358 degrees/02 minutes, and length of radio path 27.76 Km.

2112–CF–P–75, Eastern Microwave, Inc. (KEG41), 8 miles ESE. of Canisteo Mtn., New York. Lat. 42°12'16" N., Long. 77°29'23" W. C.P. to add new point of communication at Springwater, New York, on 6137.9H MHz and Alma Hill, New York, via power split.

2113–CF–P–75, Same (KEA27), 3.2 miles W. of Springwater, New York. Lat. 42°38'21" N., Long. 77°39'34" W. C.P. to add 6315.9V MHz toward Rochester, New York.

2040–CF–P–75, Same (KEA27). C.P. to change antenna system and to add 6226.9H MHz and 6256.5V MHz toward Rochester, New York, on azimuth 61°34'.

Correction

The following was erroneous omitted on Public Notice dated December 16, 1974.

1719–C1–P–75, Michigan Bell Telephone Company (KQH77), 10389 Hadley Rd., Atlas, Michigan. C.P. to add 4150V MHz toward Flint, Oxford, and Millington, Michigan.

1989–CF–MP–75, Taft Broadcasting Corporation. Correct call sign to read: WSM43.

Major amendments

1209–C1–P–74, Alabama Microwave, Inc. (KJJ57), Capshaw Mtn., Alabama. Lat. 34°49'05" N., Long. 86°44'16" W. Application amended to change frequency to 6197.2V MHz toward Rogersville, Alabama, on azimuth 273°29'.

1210–C1–P–74, Same (KJW67), Rogersville, Alabama. Lat. 34°50'38" N., Long. 87°16'30" W. Application amended to change frequency to 5945.2V MHz toward Florence, Alabama, on azimuth 264°41'. (NOTE: Waiver of 21.701(1) is requested by Alabama.)

[FR Doc.75–2334 Filed 1–24–75;8:45 am]

[Docket Nos. 20310; 20311; BP–19596; BR–19695]

LAKE COUNTY BROADCASTERS AND KBMR RADIO, INC.

Applications for Construction Permits; Consolidated Hearing

In re Applications of Lake County Broadcasters, a limited partnership, (Terry L. Kinne and Judy A. Kinne, General Partners), Polson, Montana; requests: 1050 kHz, 1 kW, D and KBMR Radio, Inc., Polson, Montana; requests: 1070 kHz, 1 kW, 25 kW–LS, DA–N, U for Construction Permits.

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has before it the two above-described applications for new standard broadcast stations at Polson, Montana. The applications must be designated for a consolidated hearing since operation as proposed would result in mutual overlap of 2 mV/m and 25 mV/m contours in contravention of section 73.37(a), and would result in three daytime aural services to Polson in contravention of § 73.37(e)(1)(ii).

2. According to the financial data submitted in its application, Lake County Broadcasters [Lake County] would require $58,034 to construct and operate the proposed facility for a period of one year, without revenue, itemized as follows:

Lease payment on equipment	$7,814
Mortgage payments (land)	1,951
Mortgage payments (building)	2,750
Miscellaneous	6,450
Estimated interest on loan (at 10 percent)	2,500
Working capital (first-year)	36,569
Total	58,034

To meet this requirement, Lake County relies upon $15,000 in existing capital, and two loans from financial institutions—a $25,000 loan from Security State Bank, and a $20,000 loan from First Security Bank. Although the existing capital is well documented, the two bank loans are unacceptable for failure to comply with section III, paragraph 4(e), of FCC Form 301. Specifically, the letter of commitment from Security State Bank does not state the collateral required, nor does it specify the rate of interest. Further, the letter from First Security Bank does not contain language indicating a firm commitment to lend money, but rather is an offer to consider such a loan. In view of these deficiencies, the Commission cannot conclude that sufficient funds will be available to Lake County, as required, to meet the projected costs of construction and operation. Accordingly, an appropriate issue will be specified.

3. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations which would receive primary service, together with the availability of other primary aural services 1 mV/m or greater in the case of FM in such areas will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to either of the applicants.

4. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

5. Accordingly, *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. With respect to the application of Lake County Broadcasters:

(a) To determine the terms and conditions of the two putative bank loans and whether they are available to the applicant;

(b) Whether, in light of the evidence adduced in (a) above, whether Lake County Broadcasters is financially qualified.

2. To determine which of the proposals would, on a comparative basis, better serve the public interest.

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

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6. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) 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.

7. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and section 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible, and consistent with the rules, 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 § 1.594(g) of the rules.

Adopted: December 31, 1974.

Released: January 6, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-2335 Filed 1-24-75;8:45 am]

[Docket Nos. 20317, 20318; File Nos. BPH-8565; BPH-8680]

KEN STEPHENS AND GULF STATES BROADCASTING CO., INC.

Applications for Construction Permits; Consolidated Hearing

In re Applications of Ken Stephens, Orange, Texas; requests: 106.1 mHz; Channel No.: 291; 100 kW(H&V); 909 feet and Gulf States Broadcasting Company, Inc., Orange, Texas; requests: 106.1 mHz; Channel No.: 291; 100 kW (H&V); 1,065 feet.

1. The Chief of the Broadcast Bureau, acting pursuant to delegated authority, section 0.281 of the rules, has under consideration the above-captioned applications, which are mutually exclusive in that the applicants seek the same channel in Orange, Texas.

2. Gulf States Broadcasting Company proposes Black-oriented programming while Ken Stephens proposes a "Beautiful Music" format. Accordingly, the relative need for these different types of programming will be considered under the standard comparative issue. Ward L. Jones, FCC 67-82 (1967). Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, footnote 9 at 397 (1965).

3. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

4. Accordingly, *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 which of the proposals would, on a comparative basis, better serve the public interest.

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

5. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) 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.

6. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible, and consistent with the rules, 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 § 1.594(g) of the rules.

Adopted: January 14, 1975.

Released: January 16, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-2336 Filed 1-24-75;8:45 am]

RADIO TECHNICAL COMMISSION FOR MARINE SERVICES

Notice of Meetings

In accordance with Pub. L. 92-463, "Federal Advisory Committee Act," Radio Technical Commission for Marine Services (RTCM) meetings scheduled for the future are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

Special Committee No. 68, "Marine Radiotelephone Operator Education", Notice of 4th Meeting, Tuesday, February 18, 1975—9:30 a.m., Conference Room 847, 1919 M Street, NW, Washington, D.C.

AGENDA

1. Call to order; Chairman's report.
2. Adoption of Agenda.
3. Acceptance of Summary Records.
4. Reports on Work Assignments.
5. Approval of submitted papers.
6. Discussion of problem areas.
7. Solicitation of Work Assignments.
8. Other business.
9. Establishment of next meeting date.

A. Newell Garden, Chairman, SC-68, Raytheon Company, 141 Spring Street, Lexington, Massachusetts 02173, Phone: [617] 862-6600 (Ext. 414).

Special Committee No. 66, "Receiver Standards for the Maritime Mobile Service", Notice of 28th Meeting, Wednesday, February 19, 1975—9:00 a.m. (All-day meeting), Conference Room A205, 1229 20th Street, NW, Washington, D.C.

AGENDA

1. Call to Order; Chairman's report.
2. Adoption of Agenda.
3. Acceptance of Summary Records.
4. Reports on Work Assignments.
5. Approval of submitted papers.
6. Discussion of problem areas.
7. Solicitation of Work Assignments.
8. Other business.
9. Establishment of next meeting date.

H. R. Smith, Chairman, SC–66, ITT Mackay Marine, 441 U.S. Highway #1, Elizabeth, N.J. 07202, Phone: (201) 527–0800.

Special Committee No. 65, "Ship Radar", Notice of 35th Meeting, Wednesday, February 19, 1975—1:30 p.m., Conference Room 8210, 2025 M Street, NW., Washington, D.C.

AGENDA

1. Call to Order; Chairman's Report.
2. Adoption of Agenda; Appointment of Rapporteur.
3. Acceptance of SC–65 Summary Records.
4. Progress Report of Collision Avoidance Working Group.
5. Small Boat Radar Specifications.
6. Other business.
7. Establishment of next meeting date.

COLLISION AVOIDANCE WORKING GROUP

The Collision Avoidance Working Group will hold a meeting on Wednesday, February 19, 1975, beginning at 9:30 a.m., in Conference Room 8210, 2025 M Street, NW., Washington, D.C.

Irvin Hurwitz, Chairman, SC–65, Federal Communications Commission, Washington, D.C. 20554, Phone: (202) 632–7197.

RTCM Executive Committee, Notice of February meeting, Thursday, February 20, 1975—9:30 a.m., Conference Room 847, 1919 M Street, NW., Washington, D.C.

AGENDA

1. Call to Order; Chairman's Report.
2. Introduction of Attendees; Adoption of Agenda.
3. Approval of Minutes.
4. Committee Reports.
5. Status report on "Federal Advisory Committee Act".
6. Discussion on draft papers.
7. Assembly Meeting Report.
8. Reports on other meetings.
9. Summary reports and announcements.
10. New business.
11. Establishment of next meeting date.

To comply with the advance meeting notice requirements of Pub. L. 92–463, a comparatively long interval of time occurs between publication of this notice and the actual meetings. Consequently, there is no absolute certainty that the listed meeting room will be available on the day of the meeting. Those planning to attend any of the preceding listed meetings should report to the room number given in the notice. If a room substitution has been made, the new meeting room location will be posted at the room listed in this notice.

Agendas, working papers, and other appropriate documentation for each committee meeting are available at that meeting. Those desiring more specific information may contact either the designated Committee Chairman or the RTCM Secretariat. (Phone: (202) 632–6490)

The RTCM has acted as a coordinator for maritime telecommunications since its establishment in 1947. Problems are studied by Special Committees and the final reports are approved by the RTCM Executive Committee. All RTCM meetings are open to the public.

[FR Doc. 75–2333 Filed 1–24–75;8:45 am]

FEDERAL MARITIME COMMISSION

NORTH ATLANTIC CONTINENTAL FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

MODIFICATION OF AGREEMENT

Notice of agreement filed by:

Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 9214–14 extends the scope of the conference agreement to cover intermodal shipments moving under a through bill of lading or otherwise; matters relating to per diem, free time and detention on carrier provided equipment; positioning of such equipment; interchange; receiving, handling, storage, delivery and consolidation; depots, yards and freight stations and such other matters as may be ancillary to such intermodal movements. It also provides that the Conference may agree with other conferences serving the same European ports in establishing rules, practices and charges relating to the inland movement of containers to and from member lines' terminals at those ports.

Dated: JANUARY 22, 1975.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2370 Filed 1–24–75;8:45 am]

CONTINENTAL NORTH ATLANTIC WESTBOUND FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

MODIFICATION OF AGREEMENT

Notice of Agreement Filed by:

Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 8210–28 extends the scope of the conference agreement to cover intermodal shipments moving under a through bill of lading or otherwise; matters relating to per diem, free time and detention on carrier provided equipment; positioning of such equipment; interchange; receiving, handling, storage, delivery and consolidation; depots, yards and freight stations and such other matters as may be ancillary to such intermodal movements. It also provides that the Conference may agree with other conferences serving the same European ports in establishing rules, practices and charges relating to the inland movement of containers to and from member lines' terminals at those ports.

Dated: January 22, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2369 Filed 1–24–75;8:45 am]

SCANDINAVIA BALTIC/U.S. NORTH ATLANTIC WESTBOUND FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as

amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

MODIFICATION OF AGREEMENT

Notice of Agreement Filed by:

Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 9982–4 extends the scope of the conference agreement to cover intermodal shipments moving under a through bill of lading or otherwise; matters relating to per diem, free time and detention on carrier provided equipment; positioning of such equipment; interchange; receiving, handling, storage, delivery and consolidation; depots, yards and freight stations and such other matters as may be ancillary to such intermodal movements. It also provides that the Conference may agree with other conferences serving the same European ports in establishing rules, practices and charges relating to the inland movement of containers to and from member lines' terminals at those ports.

Dated: January 22, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2368 Filed 1–24–75;8:45 am]

AMERICAN EXPORT LINES, INC. ET AL.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, DC, 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

AMERICAN EXPORT LINES, INC., SEA-LAND SERVICE, INC., UNITED STATES LINES, INC.

Notice of Agreement Filed by:

Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 10138–1, among the above-named carriers, is an agreement to modify their basic self-policing and discussion agreement applicable to U.S. military and government household goods to (1) expand the scope to include United States Gulf ports; (2) provide for agreement on rates, rules, equipment utilization and other matters of common concern; (3) modify the independent action clause to require 48 hours' notice; (4) provide for the filing and maintenance of a common tariff in lieu of individual tariffs; (5) extend the notice period for resignation from 30 to 90 days; and (6) provide for a majority vote for all actions except modifications to the Agreement.

Dated: January 21, 1975.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2367 Filed 1–24–75;8:45 am]

NORTH ATLANTIC FRENCH ATLANTIC FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW, Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

MODIFICATION OF AGREEMENT

Notice of Agreement Filed by:
Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 7770–12 extends the scope of the conference agreement to cover intermodal shipments moving under a through bill of lading or otherwise; matters relating to per diem, free time and detention on carrier provided equipment; positioning of such equipment; interchange; receiving, handling, storage, delivery and consolidation; depots, yards and freight stations and such other matters as may be ancillary to such intermodal movements. It also provides that the Conference may agree with other conferences serving the same European ports in establishing rules, practices and charges relating to the inland movement of containers to and from member lines' terminals at those ports.

By Order of the Federal Maritime Commission.

Dated: January 22, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2371 Filed 1–24–75;8:45 am]

NORTH ATLANTIC UNITED KINGDOM FREIGHT CONFERENCE

Notice of Agreement Filed; Modification

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 (U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Mari- U.S.C. 814).
Room 10126; or may inspect the agreetime Commission, 1100 L Street NW., ment at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 7100–17 extends the scope of the conference agreement to cover intermodal shipments moving under a through bill of lading or otherwise; matters relating to per diem, free time and detention on carrier provided equipment; positioning of such equipment; interchange; receiving, handling, storage, delivery and consolidation; depots, yards and freight stations and such other matters as may be ancillary to such intermodal movements. It also provides that the Conference may agree with other conferences serving the same European ports in establishing rules, practices and charges relating to the inland movement of containers to and from member lines' terminals at those ports.

Dated: January 23, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2372 Filed 1–24–75;8:45 am]

NEW YORK SHIPPING ASSCCIATION, INC. AND INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL–CIO

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 6, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:
C. P. Lambos, Counsel
New York Shipping Association, Inc.
Lorenz, Finn, Giardino & Lambros
25 Broadway
New York, New York 10004
and
Thomas W. Gleason, Counsel
International Longshoremen's Association, AFL-CIO
17 Battery Place
New York, New York 10004

Agreement No. T–3007–2, between the members of the New York Shipping Association, Inc. (NYSA) and the members of the International Longshoremen's Association, AFL-CIO (ILA), modifies the parties' basic tonnage assessment agreement (as heretofore amended) for the three-year period commencing October 1, 1974. The purpose of the amendment is to modify the assessment of newsprint so that newsprint shall be assessed (effective October 1, 1974, under Agreement No. T–3007) on an excepted cargo basis. Agreement No. T–3007–2 is a result of Agreement No. T–3055, between the ILA, NYSA, Daniels & Kennedy, Inc., and the Madden Corporation which, inter alia, provides for the settlement of certain issues raised by Agreement No. T–3007 under FMC Pocket No. 74–49 with respect to NYSA/ILA assessments against newsprint cargoes.

Dated: January 22, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2373 Filed 1–24–75;8:45 am]

NORTH ATLANTIC WESTBOUND FREIGHT ASSOCIATION

Notice of Agreement Filed; Modification

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:
Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 5850–28 extends the scope of the conference agreement to cover intermodal shipments moving under a through bill of lading or otherwise; matters relating to per diem, free time and detention on carrier provided equipment; positioning of such equipment; interchange; receiving, handling, storage, delivery and consolidation; depots, yards and freight stations and such other matters as may be ancillary to such intermodal movements. It also provides that the Conference may agree with other conferences serving the same European ports in establishing rules, practices and charges relating to the inland movement of containers to and from member lines' terminals at those ports.

Dated: January 22, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2374 Filed 1–24–75;8:45 am]

NORTH ATLANTIC BALTIC FREIGHT CONFERENCE

Notice of Agreement Filed; Modification

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 17, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Modification of Agreement

Notice of Agreement Filed by:

Howard A. Levy, Esquire
Suite 727
17 Battery Place
New York, New York 10004

Agreement No. 7670–12 extends the scope of the conference agreement to cover intermodal shipments moving under a through bill of lading or otherwise; matters relating to per diem, free time and detention on carrier provided equipment; positioning of such equipment; interchange; receiving, handling, storage, delivery and consolidation; depots, yards and freight stations and such other matters as may be ancillary to such intermodal movements. It also provides that the Conference may agree with other conferences serving the same European ports in establishing rules, practices and charges relating to the inland movement of containers to and from member lines' terminals at those ports.

Dated: January 22, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75–2375 Filed 1–24–75;8:45 am]

INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL–CIO ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 6, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL–CIO

NEW YORK SHIPPING ASSOCIATION, INC.

DANIELS & KENNEDY, INC.

AND

THE MADDEN CORPORATION

Notice of Agreement Filed by:

Thomas W. Gleason, Counsel
International Longshoremen's Association, AFL–CIO
17 Battery Place
New York, New York 10004

and

C. P. Lambos, Counsel
New York Shipping Association, Inc.
Lorenz, Finn, Giardino & Lambos
26 Broadway
New York, New York 10004

Agreement No. T–3055, between the International Longshoremen's Association, AFL–CIO (ILA); the New York Shipping Association, Inc. (NYSA); and Daniels & Kennedy Inc. (D&K) and The Madden Corporation (Madden) (collectively as the "Newsprint Interests"), provides for the settlement of the parties' litigation in FMC Dockets Nos. 69–57, 73–34 and 74–49.

With respect to Docket No. 69–57, the parties settle their litigation without regard to the continuance of these proceedings by any other parties to the proceedings. The agreement also provides that the Newsprint Interests relinquish any and all claims which they presently or in the future may have to any monies or other relief which may be due them as a result of proceedings in Docket No. 69–57, et al. arising out of alleged overassessments against them under FMC Agreement No. T–2390 and the Newsprint Interests further agree that they will make no further such claims against NYSA, ILA or any NYSA–ILA fringe benefit fund before any tribunal, without regard to future events or actions in Docket No. 69–57, et al. The agreement further provides that D&K withdraw its complaint in Docket No. 69–57) and D&K dated with Docket No. 69–57) and D&K and Madden each withdraw as intervenors in Docket No. 69–57 and all other proceedings consolidated therewith, upon final Federal Maritime Commission approval of this agreement and FMC Agreement No. T–3007–2.

With respect to Dockets Nos. 73–74 and 74–49, the parties agree that all issues in these proceedings are fully and completely settled. The agreement provides that D&K relinquish any and all claims which it presently or in the future may have to any monies or other relief which may be due it as a result of these proceedings arising out of alleged overassessments against D&K under FMC Agreements Nos. T–2804 and T–3007. The agreement also provides that D&K agrees not to make any further such claims against NYSA, ILA or any NYSA–ILA fringe benefit fund before any tribunal, without regard to future events or actions in these proceedings. The agreement further provides that D&K withdraw as intervenor in these proceedings upon final Federal Maritime Commission approval of this agreement and FMC Agreement No. T–3007–2.

The agreement also provides that NYSA and ILA relinquish any and all claims which they separately or jointly, presently or in the future, may have against the Newsprint Interests for monies or other relief which may be due to them arising out of past or future assessments under FMC Agreements Nos. T–2390, T–2804 or T–3007, other than such assessments as may from time to time be due and owing from D&K under Agreement No. T–3007 as amended by Agreement No. T–3007–2. In this respect, NYSA and ILA agree to amend Agreement No. T–3007 to provide for the assessment of newsprint effective October 1, 1974–September 30, 1977, on the assessment basis presently applicable to newsprint.

Upon final unconditional Federal Maritime Commission approval of this agreement and Agreement No. T–3007–2, the agreement provides that the NYSA–ILA Contract Board will immediately submit to D&K a written statement setting forth the amount to be credited to

D&K for overassessments for October 1, 1974 through the date of such statement. D&K will not be required to pay any further assessments of any kind until such time as the credit so computed has been exhausted; thereafter D&K will be assessed at the excepted cargo rate in accordance with this agreement.

