



# FEDERAL REGISTER

VOLUME 20 NUMBER 34

Washington, Thursday, February 17, 1955

### TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10596

REVOCATION OF EXECUTIVE ORDER No. 9908<sup>1</sup>  
OF DECEMBER 5, 1947

WHEREAS Executive Order No. 9908 of December 5, 1947 (12 F. R. 8223) entitled "Reservation of Source Material in Certain Lands Owned by the United States" requires that a specific reservation to the United States of all source materials in whatever concentration, as defined in section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 760; 42 U. S. C. sec. 1805) shall be contained in all disposals, leases, permits, or other authorizations to use lands other than public lands theretofore or thereafter acquired by the United States or any instrumentality thereof, so far as not in conflict with law and

WHEREAS section 66 of the Atomic Energy Act of 1954 (68 Stat. 919; Public Law 703, 83d Congress) authorizes the Atomic Energy Commission to purchase, condemn, or otherwise acquire rights to enter upon any real property deemed by it to have possibilities of containing deposits of source materials and to conduct prospecting and exploratory operations for such deposits; and

WHEREAS the specific reservation of source materials in lands belonging to the United States is not necessary to protect the interests of the United States; and

WHEREAS the said Atomic Energy Act of 1954, particularly section 68b thereof, has eliminated the requirement imposed by section 5 (b) (7) of the said Atomic Energy Act of 1946 that a specific reservation of source material to the United States be contained in all conveyances of public lands or interests therein by the United States; and

WHEREAS it is desirable that, whenever possible, the policy with respect to lands belonging to the United States other than public lands or interests therein conform to the policy enunciated by the Congress for public lands or interests therein.

NOW THEREFORE, by virtue of the authority vested in me as President of the United States, and in order to apply the policies enunciated by the Congress in the Atomic Energy Act of 1954 to all

<sup>1</sup> 12 F. R. 8223; 3 CFR, 1947 Supp., p. 176.

lands of the United States, it is ordered that the said Executive Order No. 9908 of December 5, 1947, be, and it is hereby, revoked.

The revocation of Executive Order No. 9908 shall not be construed to affect the revocation of Executive Order No. 9701 in the manner and to the extent provided in Executive Order No. 9908.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,  
February 15, 1955.

[F. R. Doc. 55-1439; Filed, Feb. 15, 1955;  
4:55 p. m.]

### EXECUTIVE ORDER 10597

PROVIDING FOR THE RESTORATION OF CERTAIN LANDS AT KAAKAUKUKUI, HONOLULU, HAWAII, TO THE JURISDICTION OF THE TERRITORY OF HAWAII AND TRANSFER OF TITLE THERETO TO THE TERRITORY

WHEREAS the Fort Armstrong Military Reservation at Kaakaukui, Honolulu, Oahu, Territory of Hawaii, was erected on lands formerly public lands of the Republic of Hawaii ceded to the United States, and reserved for naval and military purposes of the United States by Presidential Proclamation dated November 10, 1899, and a series of Executive orders enumerated in Executive Order No. 5487 of November 14, 1930, describing the said reservation, and

WHEREAS the Secretary of the Army, pursuant to section 203 of the act of Congress approved June 16, 1949, 63 Stat. 177, transferred to the Federal Works Agency a certain portion of the Fort Armstrong Military Reservation for use as a quarantine station, and

WHEREAS a portion of the lands so transferred, more particularly described below, now under the jurisdiction of the General Services Administration, as successor to the Federal Works Agency is needed by the Territory of Hawaii for purposes of an improvement project in Honolulu Harbor and

WHEREAS pursuant to an agreement dated August 3, 1950, between the Territory of Hawaii and the General Services Administration, which is to become effective upon the issuance of this order, the Territory has agreed to perform cer-

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tain construction and alteration work of benefit to the United States at no cost to the United States; and

WHEREAS, by reason of the aforesaid agreement, the General Services Administration has no objection to the grant to the Territory of title to the lands described below provided that the work prescribed in the agreement is completed to the satisfaction of the General Services Administration; and

WHEREAS by the act of July 27, 1954, 68 Stat. 567 (Public Law 539, 83d Congress) the Congress of the United States provided that notwithstanding the said act of June 16, 1949, the President is authorized to exercise in respect of the lands described below, all those powers which, by the second sentence of section 91 of the Hawaiian Organic Act, as amended, are conferred upon him in respect of other ceded property taken for the uses and purposes of the United States; and

WHEREAS it is deemed desirable and in the public interest that title to the lands described below be transferred to the Territory of Hawaii upon the conditions hereinafter stated:

NOW THEREFORE, by virtue of the authority vested in me by the second sentence of section 91 of the act of April 30, 1900, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447 (48 U. S. C. 511) it is ordered as follows:

Subject to the terms of the last paragraph of this order, the following-described lands at Kaakaukukui, Oahu, Territory of Hawaii, shall be restored to the possession and use of the Territory of Hawaii, and title thereto shall be transferred to the Territory:

**TRACT A**

Being the same as "PARCEL 3" described in Exhibit "B" of the agreement between the

General Services Administration and the Territory of Hawaii dated August 3, 1950, and the same as item 1 (a) of Public Law 539, 83d Congress.

Beginning at the north corner of this parcel of land, and on the southeast side of the area formerly known as Channel Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being 4412.22 feet south and 5678.39 feet west, and running by azimuths measured clockwise from true south.

1. 309° 03' 167.01 feet along portion of Presidential Executive Order 10309, Tract I;
2. 38° 57' 20'' 96.70 feet along same;
3. 308° 48' 30'' 25.98 feet along same;
4. 38° 48' 30'' 407.52 feet along portion of United States Military Reservation Fort Armstrong (Presidential Executive Order 5487) and along portion of quarantine station site (act of June 16, 1949)
5. 129° 00' 194.43 feet along portion of quarantine station site (act of June 16, 1949)
6. 219° 00' 504.28 feet along the southeast side of the area formerly known as Channel Street to the point of beginning.

Area 2.18 acres.

**TRACT B**

Being the same as "PARCEL 7" described in Exhibit "C" of the agreement between the General Services Administration and the Territory of Hawaii dated August 3, 1950, and the same as item 1 (b) of the act of July 27, 1954, 68 Stat. 568 (Public Law 539, 83d Congress)

Beginning at the north corner of this parcel of land, the west corner of the land described in Governor's Executive Order No. 1081 (Pier 2) and on the southeasterly side of the Honolulu Harbor line, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being 4652.16 feet south and 6222.25 feet west, and running by azimuths measured clockwise from true south:

1. 309° 00' 60.00 feet along Governor's Executive Order No. 1081;
2. 39° 00' 20.00 feet along portion of quarantine station site (act of June 16, 1949),
3. 129° 00' 60.00 feet along same;
4. 219° 00' 20.00 feet along the Honolulu Harbor line to the point of beginning.

Area 0.03 acre.

The said restoration of possession and use and transfer of title to the Territory are made subject to the condition that the Territory shall fully comply with the terms of its agreement dated August 3, 1950, with the General Services Administration referred to above, and shall become effective only upon the certification by a designated representative of the General Services Administration that the work described therein has been satisfactorily completed.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,  
February 15, 1955.

[F R. Doc. 55-1440; Filed, Feb. 15, 1955; 4:56 p. m.]

# RULES AND REGULATIONS

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.245]

#### PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

##### DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11 *Designation of differential posts* is amended as follows, effective on the dates indicated.

1. Effective as of the beginning of the first pay period following December 4, 1954, paragraph (b) is amended by the deletion of the following posts:

India, all posts except Bangalore, Bhopal, Bokaro, Bombay, Cuddalore, Cuttack, Hazaribagh, Hyderabad, Izatnagar, Kharagpur, Lucknow, Madras, Nabha, Nagpur, New Delhi, Patiala, Patna, Poona, Simla, and Trivandrum.

2. Effective as of the beginning of the first pay period following December 4, 1954, paragraph (b) is amended by the addition of the following posts:

India, all posts except Bangalore, Bhopal, Bokaro, Bombay, Cuddalore, Cuttack, Gwalior, Hazaribagh, Hyderabad, Izatnagar, Kharagpur, Lucknow, Madras, Nabha, Nagpur, New Delhi, Patiala, Patna, Poona, Simla, and Trivandrum.

3. Effective as of the beginning of the first pay period following January 1, 1955, paragraph (b) is amended by the deletion of the following posts:

India, all posts except Bangalore, Bhopal, Bokaro, Bombay, Cuddalore, Cuttack, Gwalior, Hazaribagh, Hyderabad, Izatnagar, Kharagpur, Lucknow, Madras, Nabha, Nagpur, New Delhi, Patiala, Patna, Poona, Simla and Trivandrum.

4. Effective as of the beginning of the first pay period following January 1, 1955, paragraph (b) is amended by the addition of the following posts:

India, all posts except Bangalore, Bhopal, Bokaro, Bombay, Cuddalore, Cuttack, Gwalior, Hazaribagh, Hyderabad, Izatnagar, Kharagpur, Lucknow, Madras, Malithon, Nabha, Nagpur, New Delhi, Patiala, Patna, Poona, Simla and Trivandrum.

5. Effective as of the beginning of the first pay period following February 12, 1955, paragraph (b) is amended by the deletion of the following posts:

Philippines, all posts except Angeles, Bagulo City, Cavite (including Sangley Point), Davao and Manila.

6. Effective as of the beginning of the first pay period following August 15, 1953, paragraph (a) is amended by the addition of the following post:

Mogadiscio, Somalia.

7. Effective as of the beginning of the first pay period following December 4, 1954, paragraph (a) is amended by the addition of the following post:

Gwalior, India.

8. Effective as of the beginning of the first pay period following February 12,

1955, paragraph (a) is amended by the addition of the following post:

Naga City, Philippines.

9. Effective as of the beginning of the first pay period following February 12, 1955, paragraph (b) is amended by the addition of the following posts:

Philippines, all posts except Angeles, Bagulo City, Cavite (including Sangley Point) Davao, Manila and Naga City.

(Sec. 102, Part I, E. O. 10000, 13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

LOY W HENDERSON,  
Deputy Under Secretary  
for Administration.

FEBRUARY 7, 1955.

[F. R. Doc. 55-1392; Filed, Feb. 16, 1955; 9:00 a. m.]

## TITLE 7—AGRICULTURE

### Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

#### PART 52—PROCESSED FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

##### SUBPART—UNITED STATES STANDARDS FOR GRADES OF FROZEN PEAS AND CARROTS<sup>1</sup>

On November 17, 1954, a notice of proposed rule making was published in the FEDERAL REGISTER (19 F. R. 7413) regarding a proposed issuance of United States Standards for Grades of Frozen Peas and Carrots.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Standards for Grades of Frozen Peas and Carrots are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946. (60 Stat. 1087 et seq., 7 U. S. C. 1621 et seq.)

##### PRODUCT DESCRIPTION, KINDS, TYPES, STYLES, PROPORTIONS OF INGREDIENT, AND GRADES

###### Sec.

- 52.2501 Product description.  
52.2502 Kinds, types, styles, and proportions of vegetables.  
52.2503 Grades of frozen peas and carrots.

###### FACTORS OF QUALITY

- 52.2504 Ascertaining the grades.  
52.2505 Ascertaining the rating for the factors which are scored.  
52.2506 Color.  
52.2507 Defects.  
52.2508 Character.

###### LOT CERTIFICATION TOLERANCES

- 52.2509 Tolerances for certification of officially drawn samples.

<sup>1</sup> Compliance with these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

## SCORE SHEET

### Sec.

- 52.2510 Score sheet for frozen peas and carrots.

AUTHORITY—§§ 52.2501 to 52.2510 issued under sec. 205, 60 Stat. 1090; 7 U. S. C. 1624.

### PRODUCT DESCRIPTION, KINDS, TYPES, STYLES, PROPORTIONS OF INGREDIENT, AND GRADES

§ 52.2501 *Product description.* Frozen peas and carrots is the product prepared from the fresh, clean, sound, immature seed of the common garden pea (*Pisum sativum*) and the fresh, clean, sound roots of the carrot plant (*Daucus carota sativa*) The peas are prepared by shelling, washing, sorting, and blanching. The carrots are prepared by washing, sorting, trimming, peeling, cutting into approximate cubes, and blanching. The prepared ingredients are properly drained and mixed; are frozen in accordance with good commercial practice; and are maintained at temperatures necessary for the preservation of the product.

§ 52.2502 *Kinds, types, styles, and proportions of vegetables.* (a) The kinds, types, styles, and proportions of the vegetables are as follows:

(1) *Peas.* Not less than 50 percent, by weight, of Early type or Sweet type peas.

(2) *Carrots.* Not less than 25 percent, by weight, of diced style carrots, predominantly  $\frac{1}{4}$  inch to  $\frac{3}{8}$  inch cubes.

(b) Compliance with the requirement for proportions of ingredients will be determined by averaging the total weight of each ingredient in all containers in the sample: *Provided*, That any deviation from the requirement for proportions of ingredients in any one sample does not exceed that expected under good commercial practice.

(c) The percentage, by weight, of the carrot ingredient consisting of units markedly smaller than one-half the volume of, or markedly larger than, the predominating size of the dice is determined by separating all such units from the carrot ingredient composited from all of the containers in the sample, weighing the units, and dividing the aggregate weight of all such units by the aggregate weight of the carrot ingredient as determined in paragraph (b) of this section.

§ 52.2503 *Grades of frozen peas and carrots.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen peas and carrots in which each vegetable possesses similar varietal characteristics; in which the vegetables possess a good color, are practically free from defects, possess a good character, possess a good flavor, and score not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U. S. Grade B" or "U. S. Extra Standard" is the quality of frozen peas and carrots in which each vegetable possesses similar varietal characteristics; in which the vegetables possess a reasonably good color, are reasonably free from defects, possess a reasonably good character, possess a good flavor, and score

not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "U. S. Grade C" or "U. S. Standard" is the quality of frozen peas and carrots in which each vegetable possesses similar varietal characteristics; in which the vegetables possess a fairly good color, are fairly free from defects, possess a fairly good character, possess a fairly good flavor, and score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(d) "Substandard" is the quality of frozen peas and carrots that fail to meet the requirements of U. S. Grade C or U. S. Standard.

**FACTORS OF QUALITY**

§ 52.2504 *Ascertaining the grade.* (a) The grade of frozen peas and carrots is ascertained by considering the factors of quality which are not scored and those which are scored, as follows:

- (1) *Factors which are not scored.*
  - (i) Varietal characteristics.
  - (ii) Flavor.
- (2) *Factors which are scored.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color -----	40
Defects -----	20
Character -----	40
<hr style="width: 100px; margin-left: 0;"/>	
Total score -----	100

(b) The scores for the factors of color and defects are determined immediately after thawing so that the product may be handled as individual units. The evaluation of the factors of flavor and character is made immediately after thawing and after cooking the product.

(c) "Good flavor" means that the product and each of the vegetables has a good, characteristic, normal flavor and odor, free from objectionable flavors and objectionable odors of any kind.

(d) "Fairly good flavor" means that the product after cooking may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

§ 52.2505 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive. (For example, "18 to 20 points" means 18, 19, or 20 points)

§ 52.2506 *Color*—(a) *General.* The factor of color refers to the overall appearance of the product and to the color and brightness of the vegetables individually

(b) (A) *classification.* Frozen peas and carrots which possess a good color may be given a score of 36 to 40 points. "Good color" means that the product possesses a color that is bright and typical of young and tender peas and tender diced carrots and that the appearance of the product is not more than slightly

affected by variations in the color of the carrots and of the peas.

(c) (B) *classification.* If the frozen peas and carrots possess a reasonably good color, a score of 32 to 35 points may be given. Frozen peas and carrots that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard regardless of the total score for the product (this is a limiting rule) "Reasonably good color" means that the product possesses a color that is reasonably bright and typical of reasonably young and reasonably tender peas and tender diced carrots, and that the appearance of the product is not materially affected by variations in the color of the carrots and of the peas.

(d) (C) *classification.* If the frozen peas and carrots possess a fairly good color, a score of 28 to 31 points may be given. Frozen peas and carrots that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a limiting rule) "Fairly good color" means that the product possesses a color that is typical of fairly young and fairly tender peas and reasonably tender diced carrots, may be dull but not off color, and the color of each ingredient may be variable but not to the extent that the appearance of the product is seriously affected.

(e) (SStd.) *classification.* If the frozen peas and carrots fail to meet the requirements of paragraph (d) of this section, a score of 0 to 27 points may be given and the product shall not be graded above Substandard regardless of the total score for the product (this is a limiting rule)

§ 52.2507 *Defects*—(a) *General.* The factor of defects refers to the degree of freedom from harmless extraneous material, damaged units, seriously damaged units, and any other defects which detract from the appearance or edibility of the product.

(1) "Harmless extraneous material" means vegetable material common to the pea or carrot plant, such as leaves, stems, or pods, and predominantly spherical or cylindrical harmless material from other plants, such as thistle buds, nightshade berries, or seeds, which are succulent and similar in color to frozen peas.

(2) "Damaged unit" means any pea or carrot dice that is affected by discoloration or other blemish to the extent that the appearance or edibility of the unit is materially affected and has the following specific meanings with respect to each vegetable:

(i) *Peas.* Any spotted or off-colored pea (such as brown, gray, cream, or yellow-white)

(ii) *Carrots.* Any unit possessing an unpeeled area greater than the area of a circle  $\frac{1}{8}$  inch in diameter and any unit blemished by internal or external discoloration, by sunburn or green color, or by other means.