Dated: January 22, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-2376 Filed 1-24-75;8:45 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION) Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 311(p)(1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/operator and vessels*
01026---	Terkildsen & Olsen A/S: *Okene.*
01032---	Graig Shipping Company Ltd.: *Graigau.*
01064---	Reinauer Transportation Companies Inc.: *York River.*
01069---	Oglebay Norton Co.: *J. Burton Ayers, Wolverine.*
01252---	Aktieselskapet Havtor: *Havprins.*
01354---	H. E. Hansen-Tangen: *Sunares.*
01426---	Kuwait — Shipping Company (S.A.K.): *IBN Battotah.*
01758---	Chotin Transportation Inc.: *CH-1217, CH-1218, CH-1219, CH-1410, CH-1411, CH-1412.*
01819---	King Line Limited: *King George.*
01935---	Partnership between Steamship Company Svendborg Ltd. and Steamship Company of 1912 Ltd.: *Maersk Tracker.*
01986---	Aktiebolaget Transmarin: *Marianne.*
02032---	D.B. Deniz Nakliyati T.A.S.: *Erdemir, Erzurum.*
02282---	Park Steamships Ltd.: *Hyde Park.*
02358---	A/S Ganger Rolf-A/S Bonheur-A/S Borga den Norske Middelhavslinje A/S-A/S Jelolinjen: *Sea Bruse.*
02713---	T. L. James & Company Inc.: *BTD-2, BTD-11, BTD-29, BTD-39, BTD-51, BTD-54, BTD-100.*
02715---	Allied Towing Corporation: *Hot Oil No. 17.*
02917---	Arya National Shipping Lines S.A.: *Arya Kish, Arya Sun.*
02975---	Venture Shipping (Managers) Ltd.: *Ewo Venture.*
02982---	The Shipping Corp. of India Ltd.: *Samrat Ashkok.*
03004---	Rederi Ab Soya: *Otello.*
03044---	Bouchard Transportation Co., Inc.: *B. No. 115.*
03180---	Branch Lines Limited: *Leon Simard.*
03301---	Prudential Lines, Inc.: *Lash Atlantico, Lash Espana, Lash Pacifico, Lash Turkiye, Santa Maria, Santa Mariana, Santa Magdalena, Santa Mercedes, Santa Ana, Santa Rita, Santa Barbara, Santa Clara, Santa Cruz, Santa Elena, Santa Isabel, Santa Lucia, Prudential Seajet, Prudential Oceanjet.*
03315---	Afran Transport Company: *Afran Jupiter, Afran Venus.*
03321---	Marunouchi Kisen Kabushiki Kaisha: *Spencer Maru.*
03389---	Shell Tankers B.V.: *Mytilus.*
03479---	Okada Shosen Kabushiki Kaisha: *Iwashiro Maru.*
03505---	Showa Yusen Kabushiki Kaisha: *Izumo Maru, Yamanashi Maru.*
03514---	Terukuni Kaiun Kaisha, Ltd.: *Ise Maru.*
03567---	A/S Eikland: *Skaubo.*
03601---	Etela-Suomen Laiva Oy: *Aippila.*
03636---	Smith Rice Company: *Barge 3.*
03918---	Mobil Shipping & Transportation Co.: *Mobil Producer.*
03926---	Harumi Senpaku K.K.: *Shinko Maru, Shinyo Maru.*
04004---	Koninklijke Java-China-Paketvaart Lijnen N.V.: *Straat Colombo.*
04038---	Carbosider Societa di Navigazione S.P.A.: *Oceania.*
04104---	Parkhill Goodloe Co., Inc.: *Florida.*
04172---	Eklof Marine Corporation: *E23.*
04356---	Pacific Far East Line, Inc.: *Australia Bear.*
04623---	Seaspan International Ltd.: *Seaspan Commodore, Seaspan Sovereign.*
04934---	OKC Dredging Inc.: *Fritz Jahncke, Paul F. Jahncke, Pontchartrain, St. Landry, Vermillion, Lafayette, Cameron, Plaquemine, Lafourche, Livingston, Jefferson, St. John, St. Tammany, St. Bernard, Orleans, Tchefuncta, Marurpas, Jahncke 209, St. Helena, St. Martin, St. James, St. Mary, Iberia, St. Charles, Manchac, Congaree.*
04937---	Progress Shipping Company: *Sealord II.*
05332---	Northland Navigation Co., Ltd.: *Northland Transporter.*
05444---	Europa-Societa Generale d' Armamento S.P.A.: *Anita Monti.*
05500---	Petroleos Mexicanos: *Francisco J. Mugiga.*
05577---	Far Eastern Shipping Company: *Lenya Golikov, Bureyales.*
05580---	Kamchatka Shipping Company: *Konstantin Zankov.*
05770---	C.A. Venezolana de Navigacion: *Caroni.*
06566---	Occidental Petroleum Corporation: *RV-50, RV-51.*
06721---	Kooil Industrial Co., Ltd.: *O Dae Yang 301, O Dae Yang 302, O Dae Yang 303, O Dae Yang 305, Cinco Oceanos 152.*
06885---	Bewa Line A/S: *Mette Bewa.*
06952---	Far East Shipping Co., Ltd.: *Silver Seahawk, Kyokuyo Maru.*
07201---	Coast Marine Construction, Inc.: *ZB 100 A, ZB 108 A.*
07255---	Teh Tung Steamship Co., Ltd.: *Kai Ping.*
07290---	Hollywood Terminals, Inc.: *Hollywood 2003, Ellis 1256.*
07624---	Josef Roth-Reederei: *Franziska Kurz.*
08071---	Anglo Nordic Bulkship (Management) Limited: *Nordic Rover.*
08288---	Sumande Shipping Corporation (Liberia): *Janill.*
08530---	Prompt Shipping Corporation Ltd.: *Scotia Career, Baltic Career.*
08592---	The Thornhope Shipping Company Limited: *Sir Alexander Glenn.*
08833---	General Metals of Tacoma, Inc.: *Klamath, Wachusett, U.S.S. Shea.*
08868---	Weathers Towing, Inc.: *Peanut Hollinger.*
09057---	Ryan-Walsh Stevedoring Company, Inc.: *Captain Jim.*
09150---	J. S. K. Shipping Corporation Inc.: *Scheba.*
09179---	Seashine Navigation Corporation Limited: *Great Loyalty.*
09185---	Cylanco S.A.: *Punta del Este.*
09431---	Sierra Leone National Shipping Company Ltd.: *Ponpoli.*
09467---	Reederei Hans Beiken OHG: *Scol Independent.*
09504---	Anangel Confidence Compania Naviera S.A.: *Common Venture.*
09508---	Proesel Universal Marine Company Inc.: *Bierum.*
09515---	Ta Chi Navigation (Panama) Corp., S.A.: *Eurylochus.*
09552---	Aeron Marine Shipping Company: *Golden Dolphin, Golden Endeavor.*
09570---	Oak Company Ltd. of Liberia: *Avance.*
09585---	Okay Maritime Panama S.A.: *Okay Reefer.*
09600---	Tarsprings Shipping Company: *Tarpon Springs.*
09601---	Foster Shipping Co., Ltd.: *Otto, Friendship, Twin Ship.*
09630---	Vena Shipping Co., S.A.: *Diana.*
09633---	Rivermar Corporation: *RM-100, RM-101.*
09641---	Bulk Navigation S.A.: *Pearl Sea.*
09642---	Partrederiet for MS Atlantic Cinderella: *Atlantic Cinderella.*
09651---	Sacramento Transport, Inc.: *Ogden Sacramento.*
09664---	Elarca Sa of Liberia: *Trefalcon Logic.*
09675---	Premuda Societa di Navigazione per Azioni: *Premuda Bianca.*
09679---	Belaifa Shipping Company S.A.: *Mersinidi.*
09681---	Partenreederei M/S "Constantia": *Constantia.*
09682---	San Nikitas Maritime Corporation Panama: *Rose B.*
09686---	Astro Venturoso Compania Naviera S.A.: *Mariannina.*
09687---	Gladders Barge Line, Inc.: *Emily Gladders.*
09688---	Nimar Tankers S.A.: *Macedonian.*
09690---	Navieros de Yucatan, S.A.: *"T'Ho".*
09703---	Agencia Maritima Intermares Ltda.: *Brasil.*
09705---	Transmar, S.A.: *Stratus.*
09709---	Yamashita Unyu K.K.: *Kinzan Maru.*
09719---	Oswego Richmond Corporation: *Joyeid.*
09731---	Univenture Shipping Corp.: *Univenture No. 1.*
09742---	Lefkaritis Bros. Marine Letd.: *Petrolina 1.*
09743---	Colon World Shipping S.A.: *Brewster.*
09744---	Maritima de Campeche S.A.: *Superior.*
09745---	Quick-Tow, Inc.: *B-821, B-921, B-1120.*
09746---	Dranlama, Ltd.: *Caribbean Flower.*
09747---	Maravanzada Armadora, S.A.: *Chalkis.*
09748---	Spetses Shipping Corporation: *Lloyd Philadelphia.*
09749---	Perseus Shipping Corporation: *Lloyd New York.*
09752---	Grand Transport Inc.: *Grand Felicity.*

Certificate No.	Owner/operator and vessels
09753---	Elite, Inc.: *Fantasy L.*
09754---	Elmona, Inc.: *Maria G.L.*
09755---	Elmini Legend, Inc.: *Mini Legend.*
09756---	Elcarriers, Inc.: *Pantazis L.*
09757---	Sunrise Co., Ltd.: *Kalliopi L.*
09758---	Central Navigation Corporation: *Friendship L.*
09759---	Elmini Lymph, Inc.: *Mini Lymph.*
09761---	Elmini Loom, Inc.: *Mini Loom.*
09762---	G.A.T.P. Maritime Transport, Ltd.: *Out Islander.*
09763---	Atlas Maritime Company S.A.: *Saudi Glory.*
09764---	Rederiet for M.S. Thorvaldsen: *Thorvaldsen.*
09766---	Shing on Shipping Co., S.A.: *Shing On.*
09768---	Hasumsoon Shipping Co., Ltd., S.A. Panama: *Handsome.*
09770---	Siora Milia Shipping Co., Ltd.: *Emilia Loverdos.*
09771---	Heng Fu Tankers, Inc.: *Singapura Kedua, Singapura Timor.*
09773---	Devon Maritime Limited: *Irenes Challenge.*
09774---	Interessentskapet Wind Endeavour: *Wind Endeavour.*
09777---	South China Shipping Co., Ltd.: *Hwa Gek.*
09778---	Oswego Eloiseid Company Limited: *Eloiseid.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-2377 Filed 1-24-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP75-44-2]

ALABAMA-TENNESSEE NATURAL GAS CO. (TVA)

Order Granting Extraordinary Relief and Setting Matter for Hearing

JANUARY 17, 1975.

On December 23, 1974, the Tennessee Valley Authority (TVA) filed in the above-captioned docket a petition for extraordinary relief pursuant to § 1.7 of the Commission's rules of practice and procedure and § 2.78 of the Commission's rules and regulations. TVA states that it is an agency of the Federal government charged with the statutory duty pursuant to the Tennessee Valley Act of 1933, 16 U.S.C. 831-831dd, to develop, produce, and sell fertilizer. In discharging these responsibilities it operates the National Fertilizer Development Center (Center), Muscle Shoals, Alabama.

TVA states that its production of ammonia fertilizer at the Center is totally dependent upon natural gas supplied by Alabama-Tennessee Natural Gas Company (Alabama-Tennessee). TVA was notified on December 16, 1974, by Alabama-Tennessee that its firm gas supply would be curtailed by 26 percent. This curtailment, according to TVA, will reduce in substantial amount its production of ammonia, which is used in the production of fertilizer. TVA avers that fertilizer production will suffer a decrease of approximately 46 tons per day as the result of projected curtailment. If curtailment extends through March 1975, TVA estimates that this fertilizer production loss translates into a food loss in grain sufficient to feed 15,000 persons for a year.

TVA has a contract with Alabama-Tennessee which provides for the delivery of 5,000 Mcf per day of firm gas and 1,500 Mcf per day of interruptible gas. Petitioner indicates that of the firm deliveries, 3,774 Mcf is utilized as process gas and 1,226 Mcf for fuel use in the production of ammonia. It is claimed that this fuel use is as critical to the maximum production of fertilizer as the process gas usage. Although alternate fuel facilities have not been installed for this purpose, TVA asserts that it is committed to converting to the use of No. 2 fuel oil in the near future. It is also stated that, with the exception of the ammonia plant, all heating functions at the Center are being operated through the use of alternate fuels.

Petitioner requests, then, that the Commission order Alabama-Tennessee to deliver the full firm contract volume on a temporary basis pending hearing on the permanent restoration of these volumes. It is also agreed that such temporary relief will be subject to any payback requirements as may be applicable. The urgent need for continued production of fertilizer at this time is a matter of public knowledge and a proper subject of judicial notice. For this reason and also because of the alleged effects of curtailment, we find it in the public interest to grant the relief requested, as conditioned hereinafter, prior to expiration of the period for intervention and comment.

In its answer to the instant petition, Alabama-Tennessee similarly states its support for the proposition that the firm delivery of 5,000 Mcf per day to TVA should be unimpaired. However, Alabama-Tennessee states that in order to enable it to make such deliveries, it is necessary that additional deliveries for TVA be made available by Alabama-Tennessee's sole supplier, Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Tennessee). Otherwise, so it is averred, deliveries could only be made available by the further curtailment of other customers' requirements in the Order No. 467-B Category 2 of the existing curtailment plan. Absent a filing by Alabama-Tennessee in compliance with Order No. 467-C, which would contain information concerning Alabama-Tennessee's alleged need for additional deliveries from Tennessee, which pipeline is itself curtailing, we deem it inappropriate to condition a grant of extraordinary relief to TVA as suggested. At the same time though, recognizing the essential need to preserve the integrity of residential and commercial customer requirements on the Alabama-Tennessee system, we will accord relief volumes herein the next lower priority status, i.e., the last to be curtailed before curtailing residential and commercial requirements. Relief herein, then, as ordered is not to jeopardize service to the residential and commercial market of the Alabama-Tennessee system.

The Commission finds: (1) Good cause exists to set for formal hearing the application for extraordinary relief.

(2) Based on the facts presented in the petition and judicial notice taken of the national fertilizer shortage, relief should be granted as requested on an interim basis pending hearing, and subject to a payback if later determined to be appropriate.

(3) The relief granted should not jeopardize service to residential and commercial customers.

The Commission orders. (A) The TVA application for extraordinary relief from curtailment requesting deliveries of 5,000 Mcf per day, inclusive of projected deliveries under curtailment, is hereby set for hearing.

(B) Pursuant to the authority contained in and subject to the authority conferred upon the Federal Power Commission by the Natural Gas Act, including particularly, sections 4, 5, 15 and 16, and the Commission's rules and regulations under that Act, a public hearing shall be held commencing February 4, 1975, at 10:00 a.m. at a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning whether or not extraordinary relief should be granted and on what terms and conditions.

(C) Petitioner TVA and all other parties shall file their testimony on or before January 24, 1975.

(D) Interim relief up to 5,000 Mcf per day is granted subject to the above-stated conditions.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-2289 Filed 1-24-75;8:45 am]

[Docket No. CP73-164]

CITY OF HUNTINGBURG, INDIANA

Extension of Time

JANUARY 15, 1975.

On January 13, 1975, Staff Counsel filed a motion to extend the time for filing briefs opposing exceptions to the initial decision of the Presiding Administrative Law Judge issued November 25, 1974 in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the time for filing briefs opposing exceptions in the above matter is extended to and including January 27, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-2292 Filed 1-24-75;8:45 am]

[Docket No. E-9104]

NEVADA POWER CO.

Order Accepting for Filing, Suspending and Establishing Procedural Dates

JANUARY 17, 1975.

On November 12, 1974, the Nevada Power Company (Nevada) tendered for

filing a proposed change in the energy charges under its RS–CPH rate to the California-Pacific Utilities Company (Cal–Pac) at Henderson, Nevada [1] and under its RS–CPN to Cal–Pac at Needles, California.[2] The filing was held to be deficient for filing by the Secretary and was subsequently completed on December 20, 1974, upon receipt of additional information and new revised rates.

Nevada contends that the November 12, 1974 proposed rates are designed to provide Nevada with an earned rate of return of 16.08 percent on its sales to Cal–Pac resulting in a 28.61 percent return on common equity. Nevada contends that for the period ending November 30, 1974, the December 20, 1974 proposed rates will result in increased revenues of $998,486, which is about 3 percent below the revenue level proposed in the November 12 filing.

In support of its request Nevada states that it has not been able to attract the capital it needs to supply the reasonably expected requirements of its customers. Nevada also states that this relief is urgently needed.

Notice of Nevada's November 12, 1974 filing was issued on November 21, 1974, with protests and petitions to intervene due on or before December 6, 1974. On December 6, 1974, a petition to intervene was filed by Cal-Pac. The petition requests that the proposed increase be suspended for the full statutory period and set for hearing pursuant to section 205 of the Federal Power Act. An untimely notice of intervention was filed by the Public Service Commission of Nevada on December 9, 1974.

Nevada's filings in this docket have requested that the filing date of its application should be November 12, 1974, the date it initially tendered the proposed changes. However, good cause has not been shown to waive the notice requirements of the Commission's regulations, and accordingly December 20, 1974, the date Nevada completed its application, shall be assigned the filing date for the proposed changes.

Our review of Nevada's filing and the issues raised therein indicates that the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall suspend the proposed changes for four months and establish hearing procedures to determine the justness and reasonableness of Nevada's filing.

The Commission finds. It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Nevada's revised rate schedule proposed in this docket and that the tendered rate schedules be suspended as hereinafter provided.

The Commission orders. (A) Pending a hearing and a decision thereon, Nevada's proposed changes in its rates and charges, tendered on December 20, 1974, are accepted for filing, and suspended for four months, the use thereof deferred until May 20, 1975, subject to refund.

(B) Pursuant to authority of the Federal Power Act, particularly section 205 thereof, and the Commission's rules and regulations (18 CFR, Ch. I), a hearing for purposes of cross-examination concerning the lawfulness and reasonableness of the rates and charges in Nevada's FPC Rate Schedule, as proposed to be amended herein shall be held commencing on June 17, 1975, at 10:00 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, DC. 20426.

(C) On or before May 6, 1975, the Commission Staff shall serve its prepared testimony and exhibits. Any intervenor evidence shall be filed on or before May 20, 1975. Any rebuttal evidence by Nevada shall be served on or before June 3, 1975.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose, (See Delegation of Authority, 18 CFR 3.5 (d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

(E) The above mentioned petitioners are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in the respective petitions to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(F) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(G) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75–2291 Filed 1–24–75;8:45 am]

[1] Designation: Nevada Power Company, Supplement No. 8 to Rate Schedule FPC No. 2 (Supersedes Supplement No. 6).

[2] Supplement No. 9 to Rate Schedule FPC No. 1 (Supersedes Supplement No. 7).

[Project No. 2426]

STATE OF CALIFORNIA

Extension of Time

JANUARY 17, 1975.

In the matter of State of California, Department of Water Resource and City of Los Angeles, Department of Water and Power (California Aqueduct).

On December 26, 1974, the State of California filed a motion to extend the time for filing comments to the Commission Staff's Draft Environmental Impact Statement issued on December 3, 1974 in the above-designated matter.

Notice is hereby given that the time for filing comments to the above Statement is extended to and including March 18, 1975.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–2287 Filed 1–24–75;8:45 am]

[Docket No. RP74–41]

TEXAS EASTERN TRANSMISSION CORP.

Prehearing Conference Rescheduled

JANUARY 16, 1975.

On December 30, 1974, Texas Eastern Transmission Corporation filed a motion to advance the date of the Prehearing Conference fixed by order issued January 14, 1975, as most recently modified by notice issued December 19, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Prehearing Conference, January 20, 1975 (10:00 a.m. e.s.t.).
Service of Intervenor's Testimony [unchanged], January 20, 1975.
Service of Company Rebuttal [unchanged], February 28, 1975.
Hearing, At a time to be designated by Presiding Administrative Law Judge.

All parties have agreed to the service of a proposed settlement agreement by January 8, 1975, which will be submitted at the prehearing conference and that all initial comments to it will be filed at the same time. The remaining service dates and hearing will be for reserved issues.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–2294 Filed 1–24–75;8:45 am]

[Docket No. RP74–39–11]

TEXAS EASTERN TRANSMISSION CORP. AND BOROUGH OF CHAMBERSBURG, PA.

Order Consolidating Proceedings and Permitting Intervention

JANUARY 17, 1975.

On October 21, 1974, the Borough of Chambersburg, Pennsylvania (Chambersburg) filed a supplemental petition for a declaratory order pursuant to § 1.7(c) of the Commission's rules of practice and procedure. Chambersburg requests that the Commission issue an order directing Texas Eastern Transmission Corporation (TETCO) (1) to cease and desist from its present method of implementing its Demand Charge Ad-

justment (DCA) provisions[1] and (2) to implement its DCA in a manner which would lower Chambersburg's demand charges by reflecting the difference between Chambersburg's requirements and its actual takes.

Chambersburg purchases all of its gas from TETCO under the latter's DCQ–D Rate Schedule (Maximum Daily Quantity (MDQ): 5,279 Dth) and WS Rate Schedule (MDQ: 2653 Dth).