(3) "Seriously damaged unit" means a pea or carrot dice that is damaged to the extent that the appearance and edibility of the unit is seriously affected and includes units with very dark spots or discolored units and other similar injury regardless of the area affected.

(4) "Other defects" means any defects not specially mentioned that affect the appearance or edibility of the product and include but are not limited to the following:

(i) *Peas.* Mashed peas, broken peas, loose cotyledons, loose skins, and any portions thereof.

(ii) *Carrots.* Crushed, broken, cracked or irregularly shaped units; units with excessively frayed edges and surfaces; and units markedly smaller than one-half the volume of, or markedly larger than, the predominating size of the dice.

(b) (A) *classification.* Frozen peas and carrots that are practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means compliance with the following requirements:

(1) Not more than one piece or pieces of extraneous pea or carrot material having an aggregate area of  $\frac{3}{16}$  square inch, or one spherical or cylindrical piece of other harmless extraneous vegetable material, for each 40 ounces of the product.

(2) Not more than 10 damaged and seriously damaged units for each 10 ounces of the product of which not more than 2 units are seriously damaged: *Provided,* That damaged and seriously damaged units, either singly or in combination, no more than slightly affect the appearance or eating quality of the product.

(3) Not more than 12 percent, by weight, of the carrot ingredient consists of units markedly smaller than one-half the volume of, or markedly larger than, the predominating size of the dice: *Provided,* That not more than twice this allowance or 24 percent, by weight, of such units may be present in any single sample.

(4) Other defects, individually or collectively do not more than slightly affect the appearance of the product.

(c) (B) *classification.* If the frozen peas and carrots are reasonably free from defects a score of 16 or 17 points may be given. Frozen peas and carrots that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard regardless of the total score for the product (this is a limiting rule) "Reasonably free from defects" means compliance with the following requirements:

(1) Not more than one piece or pieces of extraneous pea or carrot material having an aggregate area of  $\frac{3}{8}$  square inch, or two spherical or cylindrical pieces of other harmless vegetable material for each 40 ounces of the product.

(2) Not more than 14 damaged and seriously damaged units for each 10 ounces of the product of which not more than 3 units are seriously damaged: *Provided,* That damaged and seriously damaged units, either singly or in combination, do not materially affect the appearance or edibility of the product.

(3) Not more than 17 percent, by weight, of the carrot ingredient consists of units markedly smaller than one-half the volume of, or markedly larger than, the predominating size of the dice: *Provided,* That not more than twice this

allowance or 34 percent, by weight, of such units may be present in any single sample.

(4) Other defects, individually or collectively do not materially affect the appearance or eating quality of the product.

(d) (C) classification. If the frozen peas and carrots are fairly free from defects a score of 14 or 15 points may be given. Frozen peas and carrots that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a limiting rule) "Fairly free from defects" means compliance with the following requirements:

(1) Not more than one piece or pieces of extraneous pea or carrot material having an aggregate area of 3/4 square inch, or three spherical or cylindrical pieces of other harmless vegetable material for each 40 ounces of the product.

(2) Not more than 17 damaged and seriously damaged units for each 10 ounces of the product of which not more than 5 units are seriously damaged: *Provided*, That the damaged and seriously damaged units, either singly or in combination, do not seriously affect the appearance or eating quality of the product.

(3) Not more than 25 percent, by weight, of the carrot ingredient consists of units markedly smaller than one-half the volume of, or markedly larger than, the predominating size of the dice: *Provided*, That not more than twice this allowance or 50 percent, by weight, of such units may be present in any single sample.

(4) Other defects, individually or collectively, do not seriously affect the appearance of the product.

(e) (SStd.) classification. Frozen peas and carrots that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard regardless of the total score for the product (this is a limiting rule)

§ 52.2508 *Character*—(a) *General*. The factor of character refers to the tenderness and maturity of the peas; and the tenderness and degree of freedom from stringy or coarse fibers in the carrots; and to the tenderness of the combined vegetables after cooking.

(b) *Meaning of terms*. Unless indicated otherwise the meaning of the terms pertaining to the tenderness and maturity of each vegetable prior to cooking are the same as those in the applicable United States standards for grades of the respective frozen product.

(c) (A) classification. Frozen peas and carrots which possess a good character may be given a score of 36 to 40 points. "Good character" means that the combined vegetables after cooking are tender and that each vegetable prior to cooking meets the following requirements:

(1) *Peas*. The peas are reasonably tender and are the equivalent of frozen peas that would score not less than 34 points for the factor of "tenderness and maturity" as outlined in the "United

States Standards for Grades of Frozen Peas."

(2) *Carrots*. The carrots are tender, not fibrous, and possess a practically uniform texture.

(d) (B) classification. If the frozen peas and carrots possess a 'reasonably good character a score of 32 to 35 points may be given. Frozen peas and carrots that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard regardless of the total score for the product (this is a limiting rule) "Reasonably good character" means that the combined vegetables after cooking are reasonably tender and that each vegetable prior to cooking meets the following requirements:

(1) *Peas*. The peas are reasonably tender and are the equivalent of frozen peas that would score not less than 32 points for the factor of "tenderness and maturity" as outlined in the "United States Standards for Grades of Frozen Peas."

(2) *Carrots*. The carrots are tender, not fibrous, and possess a practically uniform texture.

(e) (C) classification. If the frozen peas and carrots possess a fairly good character a score of 28 to 31 points may be given. Frozen peas and carrots that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a limiting rule) "Fairly good character" means that the combined vegetables after cooking are fairly tender and that each vegetable prior to cooking meets the following requirements:

(1) *Peas*. The peas are at least fairly tender.

(2) *Carrots*. The carrots are at least reasonably tender, may be variable in texture but are not tough or hard, and there may be present a few units which possess a coarse fibrous texture.

(f) (SStd.) classification. Frozen peas and carrots that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard regardless of the total score for the product (this is a limiting rule)

LOT CERTIFICATION TOLERANCES

§ 52.2509 *Tolerances for certification of officially drawn samples*. (a) When certifying samples that have been officially drawn and which represent a specific lot of frozen peas and carrots the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (2) with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated

by the average of such total scores; and

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.2510 *Score sheet for frozen peas and carrots.*

Size and kind of container.....		
Container mark or identification.....		
Label.....		
Net weight (ounces).....		
Kinds of ingredients	Aggregate weight each ingredient	Proportion of ingredients
Peas: ( ) sweet; ( ) early.....	.....oz.	.....%
Carrots: diced (approx. " " cubes).....	.....oz.	.....%
Grand total weight.....	.....oz.	100%
Factors	Score points	
Color.....	40	{ (A) 36-40 { (B) 32-35 { (C) 28-31 { (SStd.) 10-27 { (A) 18-20 { (B) 16-17 { (C) 14-15 { (SStd.) 10-13
Defects.....	20	{ (A) 36-40 { (B) 32-35 { (C) 28-31 { (SStd.) 10-27
Character.....	40	{ (A) 36-40 { (B) 32-35 { (C) 28-31 { (SStd.) 10-27
Total score.....		
Grade.....		

<sup>1</sup> Indicates limiting rule.

*Effective time*. The United States Standards for Grades of Frozen Peas and Carrots (which is the first issue) contained in this subpart shall become effective 30 days after publication hereof in the FEDERAL REGISTER.

Dated: February 14, 1955.

[SEAL] ROY W LENNARTSON,  
Deputy Administrator  
Marketing Services.

[F R. Doc. 55-1405; Filed, Feb. 16, 1955; 9:04 a. m.]

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—KHAPRA BEETLE

On December 1, 1954, pursuant to a notice published in the FEDERAL REGISTER on October 21, 1954 (19 F R. 6795) a public hearing was held with respect to a proposal to quarantine the States of Arizona, California, and New Mexico, under section 8 of the Plant Quarantine Act of August 20, 1912, as amended (37 Stat. 318, as amended; 7 U. S. C. 161) because of the discovery in such States of the khapra beetle. On January 11, 1955, a notice of rule making setting forth the proposed notice of quarantine and supplementary regulations was published in the FEDERAL REGISTER (20 F R. 251) After due consideration of all

matters presented at the public hearing or pursuant to the notice of rule making and under the authority of sections 8 and 9 of said Plant Quarantine Act and section 3 of the Insect Pest Act of March 3, 1905 (7 U. S. C. 143) the notice of quarantine and supplementary regulations are hereby issued to appear, in a new subpart under the heading "Khapra Beetle" in 7 CFR Part 301, as follows:

## QUARANTINE

Sec.	
301.76	Notice of quarantine.
	REGULATIONS
301.76-1	Definitions.
301.76-2	Designation of regulated areas.
301.76-3	Regulated articles.
301.76-4	Conditions governing interstate movement of certain regulated articles.
301.76-5	Conditions governing the issuance of certificates and limited permits.
301.76-6	Request for certification; assembly of articles.
301.76-7	Cancellation of certificates or limited permits.
301.76-8	Inspection of shipments en route.
301.76-9	Disinfecting vehicles, machinery, and other articles.
301.76-10	Shipments for experimental and scientific purposes.
301.76-11	Nonliability of Department.

**AUTHORITY:** §§ 301.76 to 301.76-11 issued under sec. 3, 33 Stat. 1270; sec. 9, 37 Stat. 318; 7 U. S. C. 143, 162. Interpret or apply sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.

## QUARANTINE

§ 301.76 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) and after the public hearing required thereby, the States of Arizona, California, and New Mexico are hereby quarantined to prevent the spread of the khapra beetle, a dangerous insect notoriously injurious to stored grain and not heretofore widely prevalent or distributed within and throughout the United States, and under the authority conferred by the Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.) regulations are hereinafter prescribed governing the movement of khapra beetles and carriers thereof. Hereafter (a) all grains and grain products (including, but not limited to, barley, corn, oats, rye, and wheat) whether moved as such or in connection with other articles; (b) dried seeds and seed products of field and vegetable crops (including, but not limited to, alfalfa seed, cottonseed, cottonseed meal and cake, flax seed, sorghum seed, soybean meal, pinto beans, and black-eyed peas) (c) bags and bagging (including, but not limited to, those made of burlap or cotton) (d) dried milk, dried blood, fish meal, and meat scraps; and (e) any other article which by reason of infestation or exposure constitutes a hazard of spreading the khapra beetle as determined in accordance with the regulations supplemental hereto (§§ 301.76-1 to 301.76-11) shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined

States into or through any other State, Territory, or District of the United States in manner or method or under conditions other than those prescribed in §§ 301.76-1 to 301.76-11 and amendments thereto: *Provided*, That the requirements of this quarantine and of the regulations supplemental hereto, except as otherwise provided in such regulations, are hereby limited to the areas in any quarantined State which may be designated as regulated areas as provided in such regulations, as long as, in the judgment of the Administrator of the Agricultural Research Service, the enforcement of said regulations as to such regulated areas will be adequate to prevent the spread of the khapra beetle, except that such limitation is further conditioned upon the affected States providing for and enforcing control of the movement within such States of the regulated articles under the same conditions as those which apply to their interstate movement under the provisions of currently existing Federal quarantine regulations, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of said Administrator, shall be deemed adequate to prevent the spread therefrom within such State of the said insect infestation: *Provided further* That whenever the Chief of the Plant Pest Control Branch shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto (§§ 301.76-1 to 301.76-11) apply except live khapra beetles in any stage of development, making it safe to modify, by making less stringent, the requirements contained in such supplemental regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof and for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

## REGULATIONS

§ 301.76-1 *Definitions.* For the purpose of the regulations in this subpart the following terms shall be construed, respectively, to mean.

(a) *Khapra beetle.* The insect known as the khapra beetle (*Trogoderma granarium* Everts) in any stage of development.

(b) *Infestation.* The presence of the khapra beetle.

(c) *Regulated area.* Any warehouse, mill, or other premises and any surrounding environs designated as a regulated area in administrative instructions under § 301.76-2.

(d) *Regulated articles.* Products or other articles of any character whatsoever, the movement of which is regulated by this quarantine (§ 301.76) and regulations supplemental thereto (§§ 301.76-1 to 301.76-11)

(e) *Inspector.* An inspector of the United States Department of Agriculture.

(f) *Person.* Any individual, partnership, corporation, company society association, or other form of organization.

(g) *"Moved"* ("movement," "move") Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved. "Movement" and "move" shall be construed accordingly.

(h) *Interstate.* From one State, Territory or District of the United States into or through another such State, Territory or District.

(i) *Certificate.* A master document issued by an inspector indicating the quantity and nature of the regulated articles covered thereby for use with bulk or lot shipments of regulated articles by any means of transportation whatsoever, or other form of document issued by an inspector for specific regulated articles, authorizing their interstate movement from a regulated area to any destination.

(j) *Limited permit.* A document, issued by an inspector, to allow controlled interstate movement of noncertified articles from a regulated area to a designated and authorized destination for processing or other regulated safe handling.

(k) *Administrative instructions.* Published documents relating to the enforcement of the provisions in this subpart issued under authority of the provisions thereof by the Chief of the Plant Pest Control Branch, Agricultural Research Service.

§ 301.76-2 *Designation of regulated areas.* The Chief of the Plant Pest Control Branch shall, from time to time, publish in administrative instructions a list of warehouses, mills, and other premises in which infestation of the khapra beetle has been determined to exist and any surrounding environs in which it has been determined such infestation is likely to exist, and shall designate such premises and environs as regulated areas. Premises and environs so designated shall continue in a regulated status until the Chief of the Plant Pest Control Branch shall determine that adequate sanitation measures have been practiced for a sufficient length of time to eradicate the khapra beetle in and upon such premises and environs, and shall have issued administrative instructions revoking the designation of such premises and environs as regulated areas.

§ 301.76-3 *Regulated articles—(a) Articles the removal of which is prohibited.* The removal of live khapra beetles from any State, Territory or the District of Columbia into any other State, Territory, or the District of Columbia, except for scientific purposes, is prohibited. Provisions for such removal of live khapra beetles, for scientific purposes, are set forth in § 301.76-10.

(b) *Articles the movement of which is restricted.* The interstate movement of the following articles from any regulated area is subject to the regulations in this subpart:

(1) All grains and grain products (including, but not limited to, barley corn, oats, rye, and wheat) whether moved as such or in connection with other articles.

(2) Dried seeds and seed products of field and vegetable crops (including, but not limited to, alfalfa seed, cottonseed, cottonseed meal and cake, flax seed, sorghum seed, soybean meal, pinto beans, and black-eyed peas)

(3) Bags and bagging (including, but not limited to, those made of burlap or cotton)

(4) Dried milk, dried blood, fish meal, and meat scraps.

(5) Any other article which by reason of infestation or exposure is determined by an inspector to constitute a hazard of spreading the khapra beetle.

§ 301.76-4 *Conditions governing interstate movement of certain regulated articles*—(a) *Certificate or limited permit required.* Regulated articles designated in § 301.76-3 (b) shall not be moved interstate from any regulated area into or through any point outside thereof unless accompanied by a valid certificate or limited permit issued under § 301.76-5, except as otherwise provided in this subpart.

(b) *Articles originating outside of the regulated area.* No certificates or limited permits are required for the interstate movement of regulated articles designated in § 301.76-3 (b) originating outside of the regulated areas and moving through or from a regulated area on a through bill of lading, when the point of origin is clearly indicated, when their identity has been maintained, and when the articles have been protected, while in the regulated area, in a manner satisfactory to the inspector.

§ 301.76-5 *Conditions governing the issuance of certificates and limited permits*—(a) *Certification of regulated articles.* Certificates may be issued for the interstate movement from a regulated area of the regulated articles designated in § 301.76-3 (b) under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied.

(b) *Limited permits.* Limited permits may be issued for the interstate movement from a regulated area of non-certified regulated articles designated in § 301.76-3 (b) to such destinations and consignees as may be authorized and designated by the Chief of the Plant Pest Control Branch for processing or other safe handling.

(c) *Dealer-carrier agreement.* As a condition of issuance of certificates or limited permits for the interstate movement of regulated articles, any person engaged in purchasing, assembling, exchanging, processing, or transporting such regulated articles may be required to execute a dealer-carrier agreement

stipulating that he will, under the supervision of the inspector, carry out any and all conditions, treatments, precautions and sanitary measures which are deemed necessary by the inspector, including requirements as to the maintenance of identity handling and subsequent movement of all such regulated articles and cleaning of vehicles used in the transportation of such articles.

§ 301.76-6 *Request for certification, assembly of articles.* Any person intending to move interstate from any regulated area any regulated articles, the certification of which is required under the regulations in this subpart, shall request certification as far as possible in advance of the probable date of such movement, and he may be required to prepare and assemble the articles to be inspected so that they may be readily examined by the inspector.

§ 301.76-7 *Cancellation of certificates or limited permits.* Certificates or limited permits for any regulated articles issued under the regulations in this part may be withdrawn or canceled and further certificates or permits for such articles refused by the inspector whenever he determines the further use of such certificates or permits might result in the dissemination of the khapra beetle.

§ 301.76-8 *Inspection of shipments en route.* Any means of conveyance or container moving interstate which an inspector has probable cause to believe carries or contains any khapra beetles the transportation of which is illegal or any other articles the movement of which is controlled by § 301.76 and the regulations in this subpart shall be subject to inspection by the inspector at any time or place.

§ 301.76-9 *Disinfesting vehicles, machinery, and other articles.* When an inspector determines that any railway car, truck, other vehicle, machinery implement, or other article moving or to be moved interstate from a regulated area, by reason of infestation or exposure, constitutes a hazard of spreading the khapra beetle, such article shall be required as a condition of further interstate movement to any point outside the regulated area to be thoroughly cleaned, disinfested, or otherwise treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied, or such article will be prohibited such movement except under limited permit.