TETCO placed its DCA provisions into effect on July 1, 1974. They apply to all customers taking gas under a two-part rate schedule.

Sections 6.2 and 7.2 of TETCO's tariff are identical and provide for a demand charge reduction for DCQ and GS customers respectively. Both sections read as follows:

Secs. 6.2, 7.2 For Impairment of Deliveries. If Seller, for any reason other than the allowable delivery variation and the provisions of section 12.5 of the General Terms and Conditions, is unable to deliver during any one or more days in any month the quantity of natural gas Buyer required on such day or days up to the Maximum Daily Quantity then the total demand charge as otherwise computed hereunder shall be reduced by an amount which shall be equal to the sum of all such day's deficiencies multiplied by the Demand Charge Adjustment (Sheet No. 13) per Mcf for the applicable zone.

TETCO recoups the revenues lost through the demand charge adjustment by increasing its total commodity charges by an amount equal to the total of the reductions in demand charges. Both of these adjustments are made on a separate basis for each rate schedule and zone on TETCO's system.

In its supplemental petition Chambersburg claims that the method which TETCO uses to calculate demand charge adjustments is unjust and discriminatory. Chambersburg states that TETCO is violating the spirit of our order issued in this proceeding on August 26, 1974, in which we stated that the DCA provisions should ameliorate the situation in which a customer being curtailed at a rate higher than the system average also pays higher unit rates.

In its supplemental petition Chambersburg states that TETCO makes a demand charge adjustment only on those days that a customer takes 96 percent or more of its curtailed MDQ on the theory that if a customer takes this much gas then the customer needed its full MDQ. The demand charge adjustment is always calculated on the total Mcf difference between MDQ and curtailed MDQ. No attempt is made to determine the customer's actual requirements above its curtailed MDQ although TETCO's tariff states that a demand charge reduction is granted when Texas Eastern is unable "to deliver during any one or more days in any month the quantity of natural gas buyer requires on such day or days up to the Maximum Daily Quantity." Consequently on any day in which a customer takes less than 96 percent of its curtailed MDQ, it receives no demand charge reduction because TETCO holds that the requirements of that customer had, on that day, been met

Chambersburg states that since its Annual Quantity Entitlement (AQE) is based on a historical load factor of 88 percent it cannot purchase 96 percent of its curtailed MDQ on every day without overrunning its AQE and incurring a penalty.[2] Consequently, Chambersburg argues that the demand charge adjustment should be calculated in a manner which recognizes the requirements of a customer during the base period in order that Chambersburg, with one of the highest curtailment levels on the system, might receive a larger demand charge adjustment which would actually reflect Chambersburg's high curtailment.

Chambersburg suggests that a more equitable method for calculating the demand charge adjustment would be to use the Mcf difference between (a) a customer's actual present takes and (b) its requirements during the pro forma base year[3] used to establish AQE's.

It appears that the method used by TETCO may not fully meet the problem of customers who are curtailed heavily and who at the same time must pay higher unit costs for their gas. The problem was recognized in our Order of May 10, 1974, in these proceedings and the current tariff provisions were filed to ease this problem. It is necessary to determine the impact on all DCQ customers of an implementation of the demand charge adjustment in the manner suggested by Chambersburg. The Commission believes that Chambersburg's method would not be suited to the GS rate schedule since, by its nature, it is a lower load factor schedule.[4]

A record currently exists in Texas Eastern's ongoing curtailment case in Docket Nos. RP71–130 and RP72–58 on the method TETCO uses to calculate demand charge adjustments and on Chambersburg's proposed method. These proceedings shall therefore be consolidated with those in Docket Nos. RP71–130, et al. for purposes of hearing and decision. Texas Eastern shall be ordered to present additional evidence in that proceeding on the impact of using Chambersburg's method to calculate demand charge adjustments for all DCQ customers. The Presiding Administrative Law Judge shall be required to render an Interim Initial Decision regarding the issues raised in Chambersburg's petition as those issues affect Chambersburg and other customers of TETCO taking under the latter's DCQ Rate Schedule.

In order to develop an adequate record on which to base a decision, TETCO shall be required to furnish evidence on the impact for the period July 1, 1974 through August 31, 1975, on all DCQ customers of calculating demand charge adjustments using the difference between (a) a customer's actual[5] monthly takes and (b) its monthly requirements during the pro forma base year used to establish AQE's versus the current method utilized. The impact studies should show total dollars paid by each company by month under the DCQ rate schedule. The customers' monthly requirements during the pro forma base year may be computed with data presently available to TETCO.

Public notice of Chambersburg's supplemental petition was issued on November 6, 1974, with protests and petitions to intervene due by November 22, 1974. Petitions to intervene were received by the following parties:

Pottsville Gas Company, et al.
Equitable Gas Company
Algonquin Gas Transmission Company
Texas Eastern Transmission Corporation
Carnegie Natural Gas Company
Philadelphia Gas Works

The Commission finds. (1) Good cause exists to consolidate these proceedings with those in Docket Nos. RP71–130 and RP72–58 for the purposes of hearing and decision.

(2) Good cause exists to require TETCO to submit additional evidence in these proceedings as hereinafter ordered.

(3) Good cause exists to certify the issues presented in Chambersburg's petition to the Presiding Administrative Law Judge for initial decision.

(4) The participation in these proceedings of those parties who have petitioned to intervene may be in the public interest.

The Commission orders: (A) These proceedings are hereby consolidated with those in Docket Nos. RP71–130 and RP72–58 for the purposes of hearing and decision.

(B) Within one month of the date of the issue of this order, TETCO shall file evidence on the impact for the period July 1, 1974 through August 31, 1975, on the DCQ customers of (1) calculating demand charge adjustments using the dif-

[1] The relevant DCA provisions appear at sections 6.2 and 7.2 of TETCO's FPC Gas Tariff, Fourth Revised Volume No. 1.

[2] Of the 25 customers purchasing under the DCQ rate schedule, 21 have AQE's which are virtually 100 percent of their contract entitlements. Indiana Gas Company's AQE is 84 percent of its contract entitlement, National Gas and Oil Corporation, 95 percent, Chambersburg, 88 percent, and Pottsville Gas C mpany, 99 percent.

[3] The AQE's of the DCQ customers were fixed by taking the actual purchased volumes for the period September, 1970 through November, 1971 and estimated purchased volumes for December, 1971 through August, 1972, and then constructing the annual entitlement for a pro forma year on the basis of the highest monthly volume for each corresponding month.

[4] A customer taking gas under TETCO's GS Rate Schedule can take, on an annual basis, a volume equal to 270 times its MDQ. Thus, under its contract with TETCO, a GS customer's load factor cannot exceed 74% and may be significantly lower. A DCQ customer, on the other hand, could, under its contract with TETCO, take its MDQ 365 days a year and ultimately achieve a load factor of 100%.

[5] Monthly takes for January 1975 through August 1975 should be TETCO's best estimate of the volumes actually taken by its customers.

ference between (a) a customer's actual monthly takes and (b) that customer's monthly requirements during the pro forma base year used to establish that customer's AQE and (2) calculating demand charge adjustments by the present method. In both of the studies (1) and (2) required above, TETCO should show total dollars paid by each company by month under the DCQ Rate Schedule.

(C) All parties including the Commission Staff wishing to file rebuttal evidence shall do so within two weeks of the date on which evidence is filed by TETCO.

(D) The Presiding Administrative Law Judge shall, within 45 days of the conclusion of cross examination on these issues, render an Interim Initial Decision on the issues raised by Chambersburg in its petition. In his Interim Initial Decision, the Presiding Administrative Law Judge shall rule with respect to all of TETCO's DCQ customers.

(E) The above-named petitioners are hereby permitted to become intervenors in these proceedings subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in these proceedings and that each intervenor agrees to take the record as it now stands.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-2290 Filed 1-24-75;8:45 am]

[Docket No. RP72-133, PGA75-1-A]

UNITED GAS PIPE LINE CO.

Order Accepting Proposed PGA Rate Increase for Filing and Permitting Intervention

JANUARY 17, 1975.

On December 18, 1974, United Gas Pipe Line Company (United) tendered for filing a Proposed Substitute Tariff Sheet[1] which would place into effect, as of January 1, 1975, a surcharge adjustment of 4.69¢/Mcf to the company's purchased gas costs. The tendered surcharge is designed to recover all Opinion No. 699 producer increases (excluding Opinion No. 699-H) incurred during the period June 21, 1974, through December 31, 1974. In support of its tendered filing, United sites our order of November 29, 1974 at United Gas Pipe Line Company, Docket No. RP75-22 in which we authorized United to include in its next PGA filing a surcharge computed by using the actual amount of unrecovered purchased gas costs included in its deferred account plus an estimated amount computed to provide for the recovery of all Opinion No. 699 producer increases incurred up to the effective date of its PGA increase. The proposed surcharge would recoup the balance of approximately $14.4 million in United's Unrecovered Purchased Gas Cost Account.

The subject filing includes rates above those included in United's PGA increase which we accepted for filing and suspended by order of December 31, 1974, at Docket No. RP72-133, PGA75-1. Our order of December 31, permitted United to file substitute sheets (to become effective January 1, 1975, as originally proposed, which would reflect that portion of its proposed increase that did not include costs associated with small producer and emergency purchases in excess of the levels prescribed in Opinion No. 699-H and all costs based upon producer rate changes which would not become effective by January 1, 1975.

Notice of United's proposed increase was issued with comments, protests, and petitions to intervene due on or before January 6,, 1975. Only Memphis Light, Gas and Water Division of the City of Memphis, Tennessee (Memphis) filed a petition to intervene. Memphis requests a five month suspension of United's tendered filing, alleging that United has not shown that the proposed increases in rates are just and reasonable. However, Memphis has set forth no claims, arguments or data in support of its allegation.

Our analysis of United's filing indicates that the revised tariff sheet complies with our order of November 29, 1974, at Docket No. RP75-22. It does not reflect small producer and emergency purchases in excess of the levels prescribed in Opinion No. 699, nor any based upon producer rate increases not in effect by January 1, 1975. We shall, therefore, accept United's proposed tariff sheet for filing and place it into effect without suspension, as of January 1, 1975.

The Commission finds. (1) Good cause exists to accept, without suspension, United's proposed Substitute Twentieth Revised Sheet No. 4, to its FPC Gas Tariff, First Revised Volume No. 1.

(2) Good cause exists to permit the intervention of the above-named intervenor, but to deny its request for a five month suspension of the proposed increase.

(3) Good cause exists to waive the notice requirements of our regulations to permit an effective date of January 1, 1975.

The Commission orders. (A) United's proposed Substitute Twentieth Revised Sheet No. 4, to its FPC Gas Tariff, First Revised Volume No. 1, tendered on December 18, 1974, is hereby accepted for filing and made effective as of January 1, 1975.

(B) The above-named petitioner is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenor shall be limited to matters affecting rights and interests specifically set forth in its petition to intervene, and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(C) Memphis' request for a five month suspension of United's tendered tariff is denied.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-2283 Filed 1-24-75;8:45 am]

[1] Substitute Twentieth Revised Sheet No. 4, to United's FPC Gas Tariff, First Revised Volume No. 1.

[Docket No. CP75-112]

VILLAGE OF CIRCLE PINES, MINN., ET AL.

Order Setting Formal Hearing, Granting Intervention, and Establishing Procedures

JANUARY 20, 1975.

In the matter of Village of Circle Pines, Minnesota, and Hutchinson Utilities Commission, Applicants; and Northern Natural Gas Company, Respondent.

On October 1, 1974, the Village of Circle Pines, Minnesota (Circle Pines) and the Hutchinson Utilities Commission (Hutchinson) hereinafter jointly referred to as Applicants filed an application pursuant to section 7(a) of the Natural Gas Act for an order directing Northern Natural Gas Company (Northern) to consolidate the respective natural gas contract demand quantities of Applicants and deliver same to Circle Hutch Public Utility Board (Circle Hutch).

Circle Pines operates a municipal gas distribution system and purchases its entire supply of natural gas from Northern under Northern's CD Rate Schedule (Contract Demand: 873 Mcf per day) and PS Rate Schedule (Contract Demand: 50 Mcf per day) for resale within the community. Circle Pines has peak day requirements in excess of its peak-day contractual entitlement from Northern and as a result has had to purchase penalty gas in the past to meet its high priority load on peak days. Circle Pines has no peak shaving facility.

Hutchinson operates a municipal gas distribution system and purchases its entire supply of natural gas from Northern under Northern's CD Rate Schedule (Contract Demand: 5,200 Mcf per day) and WPS Rate Schedule (Contract Demand: 260 Mcf per day) for resale within the community. Hutchinson has a propane air peak shaving plant which at the present time has a capacity of 100 Mcf per hour but with the installation of air compressor would have a capacity of 150 Mcf per hour.

Pursuant to Section 471.59 of the Minnesota Statutes, Circle Pines and Hutchinson have entered into a "Joint and Cooperative Agreement" (Joint Agree-

ment) establishing the Circle-Hutch Public Utility Board for the purpose of purchasing natural gas from Northern for resale within the respective communities. To effectuate this result, Circle Pines and Hutchinson are requesting authority to transfer their existing respective contract demands to the Utility Board which would execute the appropriate service agreements with Northern to replace the present service agreements between Northern and Circle Pines and Northern and Hutchinson.

Circle Pines and Hutchinson state that the primary purpose for the formation of the Utility Board, and hence this application to make it a viable entity, is to permit Hutchinson and Circle Pines to make use of the peak shaving facility which Hutchinson installed in 1972. Presently, only Hutchinson can use the peak shaving plant, which has a potential capacity greater than Hutchinson's requirements; but with the activation of the Utility Board, Circle Pines would indirectly benefit from the peak shaving plant by being able on peak days to increase its daily takes (above its existing contract demand, but well within the limits of the consolidation contract demand) while at the same time Hutchinson would increase the output of its peak shaving plant to make up for its reduced takes from the Utility Board. The end result would be that both Circle Pines and Hutchinson could meet their peak day requirements without burdening Northern or its customers. The alternative is for Circle Pines to build its own peak shaving plant, but this alternative was not found financially feasible by an independent consulting firm. The applicants submit that this is not in the public interest where the same beneficial result of protecting firm service to high priority customers can be achieved through the proposed Utility Board at no additional expense to applicants and with no substantive change in Northern's contractual obligations. Furthermore, applicants claim the enhanced use of Hutchinson's peak shaving facilities will not only justify the increase in capacity from 100 to 150 Mcf per hour, but also will assist Hutchinson in being able to pay for the existing facility over shorter period of time due to the fact that according to the Joint Agreement, Hutchinson will be appropriately reimbursed by Circle Pines for the increased use of the former's peak shaving plant.

On November 25, 1974, Northern filed an Answer and Objection to the application and request that an evidentiary hearing be held to resolve and clarify the questions raised by Northern as set forth below.

Northern objects to the aplication for the following reasons:

(a) The application fails to state what liability the Utility Board would assume in terms of being responsible for payment of bills for gas and what resources the Utility Board would have available to it for meeting such obligations if they are to be assumed.

(b) From an operating point of view, it is unclear as to who would be responsible for receiving curtailment orders and complying with the same.

(c) The application fails to disclose what volumes are expected to be delivered through the existing delivery points for Circle Pines and Hutchinson, assuming the application is approved. Therefore, Northern cannot make a determination as to the adequacies of its branch line and measuring station facilities.

(d) The Joint Agreement is unclear as to whether or not additional "government units" may be added to the agreement at a future date.

(e) Under the Powers of the Board, there are a number of options which, if exercised, may have an adverse impact on Northern's operations.

The answer filed by Northern raises issues that should be heard in an evidentiary proceeding. Accordingly, we will set this matter for hearing to ascertain whether or not the public interest requires the issuance of the certificate of public convenience and necessity.

A timely petition to intervene was filed on October 29, 1974, by Michigan Wisconsin Pipe Line Company (Michigan Wisconsin).

The Commission finds. (1) Good causes exists for the Commission to enter upon a hearing concerning Applicants' request for a certificate of public convenience and necessity and for establishing the procedure for that hearing, all as hereinafter ordered.

(2) Participation in this proceeding by Michigan Wisconsin may be in the public interest.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), a public hearing shall be held commencing March 4, 1975, at 10:00 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426 concerning the public interest issues involved in the application for issuance of a certificate of public convenience and necessity filed by Applicants in this proceeding.

(B) On or before January 31, 1975, Applicants shall file their testimony and exhibits comprising its case-in-chief in support of their application, containing therein, inter alia, their response to the issues raised by Northern and a break down of their sales within the categories of priorities established by the Commission in its Order No. 467–B, 18 CFR 2.78 (a)(2) for the latest 12-month period and shall serve their case-in-chief upon all parties to this proceeding including Commission staff; answering testimony shall be filed and served upon all parties on or before February 14, 1975; rebuttal testimony shall be filed and served upon all parties on or before February 26, 1975; and at the hearing on March 4, 1975, cross-examination will commence on the testimony and exhibits which are proffered and accepted in evidence.

(C) An Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (see Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hearings in this proceeding and shall prescribe relevant procedural matters not herein provided.

(D) Michigan-Wisconsin is hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervener shall be limited to matters affecting its asserted rights and interest as specifically set forth in its petition to intervene; and *Provided, further,* That the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved by any order entered by the Commission in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75–2293 Filed 1–24–75;8:45 am]

FEDERAL RESERVE SYSTEM

EQUITABLE BANCORPORATION

Order Approving Acquisition of Equiban Life Insurance Company

Equitable Bancorporation, Baltimore, Maryland, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y to acquire all of the voting shares of Equiban Life Insurance Company ("Company"), Phoenix, Arizona, a company to be organized de novo to engage in the underwriting, as reinsurer, of credit life insurance in connection with extensions of credit by Applicant's subsidiaries. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(10)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 40614). The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant controls five banks with aggregate deposits of approximately $1 billion representing about 14 percent of the total deposits in commercial banks in Maryland.[1] Company will be organized under Arizona law as a full reserve life insurance company. Since Company will be qualified to underwrite insurance directly only in Arizona, its activities will be limited to acting as reinsurer of credit life insurance policies made available in connection with extensions of credit by Applicant's subsidiaries located in Maryland. Such insurance would be directly underwritten by an insurer qualified to underwrite in Maryland and would, thereafter, be assigned or ceded to Company under a reinsurance agreement.

Credit life insurance is generally made available by banks and other lenders and

[1] All deposit data are as of June 30, 1974.

is designed to insure repayment of a loan in the event of the death of a borrower. In connection with the addition of the underwriting of such insurance to the list of permissible activities for bank holding companies, the Board has stated:

> To insure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which an Applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally, such a showing would be made by projected reduction in rates or increase in policy benefits due to bank holding company performance of this service.

Applicant has stated that it will provide credit life insurance at rates below those permitted under State law and provide increased policy limits for its credit insurance customers. Premium rates for credit life insurance written in connection with extensions of credit by Applicant's subsidiaries and underwritten by an independent insurance company are the maximum permitted under State law. Applicant would offer single decreasing term life insurance at a premium rate 7.1 percent below the statutory maximum and joint decreasing term life insurance at a rate 8.7 percent below the statutory maximum. Further, Applicant proposes to increase the liability limit for credit life insurance offered in connection with consumer loans made by Applicant's subsidiaries from $15,000 to $20,000.

The Board regards Applicant's proposed premium rates and increase in policy limit as procompetitive and in the public interest. Furthermore, there is no evidence in the record indicating that consummation of the proposed acquisition would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provisions of section 4(c)(8), that consummation of this proposal can reasonably be expected to produce benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of the holding company or any of its subsidiaries as the Board finds necessary to insure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Richmond pursuant to authority delegated herein.

By order of the Board of Governors,[1] effective January 20, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-2297 Filed 1-24-75;8:45 am]

GENERAL SERVICES ADMINISTRATION

ADVISORY COMMITTEES

Notice of Review and Renewal

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463), a review was conducted as to the essentiality of all General Services Administration advisory committees which were in existence when the Act went into effect on January 5, 1973. Of 36 committees subject to this review, and after consultation with the Office of Management and Budget, it has been determined that continuation and rechartering of 26 of the committees is in the public interest in accordance with duties imposed on the agency by law. The remaining 10 committees have been terminated. Each of the following committees are being rechartered for a two-year period commencing January 5, 1975, without change in basic purpose:

Emergency Economic Stabilization Industry Advisory Committee for Food Retailing
Emergency Economic Stabilization Industry Advisory Committee for Food Service
Emergency Economic Stabilization Industry Advisory Committee for Lumber and Wood Products
Emergency Economic Stabilization Industry Advisory Committee for Retailing (Other than Food and Automobiles)
General Services Public Advisory Council
Joint Federal, State, and Local Government Advisory Panel on Procurement and Supply
National Archives Advisory Council
National Health Resources Advisory Committee
National Public Advisory Panel on Architectural and Engineering Services
Program Advisory Committee
Regional Archives Advisory Councils (Regions 2, 3, 4, 7, and 9)
Regional Public Advisory Panels on Architectural and Engineering Services (10 regions)
Roosevelt Library Editorial Advisory Board

Dated: January 16, 1975.

LARRY F. ROUSH,
Acting Assistant Administrator.

[FR Doc.75-2352 Filed 1-24-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[TEA-W-260]

SHAER SHOE CO., MANCHESTER, N.H.

Workers' Petition for a Determination Under Section 301(c)(2) of the Trade Expansion Act of 1962; Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the former workers of the Manchester, New Hampshire, plant of the Shaer Shoe Corp., Manchester, New Hampshire, the United States International Trade Commission, on January 21, 1975, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women (of the types provided for in items 700.45, 700.55, and 700.70 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed on or before February 6, 1975.

The petition filed in this case is available for inspection at the Office of the Secretary, United States International Trade Commission, 8th and E Streets, NW, Washington, DC., and at the New York City office of the International Trade Commission located at 6 World Trade Center.

By order of the Commission.

Issued: January 22, 1975.

KENNETH R. MASON,
Secretary.

[FR Doc.75-2378 Filed 1-24-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on January 22, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received: the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Manage-

[1] Voting for this action: Vice Chairman Holland, Wallich, and Coldwell. Absent and Mitchell and Governors Sheehan, Bucher, not voting: Chairman Burns.

ment and Budget, Washington, D.C. 20503, (202–395–4529), or from the reviewer listed.

NEW FORMS

UNITED STATES TARIFF COMMISSION

Household Earthen Table and Kitchen Articles, on occasion, Importers, Evinger, S.K., 395–3648.

Household Earthen Table and Kitchen Articles, on occasion, Domestic manufacturers, Evinger, S.K., 395–3648.

U.S. CIVIL SERVICE COMMISSION

Supplemental Qualifications Statement for Computer Operator, Computer Technician, on occasion, job applicants, Lowry, R.L., 395–3772.

Statement of Availability for Accountant Auditor—IRS Agent, DS–115, on occasion, job applicants, Caywood, D.P., 395–3443.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Farmer Cooperative Service: Producer Commitment of Grain to Local Cooperative Elevator and Commitment of Grain to Regional Grain Cooperatives, single-time, Farmers and local cooperative elevator managers, Lowry, R.L., 395–3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service: Survey Document for Evaluation of State Agencies on Aging, OS–39.74–A, on occasion, directors of State agencies on aging, Reese, B.F., 395–5630.

DEPARTMENT OF LABOR

Manpower Administration: FSB and SUA—Monthly Activity Report and Characteristics of Claimants, MA5–141, MA5–141, MA5–143, monthly, State employment security offices, Human Resources Division, 395–3532.

DEPARTMENT OF THE TREASURY

Departmental and other: Contract Compliance—Workforce Analysis Report Form for Financial Institutions, on occasion, banks and financial agents, Sunderhauf, M.B., 395–4911.

REVISIONS

VETERANS ADMINISTRATION

Data on Property Securing Prior GI Loan, 26–6377, on occasion, veterans, Caywood, D.P., 395–3443.

DEPARTMENT OF DEFENSE

Department of the Air Force: aircraft-Missile Maintenance Production Compression Report, AFLC–222, weekly, Aircraft/Missile Maintenance contractors, Caywood, D.P., 395–3443.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75–2479 Filed 1–24–75;8:45 am]

NATIONAL SCIENCE FOUNDATION

MINORITY INSTITUTIONS SCIENCE IMPROVEMENT PANEL (MISIP)

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the Minority Institutions Science Improvement Panel (MISIP) Subpanel to be held at 9 a.m. on February 13, and 14, 1975, in room 651, 1800 G Street, NW., Washington, D.C.

The purpose of this Subpanel is to provide advice and recommendations concerning the merit of specific proposals submitted for consideration by the Minority Institutions Science Improvement Panel.

This meeting will not be open to the public because the Subpanel will be reviewing, discussing, and evaluating individual research proposals. These proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemption of 5 U.S.C. 552(b). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of Section 10(d) of Pub. L. 92–463.

For further information about this Subpanel, please contact Dr. Art Diaz, Program Manager, rm. 448, National Science Foundation, Washington, D.C. 20550, telephone 202/282–7760.

FRED K. MURAKAMI,
Committee Management Officer.

JANUARY 20, 1975.

[FR Doc.75–2222 Filed 1–24–75;8:45 am]

INTERNATIONAL DECADE OF OCEAN EXPLORATION PROPOSAL REVIEW PANEL

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the International Decade of Ocean Exploration Proposal Review Panel to be held at 8:30 a.m. on February 13 and 14, 1975, in room 621, 1800 G Street, NW., Washington, D.C.

The purpose of this Panel is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects.

This meeting will not be open to the public because the Panel will be reviewing, discussing, and evaluating individual research proposals. These proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of Section 10(d) of Pub. L. 92–463.

For further information about this Panel, please contact Mr. Feenan Jennings, Head, International Decade of Ocean Exploration, Rm. 710, National Science Foundation, Washington, D.C. 20550, telephone 202/632–7356.

FRED K. MURAKAMI,
Committee Management Officer.

JANUARY 21, 1975.

[FR Doc.75–2223 Filed 1–24–75;8:45 am]

ADVISORY COMMITTEE ON GEOTHERMAL ENERGY

Notice of Determination to Establish

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), it is hereby determined that the establishment of an Advisory Committee on Geothermal Energy as hereinafter identified, is necessary, appropriate, and in the public interest in connection with the performance of duties imposed upon the National Science Foundation by the National Science Foundation Act of 1950, as amended, and other applicable law. This determination follows consultation with the Office of Management and Budget (OMB), pursuant to Section 9(a)(2) of the Federal Advisory Committee Act and OMB Circular No. A–63, Revised.

1. *Name of committee.* Advisory Committee on Geothermal Energy.

2. *Purpose.* To advise the National Science Foundation on the status of social, legal, technological and institutional problems that inhibit the private sector from exploiting the Nation's vast reserves of geothermal energy; to suggest to the Foundation and other Federal agencies areas of research which will accelerate the private development of geothermal energy into electric and non-electric power; and, to inform NSF and other Federal agencies on the status of privately supported geothermal research and development.

3. *Effective date of establishment and duration.* The committee is established, effective 15 days after publication of this Notice and after filing of the charter with the standing committees of Congress having legislative jurisdiction of the National Science Foundation. The committee's duration shall be two years from the effective date.

4. *Membership.* The membership of the committee shall be fairly balanced in terms of the points of view represented and the committee's function. Membership will include, but not be restricted to the following segments of the private sector in order to be assured of a balanced representation among public interests and concerns.

a. Public and private utilities.
b. Resource exploration companies.
c. Resource supply companies.
d. State regulatory commissions.
e. Environmental protection associations.
f. Financial and legal institutions.
g. Consumer groups.

There will be no discrimination on the basis of race, color, national origin, religion or sex.

5. *Committee operation.* The committee will operate in accordance with provisions of the Federal Advisory Committee Act (Pub. L. 92–463), Foundation policy and procedures, OMB Circular No. A–63, Revised, and other directives and instructions issued in implementation of the Act. The committee will elect its officers and designate the structure and composition of subcommittees and special panels. Committee meetings will be held bi-annually at a time and place to be determined by the National Science Foundation. Agenda for each meeting will be developed cooperatively between the Committee Chairman and NSF. Meetings will be structured in a manner which permits discussion of non-agenda items.

H. GUYFORD STEVER,
Director.

[FR Doc.75–2346 Filed 1–24–75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

VISUAL ARTS ADVISORY PANEL

Meeting

Pursuant to Section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Visual Arts Advisory Panel to the National Council on the Arts will be held on February 11, 1975, at 10:00 a.m. in the 11th floor conference room, Shoreham Building, 806 15th Street, NW, Washington, DC.

The purpose of this meeting is for a general policy discussion. The meeting will be open to the public on a space available basis. Accommodations are limited. Further information can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, DC. 20506, or call (202) 634-7144.

EDWARD M. WOLFE,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.75-2385 Filed 1-24-75;8:45 am]

VISUAL ARTS ADVISORY PANEL

Meeting

Pursuant to Section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that closed meetings of the Visual Arts Advisory Panel to the National Endowment for the Arts will be held at 9:00—5:00 p.m. on February 12, 1975 in New York City; February 18, 19, 20, 1975 in the 13th floor conference room, Columbia Plaza, Washington, D.C.; February 25-28, 1975 in Washington, D.C.

These meetings are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, these meetings, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552 (b) (4), (5)), will not be open to the public.

Further information with reference to these meetings can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-7144.

EDWARD M. WOLFE,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.75-2386 Filed 1-24-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket Nos. STN 50-502; STN 50-503]

WISCONSIN ELECTRIC POWER CO. ET AL.

Special Prehearing Conference

In the Matter of Wisconsin Electric Power Company; Wisconsin Power & Light Company; Wisconsin Public Service Corporation; Madison Gas and Electric Company. Please take notice, that pursuant to the Atomic Energy Commission's [1] Notice of Hearing on a joint application for construction permits for the Koshkonong Nuclear Plant, Units 1 and 2, dated October 21, 1974 (39 Fed. Reg. 38018), and in accordance with the Commission's rules of practice, a special prehearing conference will be held on February 14, 1975 in Madison, Wisconsin as more fully set forth below.

The cardinal objective of said conference will be to:

(a) Establish a clear and particularized identification of the issues with respect to petitions for intervention and petitions for participation under § 2.715(c);

(b) To consider the need for discovery and the time required for same;

(c) To establish a schedule for further actions in this proceeding; and

(d) To consider such other matters as may aid in the orderly disposition of this proceeding.

The Board will consider any stipulations from the parties regarding the matters in controversy or settlement of outstanding issues.

Members of the public are invited to attend this special prehearing conference as well as any subsequent prehearing conferences or evidentiary sessions called in this proceeding, but should be advised that this special prehearing conference will not receive any evidence nor will there be any opportunity for presentation of statements from members of the public. Members of the public who have requested opportunity to make limited appearance statements will be afforded the opportunity to do so on the initial day or days of the evidentiary hearing. Public notice of the evidentiary hearing will be given.

Wherefore it is ordered, That a special prehearing conference shall commence at 9:00 a.m. local time on February 14, 1975 at the U.S. Post Office and Courthouse, Courtroom No. 232, 215 Monona Avenue, Madison, Wisconsin 53701.

Dated at Bethesda, Maryland, this 22nd day of January 1975.

ATOMIC SAFETY AND LICENSING BOARD,
GLENN O. BRIGHT,
E. LEONARD CHEATUM,
JOHN B. FARMAKIDES,
Chairman.

[FR Doc.75-2365 Filed 1-24-75;8:45 am]

[1] Successor agency as of January 19, 1975, is the Nuclear Regulatory Commission through the Energy Reorganization Act of 1974, Public Law 93-438, October 11, 1974.

[Docket No. 50-344]

PORTLAND GENERAL ELECTRIC CO. ET AL. (TROJAN NUCLEAR PLANT)

Order Extending Dates for Completion of Facility

In the matter of Portland General Electric Company, the City of Eugene, Oregon Pacific Power and Light Company (Trojan Nuclear Plant).

Portland General Electric Company, The City of Eugene, Oregon, acting by and through the Eugene Water and Electric Board, and the Pacific Power & Light Company are holders of Construction Permit No. CPPR-79 issued by the Atomic Energy Commission on February 8, 1971, for construction of the Trojan Nuclear Plant presently under construction in Columbia County, Oregon.

On December 24, 1974, Portland General Electric Company, on behalf of the City of Eugene, Pacific Power & Light Company and itself, submitted a request for an extension of the dates for the completion of the facility specified in CPPR-79 on the ground that construction has been delayed because of (1) strikes and work stoppages by organized labor, (2) low labor productivity, (3) manpower shortages, (4) late delivery of material and equipment, (5) and design changes.

As set forth in a Regulatory staff evaluation dated January 17, 1975, we have found that good cause exists for the granting of an extension, the period of time for which the extension was requested is reasonable, and no significant hazards consideration is presented.

It is hereby ordered, therefore, That the dates for completion of the facility specified in Construction Permit No. CPPR-79 are extended and that paragraph 2A of Construction Permit No. CPPR-79 is amended to read:

The earliest date for completion of the facility is July 1, 1975, and the latest date for completion of the facility is July 1, 1976.

Date of Issuance: January 17, 1975.

For the Atomic Energy Commission.

R. C. DEYOUNG,
Assistant Director for Light Water Reactors, Group 1, Directorate of Licensing.

[FR Doc.75-2276 Filed 1-24-75;8:45 am]

[Docket No. 50-305]

WISCONSIN PUBLIC SERVICE CORP. ET AL.

Notice of Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 4 to Facility Operating License No. DPR-43 issued to Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company (the licensee) which revised Technical Specifications for operation of the Kewaunee Nuclear Power Plant, located in Kewaunee County, Wis-

consin. The amendment is effective as of its date of issuance.

The amendment revises the Technical Specifications by temporarily extending the current monthly surveillance period for the turbine governor and steam stop valves (Table T.S. 4.1-3, item 10) by an additional 59 days.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment dated December 20, 1974, (2) Amendment No. 4 to License No. DPR-43, with any attachments, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Kewaunee Public Library, 314 Milwaukee Street, Kewaunee, Wisconsin.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 20th day of January 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch #1, Directorate of Licensing.

[FR Doc.75-2277 Filed 1-24-75;8:45 am]

[Docket Nos. 50-524, 50-525, 50-526, and 50-527]

ALABAMA POWER CO. (ALAN R. BARTON NUCLEAR PLANT, UNITS 1, 2, 3, AND 4)

Prehearing Conference

Notice is hereby given that, pursuant to the Atomic Energy Commission's "Notice of Hearing on Application for Construction Permits" published in the FEDERAL REGISTER on December 6, 1974 (39 FR 42707), and in accordance with § 2.751a of said Commission's rules of practice, 10 CFR Part 2, a special prehearing conference will be held in the above-captioned proceeding at 10 a.m. on February 6, 1975, at the Montgomery County Courthouse, 3rd Floor, 142 Washington Avenue, Montgomery, Alabama 36104.

This special prehearing conference will be held before the Atomic Safety and Licensing Board (the Board) established in the aforementioned Notice of Hearing and composed of Dr. Ernest O. Salo, Dr. Marvin M. Mann and Daniel M. Head, Chairman.

The application which is subject matter of this proceeding has been made by the Alabama Power Company for construction permits for four boiling water nuclear reactors designated as the Alan R. Barton Nuclear Plant, Units 1, 2, 3, and 4 (the facilities), each of which will be designed for operation at 3579 thermal megawatts with a net electrical output of approximately 1159 megawatts. The proposed facilities are to be located approximately 15 miles southeast of Clanton, along the west side of the Coosa River, in Chilton and Elmore Counties, Alabama.

This special prehearing conference shall deal with the following matters:

1. Identification of key issues;
2. Any steps necessary for further identification of the issues;
3. Outstanding petitions for intervention;
4. All pending motions;
5. The need for discovery, and the time required thereof;
6. Establishment of a schedule for further action; and
7. Such other matters as may aid in the orderly disposition of the proceeding.

At the special prehearing conference, the Board will entertain oral argument on the outstanding petitions to intervene. The Board will cover both the interest and the contentions positions of the petitions to intervene.

Members of the public are invited to attend this prehearing conference as well as the evidentiary hearing to be held at a later date to be fixed by the Board. Members of the public wishing to make limited appearances pursuant to § 2.715 (a) of the Commission's rules of practice, 10 CFR Part 2, may identify themselves at this prehearing conference but oral or written statements to be presented by limited appearances will not be received at this conference. The Board will receive such statements at the aforementioned evidentiary hearing.

The attorneys for the respective parties and any petitioners for intervention are directed to confer in advance of this special prehearing conference, in such manner as they may deem appropriate, and report to the Board at said conference on any stipulations regarding interest and/or matters in controversy, and on any other mutually agreeable procedures to expedite this proceeding.

Issued at Bethesda, Maryland, this 17th day of January 1975.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,
Chairman.

[FR Doc.75-2280 Filed 1-24-75;8:45 am]

[Docket No. STN 50-437]

OFFSHORE POWER SYSTEMS (FLOATING NUCLEAR POWER PLANTS)

Rescheduling of Second Prehearing Conference

The Applicant, Offshore Power Systems, has requested that the Second Prehearing Conference currently scheduled for January 28, 1975 be postponed for approximately three weeks. The other parties to this proceeding and to the related proceeding of Public Service Electric and Gas Company (Atlantic Generating Station, Units 1 and 2), STN 50-477 and STN 50-478, have consented to this continuance.

Accordingly, please take notice that the Second Prehearing Conference in the above-identified proceeding is hereby continued from January 28, 1975 until 10 a.m. Tuesday, February 18, 1975. The Second Prehearing Conference will be held in the Atomic Safety and Licensing Board Panel's hearing room, 12th floor, Landow Building, 7910 Woodmont Avenue, Bethesda, Maryland.

Issued at Bethesda, Maryland, this 17th day of January 1975.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,
Chairman.

[FR Doc.75-2279 Filed 1-24-75;8:45 am]

[Docket Nos. STN 50-477 and 50-478]

PUBLIC SERVICE ELECTRIC AND GAS CO. (ATLANTIC GENERATING STATION, UNITS 1 AND 2)

Rescheduling of Second Prehearing Conference

At the request of counsel for the Applicant in the related proceeding of Offshore Power Systems (Floating Nuclear Power Plants), STN 50-437, the Second Prehearing Conference in that proceeding has been continued from January 28, 1975 until February 18, 1975. Since the Second Prehearing Conference in this proceeding was to follow immediately after the Second Prehearing Conference in Offshore Power Systems, it also will be continued until February 18, 1975.

Accordingly, please take notice that the Second Prehearing Conference in the above-identified proceeding is hereby continued from January 28, 1975 until February 18, 1975. This prehearing conference will be held in the Atomic Safety and Licensing Board Panel's hearing room, 12th floor, Landow Building, 7910 Woodmont Avenue, Bethesda, Maryland, and will begin immediately following the conclusion of the Second Prehearing Conference of the Offshore Power Systems case.

Issued at Bethesda, Maryland, this 17th day of January 1975.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,
Chairman.

[FR Doc.75-2278 Filed 1-24-75;8:45 am]

POSTAL RATE COMMISSION

[Docket No. MC73-1]

MAIL CLASSIFICATION SCHEDULE, 1973

Confirmation of Resumption of Hearing

JANUARY 21, 1975.

Notice is hereby given that the Chief Administrative Law Judge has confirmed

January 27, 1975, as the date to resume hearings in the above-designated proceeding, before the Postal Rate Commission, Suite 500, 2000 L Street NW., Washington, D.C. 20268.

DAVID F. HARRIS,
Acting Secretary.

[FR Doc.75-2325 Filed 1-24-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

ADVISORY COMMITTEE ON THE IMPLEMENTATION OF A CENTRAL MARKET SYSTEM

Meeting

This is to give notice, pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I 10(a), that the Securities and Exchange Commission Advisory Committee on the Implementation of a Central Market System will conduct open meetings February 6 and 7, 1975 beginning at 9 a.m., at the offices of Capital Research and Management Co.: Investment Group Conference Room, 31st floor, Crocker Bank Plaza, 611 West Sixth Street, Los Angeles, California 90017.

The summarized agenda for the meeting is as follows:

1. Review of written comments received in response to the Committee's Preliminary Statement (Securities Exchange Act Release No. 11131, December 11, 1974).
2. Evaluation of oral presentations regarding the statement made at the Committee's previous meetings on January 9 and 10, 1975.
3. Preparation of final draft of the Preliminary Statement.
4. Consideration of possible topics for future Committee consideration.

Further information may be obtained by writing Andrew P. Steffan, Director, Office of Policy Planning, Securities and Exchange Commission, Washington, D.C. 20549.

Dated: January 21, 1974.

[SEAL] GEORGE A. FITZSIMMONS,
Advisory Committee Management Officer.

[FR Doc.75-2403 Filed 1-24-75;8:45 am]

[Rel. No. 18777; 70-5606]

AMERICAN NATURAL GAS CO.

Notice of Proposed Issue and Sale of Common Stock by Holding Company

JANUARY 20, 1975.