§ 301.76-10 *Shipments for experimental and scientific purposes.* Live khapra beetles may be removed from any State or Territory or the District of Columbia into any other State or Territory or the District of Columbia, and other articles subject to the requirements of the regulations in this subpart may be moved interstate from any regulated area, for experimental or other scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Plant Pest Control Branch. The container or,

if there is none, the article itself shall bear, securely attached to the outside thereof, an identifying tag from the Plant Pest Control Branch.

§ 301.76-11 *Nonliability of Department.* The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the regulations in this subpart, other than for the services of the inspector.

The purpose of the quarantine and supplementary regulations is to prevent the spread of the khapra beetle from Arizona, California, and New Mexico, where it is known to occur, to other parts of the United States. The supplementary regulations provide methods whereby host material may be inspected and treated or otherwise made eligible for interstate movement from regulated areas. The regulations also govern the interstate movement of live khapra beetles for scientific purposes.

The Chief of the Plant Pest Control Branch will supplement these regulations by issuing administrative instructions listing premises in which infestation is found to exist and surrounding environs in which infestation is found likely to exist, and designating such premises and environs as regulated areas.

In order to be of maximum protection to the public the foregoing quarantine and regulations should be made effective as soon as possible. Therefore under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

The foregoing quarantine and regulations shall be effective on and after February 21, 1955.

Done at Washington, D. C., this 11th day of February 1955.

[SEAL] M. R. CLARKSON,  
Acting Administrator  
Agricultural Research Service.

[F. R. Doc. 55-1367; Filed, Feb. 16, 1955; 8:53 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 124]

#### PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

##### EFFECTIVE DATES OF STANDARD INSTRUMENT APPROACH PROCEDURES

This amendment deletes the reference to the Flight Information Manual, which no longer publishes instrument approach procedures, and specifies the procedure by which the Administrator notifies the operator of an aircraft of a change in an instrument approach procedure.

Section 609.3 (c) is amended as follows:

#### § 609.3 Introduction. \* \* \*

(c) *Notice of amendment of procedures.* Amendments of the standard instrument approach procedures prescribed in this part are published in the

FEDERAL REGISTER and the Airman's Guide. They may also be found in the Approach and Landing Charts published by the United States Coast and Geodetic Survey. However, when unforeseen conditions are encountered in the establishment, realignment, or operation of the navigation facilities upon which the approach procedures are based, it may be necessary to accomplish without delay a change in the published instrument approach procedures. Notices of such changes are disseminated by "Q" codes and Notices to Airmen.<sup>1</sup> Therefore, any person who intends to conduct an instrument approach should check such notices to determine whether a change has been made in the published instrument approach procedures.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

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

[SEAL] F. B. LEE,  
Administrator of Civil Aeronautics.

[F. R. Doc. 55-1334; Filed, Feb. 16, 1955; 8:45 a. m.]

## TITLE 20—EMPLOYEES' BENEFITS

### Chapter II—Railroad Retirement Board

#### PART 327—AVAILABLE FOR WORK

##### EMPLOYEE WHO HAS RETIRED VOLUNTARILY

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1094, 1107 45 U. S. C. 362) § 327.10 of the regulations under such act (18 F. R. 8157) is amended by Board Order 55-30, dated February 2, 1955, by the addition of paragraph (c) which reads as follows:

§ 327.10 *Consideration of availability.* \* \* \*

(c) *Employee who has retired voluntarily.* An employee who has retired voluntarily shall be presumed not to be eligible for unemployment benefits. An employee shall be regarded as having retired voluntarily if his not being in the active service of his employer is due to an agreement between his labor organization and his employer requiring retirement upon attaining a certain age.

(Sec. 12, 52 Stat. 1107, as amended; 45 U. S. C. 362)

Dated: February 11, 1955.

By authority of the Board.

MARY B. LINKINS,  
Secretary of the Board.

[F. R. Doc. 55-1364; Filed, Feb. 16, 1955; 8:52 a. m.]

<sup>1</sup>"Q" codes and Notices to Airmen are broadcast and made available to airmen by CAA communications stations.

## TITLE 22—FOREIGN RELATIONS

### Chapter II—Foreign Operations Administration

#### PART 201—PROCEDURES FOR FURNISHING ASSISTANCE TO PARTICIPATING COUNTRIES

##### OCEAN TRANSPORTATION

By virtue of authority delegated to me by the Director of the Foreign Operations Administration by paragraph 3 of "Delegation of Authority to Sign Budget and Fiscal Documents and for Other Purposes" dated November 26, 1954 (19 F. R. 8049) I hereby waive, effective from and after October 15, 1954, until further notice the proviso appearing in § 201.7 (c) (1) (i) of FOA Regulation 1 reading as follows: "Provided, That reimbursement of 90 percent of such cost will be made on presentation, in accordance with § 201.18, of documents covering at least 90 percent of the freight cost, the balance, if any to be payable within 60 days after final settlement of dispatch/demurrage claims and documented by the vessel's signed laytime statement(s) "

(Sec. 525, Pub. Law 665, 83d Cong.)

JOHN E. MURPHY,  
Controller

[F. R. Doc. 55-1343; Filed, Feb. 16, 1955; 8:48 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

#### Subchapter A—General Rules and Regulations

##### PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

##### FORM PRESCRIBED FOR LESSORS TO STEAM RAILWAYS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 7th day of February A. D. 1955.

The matter of annual reports from lessors to steam railways being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished, and that public rule-making procedures are unnecessary.

*It is ordered,* That the order of December 14, 1953, In the Matter of Annual Reports from Lessors to Steam Railway Companies (49 CFR 120.14) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1954, and subsequent years, as follows:

§ 120.14 *Form prescribed for lessors to steam railways.* All Lessors to Steam Railway Companies, subject to the provisions of section 20, Part I of the Interstate Commerce Act, shall file under oath an annual report for the year ended December 31, 1954, and for each succeeding year until further order, in accordance with Annual Report Form E<sup>1</sup>

<sup>1</sup>Filed as part of the original document.

(Railway Lessor Companies) which is hereby approved and made a part of this section. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

NOTE: Budget Bureau No. 60-R101.11.

(Sec. 20, 24 Stat. 386, as amended, 49 U. S. C. 20)

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD,  
Secretary.

[F. R. Doc. 55-1381; Filed, Feb. 16, 1955; 8:57 a. m.]

#### Subchapter C—Carriers by Water

##### PART 301—REPORTS

##### ANNUAL REPORT FORM PRESCRIBED FOR CARRIERS BY INLAND AND COASTAL WATERWAYS OF CLASS A AND CLASS B

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 4th day of February A. D. 1955.

The matter of annual reports from carriers by water being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished, and that public rule-making procedures are unnecessary.

*It is ordered,* That the order dated December 10, 1953, In the Matter of Annual Reports from Carriers by Water of Class A and of Class B (49 CFR 301.10) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1954, and subsequent years, as follows:

§ 301.10 *Annual report form prescribed for carriers by inland and coastal waterways of Class A and Class B.* All Inland and Coastal Waterways of Class A and Class B (49 CFR 126.2) subject to the provisions of section 313, Part III of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1954, and for each succeeding year until further order, in accordance with Annual Report Form K-A<sup>1</sup> (Inland and Coastal Waterways of Class A and Class B) which is hereby approved and made a part of this order. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

NOTE: Budget Bureau No. 60-R105.11.

(54 Stat. 944; 49 U. S. C. 913)

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD,  
Secretary.

[F. R. Doc. 55-1382; Filed, Feb. 16, 1955; 8:57 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF THE TREASURY

#### Bureau of Customs

#### [ 19 CFR Part 6 ]

[192-39.31]

CHICAGO MIDWAY AIRPORT, CHICAGO, ILL.

#### NOTICE OF PROPOSED DESIGNATION AS TEMPORARY AIRPORT OF ENTRY

Notice is hereby given that, pursuant to the authority contained in section 7 (b) of the Air Commerce Act of 1926, as amended (49 U. S. C. 177 (b)) it is proposed to designate the Chicago Midway Airport, Chicago, Illinois, as an airport of entry (international airport) for civil aircraft and for merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of said act (49 U. S. C. 179 (b)) for a period of 6 months; and it is further proposed to amend Part 6 of the Customs Regulations by adding thereto a new section designated as § 6.14, under the caption "List of temporary international airports," and inserting thereunder the location and name of this airport.

This notice is published pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003) Data, views, or arguments with respect to the proposed designation of the above-mentioned airport as an international airport may be addressed to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., in writing. To assure consideration of such communications, they must be received in the Bureau of Customs not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER.

[SEAL] D. B. STRUBINGER,  
*Acting Commissioner of Customs.*

Approved: February 10, 1955.

H. CHAPMAN ROSE,  
*Acting Secretary of the Treasury.*

[F R. Doc. 55-1390; Filed, Feb. 16, 1955;  
8:59 a. m.]

### DEPARTMENT OF AGRICULTURE

#### Agricultural Marketing Service

#### [ 7 CFR Part 927 ]

[Docket No. AO-71-A-29]

HANDLING OF MILK IN NEW YORK METRO-  
POLITAN MILK MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMEND-  
MENTS TO TENTATIVE AGREEMENT AND TO  
ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of a public hearing to be held at the Belmont Plaza Hotel in New York City beginning on February 21, 1955, at 10:00 a. m., e. s. t., and

also at the Yates Hotel in Syracuse, New York, beginning on February 23, 1955, at 10:00 a. m., e. s. t., for the purpose of receiving evidence with respect to the amendment of the tentative marketing agreement and the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area.

Evidence will be received at the hearing concerning amendment of the following provisions of the order:

1. Section 927.40 (a) and (b) relative to the pricing of Class I-A milk;

2. Sections 927.40 (f) and 927.43 relating to the pricing of Class III milk, but not including the resubmission of evidence on proposals for relocation payments or separate allowances on Class III milk moved from receiving plants to manufacturing plants.

Petitions have been submitted by several organizations of producers' for a hearing on the Class I-A price with opportunity for the submission of evidence not only with respect to revision of the Class I-A pricing formula now in effect, but also the proposition of fixing a stated price in place of such formula price. Specific proposed amendments which have been submitted are as follows:

By the Dairymen's League Cooperative Association, Inc. and the Metropolitan Cooperative Milk Producers Bargaining Agency Inc..

1. That a price for Class I-A milk of \$6.00 per hundredweight subject to seasonal variation similar to the schedule now set forth in the order be substituted for the price resulting from operation of the present pricing formula for Class I-A milk.

By the Milk Dealers' Association of Metropolitan New York, Inc., Sheffield Farms Company, and the New York State Cheese Manufacturers' Association:

2. Amend the first proviso in § 927.40 (f) to provide an additional deduction from the Class III price during the months of March, April, May and June in line with the deduction provided in May and June 1954.

By Eastern Milk Producers Cooperative Association, Inc..

3. Amend § 927.40 (f) by adding at the end of the first proviso therein the following: "Provided further That for the months of September, October, November and December, the price for Class III milk shall not be less than the price announced pursuant to § 927.46 (b) (9) for each such month."

4. Amend § 927.43 by inserting after the initial words "For milk received from producers" the words "during the months of May and June" and by deleting in the second proviso the words "dur-

<sup>1</sup> Dairymen's League Cooperative Association, Inc., Eastern Milk Producers Cooperative Association, Inc., Metropolitan Cooperative Milk Producers Bargaining Agency, Inc., Mutual Federation of Independent Cooperatives, Inc., and Tri-State Milk Producers Cooperative, Inc.

ing any of the months of March through July"

Proposed by Aiello Dairy Farms Company'

5. Amend § 927.33, as follows:

(1) Insert at the beginning of paragraph "(a)" the words, "Except as set forth in paragraph 'f' of this section,"

(2) Add a new paragraph (f) as follows:

(f) The classification of milk shipped in the form of milk to a plant in the marketing area shall be determined at the first plant in the marketing area at which such milk is received, if moved from such plant in the form of cheeses, other than those cheeses mentioned in § 927.43.

These proposed amendments have not received the approval of the Secretary of Agriculture. Hearing of other proposals which have been submitted outside the scope of this notice is being deferred to provide further opportunity for their study and consideration by producer groups and other interested parties, and to permit more expeditious submission and consideration of evidence relating to the issues set forth in this notice.

Interested parties are hereby notified that the hearing called pursuant to this notice is a completely new proceeding, and that no portion of the record of the hearing which began in Syracuse, New York on February 8, 1955, pursuant to notice issued on January 18, 1955 (20 F. R. 490) and which was terminated by notice filed with the Hearing Clerk on February 11, 1955 will be incorporated by reference into the record of the hearing held pursuant to this notice.

Copies of this notice of hearing, the said order, as amended, and the said tentative marketing agreement may be procured from the Market Administrator, 205 East 42d Street, New York 17, New York, or from the Hearing Clerk, United States Department of Agriculture, Room 112 Administration Building, Washington 25, D. C., or may be there inspected.

Dated: February 14, 1955, at Washington, D. C.

[SEAL] ROY W. LENNARTSON,  
*Deputy Administrator*

[F R. Doc. 55-1406; Filed, Feb. 16, 1955;  
9:04 a. m.]

### CIVIL AERONAUTICS BOARD

#### [ 14 CFR Part 40 ]

SCHEDULED INTERSTATE AIR CARRIER CER-  
TIFICATION AND OPERATION RULES

EMERGENCY AND EVACUATION EQUIPMENT  
AND PROCEDURES

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of proposed amendments to Part 40 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by

submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by March 18, 1955. Copies of such communications will be available after March 22, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

While currently effective provisions of Part 40 contain certain requirements for emergency and evacuation equipment and procedures, there have been under consideration for some time proposals to require certain additional provisions to be made by scheduled air carriers with respect to such emergency and evacuation equipment and procedures. On August 11, 1953, the Board published in the FEDERAL REGISTER (18 F. R. 4744) a notice of proposed rule making which was circulated as Civil Air Regulations Draft Release No. 53-15 dated August 10, 1953. Comment in response to the proposals in this notice to amend Part 40 was received from the Air Line Pilots Association, the Air Transport Association, and the Civil Aeronautics Administration. The Air Line Pilots Association and the Civil Aeronautics Administration approved the proposals in general, but proposed numerous detailed changes; the Air Transport Association objected to the proposals on the ground that the burden imposed on the scheduled airlines would be disproportionate to the slight advantage of having equipment available. The Air Transport Association also submitted a detailed comment with respect to each provision. Certain changes in the specific wording of the proposals as presented in Draft Release No. 53-15 have been made in response to the comments received.

In view of the fact that there has been a substantial lapse in time since August 11, 1953, and because of the changes made in the former proposal, this proposal is being published prior to any final action by the Board. The following are summaries of the regulatory changes which the Board considers are necessary at this time:

1. *Means of emergency evacuation.* There are no requirements in any of the operating parts of the Civil Air Regulations for evacuation equipment to assist passengers in evacuating an airplane on the ground. Experience has shown that in certain instances it is essential that some means be provided in addition to those required by the applicable airworthiness requirements. Part 4b now specifies that for all landplane emergency exits which are more than six feet from the ground with the airplane on the ground and the landing gear extended, approved means shall be provided to assist the occupants in the descent from the airplane (this requirement does not apply to emergency exits so located that it can be expected that the passengers can gain easy access to the wing and thence to the ground) It

is considered that this same requirement should be applied to airplanes presently in service by its inclusion in the relevant operating parts. This amendment will provide that such means for emergency evacuation shall be a chute or an equivalent device which will be suitable for the rapid evacuation of passengers. The Board intends that this means shall be in a position for ready use during flight time and so located that it will not create a hazard by obstructing any emergency exit. As an example, certain of the air carriers have already installed chutes immediately above exit doors or on brackets attached to the fuselage immediately adjacent to the doors. In each of these installations the chute is in a position for ready use within the meaning of the new section.

2. *Emergency exit markings.* At the present time § 40.178 (a) requires that emergency exits for airplanes carrying passengers be clearly marked as such with luminous paint in letters not less than  $\frac{3}{4}$  inch high, such markings to be located either on or immediately adjacent to pertinent exits and readily visible to passengers. Location and method of operation of the handles are required to be marked with luminous paint. The Board has received a number of comments to the effect that these requirements are not adequate to ensure that in case of a crash landing or ditching at night the passengers and crew would be able to identify and operate emergency exits. This amendment, therefore, will provide that for all air carrier passenger airplanes lights be installed so as to illuminate all exits in such a manner as to attract the attention of the occupants of the airplane at night. It is further required that the lights be equipped with an integral energy supply independent of the main electrical system and so designed as to function automatically in the event of a crash landing and also be operable manually. The Board received some comment with respect to the design of the lights required by this amendment indicating that there was concern that the proposed wording would limit installations to inertia operated lights. This is not the intent of the amendment and any approved system, whether it is designed to operate continuously as a result of inertia forces, or upon failure of the main electrical system, will be satisfactory as long as it meets the two fundamental requirements: (1) It will function or continue to function automatically in the event of a crash landing and (2) is also operable manually.

The requirements for emergency exit markings in the airplane interior will be deleted from § 40.178 and will be incorporated in § 40.173 (f). This latter section includes revised language which takes account of the new emergency exit lighting requirements and is consistent with the current provisions of Part 4b.

3. *Equipment for extended over-water operations.* This amendment will modify and expand the provisions that scheduled air carriers in extended over-water operations shall be required to have on their airplanes suitable equipment in the form of life vests, life rafts, signaling devices, and survival kits. This equip-

ment shall be installed in conspicuously marked approved locations where it will be easily accessible in the event of ditching.