Notice is hereby given that American Natural Gas Company ("American Natural"), 30 Rockefeller Plaza, Suite 4545, New York, New York 10020, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

American Natural proposes to issue and sell between 1,700,000 and 2,000,000 shares of its authorized and unissued common stock, par value $10 per share. The company expects to negotiate the sale of the common stock and enter into an underwriting agreement providing for the purchase and resale of the common stock by a group of underwriters managed by Dillon, Read & Co. Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, and Salomon Brothers. The public offering price per share of the common stock will be a fixed price, determined by agreement between the underwriters and American Natural, and not higher than the last reported sale (regular way) or the last reported asked price of American Natural's common stock on the New York Stock Exchange immediately prior to such determination, whichever is higher, plus 50¢. The underwriting commission will be an amount per share also determined by agreement between the underwriters and American Natural and will not be in excess of an agreed percentage of the public offering price to be specified in the underwriting agreement. On January 16, 1975, the closing price of American Natural's common stock on the New York Stock Exchange was $36.50 per share. The competitive bidding requirements of Rule 50 are not applicable because of the temporary suspension thereof by the Commission with respect to common stock issues of registered holding companies (HCAR No. 18646 (November 7, 1974)).

American Natural proposes to apply the net proceeds from the sale of common stock to the repayment of bank loans outstanding at the date of sale. The bank loans were incurred in 1974 to provide funds for the purchase of common stock of its subsidiaries to aid them in financing their capital requirements. Additional funds required to repay the remaining bank loans outstanding will be generated internally or obtained from new short-term borrowings under the exemption provided in section 6(a) of the Act. At December 31, 1974, American Natural had $73,800,000 of bank loans outstanding of which $14,800,000 were due April 29, 1975, and $59,000,000 were due June 11, 1975.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The fees and expenses to be paid in connection with the proposed transaction are to be filed by amendment.

Notice is further given that any interested person may, not later than February 18, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said 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, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the 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. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-2394 Filed 1-24-75;8:45 am]

[Rel. No. 18778; 70-5604]

ARKANSAS POWER & LIGHT CO.

Notice of Proposed Amendment of Charter and Solicitation of Proxies

JANUARY 21, 1975.

Notice is hereby given that Arkansas Power & Light Company ("Arkansas"), Ninth and Louisiana Streets, Little Rock, Arkansas 72203, a public-utility subsidiary company of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, and 12(e) of the Act and rule 62 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Under Arkansas' charter, authorized shares of preferred stock may be issued from time to time in one or more series having such distinctive serial designations and (within the limitations set forth in the charter) such variations as between series as the company's board of directors shall state and express in a resolution or resolutions providing for the issue of such series. In all other respects, however, the shares of each series of preferred stock have the same rank, are identical with each other, and have the preferences, limitations, and relative rights appertaining thereto set forth in the charter.

It is stated that Arkansas will require substantial additional funds during the next few years to finance its continuing construction program and that it expects to raise the major part of such funds through the issuance and sale of additional securities, including additional shares of preferred stock. While the ex-

act nature and amount of each such security issue will depend upon the capital requirements of the company and market conditions existing at the time, Arkansas presently is considering the issuance and sale of additional shares of a new series of its preferred stock during 1975.

It is further stated that other electric utilities have under present market conditions been able to sell shares of preferred stock at favorable dividend rates (if at all) only with the benefit of sinking funds. Arkansas' charter presently does not permit the company to issue preferred stock containing a sinking fund provision.

In order to make it possible for Arkansas to issue shares of new series of its preferred stock with the benefit of a sinking fund and thus enable it to sell securities when it might not otherwise be able to do so on acceptable terms, the company proposes to amend its charter to add to the authority of the board of directors to divide the authorized but unissued shares of the company's preferred stock into series and to fix and determine the characteristics, as to which there may be variations between different series, the authority to include in the resolution creating any future series of the company's preferred stock such terms and the amount of sinking fund requirements for the purchase or redemption of shares of any such series as it deems advisable. The issuance of any additional shares of preferred stock and the terms and conditions thereof would be subject to the approval of this Commission.

Arkansas's board of directors has called a meeting of holders of its common and preferred stock to be held on April 17, 1975, to consider the proposed charter amendment. The company proposes to solicit proxies for use at said meeting. It is stated that under the applicable provisions of the Arkansas Business Corporation Act, as amended, and the company's charter, the adoption of the proposal to amend the charter will require (a) the affirmative vote of the holders of at least two-thirds of the total number of outstanding shares of the preferred stock and the common stock voting together, (b) the affirmative vote of the holders of at least two-thirds of the total number of outstanding shares of the preferred stock voting as a class separately from the holders of the common stock, (c) the affirmative vote of the holders of at least two-thirds of the total number of outstanding shares of the common stock present at the meeting in person or by proxy as a class separately from the holders of the preferred stock, and (d) the presence in person or by proxy of the holders of at least 50 percent of the total number of outstanding shares of the common stock.

Middle South holds 23,390,000 shares of Arkansas' common stock, constituting 100 percent of all outstanding shares of such stock, and 95.8 percent of all outstanding shares of all stock of the company. The company has been informed by Middle South that it intends to vote all shares of common stock of the company held by it in favor of the adoption of the proposal to amend the company's charter. Such vote would necessarily constitute the required vote specified in (a) and (c) of the preceding paragraph and satisfy the condition specified in (d) therein.

It is stated that the Arkansas Public Service Commission has jurisdiction over the proposed charter amendment and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred in connection with the proposed transactions are estimated at $22,000, including legal fees of $8,500.

Notice is further given that any interested person may, not later than February 14, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said 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, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the 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. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-2393 Filed 1-24-75;8:45 am]

BOSTON STOCK EXCHANGE

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

JANUARY 21, 1975.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

International Nickel Co. of Canada Limited — File No. 7-4713

Upon receipt of a request, on or before February 7, 1975 from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HALLIS,
Acting Secretary.

[FR Doc.75-2402 Filed 1-24-75;8:45 am]

CINCINNATI STOCK EXCHANGE

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

JANUARY 21, 1975.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

International Nickel Co. of Canada, Ltd. — File No. 7-4716.

Upon receipt of a request, on or before February 7, 1975 from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing, the application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation; pursuant to delegated authority.

SHIRLEY E. HOLLIS,
Acting Secretary.

[FR Doc.75-2401 Filed 1-24-75;8:45 am]

[Rel. No. 8646; 812-3715]

IVY FUND, INC. AND STANDISH, AYER & WOOD, INC.

Notice of Filing of Application

JANUARY 21, 1975.

Notice is hereby given that Ivy Fund, Inc., 441 Stuart Street, Boston, Massachusetts 02116 ("Fund"), an open-end, diversified, management investment company registered under the Investment Company Act of 1940 (the "Act"), and Standish, Ayer & Wood, Inc. ("Standish, Ayer"), 50 Congress Street, Boston, Massachusetts 02109, a registered investment adviser (collectively referred to hereinafter as "Applicants"), filed an application on October 30, 1974 and amendments thereto on December 30, 1974 and January 16, 1975 for an order of the Commission, pursuant to section 2(a)(20) of the Act, declaring Standish, Ayer not to be within the intent of the definition of "investment adviser" as that term is used in the Act, or alternatively, for an order of the Commission, pursuant to section 6(c) of the Act, exempting Applicants from the provisions of section 15(a) of the Act to the extent noted below. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

On September 25, 1974, the Fund's Board of Directors terminated the Fund's then existing investment advisory contract with Studley, Shupert & Co., Inc. ("Studley, Shupert"), effective October 31, 1974 and voted to employ Standish, Ayer to provide investment advisory services to the Fund commencing November 1, 1974. On October 18, 1974, after considering various requests and statements by Studley, Shupert, including its request that the appointment of Standish, Ayer be deferred pending a meeting of the Fund's shareholders, the Board of Directors of the Fund voted not to defer the appointment of Standish, Ayer, to approve an investment advisory contract (the "Contract") between the Fund and Standish, Ayer, and to call a special meeting of shareholders for the purpose of securing shareholder approval of the Contract.

The Contract approved by the Fund's Board of Directors provides that the Fund will pay to Standish, Ayer, for advisory services rendered during the period from November 1, 1974 to the date of the special meeting of shareholders (or to the end of the month in which such meeting is held if shareholders do not approve the Contract), the lesser of Standish, Ayer's costs of providing such services or a fee equal to ⅜ of 1 percent per annum of the first $15,000,000 of the Fund's average net assets in said period plus ¼ of 1 percent of the remaining average net assets, pro-rated for the period. The Contract further provides that, in the event the shareholders approve the Contract, the Fund will pay to Standish, Ayer the amount by which the aforesaid percentage fee for the period exceeds Standish, Ayer's costs, if such payment is specifically approved by shareholders and the order of the Commission requested herein is granted. The special meeting of shareholders of the Fund was originally scheduled for December 18, 1974, was rescheduled for January 30, 1975, and is presently scheduled for February 19, 1975.

Section 15(a) of the Act prohibits any person from serving or acting as investment adviser of a registered investment company except pursuant to a written contract which has been approved by the vote of a majority of the outstanding voting securities of such registered investment company. Section 2(a)(20) of the Act, in pertinent part, defines the term "investment adviser" of an investment company to include any person who, pursuant to contract, regularly furnishes advice to an investment company with respect to the desirability of investing in, purchasing or selling securities, or is empowered to determine what securities shall be purchased or sold, but specifically excludes therefrom persons furnishing such advice through uniform publications, persons furnishing only statistical information, companies furnishing such services at cost to one or more investment companies, insurance companies, or other financial institutions, persons whose compensation must be approved by a court, and such other persons as the Commission may by rules and regulations or order determine not to be within the intent of the definition.

Applicants seek an order of the Commission, pursuant to section 2(a)(20) of the Act, declaring Standish, Ayer not to be within the intent of the definition of "investment adviser" as that term is used in the Act or, alternatively, an order of the Commission, pursuant to section 6(c) of the Act, exempting Applicants from the provisions of section 15(a) of the Act to the extent necessary to permit the Fund:

(1) To employ Standish, Ayer as the Fund's investment adviser prior to approval by the Fund's shareholders of the Contract, and

(2) To pay retroactively to Standish, Ayer the amount by which the percentage fee specified in the Contract exceeds Standish, Ayer's costs if the Fund's shareholders approve the Contract and the retroactive payment.

The termination of Studley, Shupert and the appointment of Standish, Ayer as the Fund's investment adviser was unanimously recommended and supported by the Fund's disinterested directors. Applicants state that these actions were taken only after extensive consideration, evaluation and comparison of the capacity of Studley, Shupert to serve as the Fund's investment adviser and the capacity of Standish, Ayer and other potential advisers so to serve. This investigation began on June 20, 1974, following a Board of Directors meeting at which it was formally reported that Paul Fenton, Jr. was resigning as the Fund's President and would cease to be a full-time employee of Studley, Shupert, effective September 1, 1974, that Studley, Shupert had made certain changes in its organization, and that Fidelity Corporation of Virginia, Studley, Shupert's parent corporation, was experiencing financial difficulties.

The application states that these developments prompted the disinterested directors to meet following the Board of Directors meeting and discuss the Fund's performance, the failure of Studley, Shupert to provide requested reports on portfolio securities and Studley, Shupert's financial condition. It was the consensus of this meeting that the disinterested directors reconsider the relationship between the Fund and Studley, Shupert and that alternative sources of services be investigated.

The disinterested directors, during the following three months, interviewed investment advisory firms, conducted further discussions of the matter with Studley, Shupert and its parent, Fidelity Corporation, and with a prospective purchaser of Studley, Shupert, and in the end concluded that it was in the best interests of the Fund and its shareholders that Studley, Shupert be terminated as the Fund's investment adviser and that Standish, Ayer be so employed. It was the Board of Director's further conclusion that a deferral of the employment of Standish, Ayer beyond November 1, 1974 would not be in the best interests of the Fund and its shareholders.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicants submit that the requested exemption is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 18, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-in-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following February 18, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advise as to whether a hearing is

ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-2395 Filed 1-24-75;8:45 am]

MIDWEST STOCK EXCHANGE INC.

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

JANUARY 21, 1975.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

International Nickel Co. of Canada Ltd---------- File No. 7-4712

Upon receipt of a request, on or before February 7, 1975 from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,
Acting Secretary.

[FR Doc.75-2399 Filed 1-24-75;8:45 am]

PBW STOCK EXCHANGE, INC.

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

JANUARY 21, 1975.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

International Nickel Co. of Canada. File No. 7-4717

Upon receipt of a request, on or before February 7, 1975, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing, the application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,
Acting Secretary.

[FR Doc.75-2398 Filed 1-24-75;8:45 am]

[File No. 500-1]

SECURITY NATIONAL BANK OF HUNTINGTON, NEW YORK

Notice of Suspension of Trading

JANUARY 22, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Security National Bank of Huntington, New York being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 9:45 a.m. (e.s.t.) on January 20, 1975 through 10 a.m. (e.s.t.) on January 22, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Acting Secretary.

[FR Doc.75-2400 Filed 1-24-75;8:45 am]

[File No. 81-167; File No. 3-4596]

FAMILY LIFE INSURANCE CO.

Notice of Application and Opportunity for Hearing

JANUARY 21, 1975.

Notice is hereby given that Family Life Insurance Company ("Applicant") has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("the 1934 Act") that Applicant be granted an exemption from the provisions of section 15(d).

Section 15(d) provides that each issuer who has filed a registration statement which has become effective pursuant to the Securities Act of 1933, as amended, shall file with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, such supplementary and periodic information, documents, and reports as may be required pursuant to section 13 of the 1934 Act in respect of a security registered pursuant to section 12 of the 1934 Act.

Section 12(h) of the 1934 Act empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting or proxy solicitation provisions under sections 12, 13, and 14 and any officer, director or beneficial owner of more than 10 percent of the 12(g) registered equity securities of any issuer from the insider trading provisions of section 16 of the 1934 Act, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, and nature and extent of the activities of the issuer, income or assets of the issuer or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The Applicant states, in part:

1. Applicant is incorporated under the laws of Washington.
2. Prior to 1974 the Applicant had one class of equity securities registered under the Securities Act of 1933.
3. As a result of a merger on November 13, 1974, the Applicant became a wholly-owned subsidiary of Merrill Lynch & Co., Inc.
4. At this time the Applicant has only one shareholder, Merrill Lynch & Co., Inc.

In the absence of an exemption, Applicant would be subject to the provisions of section 15(d) relating to reports to be filed with the Commission by reason of the fact that the company had a public offering of its Common Stock in 1965, which offering was registered and became effective under the Securities Act of 1933.

Applicant argues that there would be no useful purpose served by the necessity of continued reports for the balance of the 1974 calendar year simply for the reason that from January 1, 1974 until November 13, 1974 (the time of the merger) the Applicant had over 300 stockholders of record.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C.

Notice is further given that any interested person not later than February 17, 1975 may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. Persons who request a hearing or advice as to whether a hearing is ordered will

receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-2397 Filed 1-24-75;8:45 am]

[File No. 81-166; File No. 3-4589]

HONEYWELL OVERSEAS FINANCE CO.

Notice of Application and Opportunity for Hearing

JANUARY 21, 1975.

Notice is hereby given that Honeywell Overseas Finance Company ("Applicant") has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act") that Applicant be granted an exemption from the provisions of section 13 of the 1934 Act.

Section 12(b) of the 1934 Act provides that an issuer may register securities on a national exchange by filing a registration statement with both the exchange and the Securities and Exchange Commission (the "Commission") which registration statement contains information as to the issuer and any person directly or indirectly controlling or controlled by the issuer as the Commission may require for the protection of investors or in the public interest.

Section 13 of the 1934 Act requires that issuers of securities registered pursuant to section 12 must file certain periodic reports with the Commission for the protection of investors and to insure fair dealing in the security.

Section 12(h) of the 1934 Act empowers the Commission to exempt, in whole, or in part, any issuer or class of issuers from the registration or periodic reporting provisions under sections 12 and 13, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The Applicant states, in part:

1) Applicant is a Delaware corporation and wholly owned subsidiary of Honeywell, Inc. ("Honeywell") formed on January 30, 1968 for the principal purpose of obtaining funds to meet the capital requirements of Honeywell outside of the United States and Canada.

2) In February, 1968, Applicant issued $30 million, principal amount of 5 percent Guaranteed Convertible Debentures due 1983. (the "Debentures").

3) The debentures are unconditionally guaranteed as to payment of principal and interest by Honeywell, and are convertible into shares of Honeywell common stock at $103.25 per share.

4) Applicant states that the debentures were intended for sale to non-United States investors and were issued under conditions reasonably designed to prevent their distribution to United States nationals.

5) The debentures are listed on the New York Stock Exchange and are registered pursuant to section 12(b) of the 1934 Act.

In the absence of an exemption, Applicant is required to file certain periodic reports with the Commission pursuant to section 13 of the 1934 Act because the debentures are registered with both the New York Stock Exchange and the Securities and Exchange Commission.

Applicant argues that the exemption order requested by it is appropriate in view of the fact that none of the securities of the Applicant (other than debt securities) are or will be held by any person other than Honeywell, or a wholly-owned subsidiary of Honeywell; that since the debentures are guaranteed by and convertible into common shares of Honeywell, it is the reports of Honeywell filed pursuant to Section 13 of the 1934 Act and not those of Applicant in which reasonable investors would be primarily interested; and since the debentures were admitted to trading on the New York Stock Exchange, no transactions in the debentures on such Exchange have occurred.

For a more detailed statement of the information presented, all persons are referred to the application and amendments which are on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C. 20549.

Notice is further given that any person not later than February 17, 1975 may submit to the Commission in writing his views or any substantial facts bearing on the application or the desirability of a hearing thereon. Any such communication or request should be addressed to: Secretary, Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-2396 Filed 1-24-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

REAL ESTATE CAPITAL CORP.

Notice of Filing of Application for Transfer of Control of a Licensed Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA), pursuant to § 107.701 of the Regulations governing small business investment companies (13 CFR 107.701 (1974)), for the transfer of control of Real Estate Capital Corporation (RECC), 111 West 40th Street, New York, New York 10018, a Federal licensee under the Small Business Investment Act of 1958, as amended (the Act), License No. 02/02-0124.

RECC was licensed on December 27, 1961. Its present combined paid-in capital and surplus is $1,260,444 with 800 shares, issued and outstanding, held by Union Investing Corporation (Union). This proposed transfer of control is subject to, and contingent upon, the approval of SBA.

The applicant, Dominion Holdings, Inc. (formerly Disc Incorporated of America) with offices at 1845 Walnut Street, Philadelphia, Pennsylvania 19103, is purchasing from Union 100 percent of the issued and outstanding stock of the licensee and will relocate the principal office of the licensee at 9823 Central Avenue, Largo, Maryland 20870.

The proposed new officers and directors of the applicant are as follows:

William J. Levitt, Jr., Chairman of the Board and Director.
Bennett Blum, President and Director.
Edward C. Keyworth, Vice President, Secretary and Director.
Barry A. Ebert, Treasurer and Director.

The single largest stockholder in Dominion is Levitt Enterprises Incorporated, and Mr. William J. Levitt, Jr., is the only individual who owns more than 10 percent of Levitt Enterprises, Inc.

Matters involved in SBA's consideration of the application include the general business reputation and character of the new owner and management, and the probability of successful operations of RECC under their management and control, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

Notice is hereby given that any interested person may, not later than February 11, 1975, submit to SBA, in writing, relevant comments on the transfer of control. Any such communication should be addressed to:

Deputy Associate Administrator for Investment
1441 L Street, NW
Washington, D.C. 20416

A copy of this Notice shall be published by the transferee in newspapers of general circulation in Largo, Maryland and Philadelphia, Pennsylvania.

Date: November 25, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-248 Filed 1-24-75;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

SHAER SHOE CORP.; MILFORD, MASSACHUSETTS PLANT

Certification of Eligibility of Workers to Apply for Adjustment Assistance

Under date of December 20, 1974, the U.S. Tariff Commission made a report of

the results of its investigation (TEA–W–252) under Section 301(c)(2) of the Trade Expansion Act of 1962 (76 Stat. 884) in response to a petition for determination of eligibility to apply for adjustment assistance filed by the Shoe Workers Association of Milford, Massachusetts on behalf of former workers of the Milford, Massachusetts plant of the Shaer Shoe Corp., Manchester, New Hampshire. In this report, the Commission found that articles like or directly competitive with footwear for women produced by the Milford, Massachusetts plant of the Shaer Shoe Corp. are, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause the unemployment or underemployment of a significant number or proportion of the workers of the Milford, Massachusetts plant of the firm.

Upon receipt of the Tariff Commission's affirmative finding, the Department, through the Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted an investigation.

Following this, the Director made a recommendation to me relating to the matter of certification (Notice of Delegation of Authority and Notice of Investigation, 34 FR 18342; 37 FR 2472; 40 FR 846–7; 29 CFR Part 90). In the recommendation she noted that concession generated imports like or directly competitive with footwear for women produced by the Milford, Massachusetts plant of Shaer Shoe Corp. increased substantially. During the period 1970–1974, the plant's customers turned increasingly to imports. In an effort to compete with foreign producers during that period, the firm introduced style changes and initiated an economy program at the Milford plant which involved a substitution of vinyl uppers for leather uppers, the conversion of the majority of the workers from a piecework pay plan to an hourly pay plan and an extension of the workers' 1970 wage contract through 1974. Those efforts failed to lower production costs to a level that would permit the plant to effectively compete with imports. As a result, sales declined and the management was forced to reduce employment at the Milford plant. Unemployment and underemployment of a significant number or proportion of workers of the Milford plant began in July 1970 and continues. Production workers were phased out of employment after the plant ceased production in September 1974, but a small office staff is being maintained at the Milford facility. After due consideration I make the following certification:

All workers, hourly, piecework, and salaried, of the Milford, Massachustts plant of the Shaer Shoe Corporation, Manchester, New Hampshire, who became or will become unemployed or underemployed after July 5, 1970 are eligible to apply for adjustment assistance under Title III, Chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C. this 21st day of January 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.75–2359 Filed 1–24–75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 682]

ASSIGNMENT OF HEARINGS

JANUARY 22, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after January 27, 1975.