The proposals in Draft Release No. 53-15 included "Life rafts sufficient in number and of such rated capacity as to accommodate all occupants of the airplane. Such life rafts shall possess sufficient maximum capacity as to accommodate all occupants of the airplane, in the event of a loss of one life raft of the largest rated capacity on board."

One of the assumptions upon which the Board based this proposal was that life rafts currently carried by the air carriers, whether of military or civil design, had a "maximum" or "overload" capacity with respect both to buoyancy and seating area in the order of 50 percent. Thus it appeared that in most cases life rafts in addition to the number which would accommodate all occupants of the airplane at rated capacities would not be necessary.

The Board has been advised, however, that the overload seating capacity for these life rafts has not been definitely established, although available information indicates that the maximum overload seating capacity of any commonly used large life raft is at the best 25 percent. In view of this current lack of specific data relative to life raft capacities, the Board is not proposing to adopt the underlined provision at this time pending development of satisfactory criteria of life raft capacity.

The Board is also greatly concerned by the lack of any requirement that life jackets and life rafts be equipped with a means of illumination which would materially assist in the rescue of persons from the water at night. Heretofore, the Board has been advised that lights available in the United States have not been developed to a level of reliability sufficient to justify such a mandatory civil requirement. The Board has recently been informed, however, that progress is being made toward the development of a serviceable, reliable, lightweight, inexpensive light of indefinite shelf life, adaptable for the intended purpose of locating persons and life rafts in the water after ditching. The Board is considering, therefore, whether a means of illuminating life jackets and life rafts should be required when developments are sufficiently mature to warrant such action. The Board will especially appreciate comments with respect to this problem.

4. *Assignment of emergency functions for each crew member.* This amendment will require each air carrier to assign all necessary emergency functions for each crew member to accomplish in the event of an emergency landing. The air carrier shall show that the functions so assigned are possible of accomplishment. A comment with respect to this section indicated that there was some concern that it would not provide enough flexibility if one or more crew members were to be incapacitated at the time emergency functions had to be performed. The Board considers, however, that the capability of individual crew members to absorb emergency functions normally assigned to other crew members

will be dependent primarily on the basic training received in the air carrier's training program and that such capability will be neither limited nor enhanced by this rule. The Board has always based its rules on the premise that wherever possible the air carrier should be responsible for assigning crew duties. It has been brought to the attention of the Board, however, that in certain instances crew duties are not sufficiently delineated and crew training programs are not sufficiently complete as to provide proper coordination of the crew in the event of a crash landing or ditching. The Board considers that it is necessary to ensure that assigned crew duties are realistic, and do not, for example, require an individual to be assigned certain tasks which are not probable of accomplishment under the conditions anticipated. Therefore, it will be provided that each air carrier assign functions to each crew member to be accomplished in the event of an emergency landing. These functions must be listed in the air carrier manual and all crew members shall be made thoroughly familiar with such functions during both initial and recurrent training. The air carrier must show that the functions so assigned are possible of accomplishment.

5. *Briefing of passengers.* This amendment will provide that, in case of extended over-water operations, each air carrier shall establish procedures for orally briefing passengers as to location and method of operation of life vests and emergency exits, and the location of life rafts. Such briefing shall include a demonstration of donning life jackets and shall be accomplished prior to take-off on all extended over-water flights on which the airplane proceeds directly over water. The briefing shall be accomplished some time prior to reaching the over-water portion of the flight for all flights not proceeding directly over water.

Serious objections were raised to the detailed methods by which the Board outlined that these objectives should be achieved. The Board has considered these comments and presently believes that the objections and alternative proposals are not sufficiently compelling to warrant changing this regulation as proposed.

In addition to action on the specific proposals referred to above, the Board has considered carefully the comments submitted with respect to implementation dates of the various proposals. The Board considers that it is in the public interest to attain the increased safety sought in its proposals at the earliest opportunity. At the same time it recognizes that certain of the requirements involving physical changes to airplane structures and the procurement of additional equipment would be unduly burdensome unless an appropriate period of time for planning, procurement, and installation is allowed. Accordingly a majority of these amendments need not be complied with for approximately 18 months after adoption. However, the amendments involving procedures only

must be complied with in approximately 6 months after adoption.

In view of the foregoing, it is proposed to promulgate an amendment to Part 40 to read as follows:

1. By adding new paragraphs (e) and (f) to § 40.173 to read as follows:

§ 40.173 *Emergency equipment for all operations.* \* \* \*

(e) *Means for emergency evacuation.* After July 31, 1956, on all passenger-carrying airplanes, at all doors and emergency exits which are more than 6 feet from the ground with the airplane on the ground and with the landing gear extended, means shall be provided to assist the occupants in descending from the airplane. At approved floor level exits, such means shall be a chute or equivalent device suitable for the rapid evacuation of passengers. During flight time this means shall be in a position for ready use: *Provided*, That the requirements of this paragraph do not apply to emergency exits over the wing where the greatest distance from the lower sill of the exit to the wing surface does not exceed 36 inches.

(f) *Emergency exit marking.* (1) After July 31, 1956, all emergency exits, their means of access, and their means of opening shall be marked conspicuously. The identity and location of emergency exits shall be recognizable from a distance equal to the width of the cabin. The location of the emergency exit operating handle and the instructions for opening shall be marked on or adjacent to the emergency exit and shall be readable from a distance of 30 inches by a person with normal eyesight.

(2) After July 31, 1956, for night operations, a source or sources of light, with an energy supply independent of the main lighting system, shall be installed to illuminate all emergency exit markings. Such lights shall be designed to function automatically in a crash landing and shall also be operable manually.

2. By amending § 40.178 to read as follows:

§ 40.178 *Exterior exit and evacuation marking for all operations.* The exterior areas of the fuselage of an airplane shall be marked to indicate the location of mechanisms of access and those areas suitable for cutting to facilitate the escape and rescue of occupants in the event of an accident: *Provided*, That marking of areas suitable for cutting need not be applied prior to April 1, 1955.

3. By amending § 40.206 to read as follows:

§ 40.206 *Equipment for over-water operations.* (a) The following equipment shall be required for all extended over-water operations:

(1) Life vest or other adequate individual flotation device for each occupant of the airplane;

(2) Life rafts sufficient in number and of such rated capacity and buoyancy as to accommodate all occupants of the airplane;

(3) Suitable pyrotechnic signaling devices; and

(4) One portable emergency radio signaling device, capable of transmission on the appropriate emergency frequency or frequencies, which is not dependent upon the airplane power supply and which is self-buoyant and water-resistant.

(b) All required life rafts, life vests, and signaling devices shall be easily accessible in the event of a ditching without appreciable time for preparatory procedures. After July 31, 1956, this equipment shall be installed in conspicuously marked approved locations.

(c) After July 31, 1956, a survival kit, appropriately equipped for the route to be flown, shall be attached to each required life raft.

4. By adding a new § 40.267 to read as follows:

§ 40.267 *Assignment of emergency functions for each crew member.* After July 31, 1955, each air carrier shall assign all necessary emergency functions for each crew member to perform in the event of circumstances requiring emergency evacuation. The air carrier shall show that functions so assigned are possible of accomplishment. These functions shall be described in the air carrier manual.

5. By adding a new § 40.366 to read as follows:

§ 40.366 *Briefing of passengers.* After July 31, 1955, in the case of extended over-water operations, passengers shall be orally briefed concerning the location and method of operation of life vests and emergency exits and the location of life rafts. The procedure to be followed in presenting this briefing shall be described in the air carrier manual. Such a briefing shall include a demonstration of the method of donning and inflating a life vest. Where the airplane proceeds directly over water after take-off, the briefing on location of the life vests and emergency exits shall be accomplished prior to take-off, and the remainder of the briefing shall be accomplished as soon thereafter as practicable. Where the airplane does not proceed directly over water after take-off, no part of the briefing need be accomplished prior to take-off but the entire briefing shall be accomplished prior to reaching the over-water portion of the flight.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated: February 10, 1955, at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F R. Doc. 55-1369; Filed, Feb. 16, 1955; 8:54 a. m.]

## [ 14 CFR Part 41 ]

## CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

## EMERGENCY AND EVACUATION EQUIPMENT AND PROCEDURES

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of proposed amendments to Part 41 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by March 18, 1955. Copies of such communications will be available after March 22, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

While currently effective provisions of Part 41 contain certain requirements for emergency and evacuation equipment and procedures, there have been under consideration for some time proposals to require certain additional provisions to be made by scheduled air carriers with operations outside the continental limits of the United States with respect to such emergency and evacuation equipment and procedures. On August 11, 1953, the Board published in the FEDERAL REGISTER (18 F. R. 4744) a notice of proposed rule making which was circulated as Civil Air Regulations Draft Release No. 53-15 dated August 10, 1953. Comment in response to the proposals in this notice to amend Part 41 was received from the Air Line Pilots Association, the Air Transport Association, the Civil Aeronautics Administration, and Alaska Coastal Airlines. The Air Line Pilots Association, the Civil Aeronautics Administration, and Alaska Coastal Airlines approved the proposals in general, but proposed numerous detailed changes; the Air Transport Association objected to the proposals on the ground that the burden imposed on the scheduled airlines would be disproportionate to the slight advantage of having equipment available. The Air Transport Association also submitted a detailed comment with respect to each provision. Certain changes in the specific wording of the proposals as presented in Draft Release No. 53-15 have been made in response to the comments received.

In view of the fact that there has been a substantial lapse in time since August 11, 1953, and because of the changes made in the former proposal, this proposal is being published prior to any final action by the Board. The following are summaries of the regulatory changes which the Board considers are necessary at this time:

1. *Means of emergency evacuation.* There are no requirements in any of the operating parts of the Civil Air Regula-

tions for evacuation equipment to assist passengers in evacuating an airplane on the ground. Experience has shown that in certain instances it is essential that some means be provided in addition to those required by the applicable airworthiness requirements. Part 4b now specifies that for all landplane emergency exits which are more than six feet from the ground with the airplane on the ground and the landing gear extended, approved means shall be provided to assist the occupants in the descent from the airplane (this requirement does not apply to emergency exits so located that it can be expected that the passengers can gain easy access to the wing and thence to the ground). It is considered that this same requirement should be applied to airplanes presently in service by its inclusion in the relevant operating parts. This amendment will provide that such means for emergency evacuation shall be a chute or an equivalent device which will be suitable for the rapid evacuation of passengers. The Board intends that this means shall be in a position for ready use during flight time and so located that it will not create a hazard by obstructing any emergency exit. As an example, certain of the air carriers have already installed chutes immediately above exit doors or on brackets attached to the fuselage immediately adjacent to the doors. In each of these installations the chute is in a position for ready use within the meaning of the new section.

2. *Emergency exit markings.* At the present time Part 41 requires that emergency exits for airplanes carrying passengers be clearly marked as such with luminous paint in letters not less than  $\frac{3}{4}$  inches high, such markings to be located either on or immediately adjacent to pertinent exits and readily visible to passengers. Location and method of operation of the handles are required to be marked with luminous paint. The Board has received a number of comments to the effect that these requirements are not adequate to ensure that in case of a crash landing or ditching at night the passengers and crew would be able to identify and operate emergency exits. This amendment, therefore, will include emergency exit marking requirements similar to those contained in Part 4b and also will provide that for all air carrier passenger airplanes lights be installed so as to illuminate all exits in such a manner as to attract the attention of the occupants of the airplane at night. It is further required that the lights be equipped with an integral energy supply independent of the main electrical system and so designed as to function automatically in the event of a crash landing and also be operable manually. The Board received some comment with respect to the design of the lights required by this amendment indicating that there was concern that the proposed wording would limit installations to inertia operated lights. This is not the intent of the amendment and any approved system, whether it is designed to operate continuously as a result of inertia forces, or upon failure of the main electrical system, will be sat-

isfactory as long as it meets the two fundamental requirements: (1) It will function or continue to function automatically in the event of a crash landing and (2) is also operable manually.

3. *Equipment for extended over-water operations.* This amendment will modify and expand the provisions that scheduled air carriers in extended over-water operations shall be required to have on their airplanes suitable equipment in the form of life vests, life rafts, signaling devices, and survival kits. This equipment shall be installed in conspicuously marked approved locations where it will be easily accessible in the event of ditching.

The Board has received various recommendations for establishing the criteria under which equipment for over-water operations should be carried. In particular, the view has been expressed that the definition of extended over-water operation as it would apply to overseas scheduled and irregular operations was unnecessarily restrictive. The Board has carefully studied the various proposals submitted and considers that the distance of 50 miles is a reasonable measure of extended over-water operations and should be retained. It is also apparent, however, that there may exist particular operations which would require or permit some flexibility in the administration of the rule. The rule, therefore, will authorize the Administrator to require the carriage of all of the prescribed equipment, or any item thereof, for any operation over water if he finds that the standards of safety appropriate for air carrier operations so require. The rule will also permit the Administrator to determine, upon application of an air carrier, how much, if any of the equipment will be required for each extended over-water operation. Unless otherwise specified by the Administrator, the equipment required herein will be carried in all extended over-water operations.

The proposals in Draft Release No. 53-15 included "Life rafts sufficient in number and of such rated capacity as to accommodate all occupants of the airplane. Such life rafts shall possess sufficient maximum capacity as to accommodate all occupants of the airplane, in the event of a loss of one life raft of the largest rated capacity on board."

One of the assumptions upon which the Board based this proposal was that life rafts currently carried by the air carriers, whether of military or civil design, had a "maximum" or "overload" capacity with respect both to buoyancy and seating area in the order of 50 percent. Thus it appeared that in most cases life rafts in addition to the number which would accommodate all occupants of the airplane at rated capacities would not be necessary.

The Board has been advised, however, that the overload seating capacity for these life rafts has not been definitely established, although available information indicates that the maximum overload seating capacity of any commonly used large life raft is at the best 25 percent. In view of this current lack of specific data relative to life raft capacities, the Board is not proposing to adopt the underlined provision at this time

pending development of satisfactory criteria of life raft capacity.

The Board is also greatly concerned by the lack of any requirement that life jackets and life rafts be equipped with a means of illumination which would materially assist in the rescue of persons from the water at night. Heretofore, the Board has been advised that lights available in the United States have not been developed to a level of reliability sufficient to justify such a mandatory civil requirement. The Board has recently been informed, however, that progress is being made toward the development of a serviceable, reliable, lightweight, inexpensive light of indefinite shelf life, adaptable for the intended purpose of locating persons and life rafts in the water after ditching. The Board is considering, therefore, whether a means of illuminating life jackets and life rafts should be required when developments are sufficiently mature to warrant such action. The Board will especially appreciate comments with respect to this problem.

4. *Assignment of emergency functions for each crew member* This amendment will require each air carrier to assign all necessary emergency functions for each crew member to accomplish in the event of an emergency landing. The air carrier shall show that the functions so assigned are possible of accomplishment. A comment with respect to this section indicated that there was some concern that it would not provide enough flexibility if one or more crew members were to be incapacitated at the time emergency functions had to be performed. The Board considers, however, that the capability of individual crew members to absorb emergency functions normally assigned to other crew members will be dependent primarily on the basic training received in the air carrier's training program, and that such capability will be neither limited nor enhanced by this rule. The Board has always based its rules on the premise that wherever possible the air carrier should be responsible for assigning crew duties. It has been brought to the attention of the Board, however, that in certain instances crew duties are not sufficiently delineated and crew training programs are not sufficiently complete as to provide proper coordination of the crew in the event of a crash landing or ditching. The Board considers that it is necessary to ensure that assigned crew duties are realistic, and do not, for example, require an individual to be assigned certain tasks which are not probable of accomplishment under the conditions anticipated. Therefore, it will be provided that each air carrier assign functions to each crew member to be accomplished in the event of an emergency landing. These functions must be listed in the air carrier manual and all crew members shall be made thoroughly familiar with such functions during both initial and recurrent training. The air carrier must show that the functions so assigned are possible of accomplishment.

5. *Briefing of passengers.* The operating parts presently require that passengers on overseas flights be acquainted

with the location of emergency exits, with emergency equipment provided for individual use, and with the procedure to be followed in case of an emergency landing on the water. This amendment will modify these procedures so that, in case of extended over-water operations, each air carrier shall establish procedures for orally briefing passengers as to location and method of operation of life vests and emergency exits, and the location of life rafts. Such briefing shall include a demonstration of donning life jackets and shall be accomplished prior to take-off on all extended over-water flights on which the airplane proceeds directly over water. The briefing shall be accomplished some time prior to reaching the over-water portion of the flight for all flights not proceeding directly over water.

Serious objections were raised to the detailed methods by which the Board outlined that these objectives should be achieved. The Board has considered these comments and presently believes that the objections and alternative proposals are not sufficiently compelling to warrant changing this regulation as proposed.

In addition to action on the specific proposals referred to above, the Board has considered carefully the comments submitted with respect to implementation dates of the various proposals. The Board considers that it is in the public interest to attain the increased safety sought in its proposals at the earliest opportunity. At the same time it recognizes that certain of the requirements involving physical changes to airplane structures and the procurement of additional equipment would be unduly burdensome unless an appropriate period of time for planning, procurement, and installation is allowed. Accordingly a majority of these amendments need not be complied with for approximately 18 months after adoption. However, the amendments involving procedures only must be complied with in approximately 6 months after adoption.

In view of the foregoing, it is proposed to promulgate an amendment to Part 41 to read as follows:

1. By amending § 41.23 to read as follows:

§ 41.23 *Emergency and safety equipment.* After July 31, 1956, the equipment required in §§ 41.23b, 41.23c, and 41.23d shall be approved by the Administrator.

2. By adding new §§ 41.23b, 41.23c, and 41.23d to read as follows:

§ 41.23b *First-aid kits and emergency equipment.* Each airplane shall be equipped with a conveniently accessible first-aid kit adequate for the type of operation involved. Airplanes scheduled over routes requiring flights for long distances over uninhabited terrain must carry such additional emergency equipment as appropriate for the particular operation involved.

§ 41.23c *Equipment for over-water operations.* (a) The following equipment shall be required for all extended over-water operations: *Provided*, That the Administrator, after appropriate in-

vestigation, may require the carriage of all of the prescribed equipment, or any item thereof, for any operation over water, or upon application of an air carrier, permit deviation from these requirements for a particular extended over-water operation.

(1) Life vest or other adequate individual flotation device for each occupant of the airplane;

(2) Life rafts sufficient in number and of such rated capacity and buoyancy as to accommodate all occupants of the airplane;

(3) Suitable pyrotechnic signaling devices; and

(4) One portable emergency radio signaling device, capable of transmission on the appropriate emergency frequency or frequencies, which is not dependent upon the airplane power supply and which is self-buoyant and water-resistant.

(b) All required life rafts, life vests, and signaling devices shall be easily accessible, in the event of a ditching without appreciable time for preparatory procedures. After July 31, 1956, this equipment shall be installed in conspicuously marked locations approved by the Administrator.

(c) A survival kit, appropriately equipped for the route to be flown, shall be attached to each required life raft.

§ 41.23d *Emergency evacuation equipment*—(a) *Means for emergency evacuation.* After July 31, 1956, on all passenger-carrying airplanes, at all doors and emergency exits which are more than 6 feet from the ground with the airplane on the ground and with the landing gear extended, means shall be provided to assist the occupants in descending from the airplane. At approved floor level exits, such means shall be a chute or equivalent device suitable for the rapid evacuation of passengers. During flight time this means shall be in a position for ready use: *Provided*, That the requirements of this paragraph do not apply to emergency exits over the wing where the greatest distance from the lower sill of the exit to the wing surface does not exceed 36 inches.

(b) *Emergency exit marking.* (1) After July 31, 1956, all emergency exits, their means of access, and their means of opening shall be marked conspicuously. The identity and location of emergency exits shall be recognizable from a distance equal to the width of the cabin. The location of the emergency exit operating handle and the instructions for opening shall be marked on or adjacent to the emergency exit and shall be readable from a distance of 30 inches by a person with normal eyesight.

(2) After July 31, 1956, for night operations, a source or sources of light, with an energy supply independent of the main lighting system, shall be installed to illuminate all emergency exit markings. Such lights shall be designed to function automatically in a crash landing and shall also be operable manually.

3. By amending § 41.126 to read as follows:

§ 41.126 *Assignment of emergency functions for each crew member* After

July 31, 1955, each air carrier shall assign all necessary emergency functions for each crew member to perform in the event of circumstances requiring emergency evacuation. The air carrier shall show that functions so assigned are possible of accomplishment. These functions shall be described in the air carrier manual.

4. By amending § 41.127 to read as follows:

§ 41.127 *Equipment inspection and briefing of passengers.* (a) After July 31, 1956, the emergency equipment required by §§ 41.23a through 41.23d must be periodically inspected and the life rafts and life vests tested in accordance with specifications prescribed by the Administrator.

(b) After July 31, 1955, in the case of extended over-water operations, passengers shall be orally briefed concerning the location and method of operation of life vests and emergency exits and the location of life rafts. The procedure to be followed in presenting this briefing shall be described in the air carrier manual. Such a briefing shall include a demonstration of the method of donning and inflating a life vest. Where the airplane proceeds directly over water after take-off, the briefing on location of the life vests and emergency exits shall be accomplished prior to take-off, and the remainder of the briefing shall be accomplished as soon thereafter as practicable. Where the airplane does not proceed directly over water after take-off, no part of the briefing need be accomplished prior to take-off but the entire briefing shall be accomplished prior to reaching the over-water portion of the flight.

5. By adding a new paragraph (x) to § 41.137 to read as follows:

§ 41.137 *Definitions.* \* \* \*

(x) *Extended over-water operation.* An extended over-water operation shall be considered an operation over water conducted at a distance in excess of 50 miles from the nearest shore line.

These amendments are prepared under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated: February 10, 1955 at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F R. Doc. 55-1370; Filed, Feb. 16, 1955;  
8:54 a. m.]

#### [ 14 CFR Part 42 ]

IRREGULAR AIR CARRIER AND OFF-ROUTE  
RULES

EMERGENCY AND EVACUATION EQUIPMENT  
AND PROCEDURES

Notice is hereby given that the Civil Aeronautics Board has under considera-

tion the adoption of proposed amendments to Part 42 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by March 18, 1955. Copies of such communications will be available after March 22, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

While currently effective provisions of Part 42 contain certain requirements for emergency and evacuation equipment and procedures, there have been under consideration for some time proposals to require certain additional provisions to be made by scheduled and irregular air carriers with respect to such emergency and evacuation equipment and procedures. On August 11, 1953, the Board published in the FEDERAL REGISTER (18 F R. 4744) a notice of proposed rule making which was circulated as Civil Air Regulations Draft Release No. 53-15 dated August 10, 1953. Comment in response to the proposals in this notice to amend Part 42 was received from the Air Line Pilots Association, the Air Transport Association, the Civil Aeronautics Administration, and the Aircoach Transport Association. The Air Line Pilots Association, the Civil Aeronautics Administration, and the Aircoach Transport Association approved the proposals in general, but proposed numerous detailed changes; the Air Transport Association objected to the proposals on the ground that the burden imposed on the air carriers would be disproportionate to the slight advantage of having equipment available. The Air Transport Association also submitted a detailed comment with respect to each provision. Certain changes in the specific wording of the proposals as presented in Draft Release No. 53-15 have been made in response to the comments received.

In view of the fact that there has been a substantial lapse in time since August 11, 1953, and because of the changes made in the former proposal, this proposal is being published prior to any final action by the Board. The following are summaries of the regulatory changes which the Board considers are necessary at this time:

1. *Means of emergency evacuation.* There are no detailed requirements in Part 42 for evacuation equipment to assist passengers in evacuating an airplane on the ground. Experience has shown that in certain instances it is essential that some means be provided in addition to those required by the applicable airworthiness requirements. Part 4b now specifies that for all land-plane emergency exits which are more than six feet from the ground with the airplane on the ground and the landing gear extended, approved means shall be provided to assist the occupants in the

descent from the airplane (this requirement does not apply to emergency exits so located that it can be expected that the passengers can gain easy access to the wing and thence to the ground) It is considered that this same requirement should be applied to airplanes presently in service by its inclusion in the relevant operating parts. This amendment will provide that such means for emergency evacuation shall be a chute or an equivalent device which will be suitable for the rapid evacuation of passengers. The Board intends that this means shall be in a position for ready use during flight time and so located that it will not create a hazard by obstructing any emergency exit. As an example, certain of the air carriers have already installed chutes immediately above exit doors or on brackets attached to the fuselage immediately adjacent to the doors. In each of these installations the chute is in a position for ready use within the meaning of the new section.

2. *Emergency exit markings.* At the present time Parts 40 and 41 require that emergency exits for airplanes carrying passengers be clearly marked as such with luminous paint in letters not less than 3/4 inches high, such markings to be located either on or immediately adjacent to pertinent exits and readily visible to passengers. Location and method of operation of the handles are required to be marked with luminous paint. Part 42 does not contain these specific requirements. The Board has received a number of comments to the effect that even these requirements are not adequate to ensure that in case of a crash landing or ditching at night the passengers and crew would be able to identify and operate emergency exits. This amendment, therefore, will provide that for all air carrier passenger airplanes emergency exits be marked conspicuously and that lights be installed in accordance with the current requirements of Part 4b so as to illuminate all exits in such a manner as to attract the attention of the occupants of the airplane at night. It is further required that the lights be equipped with an integral energy supply independent of the main electrical system and so designed as to function automatically in the event of a crash landing and also be operable manually. The Board received some comment with respect to the design of the lights required by this amendment indicating that there was concern that the proposed wording would limit installations to inertia operated lights. This is not the intent of the amendment and any approved system, whether it is designed to operate continuously as a result of inertia forces, or upon failure of the main electrical system, will be satisfactory as long as it meets the two fundamental requirements: (1) It will function or continue to function automatically in the event of a crash landing and (2) it is also operable manually.

3. *Equipment for extended over-water operations.* This amendment will modify and expand the provisions that air carriers in extended over-water operations shall be required to have on their airplanes suitable equipment in the form of life vests, life rafts, signaling devices,

and survival kits. This equipment shall be installed in conspicuously marked approved locations where it will be easily accessible in the event of ditching.

The Board has received various recommendations for establishing the criteria under which equipment for over-water operations should be carried. In particular, the view has been expressed that the definition of extended over-water operation as it would apply to overseas scheduled and irregular operations was unnecessarily restrictive. The Board has carefully studied the various proposals submitted and considers that the distance of 50 miles is a reasonable measure of extended over-water operations and should be retained. It is also apparent, however, that there may exist particular operations which would require or permit some flexibility in the administration of the rule. The rule, therefore, will authorize the Administrator to require the carriage of all of the prescribed equipment, or any item thereof, for any operation over water if he finds that the standards of safety appropriate for air carrier operations so require. The rule will also permit the Administrator to determine, upon application of an air carrier, how much, if any of the equipment will be required for each extended over-water operation. Unless otherwise specified by the Administrator, the equipment required herein will be carried in all extended over-water operations.

The proposals in Draft Release No. 53-15 included "Life rafts sufficient in number and of such rated capacity as to accommodate all occupants of the airplane. Such life rafts shall possess sufficient maximum capacity as to accommodate all occupants of the airplane, in the event of a loss of one life raft of the largest rated capacity on board."

One of the assumptions upon which the Board based this proposal was that life rafts currently carried by the air carriers, whether of military or civil design, had a "maximum" or "overload" capacity with respect both to buoyancy and seating area in the order of 50 percent. Thus it appeared that in most cases life rafts in addition to the number which would accommodate all occupants of the airplane at rated capacities would not be necessary.

The Board has been advised, however, that the overload seating capacity for these life rafts has not been definitely established, although available information indicates that the maximum overload seating capacity of any commonly used large life raft is at the best 25 percent. In view of this current lack of specific data relative to life raft capacities, the Board is not proposing to adopt the underlined provision at this time pending the development of satisfactory criteria of life raft capacity.

The Board is also greatly concerned by the lack of any requirement that life jackets and life rafts be equipped with a means of illumination which would materially assist in the rescue of persons from the water at night. Heretofore, the Board has been advised that lights available in the United States have not been developed to a level of reliability sufficient to justify such a mandatory

civil requirement. The Board has recently been informed, however, that progress is being made toward the development of a serviceable, reliable, lightweight, inexpensive light of indefinite shelf life, adaptable for the intended purpose of locating persons and life rafts in the water after ditching. The Board is considering, therefore, whether a means of illuminating life jackets and life rafts should be required when developments are sufficiently mature to warrant such action. The Board will especially appreciate comments with respect to this problem.

4. *Assignment of emergency functions for each crew member* This amendment will require each air carrier to assign all necessary emergency functions for each crew member to accomplish in the event of an emergency landing. The air carrier shall show that the functions so assigned are possible of accomplishment. A comment with respect to this section indicated that there was some concern that it would not provide enough flexibility if one or more crew members were to be incapacitated at the time emergency functions had to be performed. The Board considers, however, that the capability of individual crew members to absorb emergency functions normally assigned to other crew members will be dependent primarily on the basic training received in the air carrier's training program, and that such capability will be neither limited nor enhanced by this rule. The Board has always based its rules on the premise that wherever possible the air carrier should be responsible for assigning crew duties. It has been brought to the attention of the Board, however, that in certain instances crew duties are not sufficiently delineated and crew training programs are not sufficiently complete as to provide proper coordination of the crew in the event of a crash landing or ditching. The Board considers that it is necessary to ensure that assigned crew duties are realistic, and do not, for example, require an individual to be assigned certain tasks which are not probable of accomplishment under the conditions anticipated. Therefore, it will be provided that each air carrier assign functions to each crew member to be accomplished in the event of an emergency landing. These functions must be listed in the air carrier manual and all crew members shall be made thoroughly familiar with such functions during both initial and recurrent training. The air carrier must show that the functions so assigned are possible of accomplishment.

5. *Briefing of passengers.* The operating parts presently require that passengers on overseas flights be acquainted with the location of emergency exits, with emergency equipment provided for individual use, and with the procedure to be followed in case of an emergency landing on the water. This amendment will modify these procedures so that, in case of extended over-water operations, each air carrier shall establish procedures for orally briefing passengers as to location and method of operation of life vests and emergency exits, and the location of life rafts. Such briefing shall

include a demonstration of donning life jackets and shall be accomplished prior to take-off on all extended over-water flights on which the airplane proceeds directly over water. The briefing shall be accomplished some time prior to reaching the over-water portion of the flight for all flights not proceeding directly over water.

Serious objections were raised to the detailed methods by which the Board outlined that these objectives should be achieved. The Board has considered these comments and presently believes that the objections and alternative proposals are not sufficiently compelling to warrant changing this regulation as proposed.

In addition to action on the specific proposals referred to above the Board has considered carefully the comments submitted with respect to implementation dates of the various proposals. The Board considers that it is in the public interest to attain the increased safety sought in its proposals at the earliest opportunity. At the same time it recognizes that certain of the requirements involving physical changes to airplane structures and the procurement of additional equipment would be unduly burdensome unless an appropriate period of time for planning, procurement, and installation is allowed. Accordingly a majority of these amendments need not be complied with for approximately 18 months after adoption. However, the amendments involving procedures only must be complied with in approximately 6 months after adoption.

In view of the foregoing, it is proposed to promulgate an amendment to Part 42 to read as follows:

1. By adding a new subparagraph (12b) to § 42.1 (a) to read as follows:

§ 42.1 *Definitions.* (a) \* \* \*

(12b) *Extended over-water operation.*

An extended over-water operation shall be considered an operation over water conducted at a distance in excess of 50 miles from the nearest shore line.

2. By amending § 42.24 to read as follows:

§ 42.24 *Emergency and safety equipment.* After July 31, 1956, the equipment required in §§ 42.24a, 42.24b and 42.24c shall be approved.

3. By adding new §§ 42.24a, 42.24b and 42.24c to read as follows:

§ 42.24a *First-aid kits and emergency equipment.* Each airplane shall be equipped with a conveniently accessible first-aid kit adequate for the type of operation involved. Airplanes scheduled over routes requiring flights for long distances over uninhabited terrain must carry such additional emergency equipment as appropriate for the particular operation involved.

§ 42.24b *Equipment for over-water operations.* (a) The following equipment shall be required for all extended over-water operations: *Provided,* That the Administrator, after appropriate investigation, may require the carriage of all of the prescribed equipment, or any item thereof, for any operation over water, or upon application of an air car-

rier, permit deviation from these requirements for a particular extended over-water operation:

(1) Life vest or other adequate individual flotation device for each occupant of the airplane;

(2) Life rafts sufficient in number and of such rated capacity and buoyancy as to accommodate all occupants of the airplane;

(3) Suitable pyrotechnic signaling devices; and

(4) One portable emergency radio signaling device, capable of transmission on the appropriate emergency frequency or frequencies, which is not dependent upon the airplane power supply and which is self-buoyant and water-resistant.

(b) All required life rafts, life vests, and signaling devices shall be easily accessible in the event of a ditching without appreciable time for preparatory procedures. After July 31, 1956, this equipment shall be installed in conspicuously marked approved locations.

(c) A survival kit, appropriately equipped for the route to be flown, shall be attached to each required life raft.

§ 42.24c *Emergency evacuation equipment*—(a) *Means for emergency evacuation.* After July 31, 1956, on all passenger-carrying airplanes, at all doors and emergency exits which are more than 6 feet from the ground with the airplane on the ground and with the landing gear extended, means shall be provided to assist the occupants in descending from the airplane. At approved floor level exits, such means shall be a chute or equivalent device suitable for the rapid evacuation of passengers. During flight time this means shall be in a position for ready use: *Provided*, That the requirements of this paragraph do not apply to emergency exits over the wing where the greatest distance from the lower sill of the exit to the wing surface does not exceed 36 inches.

(b) *Emergency exit marking.* (1) After July 31, 1956, all emergency exits, their means of access, and their means of opening shall be marked conspicuously. The identity and location of emergency exits shall be recognizable from a distance equal to the width of the cabin. The location of the emergency exit operating handle and the instructions for opening shall be marked on or adjacent to the emergency exit and shall be readable from a distance of 30 inches by a person with normal eyesight.

(2) After July 31, 1956, for night operations, a source or sources of light, with an energy supply independent of the main lighting system, shall be installed to illuminate all emergency exit markings. Such lights shall be designed to function automatically in a crash landing and shall also be operable manually.

4. By adding a new § 42.49 to read as follows:

§ 42.49 *Assignment of emergency functions for each crew member.* After July 31, 1955, each air carrier shall assign all necessary emergency functions for each crew member to perform in the event of circumstances requiring emergency evacuation. The air carrier shall show that functions so assigned are pos-

sible of accomplishment. These functions shall be described in the air carrier manual.