MC 135070 Sub 4, Jay Lines, Inc., application dismissed.

MC 123194 Sub 6, Sprague, Inc., application dismissed.

MC–F–12343, National Machinery Haulers, Inc.—Purchase—Larry L. Fenner Transport, Inc. and MC 140504, National Machinery Haulers, Inc., now being assigned February 27, 1975 (2 days) at Omaha, Nebr., in Room 616, Union Pacific Plaza, 110 N. 14th St.

MC–C–7996, Film Transit, Inc., et al v. Cape Freight, Inc., now assigned March 10, 1975, at Chicago, Ill. is advanced to March 4, 1975, in Room 609, Federal Office Building, 911 Walnut St., Kansas City, Mo.

MC 116763, Sub 286, Carl Subler Trucking, Inc., application dismissed.

MC 138896 (Sub-No. 6), Ajax Transfer Company, now being assigned March 3, 1975 (1 week), at St. Paul, Minn., in a hearing room to be later designated.

MC 102567 Sub 176, McNair Transport, Inc., MC 102567 Sub 177, now assigned January 28, 1975, Dallas, Texas, is postponed indefinitely.

MC 112304 Sub 78, Ace Doran Hauling & Rigging Co., now assigned January 31, 1975, at Chicago, Ill. is cancelled and application dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75–2389 Filed 1–24–75;8:45 am]

[Notice No. 9]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 21, 1975.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC–67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 22254 (Sub-No. 79TA), filed January 16, 1975. Applicant: TRANS-AMERICAN VAN SERVICE, INC., P.O. Box 12608, Forth Worth, Tex. 76116. Applicant's representative: Theodore A. Coulter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sailboats*, in cartons, from the plantsite and facilities of Snark Products, Inc., 5816 Ward Court, Virginia Beach, Va. 23455, to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Snark Products, Inc., 1 Riverside Plaza, North Bergen, N.J. 07047. Send protests to: James M. Malloy, Transportation Specialist, Room 9A27 Federal Bldg., 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 59223 (Sub-No. 8TA), filed January 16, 1975. Applicant: NEW DEAL DELIVERY SERVICE, INC., 206 West 37th Street, New York, N.Y. 10018. Applicant's representative: Arthur J. Piken, Esq., One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and accessories*, upon hangers and in cartons, in mixed shipments of garments on hangers and in cartons, between points in that part of the New York, N.Y. Commercial Zone, as defined in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of Section 203(b)(8) of the Interstate Commerce Act (the exempt zone), on the one hand, and, on the other, the warehouses, stores and other facilities of R. H. Macy & Co., Inc., in the commercial zones of Albany, N.Y. and New Haven, Conn., for 180 days. Supporting shipper: R. H. Macy & Co., Inc., Herald Square, New York, N.Y. 10001, Edward A. Pierce, Manager of Sys-

tems. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, Room 1807, New York, N.Y. 10007.

No. MC 88380 (Sub-No. 18TA), filed January 15, 1975. Applicant: REB TRANSPORTATION, INC., 2400 Cold Springs Road, Fort Worth, Tex. 76106. Applicant's representative: John L. Payne (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air conditioning, cooling, heating, and humidifying equipment*, destined to commercial job-site deliveries, from the plantsite and warehouses facilities of Lennox Industries Inc. at Fort Worth, Tex., to points in Arkansas, Oklahoma, and Louisiana, for 180 days. Supporting shipper: Lennox Industries, Inc., Hwy. 121 at Maxine, Fort Worth, Tex. Send protests to: H. C. Morrison, Sr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 9A27 Federal Bldg., 189 Taylor Street, Fort Worth, Tex. 76102.

No. MC 103051 (Sub-No. 336TA), filed January 15, 1975. Applicant: FLEET TRANSPORT COMPANY, INC., 934–44th Avenue, North, Nashville, Tenn. 37209. Applicant's representative: William G. North (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone slurry* (in bulk in tank vehicles), from Tate, Ga. to points in Virginia, for 180 days. Supporting shipper: A. B. Wood Chemical Company, 4012 Park Road, Charlotte, N.C. 28209. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, A–422 U.S. Court House, Nashville, Tenn.

No. MC 106644 (Sub-No. 201TA), filed January 13, 1975. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: W. Randall Tye, 1400 Candler Bldg., 127 Peachtree Street, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, particleboard, and wood products* (except in bulk), from Bon Wier, Cleveland, and Silsbee, Tex., to points in the United States (except Alaska and Hawaii, and Texas), for 180 days. Supporting shipper: Kirby Lumber Corporation, P.O. Box 577, Silsbee, Tex. 77656. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 546, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 106674 (Sub-No. 150TA), filed January 15, 1975. Applicant: SCHILLI MOTOR LINES, INC., Box 123, Remington, Ind. 47977. Applicant's representative: Jerry Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Railroad ties, wooden mining materials, and lumber, treated or untreated*, from Sutton, West Virginia to all points in Illinois, Indiana, Michigan, Wisconsin, for 180 days. Supporting shipper: United Wood Preserving Co., Old Fair Grounds, Sutton, West Va. 26601. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 345 W. Wayne, Room 204, Fort Wayne, Ind. 46802.

No. MC 107496 (Sub-No. 983TA), filed January 13, 1975. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Distiller solubles*, in bulk, from Atchison, Kans. to Oskaloosa, Iowa. for 180 days. Supporting shipper: Supersweet Feeds, 1200 Multifoods Bldg., Minneapolis, Minn. 55403. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 108393 (Sub-No. 86TA), filed January 13, 1975. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Avenue, Hinsdale, Ill. 60521. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts of Electrical and Gas Appliances and Equipment, Materials and Supplies*, used in the manufacture, distribution and repair of electrical and gas appliances, between St. Charles, Ill., and Clyde, Ohio, restricted to operations for the account of Whirlpool Corporation, for 180 days. Supporting shipper: Carl R. Anderson, Director of Corporate Traffic, Whirlpool Corporation, Benton Harbor, Miss. 49022. Send protests to: William J. Gray, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill.

No. MC 111485 (Sub-No. 17TA), (amendment), filed December 19, 1974, published in the FEDERAL REGISTER issue of January 3, 1975, and republished as amended this issue. Applicant: PASCHALL TRUCK LINES, INC., Route 4, Murray, Ky. 42071. Applicant's representative: Robert H. Kinker, 711 McClure Bldg., P.O. Box 464, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Monumental stone*, from points in Elbert County, Ga., to points in Missouri, Illinois, that part of Indiana in and west of Elkhart, Kosciusko, Fulton, Miami, Cass, Carroll, Tippecanoe, Montgomery, Boone, Putnam, Morgan, Monroe, Greene, Martin, Dubois, and Spencer Counties, Ind., and that part of Kentucky west of the Tennessee River, and (2) *Monumental stone*, from points in Elbert, Wilkes, Oglethorpe, Madison, Hart, Pickens, and Dawson Counties, Ga., to points in that part of Kentucky west of the Tennessee River, for 180 days.

NOTE.—Applicant states that the purpose of this filing is to permit it to lawfully continue a service previously performed by tacking and subject to the rules promulgated in Gateway Elimination, 119 MCC 530 (1974), 49 CFR 1065.

Supporting shippers: There are approximately 37 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Floyd A. Johnson, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Bldg., 167 North Main Street, Memphis, Tenn. 38103. The purpose of this republication is to amend the description of the authority sought above.

No. MC 111729 (Sub-No. 484TA), filed December 5, 1974, published in the FEDERAL REGISTER issue of December 18, 1974, and republished as corrected this issue. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, audit, and accounting media*, between Kalamazoo, Mich., on the one hand, and, on the other, Keokuk, Iowa, and points in Illinois, Indiana, Ohio, and Pennsylvania, for 180 days. Supporting shipper: Parallex Corporation, 10528 Shaver Road, Kalamazoo, Mich. 49002. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

NOTE.—The purpose of this republication is to change the territorial description.

No. MC 111729 (Sub-No. 499TA), filed January 15, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies, and advertising material*, moving therewith (except motion picture film, used primarily for commercial theatre and television exhibition), between Dallas, Tex., on the one hand, and, on the other, points in New Mexico, for 90 days. Supporting shipper: Clear Photo Service, 220 Howell, Dallas, Tex. 75207. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 111729 (Sub-No. 500TA), filed January 17, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany

(same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Whole human blood and blood derivatives*, from Buffalo, N.Y., to Cleveland, Ohio, for 90 days. Supporting shipper: Nuclear Endocrine Laboratories, 10605 Chester, Cleveland, Ohio. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113300 (Sub-No. 7TA), filed January 15, 1975. Applicant: WILLIAM T. HERRON, Route No. 3, Marietta, Ohio 54750. Applicant's representative: Paul F. Berry, Ninth Floor, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coal* (in bulk), from points in Carter, Boyd, and Elliott Counties, Kentucky, to points in Washington County, Ohio, for 180 days. Supporting shippers: Brushey Creek Coal Company, Box 288, Sandy Hook, Ky. 41171. Att.: Jack Keck, Office Mgr. Buchannon Sales, P.O. Box 788, Buckhannon, W. Va. 26201. Att.: Carl Martin, Pres. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, 3108 Federal Office Bldg., 500 Quarrier St., Charleston, W.Va. 25301.

No. MC 113300 (Sub-No. 8TA), filed January 15, 1975. Applicant: WILLIAM T. HERRON, Route #3, Marietta, Ohio 45750. Applicant's representative: Paul F. Beery Co., Ninth Floor, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal* (in bulk), from points in Randolph County, West Virginia, to points in Washington County, Ohio, for 180 days. Supporting shippers: M & O Coal Company, 20950 Centerridge Road, Cleveland, Ohio 44116, Att.: William Hughes, Vice Pres. La Rosa Fuel Company, Clarksburg, W. Va. 26301. Att.: James D. La Rosa, President. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, 3108 Federal Office Bldg., 500 Quarrier Street, Charleston, W. Va. 25301.

No. MC 114725 (Sub-No. 69TA), filed January 14, 1975. Applicant: WYNNE TRANSPORT SERVICE, INC., 2606 North 11th Street, Omaha, Nebr. 68110. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible tallow*, from La-Platte, Nebraska to points in Iowa, Kansas, Missouri, and Minnesota, for 180 days. Supporting shipper: National By Products, Inc., Darrell Flint, Territory Supervisor, South Omaha Station, Box 7187, Omaha, Nebr. 78107. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620 Union Pacific Plaza, 110 N. 14th St., Omaha, Nebr. 68102.

No. MC 127616 (Sub-No. 23TA), filed January 15, 1975. Applicant: SAVAGE TRUCKING COMPANY, INC., P.O. Box 27, Chester Depot, Vermont 05144. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precut timber, frame buildings*, from Hartland, Vermont, to points in Delaware, Pennsylvania, Virginia, North Carolina, Kentucky, and West Virginia, for 180 days. Supporting shipper: Vermont Log Buildings, Inc., Hartland, Vermont. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 548, 87 State Street, Montpelier, Vermont. 05602.

No. MC 128273 (Sub-No. 168TA), filed January 15, 1975. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, 121 Humboldt Street, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 South Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lead and lead alloys* (except commodities which because of size or weight require use of special transportation equipment), from Glover, Mo., to points in California, Florida, Georgia, Illinois, Indiana, Louisiana, Minnesota, Massachusetts, New Jersey, New York, Pennsylvania, Texas, West Virginia, and Wisconsin, for 180 days. Supporting shipper: American Smelting and Refining Company, Suite 2506, 720 Olive Street, St. Louis, Mo. 63101. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 134922 (Sub-No. 110TA), filed January 14, 1975. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubber and rubber products*, (1) from Oakland, Calif., to Atlanta, Ga.; Columbus, Ohio; Dallas, Tex., and Flemington, N.J., (2) from Flemington, N.J., to Atlanta, Ga.; Columbus, Ohio; Wooster, Ohio; Oakland, Calif., and Dallas, Tex. (3) from Muscatine, Iowa to Atlanta, Ga., Columbus, Ohio; Dallas, Tex., Flemington, N.J., and Oakland, Calif., (4) from Findlay, Ohio to Atlanta, Ga., Dallas, Tex., Flemington, N.J., and Oakland, Calif. (5) from Borger, Tex., to Flemington, N.J., and Oakland, Calif. and (6) from Wooster, Ohio and Columbus, Ohio to Oakland, Calif., restricted against the transportation of commodities in bulk and those requiring special equipment, for 180 days. Supporting shipper: Oliver Tire and Rubber Co., 1200 65th Street, Oakland, Calif. 94608. Send protests to: William H. Land, Jr., District Supervisor, 2519 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 140479 (Sub-No. 1TA) (Correction), filed December 30, 1974, published in the FEDERAL REGISTER issue of January 13, 1975, and republished as corrected this issue. Applicant: JERRY L. FERRIL, doing business as LUMBER EXPRESS, Route 3, Box 422, Excelsior Springs, Mo. 64024. Applicant's representative: Donald J. Quinn, Suite 900–1012 Baltimore, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, between the site of Wickes Lumber, at or near Excelsior Springs, Mo., on the one hand, and, on the other, points in Kansas on and east of U.S. Highway 81; points in Iowa on and south of U.S. Highway I–80 and Ankeny, Iowa; and Omaha, Nebr., for 90 days. Supporting shipper: Donald J. Bassett, Assistant Manager, Wickes Lumber, Rural Route No. 1, Excelsior Springs, Mo. 64024. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

NOTE.—The purpose of this republication is to correct the territorial description.

No. MC 140536 (Sub-No. 1TA), filed January 15, 1975. Applicant: BARRETT MOTOR FREIGHT, INC., 1101 N.E. 66th Terrace, Gladstone, Mo. 64118. Applicant's representative: Donald J. Quinn, Suite 900–1012 Baltimore, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motorcycles*, in boxes or crates, from the American Honda Company warehouses, located at Carson, Compton, Gardena, and Long Beach, California; Baton Rouge, Louisiana; and Chicago, Ill., to Kansas City, Kansas, Missouri Commercial Zone, for 180 days. Supporting shippers: Northeast Honda, Kansas City, Mo., Chezik Honda, North Kansas City, Mo., Independence Honda, Independence, Mo., Midwest Cycle Company, Lenexa, Kans. Send protests to: Vernon V. Coble, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut, Kansas City, Mo.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-2391 Filed 1-24-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

JANUARY 22, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested per-

sons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of verified statements in opposition with the Interstate Commerce Commission on or before February 26, 1975. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 5470 (Sub-No. 89G), filed June 4, 1974. Applicant: TAJON, INC., R.D. #5, Mercer, Pa. 16137. Applicant's representative: Don Cross, 700 World Center Building, 918 Sixteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Alloys*, in dump vehicles, from West Elizabeth, Pa., to Pontiac, Mich. The purpose of this filing is to eliminate the gateways of Conneaut, Ohio, and Erie, Pa. (2) *ferro-alloys*, in dump vehicles, from Monaca, Pa., to Ecorse and Warren, Mich. The purpose of this filing is to eliminate the gateway of Vancoram, Ohio.

No. MC 5470 (Sub-No. 91G), filed June 4, 1974. Applicant: TAJON, INC., R.D. #5, Mercer, Pa. 16137. Applicant's representative: Don Cross, 700 World Center Building, 918 Sixteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys*, in dump vehicles, from Ashtabula, Ohio, to points in Michigan. The purpose of this filing is to eliminate the gateway of Erie, Pa.

No. MC 20894 (Sub-No. 22G), filed June 4, 1974. Applicant: P. CALLAHAN, INC., 5240 Comly Street, Philadelphia, Pa. 19135. Applicant's representative: Maxwell A. Howell, 1511 K Street NW., Washington, 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, and those requiring special equipment), between Philadelphia, Pa., on the one hand, and, on the other, points in Nassau, Suffolk, and Westchester Counties, N.Y. The purpose of this filing is to eliminate the gateway of Souderton, Pa.

No. MC 34975 (Sub-No. 7G), filed June 4, 1974. Applicant: TREDWAYS EXPRESS, INC., 512 Myrtle Avenue, Boonton, N.J. 07005. Applicant's representative: William J. Augello, 120 Main Street, P.O. Box Z, Huntington, N.Y. 11743. 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, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Atlantic and Camden Counties on and north of U.S. Highway 30, Burlington, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Sussex, and Warren Counties, N.J., on the one hand, and, on the other, Allentown, Bethlehem, Easton, and Philadelphia, Pa. The purpose of this filing is to eliminate the gateways of Union County (Berkeley Heights), N.J., or Newark, N.J., and points in the commercial zone of Newark.

No. MC 53908 (Sub-No. 1G), filed June 5, 1974. Applicant: E. B. LIBE, INC., 160 Broad Street, Phillipsburg, N.J. 08865. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel machinery*, from points in New York, New Jersey, and Pennsylvania within 100 miles of Phillipsburg, N.J., to points in Pennsylvania, New York, Virginia, Rhode Island, Tennessee, Maryland, Massachusetts, Connecticut, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Phillipsburg, N.J.

No. MC 59194 (Sub-No. 19G), filed June 4, 1974. Applicant: EASTERN FREIGHT WAYS, INC., Eastern and Moonachie Avenues, Carlstadt, N.J. 07072. Applicant's representative: J. Thomas Schneider, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, commodities in bulk, and those requiring special equipment), between points in Bradford, Cameron, Elk, McKean, Potter, Tioga, Warren, and Lycoming Counties, Pa., on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of Athens or Sayre, Pa.

No. MC 67200 (Sub-No. 42G), filed June 4, 1974. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., P.O. Box 392, Furniture Row, Milford, Conn. 06460. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *New furniture*, (1) between points in Maine, New Hampshire, Vermont, Connecticut, and Rhode Island. The purpose of this filing is to eliminate the gateways at Boston and Turners Falls, Mass. (2) from points in New York, New Jersey, and Pennsylvania, within 100 miles of Columbus Circle, New York, N.Y., to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, and Massachusetts. The purpose of this filing is to eliminate the gateways at New York, N.Y., and Boston and Turners Falls, Mass. (3) from points in New York, New Jersey, and Pennsylvania, within 100 miles of Columbus Circle, New York, N.Y., to points in New York, New Jersey, and Pennsylvania. The purpose of this filing is to eliminate the gateway at New York, N.Y. (4) from points in Maine, New Hampshire, Vermont, Connecticut, and Rhode Island, to points in New York, New Jersey, and Pennsylvania. The purpose of this filing is to eliminate the gateways at New York, N.Y., New Haven and West Haven, Conn., and Boston, Mass.

(5) From points in Massachusetts within 20 miles of Gardner, Mass., Leominster, Turners Falls, North Dartmouth, Boston, Mass., and points within 10 miles of the State House of Boston, Mass., to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania, restricted (a) against service from Turners Falls, Mass., to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, New York, and New Jersey, (b) against uncrated new furniture moving from North Dartmouth, Mass., to points in Connecticut, New Jersey, and Pennsylvania, and (c) against service from Boston, Mass., and points within 10 miles of the State House of Boston, Mass., to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, and New York. The purpose of this filing is to eliminate the gateways at Leominster, Boston, and Turners Falls, Mass., Milford and New Haven, Conn., and New York, N.Y. (6) from points in New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Leominster, Turners Falls, and points in Massachusetts within 20 miles of Gardner, Mass., and Baldwinville and Gardner, Mass., and Boston and points within 10 miles of State House, Boston, Mass., to Baltimore, Md., Washington, D.C., Newport News and Richmond, Va., restricted (a) to new, upholstered furniture, uncrated, and (b) against service from Milford, Conn., from which carrier holds direct authority. The purpose of this filing is to eliminate the gateways at Boston and Leominster, Mass., New Britain, New Haven, and Hartford, Conn., and New York, N.Y. (7) from points in Maine, New Hampshire, Vermont, Connecticut, and Rhode Island, to points in Massachusetts. The purpose of this filing is to eliminate the gateway at Boston, Mass.