5. By amending § 42.59 to read as follows:

§ 42.59 *Equipment inspection and briefing of passengers.* (a) After July 31, 1956, the emergency equipment required by §§ 42.24a through 42.24c must be periodically inspected and the life rafts and life vests tested in accordance with specifications prescribed by the Administrator.

(b) After July 31, 1955, in the case of extended over-water operations, passengers shall be orally briefed concerning the location and method of operation of life vests and emergency exits and the location of life rafts. The procedure to be followed in presenting this briefing shall be described in the air carrier manual. Such a briefing shall include a demonstration of the method of donning and inflating a life vest. Where the airplane proceeds directly over water after take-off, the briefing on location of the life vests and emergency exits shall be accomplished prior to take-off, and the remainder of the briefing shall be accomplished as soon thereafter as practicable. Where the airplane does not proceed directly over water after take-off, no part of the briefing need be accomplished prior to take-off but the entire briefing shall be accomplished prior to reaching the over-water portion of the flight.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated: February 10, 1955, at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F R. Doc. 55-1371; Filed, Feb. 16, 1955; 8:54 a. m.]

### [ 14 CFR Part 223 ]

[Economic Regs. Draft Release 72]

#### TARIFFS OF AIR CARRIERS; FREE AND REDUCED RATE TRANSPORTATION

#### CARRIER'S RECORDS; APPLICATION FOR AUTHORITY TO CARRY OTHER PERSONS

FEBRUARY 10, 1955.

Notice is hereby given that the Civil Aeronautics Board has under consideration the amendment of Part 223 of the Economic Regulations (14 CFR Part 223, as amended)

At the present time § 223.5 of Part 223 requires each carrier to maintain a record of all passes issued by it. There is no requirement, however, as to where such record shall be maintained. Recently audits conducted by the Board's staff have been unduly complicated in

that partial records of passes have been maintained in several different locations. The Board considers that such records, therefore, should be maintained at the carrier's general offices in order to help simplify audits; and this amendment would so provide.

A further problem has arisen in connection with applications for authority to provide free or reduced rate transportation in accordance with § 223.8 of the Economic Regulations. Section 223.8 now provides that an application thereunder shall be deemed granted, unless the Board otherwise advises the carrier within 10 days after the application is received. In the normal case, applications can be processed within the 10-day period with ease; however, applications frequently raise problems of such proportions that there is not sufficient time for analysis of the application, coordination with the Department of State when necessary and consideration by the Board, to allow action to be taken within the 10-day period. Where such action is delayed beyond this period, the carrier may, pursuant to the regulation, furnish desired free or reduced rate transportation even though it may actually be contrary to Board policy or wishes. Since applications under § 223.8 are normally handled within the Board on an expeditious basis, it appears to the Board that no undue burden would be placed on the carriers to delete the provision for automatic authority and to require air carriers filing such petitions to await Board approval prior to the furnishing of the transportation. Accordingly it is proposed to amend § 223.8 to so provide.

The proposed amendments are specifically set forth below.

These amendments are proposed under the authority of sections 205 (a) 403, and 404 of the Civil Aeronautics Act of 1938, as amended (52 Stat. 984, 992, 993; 49 U. S. C. 425, 483, 484)

Interested persons may participate in the proposed rule making through the submission of written data, views or arguments pertaining thereto, in triplicate, addressed to the Secretary Civil Aeronautics Board, Washington 25, D. C.

All relevant matter received in communications on or before March 17, 1955, will be considered by the Board before taking final action on the proposed rule.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

It is proposed to amend Part 223 of the Economic Regulations (14 CFR Part 223) Tariffs of Air Carriers; Free and Reduced Rate Transportation as follows:

1. By amending § 223.5 to read as follows:

§ 223.5 *Carrier's records.* Each carrier shall maintain at its general offices a record of all passes issued by it, which record shall be filed in such manner as to be accessible and convenient for examination, and shall contain the following information: The type of pass; dates of issuance and expiration; number to whom issued, including name, address, and eligibility under the act and under

this part; privileges accorded thereunder points between which transportation is authorized, or, in the case of "annual" and "term" passes, the route number or system or particular points, as may be appropriate; and the name of the official upon whose authorization the pass was issued. All correspondence or memorandums relating to free or reduced-rate transportation shall be retained and made a part of the carrier's records. In the case of reduced-rate transportation, the records shall show the amount of the charge assessed or assessable.

2. By amending § 223.8 to read as follows:

§ 223.8 *Application for authority to carry other persons.* Any carrier desiring special authorization under section 403 (b) of the act to furnish free or reduced-rate overseas or foreign air transportation to a person or persons not described in that section nor in § 223.2 may apply to the Board, by letter or other writing, for such authorization. The application shall state the identity of the person or persons to whom, and the points between which, such transportation is to be furnished, the time or ap-

proximate time of departure, and the carrier's reasons for desiring to furnish such transportation. The application shall contain a definite statement that the carrier is willing and intends to furnish such transportation if authority to do so is granted by the Board. No application shall be deemed approved and the transportation for which approval is requested therein shall not be furnished by the carrier unless and until notice of such approval is received by the carrier.

[F R. Doc. 55-1372; Filed, Feb. 16, 1955; 8:55 a. m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### Foreign Assets Control

#### IMPORTATION OF HOG CASINGS DIRECTLY FROM TAIWAN (FORMOSA)

#### AVAILABLE CERTIFICATIONS BY REPUBLIC OF CHINA

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Republic of China under procedures agreed upon between that government and the Foreign Assets Control are now available with respect to the importation into the United States directly or on a through bill of lading, from Taiwan (Formosa) of the following additional commodity: Hog casings.

[SEAL] ELTING ARNOLD,  
Acting Director  
Foreign Assets Control.

[F R. Doc. 55-1391; Filed, Feb. 16, 1955; 9:00 a. m.]

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

#### ALASKA

#### SHORESPACE RESTORATION ORDER NO. 521

FEBRUARY 9, 1955.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059-48 U. S. C. 372) and pursuant to section 2.22 (a) (3) of Order No. 1, Bureau of Land Management, Area 4, approved by the Acting Secretary of the Interior, August 20, 1951 (16 F R. 8625) it is ordered as follows:

Subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 91-day preference right filing period for veterans, and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended, the 80-rod shore-space reserves created under the Act of May 14, 1898 (30 Stat. 409) as amended by the act of March 3, 1903 (32 Stat. 1028; 48 U. S. C. 371) as they exist now or as they may hereafter be created by the initiation of claims under the public land laws, are hereby revoked insofar as applicable to the following described

lands, effective at 10:00 a. m. on the 21st day after the date of this order.

#### FAIRBANKS LAND DISTRICT

#### FAIRBANKS MERIDIAN

#### Surveyed

T. 1 N., R. 2 E.,  
Sections 22, 23, 24, 25, 26, 35, 36.

#### Unsurveyed

Lands which when surveyed will be:

T. 1 N., R. 3 E.,  
Sections 16, 17, 18, 19, 20, 21, 27, 29, 30, 31.

T. 1 N., R. 5 E.,  
Sections 23, 26, 27, 28, 29, 32, 33, 34, 35.

T. 1 S., R. 2 E.,  
Sections 2, 3, 10, 11, 13, 14, 15, 23, 24, 25, 26.

T. 1 S., R. 3 E.,  
Sections 2, 3, 4, 5, 8, 9, 10, 13, 14, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34.

T. 1 S., R. 4 E.,  
Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 18.

T. 1 S., R. 5 E.,  
Sections 4, 5, 6, 7.

LOWELL M. PUCKETT,  
Area Administrator

[F R. Doc. 55-1340; Filed, Feb. 16, 1955; 8:47 a. m.]

#### ALASKA

#### SHORESPACE RESTORATION ORDER NO. 522

FEBRUARY 9, 1955.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059-48 U. S. C. 372) and pursuant to section 2.22 (a) (3) of Order No. 1, Bureau of Land Management, Area 4, approved by the Acting Secretary of the Interior, August 20, 1951 (16 F R. 8625) it is ordered as follows:

Subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 91-day preference right filing period for veterans, and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended, the 80-rod shore-space reserves created under the act of May 14, 1898 (30 Stat. 409) as amended by the act of March 3, 1903 (32 Stat. 1028; 48 U. S. C. 371) as they exist now or as they may hereafter be created by the initiation of claims under

the public land laws, are hereby revoked insofar as applicable to the following described lands, effective at 10:00 a. m. on the 21st day after the date of this order.

#### FAIRBANKS LAND DISTRICT

#### FAIRBANKS MERIDIAN

#### Surveyed

T. 2 S., R. 2 E.,  
Sections 23, 24, 25, 26, 35.

T. 3 S., R. 2 E.,  
Sections 1, 2, 12.

T. 3 S., R. 3 E.,  
Sections 7 and 8.

T. 4 S., R. 3 E.,  
Sections 1, 2, 3, 12, 13, 24.

T. 4 S., R. 4 E.,  
Section 19.

#### Unsurveyed

Lands which when surveyed will be:

T. 2 S., R. 3 E.,  
Sections 19, 28, 29, 30, 31, 32.

T. 4 S., R. 3 E.,  
Sections 11 and 14.

LOWELL M. PUCKETT,  
Area Administrator

[F R. Doc. 55-1341; Filed, Feb. 16, 1955; 8:47 a. m.]

#### ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LAND FOR THE ALASKA ROAD COMMISSION; CORRECTION

FEBRUARY 9, 1955.

Notice of the Proposed Withdrawal and Reservation of Land for the Alaska Road Commission in the East Addition to the Townsite of Anchorage, Alaska, in accordance with the application serialized Anchorage 022629 was published in the FEDERAL REGISTER on January 13, 1955 (20 F R. 314) The description of the land as published is in error and is hereby corrected to read as follows:

U. S. Survey No. 408 (Amended plat of East Addition to the Townsite of Anchorage, Alaska).

Block 28 D: Lots 2 and 3;  
Block 29 C: Lots 2, 3, 4, 5, 6 and 7;  
Block 29 D: Lots 2, 3, 4, 5, 6 and 7.  
Aggregating approximately 2.479 acres.

LOWELL M. PUCKETT,  
Area Administrator

[F R. Doc. 55-1342; Filed, Feb. 16, 1955; 8:48 a. m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

FEBRUARY 11, 1955.

An application, serial number C-09227, for the withdrawal from all forms of appropriation under the public land laws, except the mineral leasing laws, of the lands described below was filed on September 9, 1954, by the Game and Fish Commission of the State of Colorado.

The purposes of the proposed withdrawal: for use in connection with the South Platte River Management Area.

For a period of thirty (30) days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, 429 Post Office Building, Box 1018, Denver 2, Colorado. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 10 N., R. 48 W.,  
Sec. 22: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ .

The area described aggregates 120 acres.

MAX CAPLAN,  
State Supervisor

[F. R. Doc. 55-1335; Filed, Feb. 16, 1955;  
8:45 a. m.]

COLORADO

RESTORATION ORDER NO. 7 (AREA III) UNDER FEDERAL POWER ACT

FEBRUARY 11, 1955.

Pursuant to a determination of December 27, 1954 of the Federal Power Commission, Docket No. DA 340-COLORADO and in accordance with Order No. 541, sections 1.5 (d) and 2.0 (a) of the Director of the Bureau of Land Management, approved April 21, 1954, it is ordered as follows:

Subject to valid existing rights and the provision of existing withdrawal, the following described lands, so far as they are withdrawn or reserved for power purposes by Power Site Reserves No. 116 and No. 244 are hereby opened to entry, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075 16 U. S. C. 818) as amended, and subject to the stipulation that if and when the lands are required wholly or in part for purposes of power development, any structure, machinery, or improvements placed thereon which interfere with such development shall be

removed or relocated as may be necessary to eliminate interference with the power development without expense to the United States or its permittees or licensees, and subject to the stipulation that there is reserved to the United States, its successors or assigns, the prior right to use any and all portions of the land:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 83 W.,  
Sec. 5: Lot 20.

These lands are not suitable for crop production and will not be classified as suitable for disposal under the homestead or desert-land laws.

The lands described shall be subject to application by the State of Colorado for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER, for rights-of-way for public highways, or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended.

This order shall not otherwise become effective to change the status of such land until 10:00 a. m. on the 91st day after the date of publication. At that time the above-described land in DA 340, Colorado, shall become subject to application, petition, location, and selection, subject to valid existing rights, the provision of existing withdrawals, the requirements of applicable laws and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended. Information showing the periods during which, and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Land Office Manager, 429 Post Office Building, Box 1018, Denver, Colorado.

MAX CAPLAN,  
State Supervisor

[F. R. Doc. 55-1336; Filed, Feb. 16, 1955;  
8:45 a. m.]

WYOMING

[Wyoming-020044]

STOCK DRIVEWAY WITHDRAWAL NO. 44, WYOMING NO. 8, REDUCED

Pursuant to the authority delegated by the Director, Bureau of Land Management, in section 3.5 (b) Order No. 541 dated April 21, 1954 (F. R. Doc. 54-3200) it is ordered as follows:

Subject to valid rights and the provisions of existing withdrawals, departmental orders dated October 14, 1918, April 8, 1919 and May 12, 1919 establishing Stock Driveway No. 44, Wyoming No. 8, under section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U. S. C. 300) are hereby revoked so far as they affect the following described lands:

SIXTH PRINCIPAL MERIDIAN WYOMING

T. 48 N., R. 102 W.,  
Sec. 5: Lots 5 and 9, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 49 N., R. 102 W.,  
Sec. 5: Lots 3, 8, 9 and 10;  
Sec. 6: Lots 1, 2, 3 and 4.

The areas described total 445.94 acres of public land.

This revocation is made in furtherance of an exchange under section 8 of the act of June 28, 1934, as amended by section 3 of the act of June 26, 1936 (48 Stat. 1272; 49 Stat. 1976, 43 U. S. C. 315g) by which the offered lands will benefit a Federal land program. This restoration is, therefore, not subject to the provisions contained in the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended, granting preference rights to veterans of World War II and others.

R. R. BEST,  
State Supervisor

[F. R. Doc. 55-1337; Filed, Feb. 16, 1955;  
8:46 a. m.]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY

FEBRUARY 9, 1955.

Notice is given that the plat of original survey of the following described lands, accepted December 21, 1954, will be officially filed in the Land Office, Salt Lake City, Utah effective at 10:00 a. m. on the 35th day after the date of this notice.

SALT LAKE MERIDIAN

T. 38 S., R. 21 E.

(Completion survey. Sections 8, 17, 20, 29, and 32 were previously surveyed.)

The area described aggregates 19,816.27 acres.

The area is generally rough and broken except in the bottoms of Comb and Butler washes. The soil in the bottom lands is a deep sandy loam, while that on the slopes and breaks is a shallow loose sand with surface rock and outcroppings of sandstone. The area described is covered with a medium dense growth of scrub juniper and pinon timber, with scattered cottonwood along the banks of the major washes. The undergrowth on the slopes consists of a medium dense short growth of shadscale, black, and sage brush, amole, mountain rush, and weeds, while that on the bottom lands consists of a dense growth of sage, and rabbit brush, and greasewood. The only permanent water on the surveyed area is small intermittent seeps along the bottoms of the major washes. During the early spring months and the stormy periods, both these washes carry considerable water. No portions of the surveyed area are suitable for farming. No indications of oil, oil shale, coal, or other minerals were found.

No applications for the lands described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the

Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Salt Lake City, Utah.

WM. N. ANDERSEN,  
State Supervisor

[F R. Doc. 55-1338; Filed, Feb. 16, 1955;  
8:46 a. m.]

#### UTAH

#### NOTICE OF FILING OF PLAT OF SURVEY

FEBRUARY 9, 1955.

Notice is given that the plat of original survey of the following described lands, accepted December 21, 1954, will be officially filed in the Land Office, Salt Lake City Utah, effective at 10:00 a. m. on the 35th day after the date of this notice:

#### SALT LAKE MERIDIAN

T. 39 S., R. 21 E.

(Completion survey. Sections 5, 8, 17, 20, 29, and 32 were previously surveyed.)

The area described aggregates 19,-180.43 acres.

The area is generally rough and broken along the reef and near the edges of the mesa and on top of the mesa and south of the mesa it is rolling. The timber is mainly a dwarf juniper and a few scattered pinyon. The soil is largely a deep clay loam in the lower elevations, and a shallow light clay loam on the slopes. The undergrowth is scant; blackbrush, shadscale, weeds, and grass throughout the area and some sage in the valleys. Intermittent streams of water are to be found in both Cottonwood and Butler Washes, and many reservoirs have been built.

No applications for the lands described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law,

based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Salt Lake City Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively of that title.

Inquiries concerning these lands shall be addressed to Manager, Land Office, 312 Federal Building, Salt Lake City Utah.

WM. N. ANDERSEN,  
State Supervisor

[F R. Doc. 55-1339; Filed, Feb. 16, 1955;  
8:46 a. m.]

## Office of the Secretary

PUERTO RICO RECONSTRUCTION  
ADMINISTRATION

## CESSATION OF FUNCTIONS AND ACTIVITIES

Pursuant to the provisions of the Joint Resolution of the Congress approved August 15, 1953 (P. L. 276, 83d Cong., 1st Session, 67 Stat. 584) all functions and activities of the Puerto Rico Reconstruction Administration will cease as of the close of business on February 15, 1955. The Puerto Rico Reconstruction Administration was established as an agency of the Department of the Interior by Executive Order 7057 of May 28, 1935, under authority of the Emergency Relief Appropriation Act of 1935, "to initiate formulate, administer, and supervise a program of approved projects for providing relief and work relief and for increasing employment within Puerto Rico."

Inquiries concerning the Administration and the functions and activities which it conducted should be addressed to the Director, Office of Territories, Department of the Interior, Washington 25, D. C., to which agency all of the records of the Administration will be transferred.

ORME LEWIS,

Assistant Secretary of the Interior

FEBRUARY 14, 1955.

[F. R. Doc. 55-1416; Filed, Feb. 15, 1955;  
5:10 p. m.]

## DEPARTMENT OF COMMERCE

Business and Defense Services  
AdministrationOFFICE OF TECHNICAL SERVICES; COM-  
MODITY STANDARDS DIVISION

## STATEMENT OF ORGANIZATION

**SECTION 1. Purpose.** The purpose of this Statement is to set forth the procedures of the Commodity Standards Division of the Office of Technical Services.

**SEC. 2. Relationships.** The Division is a public agency and deals with members of the public and their duly authorized representatives. In order to emphasize at all times the voluntary nature of the Division's program, it has been determined:

(a) That no proposal for a Commercial Standard or a Simplified Practice Recommendation or for a revision will be entertained unless it is received from a person actively engaged in the production, distribution, consumption or testing of the product with respect to which the proposal is made, or from a committee composed exclusively of such persons.

(b) No delegation of the authority to accept or reject a proposal for a Commercial Standard or Simplified Practice Recommendation or a revision will be recognized by the Division.

(c) No legal obligation arises as a result of execution of an acceptance form relating to a Commercial Standard or Simplified Practice Recommendation or a revision. However, to the extent required or permitted by law and commercial usage, Commercial Standards and Simplified Practice Recommenda-

tions may be referred to for the purpose of ascertaining whether a product specifically warranted, described or referred to as conforming to a standard or description contained in a Commercial Standard or Simplified Practice Recommendation conforms in fact to such standard or description.

**SEC. 3. Legal basis.** Department Order No. 155, July 9, 1954 (19 F. R. 4584) delegates to the Administrator, Business and Defense Services Administration, the execution of the duties and responsibilities of the Secretary of Commerce in the fields of standardization and simplification as stated therein, with authority to redelegate and to provide for the successive redelegation thereof. See also Department Order No. 152, October 1, 1953 (18 F. R. 6503, 6791) Pursuant to said Department Orders 152 and 155, BDSA Administrative Instruction No. 3, dated August 20, 1954, redelegates the exercise and performance of said duties and responsibilities to the Director, Office of Technical Services. The Director, Office of Technical Services, by memorandum dated September 3, 1954, redelegated the exercise and performance of said duties and responsibilities to the Chief, Commodity Standards Division.<sup>1</sup>

**SEC. 4. Policies and procedures governing operations of Commodity Standards Division.** (a) The Commodity Standards Division is governed in conducting its activities by the policies stated in Department Order No. 155 and by the procedures set forth in this statement.

(b) The Office of Technical Services in exercising general direction and supervision of the Commodity Standards Division is governed by the policies stated in Department Order No. 155 and by the procedures set forth herein.

**SEC. 5. Definitions.** (a) "Division" means the Commodity Standards Division.

(b) "Bureau" means the National Bureau of Standards.

(c) "Commercial Standard" means a recorded voluntary standard of the trade, developed through cooperative action of producers, distributors, testing laboratories and consumers as coordinated and published by the Division. The term includes terminology, types, classification, grades, sizes, methods of test, and use characteristics of manufactured products as a basis for a clear understanding between buyers and sellers.

(d) "Proposed Commercial Standard" means any proposal for the formulation and publication of a Commercial Standard prior to final formulation and publication thereof.

(e) "Simplified Practice Recommendation" means a recorded voluntary recommendation of the trade of a list of sizes, varieties, types or grades of products, developed through cooperative action of producers, distributors and consumers as coordinated and published by the Division, the purpose of which is to designate certain such sizes, varieties, and types and grades of products as

being approved for regular stock purposes, after superfluous variety has been eliminated as stock items.

(f) "Proposed Simplified Practice Recommendation" means any proposal for the formulation and publication of a Simplified Practice Recommendation prior to final promulgation and publication thereof.

(g) "Committee" means a committee representative of an industry group organized by such industry group which submits a Proposed Commercial Standard or a Proposed Simplified Practice Recommendation in accordance with the procedure herein set forth and which cooperates with the Division in the steps leading to final formulation and publication of a Commercial Standard or of a Simplified Practice Recommendation.

(h) "Standing Committee" means a committee representative of an industry organized by such industry for the purpose of maintaining a continuing review of a Commercial Standard or Simplified Practice Recommendation after final promulgation and publication of such Commercial Standard or of such Simplified Practice Recommendation.

(i) "Industry" means the aggregate of manufacturers, distributors, consumers, and, in appropriate cases, testing laboratories, concerned with a particular product.

(j) "Industry group" means the manufacturers, distributors, consumers, or, in appropriate cases, testing laboratories, concerned with a particular product.

**SEC. 6. Initiation of commercial standards and simplified practice recommendations.** (a) Commercial Standards and Simplified Practice Recommendations originate with an interested industry group. Such industry group deals with the Division and the members of the industry group through a Committee. Such industry group, through such Committee, files a written Proposed Commercial Standard or Simplified Practice Recommendation with the Division, with a request for its consideration under the procedure set forth herein.

(b) A Proposed Commercial Standard shall contain all information necessary to the drafting of the Commercial Standard as a basis for discussion by others concerned, such as:

- (1) Purpose and scope of the proposal.
- (2) Physical, chemical or performance requirements.
- (3) Methods of test.

(c) A Proposed Simplified Practice Recommendation shall contain:

(1) A statement that a survey of the existing varieties, such as sizes, dimensions, capacities, types or kinds, and the like, of the specific product, as produced during a specific period of past time, has been made and that those varieties which are in major demand have been identified.

(2) A statement to the effect that the relative demand for such items under (1) is known and that a specified percentage of the total demand is concentrated in a specified percentage of the total production.

<sup>1</sup>Not published in the FEDERAL REGISTER. Copies may be obtained from Commodity Standards Division, Department of Commerce, Washington 25, D. C.

(3) A statement of the items under (1) which should be recognized as stock items because of the major demand for such items.

(4) A statement of the items under (1) which are in minor demand and therefore not economic for large-scale production.

SEC. 7. *Subsequent steps.* (a) Commercial Standards.

(1) Upon receipt of the Proposed Commercial Standard the Division examines the proposal and, if necessary, edits it for formal arrangement and technical terminology.

(2) The Proposed Commercial Standard as edited is cleared with the Committee and is then referred to a representative group of members of the industry for preliminary comment.

(3) The Proposed Commercial Standard as edited, together with comments received, is referred by the Division to the Committee and may be adjusted to reflect approved suggestions.

(4) The Proposed Commercial Standard as modified is referred by the Division to the Bureau for technical review. Any comments or suggestions made by the Bureau are examined by the Division and the Committee and are reconciled.

(5) The Proposed Commercial Standard is then widely circulated by the Division to members of the industry, and by public announcement in appropriate media. A letter of transmittal is sent out with the Proposed Commercial Standard requesting acceptance, comment, or both. The acceptance form, to be signed by an authorized officer of the individual firm, reads as follows:

We believe that this Commercial Standard constitutes a useful standard of practice, and we individually plan to utilize it as far as practicable in the (a) production, (b) distribution, (c) purchase or (d) testing of [name of product]. We reserve the right to depart from it as we deem advisable. We understand, of course, that only those articles which actually comply with the standard in all respects can be identified or labeled as conforming thereto.

(6) The Division, the Committee, and in appropriate instances the Bureau, consider comments, suggestions and objections received in response to the letter of transmittal. The Proposed Commercial Standard may be further revised to meet objections and incorporate suggestions which are received.

(7) If substantive changes have been made in the Proposed Commercial Standard it is resubmitted by the Division to the acceptors of record for further consideration by them. Unless such acceptors of record withdraw their previous acceptances within a time to be fixed in each instance by the Committee, they are deemed to have accepted the Proposed Commercial Standard as changed.

(8) The Division, in coordination with the Committee, determines whether a sufficiently representative list of members of the industry has accepted the Proposed Commercial Standard to insure its successful application. If it is affirmatively determined that such a representative list has accepted the Pro-

posed Commercial Standard, it is promulgated as a Commercial Standard.

(9) Coincident with the promulgation of a Commercial Standard, a Standing Committee is organized. For organization, purposes and activities of Standing Committees see section 9 (b)

(b) Simplified Practice Recommendations.

(1) Upon receipt of the Proposed Simplified Practice Recommendation the Division examines the proposal and if necessary edits it for formal arrangement and technical terminology.

(2) The Proposed Simplified Practice Recommendation as edited is cleared with the Committee.

(3) The Proposed Simplified Practice Recommendation as modified is referred by the Division to the Bureau for technical review. Any comments or suggestions made by the Bureau are examined by the Division and the Committee and are reconciled.

(4) The Proposed Simplified Practice Recommendation as reconciled is then widely circulated by the Division to members of the industry and by public announcement in appropriate media. A letter of transmittal is sent out with the Proposed Simplified Practice Recommendation requesting acceptance, comment, or both. The acceptance form, to be signed by an authorized officer of the individual firm, reads as follows:

We believe that the Proposed Simplified Practice Recommendation represents a useful standard of practice, and we individually plan to utilize it, as far as practicable, as manufacturers, distributors or users of [name of product]. We reserve the right to depart from it as we deem advisable.

(5) The Division, the Committee, and in appropriate instances the Bureau, consider comments, suggestions and objections received in response to the letter of transmittal. The Proposed Simplified Practice Recommendation may be further revised to meet objections and incorporate suggestions which are received.

(6) If substantive changes have been made in the Proposed Simplified Practice Recommendation it is resubmitted by the Division to the acceptors of record for further consideration by them. Unless such acceptors of record withdraw their previous acceptances within a time to be fixed in each instance by the Committee, they are deemed to have accepted the Proposed Simplified Practice Recommendation as changed.

(7) The Division, in coordination with the Committee, determines whether a sufficiently representative list of members of the industry has accepted the Proposed Simplified Practice Recommendation to insure its successful application. If it is affirmatively determined that such a representative list has accepted the Proposed Simplified Practice Recommendation, it is promulgated as a Simplified Practice Recommendation.

(8) Coincident with the promulgation of a Simplified Practice Recommendation a Standing Committee is organized. For organization, purposes and activities of Standing Committees see section 9 (b)

SEC. 8. *Revisions and withdrawals of commercial standards and simplified practice recommendations.* (a) Revisions: (1) Revision of a Commercial Standard or Simplified Practice Recommendation may be proposed by a person affected by such Commercial Standard or Simplified Practice Recommendation, or by a Standing Committee. If the Division learns of a desirable change from any member of the industry the Division refers it to the appropriate Standing Committee. Standing Committees inaugurate revisions of Commercial Standards and Simplified Practice Recommendations in the same manner in which Commercial Standards and Simplified Practice Recommendations are inaugurated.

(b) Withdrawals: (1) A Commercial Standard or Simplified Practice Recommendation may be withdrawn by the Division at any time. Withdrawal may be proposed by a person affected by the Commercial Standard or Simplified Practice Recommendation, by a Standing Committee, or by the Division on its own initiative. A Commercial Standard or Simplified Practice Recommendation may be withdrawn whenever:

(i) It appears that its continuation might result in an unfair or improper competitive advantage to producers whose products conform to such Commercial Standard or Simplified Practice Recommendation in relation to producers of products which do not conform thereto.

(ii) It appears that the Commercial Standard or Simplified Practice Recommendation is obsolete or is no longer accepted and used by a sufficiently representative list of members of the industry, and that revision is not feasible or would serve no useful purpose.

(iii) It appears that retention of the Commercial Standard or Simplified Practice Recommendation is otherwise not in the public interest.

(c) Before a Commercial Standard or Simplified Practice Recommendation is withdrawn the Division will review with the Standing Committee concerned with such Commercial Standard or Simplified Practice Recommendation the relative desirability of:

(1) Revision of the existing Commercial Standard or Simplified Practice Recommendation.

(2) Issuance of a new Commercial Standard or Simplified Practice Recommendation relating to the product whose producers are at a competitive disadvantage in relation to the product conforming to the Commercial Standard or Simplified Practice Recommendation.

(3) Withdrawal of the Commercial Standard or Simplified Practice Recommendation.

(d) The final decision as to whether a Commercial Standard or Simplified Practice Recommendation shall be withdrawn is reserved to the Division as a matter of its discretion. When a Commercial Standard or Simplified Practice Recommendation is withdrawn the Division gives notice thereof throughout the industry and by announcements in appropriate media. Such withdrawal terminates authority to refer to the Com-

mercial Standard or Simplified Practice Recommendation for the purposes set forth herein.

Sec. 9. *Committees and standing committees*—(a) *Committees*. (1) The organization and membership of a Committee are the responsibility of the interested industry group and not of the Division, except in the following respects:

(i) The Division must at all times be satisfied that the Committee is genuinely representative of the industry group.

(ii) The functions of the Committee are limited to serving as a working party and in a liaison capacity between the Division and the industry group. It has no authority to bind either the Division or the industry group with respect to any initial, interim or final proposal or action. The individual members of the industry retain complete freedom of action as to the acceptance or rejection in whole or in part of any such proposal or action.

(iii) The Division may, in the interest of simple, orderly and uniform procedure, make suggestions as to the size, composition and duties of Committees. Such suggestions are for guidance only and the industry group is required to comply with them only to the extent hereinbefore set forth.

(iv) The Division provides a Secretary to the Committee, who prepares an agenda for each meeting and keeps minutes of each meeting.

(2) Upon receipt of a Proposed Commercial Standard or a Proposed Simplified Practice Recommendation the Division ascertains whether such Proposed Commercial Standard or Proposed Simplified Practice Recommendation has been submitted by a Committee which meets the requirements of this section. If the Division is affirmatively satisfied that the Proposed Commercial Standard or Proposed Simplified Practice Recommendation has been submitted by a Committee meeting such requirements the matter proceeds as hereinbefore set forth. If the Division is not so satisfied, it requests the sponsors of the Proposed Commercial Standard or Proposed Simplified Practice Recommendation to proceed with the organization of such a Committee.

(b) *Standing Committees*. (1) The purpose of a Standing Committee is to provide a continuing trade group actively interested in the use of the Commercial Standard or Simplified Practice Recommendation and in keeping it abreast of progress.

(2) The functions of a Standing Committee are:

(i) To originate, receive, consider and transmit to the Division proposals for revision of the Commercial Standard or Simplified Practice Recommendation.

(ii) To promote general acceptance of the Commercial Standard or Simplified Practice Recommendation by providing information and stimulating general interest.

(iii) To report to the industry and to the Division the effect of the Commercial Standard or Simplified Practice Recommendation on the welfare of the public and the industry

mentation on the welfare of the public and the industry

(3) The organization and membership of a Standing Committee are the responsibility of the interested industry and not of the Division except in the following respects:

(i) The Division must at all times be satisfied that the Standing Committee is genuinely representative of the industry

(ii) The functions of the Standing Committee are limited to serving as a working party and in a liaison capacity between the Division and the industry. It has no authority to bind either the Division or the industry with respect to any initial, interim or final proposal or action. The individual members of the industry retain complete freedom of action as to the acceptance or rejection in whole or in part of any such proposal or action.

(iii) The Division may, in the interest of simple, orderly and uniform procedure, make suggestions as to the size, composition and duties of Standing Committees. Such suggestions are for guidance only and the industry is required to comply with them only to the extent hereinbefore set forth.

(iv) The Division provides a Secretary to the Standing Committee, who prepares an agenda for each meeting and keeps minutes of each meeting.

CHARLES F HONEYWELL,  
*Administrator*

FEBRUARY 14, 1955.

[F R. Doc. 55-1333; Filed, Feb. 16, 1955; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY THE TENNESSEE STATE AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEE WITH RESPECT TO MARKETING QUOTA REGULATIONS FOR 1955 CROP

Section 729.630 of the Marketing Quota Regulations for the 1955 Crop of Peanuts (19 F R. 6134) issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1376) provides that any authority delegated to the State Agricultural Stabilization and Conservation Committee by the regulations may be redelegated by the State committee. Section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)) requires delegations of final authority to be published in the FEDERAL REGISTER. The Tennessee State ASC Committee has redelegated the authority delegated to them by the Secretary in §§ 729.610 to 729.630 to the State Administrative Officer, or Acting State Administrative Officer, and the Program Specialist in charge of peanut marketing quotas.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1350, 1359, 1361-1368, 1372, 1373, 1374, 1376, 1388)

Issued at Washington, D. C., this 11th day of February 1955.

[SEAL] EARL M. HUGHES,  
*Administrator*  
*Commodity Stabilization Service.*

[F R. Doc. 55-1407; Filed, Feb. 16, 1955; 9:04 a. m.]

Office of the Secretary

SOUTH DAKOTA

DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2(a)) as amended, it has heretofore been determined that in the following-named counties in the State of South Dakota a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies or other responsible sources.

Pursuant to the authority as set forth above, such loans will not be made in the following-named counties in the State of South Dakota after June 30, 1955, except to borrowers who previously received such assistance.

Also, for the purpose of making emergency loans pursuant to Public Law 727, 83d Congress, it has heretofore been determined that in the following-named counties in the State of South Dakota a prolonged production disaster has caused a need for agricultural credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers' Home Administration under its regular loan programs, or under Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)) as amended, or other responsible sources.