No. MC 105457 (Sub-No. 81G), filed June 4, 1974. Applicant: THURSTON MOTOR LINES, INC., 600 Johnston Road, Charlotte, N.C. 28201. Applicant's representative: John V. Luckadoo, P.O. Box 10638, Charlotte, N.C. 28201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between points in Virginia, on the one hand, and,

on the other, points in Georgia, Russell County, Ala., and that part of South Carolina west of a line extending from the North Carolina-South Carolina State line along South Carolina Highway 49 to York, S.C., thence along U.S. Highway 321 to Ulmers, S.C., thence along U.S. Highway 301 to the South Carolina-Georgia State line. The purpose of this filing is to eliminate the gateways of Charlotte or Roanoke Rapids, N.C.

No. MC 107515 (Sub-No. 912G), filed June 4, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Rd. NE., Suite No. 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, from Philadelphia, Pa., to points in Texas, Oklahoma, Iowa, Minnesota, West Virginia, Virginia, Kentucky, and Omaha, Nebr. The purpose of this filing is to eliminate the gateways of Richmond, Va., Florence, Ala., and/or Rocky Mount, N.C. (2) *edible meats*, from Philadelphia, Pa., to points in Wisconsin. The purpose of this filing is to eliminate the gateways of Richmond, Va., and/or Louisville, Ky. (3) *frozen foods*, from Philadelphia, Scranton, and New York, N.Y., and points in their respective commercial zone, to points in Virginia. The purpose of this filing is to eliminate the gateways of Richmond, Va., and/or Rocky Mount, N.C. (4) *fresh and cured meats*, from Philadelphia and Scranton, Pa., and New York, N.Y., and points in their respective commercial zones, to points in North Carolina, South Carolina and Virginia. The purpose of this filing is to eliminate the gateways of Richmond, Va., Atlanta, Ga., and/or Charlotte, N.C. (5) *frozen foods*, from New York, N.Y., and points in its commercial zone, to points in Virginia, West Virginia, Wisconsin, and Omaha, Nebr. The purpose of this filing is to eliminate the gateways of Richmond, Va., Rocky Mount, N.C., and/or Florence, Ala.

No. MC 113855 (Sub-No. 293G), filed June 4, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, *and related machinery, parts, and related contractors' materials and supplies* when the transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, (2) *Self-propelled articles*, each weighing 15,000 lbs. or more *and related machinery, tools, parts, and supplies* moving in connection therewith, restricted to commodities to be transported on trailers, (3) *Road construction machinery*, (4) *Material handling equipment*, (5) *Agricultural machinery*, (6) *Construction, earth moving, excavating, loading, maintenance, logging and mining machinery, and equipment, tractors*, (not including truck tractors), and *pipe layers*, and (7) *Parts and attachments* for the commodities described in (3) through (6) above, between points in the United States (including Alaska, but excluding Hawaii). The purpose of this filing is to eliminate the gateways at Elgin, Ill., Scranton and Allentown, Pa., Davenport, Iowa, points in Minnesota and Iowa within 50 miles of Sioux Falls, S. Dak., points in Minnesota and Iowa within 25 miles of the Wisconsin-Iowa State line, points in Utah, North Dakota, Montana, Wyoming, and South Dakota.

No. MC 114868 (Sub-No. 3G), filed June 4, 1974. Applicant: HARRY EARL NEWLON, JR., doing business as NEWLON'S TRANSFER, 1511 North Nelson Street, Arlington, Va. 22201. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Maryland, Virginia, and the District of Columbia; and (2) between points Ohio, Illinois, Kentucky, Maryland, Virginia, and the District of Columbia, on the one hand, and, on the other, points in Connecticut, Delaware, Florida, Georgia, Indiana, Maine, Massachusetts, Michigan, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, and West Virginia. The purpose of this filing is to eliminate the gateway at Washington, D.C.

No. MC 117313 (Sub-No. 7G), filed June 4, 1974. Applicant: TRYON TRUCKING, INC., P.O. Box 68, Fairless Hills, Pa. 19030. Applicant's representative: John P. McMahon, Suite 1800, 100 East Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: (1) *Tin plate, sheet metal, tinners' and roofers' supplies*, which because of size or weight, requires the use of special equipment, between points in Ohio, points in Pennsylvania on and west of a line beginning at the Pennsylvania-New York State line near Millerton, Pa., and extending in a southerly direction through Williamsport, Pa., to the Pennsylvania-Maryland State line near West Manheim, Pa., to points in Delaware and the District of Columbia, on the one hand, and, on the other, points in New Jersey, Maryland, New York, and points in Pennsylvania east of a line beginning at the Pennsylvania-New York State line near Millerton, Pa., and extending in a southerly direction through Williamsport, Pa., to the Pennsylvania-Maryland State line near Manheim, Pa., (2) *Iron and steel, sheet metal and tin plate*, which because of size or weight, requires the use of special equipment, between the plant site of the Bethlehem Steel Corporation at Burns Harbor, Porter County, Ind., on the one hand, and, on the other, points in Ohio, West Virginia, Pennsylvania, New York, Maryland, New Jersey, Delaware, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Philadelphia, Pa.

No. MC 125433 (Sub-No. 51G), filed June 4, 1974. Applicant: F-B TRUCK LINE COMPANY, a Corporation, 1891 West 2100 South, Salt Lake City, Utah 84119 Applicant's representative: David J. Lister, 1891 West 2100 South, Salt Lake City, Utah 84119. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, construction materials, and equipment*, between points in California, on the one hand, and, on the other, points in Washington and that part of Oregon on and north of the 44th parallel; and (2) *Contractor's equipment, heavy machinery, and other commodities*, the transportation of which, because of size and weight, requires the use of special equipment, *and related machinery parts, equipment, and supplies*, when the transportation thereof is incidental to the transportation of heavy machinery and other commodities which by reason of size or weight require the use of special equipment, between points in Modoc, Siskiyou, Del Norte, Humboldt, Trinity, Shasta, and Lassen Counties, Calif. (excluding service to or from points in Siskiyou and Shasta Counties, Calif. located on U.S. Highway 99), on the one hand, and, on the other, points in Washington, Oregon north of the 44th parallel, Idaho north of the northern boundary of Idaho County, and that part of Montana on and west of a direct north and south line extending from the northwest corner of Wyoming to the boundary of the United States and Canada. The purpose of this filing is to eliminate the gateways at points in Idaho.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizng safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before February 6, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 1936 (Sub-No. E11), filed May 30, 1974. Applicant: B&PP MOTOR EEXPRESS, INC., 720 Gross St., Pitts-

burgh, Pa. 15224. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Twilight zone commodities* as described in *National Automobile Transporters Association et al.* v. *Rowe Transfer & Storage Company, Inc.* 64 M.C.C. 229 (1955), and subsequent cases, between Newburgh, Poughkeepsie, and Firthcliffe, N.Y., on the one hand, and, on the other, points in Ohio on and east of U.S. Highway 23 from the Michigan-Ohio State line to junction U.S. Highway 224, thence on and north of U.S. Highway 224 to Ellsworth, Ohio, and thence on and east of Ohio Highway 45 to Wellsville, Ohio, and that part of Medina County, Ohio, on and south of U.S. Highway 224. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC 31462 (Sub-No. E22), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Arkansas on and north of a line beginning at the Mississippi River, thence along U.S. Highway 49 to junction U.S. Highway 79, thence along U.S. Highway 79 to Pine Bluff, Ark., thence along U.S. Highway 270 to Hot Springs, Ark., thence along U.S. Highway 70 to junction Arkansas Highway 8, thence along Arkansas Highway 8 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Arkansas Highway 4, thence along Arkansas Highway 4 to the Arkansas-Oklahoma State line, on the one hand, and, on the other, points in Colorado. The purpose of this filing is to eliminate the gateway of Kansas City, Mo., or any point within 30 miles thereof.

No. MC 31462 (Sub-No. E24), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in South Carolina, on the one hand, and, on the other, points in that part of Arkansas on and north of a line beginning at the Arkansas-Missouri State line, thence along Interstate Highway 55 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Arkansas Highway 14, thence along Arkansas Highway 14 to junction Arkansas Highway 1, thence along Arkansas Highway 1 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Arkansas Highway 8, thence along Arkansas Highway 8 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arkansas-Oklahoma State line. The purpose of this filing is to eliminate the gateways of (1) any point in Missouri within 25 miles of Cairo, Ill., (2) any point in Tennessee, and (3) any point in Georgia.

No. MC 31462 (Sub-No. E198), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, (2) any point in Missouri within 25 miles of Cairo, Ill., and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E212), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, and (2) Ft. Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E287), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, from points in Minnesota, to points in Pennsylvania. The purpose of this filing is to eliminate the gateway of (1) any point in Illinois within 50 miles of Burlington, Iowa, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E288), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, from points in Minnesota, to points in Ohio. The purpose of this filing is to eliminate the gateways of (1) any point in Illinois within 50 miles of Burlington, Iowa, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E289), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, from points in Minnesota, to points in West Virginia. The purpose of this filing is to eliminate the gateway of (1) any point in Illinois within 50 miles of Burlington, Iowa, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E290), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, from points in Minnesota, to points in the District of Columbia. The purpose of this filing is to eliminate the gateways of (1) any point in Illinois within 50 miles of Burlington, Iowa, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E291), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, from points in Minnesota to points in Virginia. The purpose of this filing is to eliminate the gateways of (1) any point in Illinois within 50 miles of Burlington, Iowa, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 61403 (Sub-No. E34), (Correction), filed May 31, 1974, published in the FEDERAL REGISTER December 23, 1974. Applicant: THE MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (2) *Liquid chemicals*, in bulk, in tank vehicles, (a) from points in Tennessee on and east of U.S. Highway 85 to points in North Dakota on and east of U.S. Highway 85, and points in South Dakota, on and east of U.S. Highway 27 (Kingsport, Tenn., and Marshall, Ill.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct a highway description. The remainder of this letter-notice remains as previously published.

No. MC 61403 (Sub-No. E40) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER December 23, 1974. Applicant: THE MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the plant site of Ashland Chemical Company,

Division of Ashland Oil & Refining Co., at or near Mapleton, Ill., to points in Louisiana south of a line beginning at the Louisiana-Texas State line and extending along U.S. Highway 190 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Louisiana-Mississippi State line, and points in Texas on, east, and south of a line beginning at the Texas-Louisiana State line and extending along U.S. Highway 190 to Livingston, thence along U.S. Highway 59 to the International Boundary line between the United States and Mexico. Restricted against the transportation of (1) naval stores to DeQuincy, La., (2) caustic potash and caustic soda to points in Louisiana. The purpose of this filing is to eliminate the gateway of Sheffield, Ala. The purpose of this correction is to correct the "E" number, previously published as E140.

No. MC 95900 (Sub-No. E1), filed June 1, 1974. Applicant: A. E. WHITE MOVING & STORAGE CO., INC., 49–55 Front Street, East Rockaway, N.Y. 11518. Applicant's representative: John L. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (a) between points in New York, N.Y., Nassau and Suffolk Counties, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, Pennsylvania, Massachusetts, New Hampshire, Virginia, Vermont, and District of Columbia; and (b) between points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J., and New York, N.Y., Nassau, Rockland, Suffolk, and Westchester Counties, N.Y., on the one hand, and, on the other, points in Ohio, Michigan, Florida, and Illinois. The purpose of this filing is to eliminate the gateway of those points in Nassau County, N.Y., which are in the New York, N.Y., commercial zone.

No. MC 105950 (Sub-No. E1), filed May 31, 1974. Applicant: BADER BROS. VAN LINES, INC., 475 Underhill Blvd., Syosset, L.I., N.Y. 11791. Applicant's representative: Frances Jalet, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, (1) between points in Alabama, Georgia, North Carolina, and South Carolina, on the one hand, and, on the other, points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont (New York, N.Y.) *; (2) between points in Delaware, Maryland, New Jersey, Virginia, West Virginia, and the District of Columbia, on the one hand, and, on the other, points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont (New York, N.Y.) *; (3) between points in Florida, on the one hand, and, on the other, points in Maine, New Hampshire, and Vermont (Stamford, Conn.) *; and (4) between points in Pennsylvania, on the one hand, and, on the other, points in Rhode Island (New York, N.Y.*). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107403 (Sub-No. E295), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050, Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except gasoline, fuel oil, benzene, kerosene, and raw milk), in bulk, in tank vehicles, from points in Pennsylvania within 150 miles of Monongahela, Pa., to points in Maine, Massachusetts, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of Johnsburg, Pa./Newark, N.J., and Clairton, Pa./Newark, N.J.

No. MC 107403 (Sub-No. E308), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except liquids, fly ash, salt, cement, plastic materials, and calcium chloride), in bulk, in tank vehicles, from points in Kentucky to points in Massachusetts, Rhode Island, Maine, Vermont, and New Hampshire. The purpose of this filing is to eliminate the gateways of Painesville, Ohio, and Solvay, N.Y.

No. MC 109478 (Sub-No. E44), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal containers* and parts therefor, from Lapel, Lawrenceburg, and Marion, Ind., and Strentor and Chicago, Ill., to Fall River, Boston, New Bedford, and Taunton, Mass., Jersey City and points in New Jersey within 25 miles thereof, and Swedesboro, N.J., Providence, R.I., and points in New York. The purpose of this filing is to eliminate the gateways of Brocton, Westfield, LeRoy and points within 50 miles thereof, Chautauqua County, Erie County, Genesee County, and Monroe County, N.Y., and North East, Pa.

No. MC 109478 (Sub-No. E45), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal containers* and parts therefore, from Salem, N.J., to Lawton and Decatur, Mich., and Erie County, Pa. The purpose of this filing is to eliminate the gateways of Brocton and Westfield, N.Y.

No. MC 109478 (Sub-No. E46), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tin containers* and parts therefore, from points in New Jersey, Pennsylvania, and Baltimore, Md., to Erie and Chautauqua Counties, N.Y., and Erie County, Pa. The purpose of this filing is to eliminate the gateways of Brocton and Westfield, N.Y., and North East, Pa.

No. MC 109478 (Sub-No. E47), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal containers* and parts therefore, from Boston and Waban, Mass., to Erie County, Pa. The purpose of this filing is to eliminate the gateway of Brocton, N.Y.

No. MC 109478 (Sub-No. E48), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers* and parts therefor, from the plant and warehouse sites of United Can Company, at or near Rossford, Ohio, to Fall River, Boston, New Bedford, and Taunton, Mass., Erie County, Pa., and Providence, R.I. The purpose of this filing is to eliminate the gateways of Brocton, Monroe County, Genesee County, N.Y.

No. MC 109478 (Sub-No. E49), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, other than glass or metal, and parts therefor, from points in Ohio to points in New York. The purpose of this filing is to eliminate the gateway of Erie County, Pa., and LeRoy, N.Y., and points within 50 miles thereof.

No. MC 109478 (Sub-No. E50), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, other than glass or metal and parts therefor, from Lapel, Lawrenceburg, and Marion, Ind., Streator and Chicago, Ill., to Fall River, Boston, New Bedford, and Taunton, Mass., Jersey City and points in New Jersey within 25 miles thereof, and Swedesboro, N.J., Providence, R.I., and points in New York. The purpose of this filing is to eliminate the gateway of Brocton, Westfield, LeRoy, and points within 50 miles thereof, Chautauqua

County, Erie County, N.Y., and North East, Pa.

No. MC 109478 (Sub-No. E51), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, other than glass or metal, and parts therefor, from Salem, N.J., to Lawton and Decatur, Mich., and Erie County, Pa. The purpose of this filing is to eliminate the gateway of Brocton and Westfield, N.Y.

No. MC 109478 (Sub-No. E53), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers* other than glass or metal and parts therefor, from Boston and Waban, Mass., to Erie County, Pa. The purpose of this filing is to eliminate the gateway of Brocton, N.Y.

No. MC 119988 (Sub-No. E57), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Idaho. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E58), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Utah. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 111545 (Sub-No. E66) (Correction) filed May 23, 1974, published in the FEDERAL REGISTER July 1, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, between points in that part of Kentucky within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in that portion of Virginia in, east, and south of Southampton, Sussex, Surry, James, City, and York Counties, Va. The purpose of this filing is to eliminate the gateway of any point in North Carolina within 175 miles of Chattanooga, Tenn.

No. MC 112668 (Sub-No. E1), filed May 15, 1974. Applicant: HARVEY R. SHIPLEY & SONS, INC., Finksburg, Md. 21048. Applicant's representative: Norman E. Shipley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, from Retsof, N.Y., to points in the District of Columbia, and points in Fauquier, Fairfax, Loudoun, and Prince William Counties, Va., and points in Jefferson County, W. Va. The purpose of this filing is to eliminate the gateway of Baltimore, Md.

No. MC 113459 (Sub-No. E17), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment; (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* when moving in connection therewith; (3) *Machinery, equipment, materials, and supplies* incidental to or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum (except the stringing and picking up of pipe in connection with main or trunk pipelines); (4) *Machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-products, water or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way; and (5) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with: (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells; between points in that part of Illinois on and south of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 24 to its junction with Illinois Highway 103, thence along Illinois Highway 103 to its junction with Illinois Highway 125, thence along Illinois Highway 125 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Illinois Highway 47, thence along Illinois Highway 47 to its junction with Interstate Highway 74, thence along Interstate Highway 74 to the Illinois-Indiana State line, on the one hand, and, on the other, points in Utah; between points in that part of Illinois on and south of U.S. Highway 24, on the one hand, and, on the other, points in that part of Utah on and south of U.S. Highway 40; and between points in that part of Illinois on, south, and east of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to its junction with Illinois Highway 2, thence along Illinois Highway 2 to the Illinois-Iowa State line, on the one hand, and, on the other, points in that part of Utah on and south of a line beginning at the Utah-Colorado State line and extending along U.S. Highway 40 to its junction with U.S. Highway 189, thence along U.S. Highway 189 to its junction with Utah Highway 80, thence along Utah Highway 80 to its junction with Utah Highway 73, thence along Utah Highway 73 to its junction with Utah Highway 36, thence along Utah Highway 36 to its junction with Interstate Highway 80, thence along Interstate Highway 80 to the Utah-Nevada State line. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC 113459 (Sub-No. E72), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies* incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum (except the stringing and picking up of pipe in connection with main or trunk pipelines); (2) *Machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way; and (3) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with: (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled,

(c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells; between points in that part of Kansas on and south of a line beginning at the Kansas-Colorado State line end extending along Kansas Highway 96 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with Interstate Highway 35, thence along Interstate Highway 35 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line, on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at the Illinois-Iowa State line and extending along U.S. Highway 34 to its junction with Illinois Highway 47, thence along Illinois Highway 47 to the Illinois-Wisconsin State line. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC 113459 (Sub-No. E73), filed May 31, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment; and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* when moving in connection therewith; between points in that part of Missouri on and east of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 61 to its junction with Interstate Highway 57, thence along Interstate Highway 57 to the Missouri-Illinois State line, on the one hand, and, on the other, points in that part of Louisiana on and north of Interstate Highway 20. Restriction: The operations authorized in (1) above are restricted against the transportation of agricultural machinery and agricultural tractors, and the operations authorized in (2) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of points in Illinois.

No. MC 113459 (Sub-No. E74), filed May 31, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment; and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* when moving in connection therewith; between points in that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 75 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to its junction with U.S. Highway 377, thence along U.S. Highway 377 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with U.S. Highway 57, thence along U.S. Highway 57 to the United States-Mexico International Boundary line, on the one hand, and, on the other, points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to its junction with U.S. Highway 30S, thence along U.S. Highway 30S to its junction with U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-West Virginia State line. Restriction: The operations authorized in (1) and (2) above are restricted against the transportation of agricultural machinery and agricultural tractors, and the operations authorized in (2) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of points in Illinois.

No. MC 113678 (Sub-No. E30), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned meats, canned meat products, and canned meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Northwest Packing Company at Portland, Oreg.; (a) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Lexington, Nebr.)*; (b) to points in Alabama, Mississippi, Florida, Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and West Virginia (Denver, Colo.)*; and (c) to points in Oklahoma (Greeley, Colo.)*; (2) *Canned goods*, from the plant site of Northwest Packing Company, at Portland, Oreg., (a) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Lexington, Nebr.)*; (b) to points in Alabama, Mississippi, Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and West Virginia (Denver, Colo.)*; and (c) to points in Oklahoma (Greeley, Colo.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E69), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as defined by the Commission (except commodities in bulk, in tank vehicles), from Los Angeles, San Diego, and San Francisco, Calif., to points in Maine, New Hampshire, Vermont, Ohio, and Michigan. The purpose of this filing is to eliminate the gateways of Denver, Colo., and Rapid City, N. Dak.

No. MC 113678 (Sub-No. E70), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, and *articles distributed by meat packinghouses*, as defined by the Commission (except commodities in bulk, in tank vehicles, and hides), from Greeley, Colo., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of York, Nebr.

No. MC 113678 (Sub-No. E73), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Wahoo, Nebr., to points in Washington, Oregon, and Idaho. Restricted to the transportation of shipments originating at the facilities of Platte Valley Foods, Inc., at Wahoo, Nebr. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 113678 (Sub-No. E81), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Los Angeles, San Diego, and San Francisco, Calif., to points in Maine, New Hampshire, Vermont, Ohio, and Michigan. The purpose of this filing is to eliminate the gateway of Rapid City, S. Dak.

No. MC 113678 (Sub-No. E95), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen preserved vegetables*, from the facilities of Food Processors, Inc., at Wilson, N.C., to points in Colorado, Idaho, Nebraska, Nevada, North Dakota, South Dakota, Oregon, Utah, Montana, Washington, and Wyoming. Restriction: The authority granted herein is restricted to traffic originating at the above-specified plant site and warehouse facilities. The pur-

pose of this filing is to eliminate the gateway of Ames, Iowa.

No. MC 114211 (Sub-No. E398), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts thereof* (except commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling), from points in Nebraska to points in that part of Texas on and east of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 271 to junction Texas Highway 19, thence along Texas Highway 19 to junction Texas Highway 30, thence along Texas Highway 30 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 159, thence along Texas Highway 159 to junction Texas Highway 36, thence along Texas Highway 36 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction Texas Highway 71, thence along Texas Highway 71 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 285, thence along Texas Highway 285 to junction U.S. Highway 281, thence along U.S. Highway 281 to McAllen, Tex., with no transportation for compensation on return except as otherwise authorized restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E25), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* (except pipe used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products, and by-products), and *fittings* and *accessories* therefor, when moving with such pipe, the transportation of which because of size or weight, requires special equipment, from points in that part of Nebraska on and north west of a line beginning at the Iowa-Nebraska State line, thence along Nebraska Highway 2 to junction U.S. Highway 73/75, thence along U.S. Highway 73/75 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line to points in Louisiana on and south of a line beginning at the Texas-Louisiana State line, thence along U.S. Highway 80 to the Louisiana-Mississippi State line and to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Ohio, West Virginia, Virginia, Delaware, Maryland, Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida, with no transportation for compensation on return, except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E426), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), *equipment* designed for use in conjunction with tractors, *attachments* for the above-described commodities, and *parts* of the commodities described above in mixed loads with such commodities, from points in Iowa to points in that part of North Dakota on and north of a line beginning at the Minnesota-North Dakota State line, thence along Interstate Highway 94 to the North Dakota-Montana State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of that part of the Fargo, N. Dak., Commercial Zone located in the State of Minnesota.

No. MC 114211 (Sub-No. E427), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts thereof*, from points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line, thence along Illinois Highway 9 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line to points in that part of Kansas on and west of a line beginning at the Kansas-Colorado State line, thence along Kansas Highway 96 to junction Kansas Highway 25, thence along Kansas Highway 25 to junction Kansas Highway 270, thence along Kansas Highway 270 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction Kansas Highway 25, thence along Kansas Highway 25 to the Kansas-Oklahoma State line and to points in that part of Nebraska on and north of a line beginning at the Iowa-Nebraska State line, thence along U.S. Highway 20, to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Nebraska Highway 91, thence along Nebraska Highway 91 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction Nebraska Highway 21, thence along Nebraska Highway 21 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Nebraska-Wyoming State line, and to points in that part of South Dakota on and west of a line beginning at the South Dakota-North Dakota State line, thence along South Dakota Highway 45 to junction South Dakota Highway 34, thence along South Dakota Highway 34 to junction South Dakota Highway 47, thence along South Dakota Highway 47, to junction Interstate Highway 90, thence along Interstate Highway 90 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to junction U.S. Highway 281, thence along U.S. Highway 281 to the South Dakota-Nebraska State line, and to points in that part of Louisiana on and west of a line beginning at the Arkansas-Louisiana State line, thence along Louisiana Highway 33, to junction Louisiana Highway 143, thence along Louisiana Highway 143 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction Louisiana Highway 15 thence along Louisiana Highway 15 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Louisiana-Mississippi State line, and to points in that part of Oklahoma on and west of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 283, to junction Oklahoma Highway 15, thence along Oklahoma Highway 15 to the Oklahoma-Texas State line, and to points in Montana, Colorado, Texas, and New Mexico, with no transportation for compensation except as otherwise authorized restricted to the transportation of traffic (a) originating at the plant sites or warehouse facilities of International Harvester Company and (b) destined to the destination points specified above, except that the restriction in (b) shall not apply to traffic moving in foreign commerce. The purpose of this filing is to eliminate the gateway of Rock Island, Ill.

No. MC 114211 (Sub-No. E429), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except commodities which because of size or weight require the use of special equipment and except commodities described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from points in Minnesota to points in that part of Arizona on and south of a line beginning at the California-Arizona State line, thence along Interstate Highway 10 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Arizona Highway 71, thence along Arizona Highway 71 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction U.S. Highway 66, thence along U.S. Highway 66 to the Arizona-New Mexico State line, and to points in that part of New Mexico on and south of a line beginning at the New Mexico-Arizona State line, thence along Interstate Highway 40 to junction U.S. Highway 85, thence along

U.S. Highway 85 to junction U.S. Highway 60, thence along U.S. Highway 60 to the New Mexico-Texas State line, and to points in that part of California on and south of a line beginning at Oceanside, Calif., thence along California Highway 76 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 71, thence along California Highway 71 to junction California Highway 74, thence along California Highway 74 to junction California Highway 111, thence along California Highway 111 to junction Interstate Highway 10, thence along Interstate Highway 10 to the California-Arizona State line, with no transportation for compensation on return except as otherwise authorized.

No. MC 114211 (Sub-No. E430), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except commodities which because of size or weight require the use of special equipment and except commodities described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from points in Minnesota to points in that part of Arkansas on and south of a line beginning at the Arkansas-Oklahoma State line, thence along U.S. Highway 62 to junction Arkansas Highway 16, thence along Arkansas Highway 16 to junction Arkansas Highway 21, thence along Arkansas Highway 21 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to the Louisiana-Arkansas State line and to points in that part of Louisiana on and west of a line beginning at the Louisiana-Arkansas State line, thence along U.S. Highway 167 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction Louisiana Highway 128, thence along Louisiana Highway 128 to junction Louisiana Highway 15, thence along Louisiana Highway 15 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Mississippi-Louisiana State line, thence along the Mississippi-Louisiana State line to junction U.S. Highway 61, thence along U.S. Highway 61 to junction U.S. Highway 190, thence along U.S. Highway 190 to Louisiana Highway 1, thence along Louisiana Highway 1 to junction Louisiana Highway 24, thence along Louisiana Highway 24 to Hauma, La., with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Independence, Kans., Claremore, Okla.

No. MC 114211 (Sub-No. E431), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts thereof*, except commodities requiring special equipment, from the plants, warehouse sites, and storage facilities of the Sperry Rand Corp., New Holland Division, located at Belleville, Mountville, and New Holland, Pa., to points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 59 to junction Minnesota Highway 60, thence along Minnesota Highway 60 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Minnesota Highway 15, thence along Minnesota Highway 15 to junction Minnesota Highway 23, thence along Minnesota Highway 23 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Minnesota Highway 38, thence along Minnesota Highway 38 to Minnesota Highway 6, thence along Minnesota Highway 6 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Minnesota Canada International Boundary line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of points in South Dakota and Nassau, Minn.

No. MC 114211 (Sub-No. E433), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, and parts thereof* (except commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling), from points in that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line to points in that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to junction Interstate Highway 35E, thence along Interstate Highway 35E to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 285, thence along Texas Highway 285 to junction U.S. Highway 281, thence along U.S. Highway 281 to McAllen, Tex., with no transportation for compensation on return except as otherwise authorized restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E434), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts* thereof, the transportation of which, because of size or weight, requires special equipment, from points in that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line, thence along Nebraska Highway 47 to junction Nebraska Highway 137, thence along Nebraska Highway 137 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-Kansas State line to points in that part of Texas on and southeast of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 281 to junction Texas Highway 79, thence along Texas Highway 79 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-New Mexico State line, with no transportation for compensation on return except as otherwise authorized restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E435), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements and parts thereof* (except commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling), from points in that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line, thence along Nebraska Highway 47 to junction Nebraska Highway 137, thence along Nebraska Highway 137 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-Kansas State line to points in that part of Texas on and southeast of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 281 to junction Texas Highway 79, thence along Texas Highway 79 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-New Mexico State line,

with no transportation for compensation on return except as otherwise authorized restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E436), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, from points in that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line, thence along Nebraska Highway 47 to junction Nebraska Highway 137, thence along Nebraska Highway 137 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-Kansas State line to points in that part of Texas on and southeast of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 281 to junction Texas Highway 79, thence along Texas Highway 79 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-New Mexico State line, with no transportation for compensation on return except as otherwise authorized restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E437), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, from points in that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line, thence along U.S. Highway 83 to the Nebraska-Kansas State line to points in that part of Texas on and east of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 75 to junction Interstate Highway 35E, thence along Interstate Highway 35E to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 285, thence along Texas Highway 285 to junction U.S. Highway 281, thence along U.S. Highway 281 to McAllen, Tex., with no transportation for compensation on return except as otherwise authorized restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E438), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* the transportation of which, because of size or weight, requires special equipment, from points in that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line, thence along U.S. Highway 83 to the Nebraska-Kansas State line to points in that part of Texas on and east of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 75 to junction Interstate Highway 35E, thence along Interstate Highway 35E to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 285, thence along Texas Highway 285 to junction U.S. Highway 281, thence along U.S. Highway 281 to McAllen, Tex., with no transportation for compensation on return except as otherwise authorized restricted against movement to oilfield locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E440), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, from points in that part of Nebraska on and northwest of a line beginning at the Iowa-Nebraska State line, thence along Nebraska Highway 92 to junction U.S. Highway 275, thence along U.S. Highway 275 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Nebraska-Kansas State line to points in Indiana. The purpose of this filing is to eliminate the gateway of Fort Dodge, Iowa.

No. MC 119702 (Sub-No. E1), filed May 31, 1974. Applicant: STAHLY CARTAGE CO., P.O. Box 486, Edwardsville, Ill. 62025. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oils, gasoline, kerosene, and asphalt*, in bulk, in tank vehicles, from Hartford, Roxana, and Wood River, Ill., to points in Illinois north of U.S. Highway 24. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC 119702 (Sub-No. E2), filed May 31, 1974. Applicant: STAHLY CARTAGE CO., P.O. Box 486, Edwardsville, Ill. 62025. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers and fertilizer ingredients* which are petroleum products, in bulk, from the facilities of the Illinois Road Contractors, Inc., in Pike County, Ill., to those points in Indiana on and east of U.S. Highway 31, and points in Michigan and Ohio. The purpose of this filing is to eliminate the gateway of the facilities of United States Steel Corp., Chemical Division, at or near Tilton, Ill.

No. MC 119702 (Sub-No. E4), filed May 31, 1974. Applicant: STAHLY CARTAGE CO., P.O. Box 486, Edwardsville, Ill. 62025. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such petroleum products as are acids, chemicals, fertilizer, and fertilizer ingredients* (except cryogenic liquids), in bulk, in tank vehicles, from the facilities of Illinois Road Contractors, Inc., in Pike County, Ill., to points in that part of Iowa on and north of U.S. Highway 20, to points in the Upper Peninsula of Michigan, and points in South Dakota, Minnesota, and Wisconsin (the facilities of Apple River Chemical Co., Division of St. Paul Ammonia Products, Inc., at or near East Dubuque, Ill.) *; and (2) *Such petroleum products as are acids, chemicals, fertilizer, and fertilizer ingredients* (except cryogenic liquids), in bulk, in tank vehicles, from the facilities of Illinois Road Contractors, Inc., in Pike County, Ill., to points in Iowa, Kansas, Minnesota, Nebraska, South Dakota, and Wisconsin (the facilities of Apple River Chemical Co., Division of St. Paul Ammonia Products, Inc., at or near Niota, Ill.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 119702 (Sub-No. E5), filed May 31, 1974. Applicant: STAHLY CARTAGE CO., P.O. Box 486, Edwardsville, Ill. 62025. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions* which are petroleum products, in bulk, in tank vehicles, from the facilities of Illinois Road Contractors, Inc., in Pike County, Ill., to points in Michigan and Wisconsin (except anhydrous ammonia, from such plant site to points in Wisconsin). The purpose of this filing is to eliminate the gateway of the facilities of Agrico Chemical Co., near Pekin, Ill.

No. MC 119934 (Sub-No. E5), filed May 12, 1974. Applicant: ECOFF TRUCKING, INC., 625 E. Broadway, Fortville, Ind. 46040. Applicant's representative: Robert W. Loser II, 320 N. Meridian St., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Phosphoric*

acid, in bulk, in tank vehicles, from Jeffersonville, Ind., to points in Iowa, Minnesota, and Wisconsin, restricted against serving the site of any glass manufacturing plant. The purpose of this filing is to eliminate the gateway of the plant site of National Phosphate Corporation at or near Marseilles, Ill. (B) *Chemicals* (except soda ash and petroleum derivative chemicals as defined by the Commission), in bulk, in tank vehicles, from Jeffersonville, Ind., to points in Iowa, Minnesota, and Wisconsin. The purpose of this filing is to eliminate the gateway of the plant site of Central Chemical Co., Division of Wilson & Co., Inc., near Elwood, Ill. (C) *Phosphoric acid and dry phosphates*, in bulk, in tank vehicles, from Jeffersonville, Ind., to points in Maryland, New Jersey, New York, Pennsylvania, and West Virginia. The purpose of this filing is to eliminate the gateway of Fernald, Ohio.

No. MC 119988 (Sub-No. E52), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *Newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to that part of New Mexico on and south of a line beginning at the New Mexico-Texas State line and extending along U.S. Highway 380 to junction U.S. Highway 285, thence along U.S. Highway 285 to junction Interstate Highway 40, thence along Interstate Highway 40 to the New Mexico-Arizona State line. The purpose of this filing is to eliminate the gateway of that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 81 to junction U.S. Highway 181, thence along U.S. Highway 181 to the Gulf of Mexico.

No. MC 119988 (Sub-No. E53), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *Newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to Washington, D.C. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E55), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *Newspaper supplements* otherwise exempt from economic regulation under section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Washington. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E56), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *Newspaper supplements* otherwise exempt from economic regulation under section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Oregon. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E59), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Wyoming. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 123407 (Sub-No. E176), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, materials*, and *accessories*, used in the installation of Composition board and *ceiling tile* (except lumber and commodities in bulk, chemicals, and commodities which because of size or weight require the use of special equipment), from Brookville, Ind., to the Counties of Jeff Davis, Culberson, Hudspeth, and El Paso, Tex., points in New Mexico except the Counties of Eddy, Lea, Chaves, Roosevelt, and Curry, and points in Colorado. The purpose of this filing is to eliminate the gateway of that part of the Commercial Zone of Dubuque, Iowa, in Illinois.

No. MC 123407 (Sub-No. E178), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, materials*, and *accessories* used in the installation of the commodities above (except lumber and commodities in bulk), from the facilities of Abitibi Corporation at Roaring River, N.C., to points in Montana and the Counties of Teton, Park, Big Horn, Hot Springs, Washakie, Sheridan, Johnson, Campbell, and Crook, Wyo. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E180), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board*, (2) *materials* and *accessories* used in the installation of the commodities in (1) above, (except lumber and commodities in bulk), and (3) *ceiling tile*, from points in Illinois except Moline, East Moline, and Rock Island and the Counties of Hancock, Adams, and Pike to the Counties of Lincoln, Flathead, Sanders, Lake, Glacier, Pondera, Toole, Liberty, and Hill, Mont. The purpose of this filing is to eliminate the gateways of Warren, Ill., and L'Anse, Mich.

No. MC 123407 (Sub-No. E182), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board*, (2) *materials* and *accessories* used in the installation of the commodities in (1) above (except lumber and commodities in bulk), and (3) *Ceiling tile*, from Lakeville, Minn., to points in Maine, Vermont, New Hampshire, Massachusetts, and Connecticut. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E183), filed January 2, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, materials*, and *accessories* used in the installation of composition board (except lumber and commodities in bulk), from Natchez, Miss., to the Counties of Lincoln, Sanders, Flathead, Glacier, Pondera, Toole, Liberty, Hill, Blaine, Phillips, Valley and Daniels, Mont. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E184), filed January 2, 1975. Applicant: SAWYER

TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board* (except lumber and commodities in bulk), from Charleston, S.C., to points in Montana and the counties of Teton, Park, Big Horn, Sheridan, Johnson, Campbell, Brook, and Weston, Wyo. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E185), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board*, (2) *Materials* and *accessories* used in the installation of the commodities in (1) above (except lumber and commodities in bulk), and (3) *Ceiling tile*, from Florence, Ky., to points in Montana. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E186), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, materials, and accessories* used in the installation of composition board (except lumber and commodities in bulk), from Henry County, Tenn., to the counties of Lincoln, Sanders, Flathead, Lake, Glacier, Mineral, Missoula, Ravalli, Granite, Deer Lodge, Silver Bow, Jefferson, Powell, Broadwater, Lewis and Clark, Teton, Pondera, Toole, Liberty, Chouteau, Hill, Cascade, Judith Basin, Meagher, Wheatland, Fergus, Blaine, Phillips, Petroleum, Garfield, Valley, Daniels, Roosevelt, McCone, and Sheridan, Mont. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E187), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by water vehicle, over irregular routes, transporting: *Composition board* (except lumber and commodities in bulk), from the facilities of Georgia-Pacific Corporation at Taylorsville, Miss., to the counties of Lincoln, Sanders, Mineral, Ravalli, Granite, Deer Lodge, Powell, Lewis and Clark, Missoula, Lake, Flathead, Glacier, Teton, Pondera, Toole, Cascade, Chouteau, Liberty, Hill, Judith Basin, Fergus, Blaine, Phillips, Petroleum, Valley, Garfield, McCone, Daniels, Roosevelt, Dawson, Richland, and Sheridan, Mont. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E188), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board* (except lumber and commodities in bulk), from Orangeburg, S.C., to points in Montana and the counties of Park, Big Horn, Hot Springs, Washakee, Sheridan, Johnson, Campbell, Crook, and Weston, Wyo. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E189), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board*, (2) *Materials and accessories* used in the installation of the commodities in (1) above (except lumber and commodities in bulk), and (3) *Ceiling tile*, from Warren, Ill., to the counties of Lincoln, Sanders, Flathead, Lake, Glacier, Pondera, Titon, Toole, Liberty, Hill, Chouteau, and Blaine, Mont. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E190), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Composition board*, (2) *Materials and accessories* used in the installation of the commodities in (1) above (except lumber and commodities in bulk), and (3) *Ceiling tile*, from Superior, Wis., to points in West Virginia, Maryland, Delaware, New Jersey, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Texas, New Mexico, and Colorado. The purpose of this filing is to eliminate the gateway of that part of Dubuque, Iowa, commercial zone, which is in Illinois.

No. MC 123407 (Sub-No. E191), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials* (except commodities in bulk, lumber, chemicals, and commodities which because of size or weight require the use of special equipment), from Chicago and Wilmington, Ill., to points in Virginia, West Virginia, North Carolina, Kentucky in and east of the counties of Meade, Hardin, Hart, Edmonson, Warren, and Allen, and Tennessee in and east of the counties of Sumner, Davidson, Rutherford, Marshall, and Lincoln. The purpose of this filing is to eliminate the gateway of Brookville, Ind.

No. MC 123407 (Sub-No. E192), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, materials, and accessories* used in the installation of composition board, and *ceiling tube* (except lumber, commodities in bulk, iron and steel, and commodities which because of their size or weight require the use of special equipment), from the facilities of Certain-Teed Products Corporation in Scott County, Minn., to points in Connecticut, Massachusetts, New Hampshire, and Delaware. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E193), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., S. Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, and *Materials and accessories* used in the installation of composition board (except lumber and commodities in bulk), from the facilities of National Gypsum Company at Mobile, Ala., to points in Montana except the Counties of Beaverhead, Madison, Gallatin, Park, Sweet Grass, Stillwater, Carbon, Big Horn, Treasure, Rosebud, Custer, Powder River, Fallon, and Carter. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E194), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., S. Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board* (except lumber and commodities in bulk) from Charleston, S.C., to points in Colorado except the Counties of Power, Baca and Las Animas. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 123407 (Sub-No. E195), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., S. Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board* (except lumber and commodities in bulk), from Orangeburg, S.C., to points in Colorado except the Counties of Baca, Powers, Otero, and Las Animas. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 123407 (Sub-No. E196), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., S. Haven Square, Valparaiso, Ind. 46383. Applicant's repre-

sentative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board*, (2) *Materials and accessories* used in the installation of the commodities in (1) above, (except lumber and commodities in bulk), and (3) *Ceiling tile*, from International Falls, Minn., to points in West Virginia, Maryland, Delaware, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, and Florida. The purpose of this filing is to eliminate the gateway of that part of the commercial zone of Dubuque, Iowa, within Illinois.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

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