Pursuant to the authority as set forth above, such loans will not be made in the State of South Dakota after June 30, 1955.

- |            |             |
|------------|-------------|
| Beadle.    | Hamlin.     |
| Brown.     | Hand.       |
| Campbell.  | Hyde.       |
| Clark.     | Jackson.    |
| Codington. | Marshall.   |
| Corson.    | McPherson.  |
| Day.       | Potter.     |
| Deuel.     | Roberts.    |
| Dewey.     | Spink.      |
| Edmunds.   | Sully.      |
| Faulk.     | Walworth.   |
| Grant.     | Washabaugh. |
| Haakon.    | Ziebach.    |

Done at Washington, D. C., this 11th day of February 1955.

[SEAL] TRUE D. MORSE,  
*Acting Secretary.*

[F R. Doc. 55-1368; Filed, Feb. 16, 1955; 8:53 a. m.]

NORTH DAKOTA

NOTICE DESIGNATING AREAS FOR PRODUCTION EMERGENCY LOANS

The Secretary's order entitled "Designation of Areas for Production Emergency Loans," dated January 17, 1955

(20 F. R. 491) is hereby amended as follows:

1. In the fourth line of the second paragraph, delete "1954" and insert in lieu thereof "1955"

2. In the last two lines of the last paragraph, delete the words "except to borrowers who previously received such assistance" and change the comma following "1955" to a period.

Done at Washington, D. C., this 14th day of February 1955.

[SEAL] TRUE D. MORSE,  
Acting Secretary of Agriculture.

[F. R. Doc. 55-1408; Filed, Feb. 16, 1955;  
9:05 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 6992]

### INVESTIGATION OF SERVICE TO BASRA, IRAQ NOTICE OF POSTPONEMENT OF PREHEARING CONFERENCE

In the matter of investigation of service to Basra, Iraq, as set out in Board Order No. E-8917, and the Pan American service plan changes involved in Docket Nos. 6548 and 6774.

Notice is hereby given that the prehearing conference in the above-entitled proceeding, assigned for February 14, 1955, is postponed until March 2, 1955, at 10:00 a. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Paul N. Pfeiffer.

Dated at Washington, D. C., February 14, 1955.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner

[F. R. Doc. 55-1404; Filed, Feb. 16, 1955;  
9:04 a. m.]

[Docket No. 6599 et al.]

### AMERICAN AIRLINES, INC., ET AL., DOMESTIC TRUNKLINE SERVICE MAIL RATE CASE

#### NOTICE OF HEARING

In the matter of mail rates for American Airlines, Inc., Capital Airlines, Inc., Continental Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northeast Airlines, Inc., United Air Lines, Inc., and Western Air Lines, Inc., over their entire systems, and Braniff Airways, Inc., Colonial Airlines, Inc., Delta Air Lines, Inc., Northwest Airlines, Inc., and Trans World Airlines, Inc., over their routes within the continental United States insofar as authorized under certificates for interstate air transportation and over their routes between the United States and terminal points in Canada.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 2, 205, 406, and 1001 thereof, and Reorganization Plan 10, that the above-entitled proceeding is hereby assigned for hearing on March 7, 1955, at 10:00 a. m., e. s. t., in Conference Room B, Departmental Auditorium, Twelfth Street and Constitution

Avenue NW., Washington, D. C., before Examiner Ralph L. Wiser.

Without limiting the scope of the issues raised by the pleadings in this proceeding, particular attention will be directed to the following matters:

What are the fair and reasonable final mail rates to be paid by the Postmaster General for the transportation of mail by air (other than first class and other preferential mail for which a separate rate has been or hereafter may be established) to the carriers and over the routes named in the caption above on and after April 1, 1954?

A. What is the fair and reasonable rate level?

B. What is the appropriate rate structure?

For further details with respect to the issues involved in this proceeding, all interested persons are referred to the various orders entered therein, the documents filed by the parties, the Examiner's Report of Prehearing Conference served November 30, 1954, and the Supplemental Report of Prehearing Conference served December 22, 1954, all of which are on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding shall file with the Board on or before February 28, 1955, a statement setting forth the issues of fact or law raised by this proceeding which he desires to controvert.

Dated at Washington, D. C., February 11, 1955.

[SEAL] THOMAS L. WRENN,  
Acting Chief Examiner

[F. R. Doc. 55-1373; Filed, Feb. 16, 1955;  
8:55 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10883; FCC 55-171]

### NEWPORT BROADCASTING CO. (KNBY)

#### ORDER SCHEDULING HEARING

In re application of Newport Broadcasting Company (KNBY) Newport, Arkansas, Docket No. 10883, File No. BP-9081, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955,

The Commission having under consideration the above-entitled application which was designated for hearing on January 19, 1955, and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding:

*It is ordered*, That the hearing in the above-entitled proceeding be held at 10:00 a. m., April 26, 1955, in Washington, D. C.

Released: February 14, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-1395; Filed, Feb. 16, 1955;  
9:01 a. m.]

[Docket Nos. 11230-11232; FCC 55-169]

### CLEARFIELD BROADCASTERS, INC. (WAKU) ET AL.

#### ORDER SCHEDULING HEARING

In re applications of Clearfield Broadcasters, Inc. (WAKU) Latrobe, Pennsylvania, Docket No. 11230, File No. BP-9184, Myron Jones, Campbell, Ohio, Docket No. 11231, File No. BP-9406; Sanford A. Schafitz, Salem, Ohio, Docket No. 11232, File No. BP-9438 for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955,

The Commission having under consideration the above-entitled applications which were designated for hearing on December 8, 1954, and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding:

*It is ordered*, That the hearing in the above-entitled proceeding be held at 10:00 a. m., April 19, 1955, in Washington, D. C.

Released: February 14, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-1396; Filed, Feb. 16, 1955;  
9:01 a. m.]

[Docket No. 11251; FCC 55-170]

### SOUTHWESTERN BROADCASTING CO. OF MISSISSIPPI (WAPF)

#### ORDER SCHEDULING HEARING

In re application of Albert Mack Smith, Phillip Dean Brady and Louis Alford, a partnership d/b as Southwestern Broadcasting Company of Mississippi (WAPF) McComb, Mississippi, Docket No. 11251, File No. BP-9480 for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955,

The Commission having under consideration the above-entitled application which was designated for hearing on January 12, 1955, and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding:

*It is ordered*, That the hearing in the above-entitled proceeding be held at 10:00 a. m., April 21, 1955, in Washington, D. C.

Released: February 14, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-1397; Filed, Feb. 16, 1955;  
9:01 a. m.]

[Docket Nos. 11256, 11257; FCC 55-172]

GREAT SOUTH BAY BROADCASTING Co., Inc.,  
AND GEORGE V SPOHRER

ORDER SCHEDULING HEARING

In re applications of Great South Bay Broadcasting Company, Inc., Islip, New York, Docket No. 11256, File No. BP-9200; George V Spohrer, Syosset, New York, Docket No. 11257, File No. BP-9360 for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955

The Commission having under consideration the above-entitled applications which were designated for hearing on January 19, 1955 and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding:

*It is ordered*, That the hearing in the above-entitled proceeding be held at 10:00 a. m., April 28, 1955, in Washington, D. C.

Released. February 14, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-1398; Filed, Feb. 16, 1955;  
9:02 a. m.]

[Docket No. 11268; FCC 55-151]

WISCONSIN TELEPHONE CO.

ORDER DESIGNATING APPLICATION FOR  
HEARING ON STATED ISSUES

In the matter of Wisconsin Telephone Company Milwaukee, Wisconsin, Docket No. 11268, File No. 5300-F1-P-H, application for construction permit for new VHF Public Class III-B coast station.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955,

The Commission, having under consideration the above-entitled application for Public Class III-B coast station at Milwaukee, Wisconsin, and the replies of the applicant to the Commission's notifications issued pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, and

It appearing that, the applicant is legally technically and financially qualified to construct, own and operate a coast station as proposed, and

It further appearing that, the applicant's proposal raises questions concerning the need for duplication of VHF public coast service because Lorain County Radio Corporation, licensee of VHF Public Class III-B coast station KSA740 at Port Washington, Wisconsin, may now be serving all or a part of the geographic area which would be served by the applicant; and

It further appearing, that, the applicant has requested assignment of the frequency 162.0 Mc rather than the frequency 161.9 Mc and has thus raised a question concerning the justification therefor in view of the preference indicated by the Commission's rules for the

initial assignment to new VHF public coast stations of the frequency 161.9 Mc:

*It is ordered*, That, pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing at the offices of the Commission in Washington, D. C. commencing at 10:00 a. m. on April 4, 1955, on the following issues:

1. To determine the facts with respect to the proposed facilities, personnel, rates, regulations, practices, and services of the applicant for the furnishing of the proposed VHF coast service.

2. To determine the area which will be served by the proposed facility the area served by station KSA740, and the extent to which duplication of service may result from the establishment of the proposed station.

3. To determine the need for such duplication of service as may be shown under Issue No. 2.

4. To determine whether, if duplication of service will occur, the establishment of the proposed facility will result in public benefit or advantage, and the nature and extent of such benefit or advantage.

5. To determine, in the light of the provisions of § 7.308 (c) of the Commission's rules, whether the extent of the mutual interference which might occur from the use of the frequency 161.9 Mc by the proposed station, as well as by station KSA740, would be such as to justify the assignment of the frequency 162.0 Mc to the proposed station.

6. To determine, in the light of the evidence adduced on the foregoing issues, whether the public interest, convenience or necessity would be served by a grant of the application.

*It is further ordered*, That, Lorain County Radio Corporation is named a party respondent to this proceeding.

Released. February 14, 1955.

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

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-1399; Filed, Feb. 16, 1955;  
9:02 a. m.]

[Docket No. 112; FCC 55-152]

OHIO BELL TELEPHONE CO.

ORDER DESIGNATING APPLICATION FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In the matter of Ohio Bell Telephone Company, Cleveland, Ohio, Docket No. 11269, File No. 5301-F1-P-H, application for construction permit for new VHF Public Class III-B coast station.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955

The Commission, having under consideration the above-entitled application for Public Class III-B coast station at Cleveland, Ohio, and the replies of the applicant to the Commission's notifica-

<sup>1</sup>Concurring statement of Commissioner Bartley: I concur in setting the three applications for hearing, however, I would include the other applications where Bell does not have MF and HF stations.

tions issued pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended; and

It appearing that, the applicant is legally technically and financially qualified to construct, own and operate a coast station as proposed, and

It further appearing that, the applicant's proposal raises questions concerning the need for duplication of VHF public coast service because Lorain County Radio Corporation, licensee of VHF Public Class III-B coast stations KQA761 at Lorain, Ohio, and KQB668 at Geneva, Ohio, may now be serving all or a part of the geographic area which would be served by the applicant; and

It further appearing that, the applicant has requested assignment of the frequency 162.0 Mc rather than the frequency 161.9 Mc and has thus raised a question concerning the justification therefor in view of the general preference indicated by the Commission's rules for the initial assignment to new VHF public coast stations of the frequency 161.9 Mc;

*It is ordered*, That pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing at the offices of the Commission in Washington, D. C. commencing at 10:00 a. m. on April 5, 1955, on the following issues:

1. To determine the facts with respect to the proposed facilities, personnel, rates, regulations, practices, and services of the applicant for the furnishing of the proposed VHF coast service.

2. To determine the area which will be served by the proposed facility, the areas served by station KQA761, and station KQB668, respectively and the extent to which duplication of service may result from the establishment of the proposed station.

3. To determine the need for such duplication of service as may be shown under Issue No. 2.

4. To determine whether, if such duplication of service will occur, the establishment of the proposed facility will result in public benefit or advantage, and the nature and extent of such benefit or advantage.

5. To determine, in the light of the provisions of § 7.308 (c) of the Commission's rules, whether the extent of the mutual interference which might occur from the use of the frequency 161.9 Mc by the proposed station, as well as by stations KQA761 and KQB668, respectively, would be such as to justify the assignment of the frequency 162.0 Mc to the proposed station.

6. To determine, in the light of the evidence adduced on the foregoing issues, whether the public interest, convenience or necessity would be served by a grant of the application.

*It is further ordered*, That, Lorain County Radio Corporation is named a party respondent to this proceeding.

Released. February 14, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-1400; Filed, Feb. 16, 1955;  
9:03 a. m.]

[Docket No. 11270; FCC 55-153]

OHIO BELL TELEPHONE CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Ohio Bell Telephone Company Toledo, Ohio, Docket No. 11270, File No. 5745-F1-P-H, application for construction permit for new VHF Public Class III-B coast station.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955

The Commission, having under consideration the above-entitled application for Public Class III-B coast station at Toledo, Ohio, and the replies of the applicant to the Commission's notifications issued pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, and

It appearing that, the applicant is legally technically and financially qualified to construct, own and operate a coast station as proposed; and

It further appearing that, the applicant's proposal raises questions concerning the need for duplication of VHF public coast service because Lorain County Radio Corporation, licensee of VHF Public Class III-B station KQA761 at Lorain, Ohio, and Michigan Bell Telephone Company licensee of VHF Public Class III-B coast station KQB666 at Detroit, Michigan, may now be serving all or part of the geographic area which would be served by the applicant, and

It further appearing that, the applicant has requested assignment of the frequency 162.0 Mc rather than the frequency 161.9 Mc and has thus raised a question concerning the justification therefor in view of the general preference indicated by the Commission's rules for the initial assignment to new VHF public coast stations of the frequency 161.9 Mc;

It is ordered, That, pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing at the offices of the Commission in Washington, D. C., commencing at 10:00 a. m. on April 6, 1955, on the following issues:

1. To determine the facts with respect to the proposed facilities, personnel, rates, regulations, practices, and services of the applicant for the furnishing of the proposed VHF coast service.

2. To determine the area which will be served by the proposed facility the areas served by station KQA761 and station KQB666, respectively and the extent to which duplication of service may result from the establishment of the proposed station.

3. To determine the need for such duplication of service as may be shown under Issue No. 2.

4. To determine whether, if such duplication of service will occur, the establishment of the proposed facility will result in public benefit or advantage, and the nature and extent of such benefit or advantage.

5. To determine, in the light of the provisions of § 7.308 (c) of the Commis-

sion's rules, whether the extent of the mutual interference which might occur from the use of the frequency 161.9 Mc by the proposed station, as well as by station KQA761 and station KQB666, respectively would be such as to justify the assignment of the frequency 162.0 Mc to the proposed station.

6. To determine, in the light of the evidence adduced on the foregoing issues, whether the public interest, convenience or necessity would be served by a grant of the application.

It is further ordered, That, Lorain County Radio Corporation and Michigan Bell Telephone Company are each named a party respondent to this proceeding.

Released: February 14, 1955.

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

[SEAL] MARY JANE MORRIS,  
Secretary.

[F R. Doc. 55-1401; Filed, Feb. 16, 1955; 9:03 a. m.]

## FEDERAL POWER COMMISSION

[Docket Nos. G-1705, G-1937, G-2057, G-2433, G-2475, G-2932, G-3159, G-4308-G-4310, G-4314-G-4316, G-4328, G-4611, G-4666, G-4940, G-5149, G-5979, G-8428]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

ORDER PERMITTING INTERVENTION IN CERTAIN PROCEEDINGS DENYING INTERVENTION IN OTHER PROCEEDINGS AND NOTICE OF APPLICATION AND CONSOLIDATION OF PROCEEDINGS

In the matters of Panhandle Eastern Pipe Line Company Docket Nos. G-1705, G-1937, G-2433 and G-2475 Missouri Public Service Company, Docket No. G-2057 City of Montgomery Missouri, Docket No. G-2932; Town Gas Company of Illinois, Docket No. G-3159; Columbian Fuel Corporation, Docket Nos. G-4308 and G-4310; United Carbon Company Inc. (Maryland) Docket Nos. G-4309 and G-4316, United Producing Company Inc., Docket Nos. G-4314 and G-4328; Coltexo Corporation, Docket No. G-4315 Missouri Central Natural Gas Company Docket No. G-4611 Village of Westville, Illinois, Docket No. G-4666 Village of Pleasant Hill, Illinois, Docket No. G-4940; City of Waverly Illinois, Docket No. G-5139; Village of Rossville, Illinois, Docket No. G-5979; Central Illinois Electric and Gas Company Docket No. G-8428.

On January 13, 1955, Illinois Power Company filed a petition for leave to intervene in all of the above-entitled dockets which had been consolidated for hearing by our order issued December 22, 1954. By our order issued January 20, 1955, a motion to sever Docket Nos. G-4308, G-4309, G-4310, G-4314, G-4315, G-4316, and G-4328 was granted. Nothing in the Illinois Power Company petition shows its interest in the dockets which have been severed.

<sup>1</sup>Concurring statement of Commissioner Bartley: I concur in setting the three applications for hearing, however, I would include the other applications where Bell does not have MF and HF stations.

On January 10, 1955, Michigan Consolidated Gas Company filed a petition for leave to intervene in Docket Nos. G-2057, G-2932, G-3159, G-4611, G-4666, G-4940, G-5139, and G-5979, all of which are applications for connection of facilities and service from Panhandle Eastern Pipe Line Company (Panhandle) pursuant to section 7 (a) of the Natural Gas Act.

Petitions for leave to intervene in Docket No. G-2433 were filed by Central Illinois Light Company on January 3, 1955, and by the City of Cleveland, Ohio, on January 5, 1955. A notice of intervention in Docket No. G-2433 was filed by The Public Utilities Commission of the State of Ohio on January 4, 1955.

Central Illinois Electric and Gas Company, an Illinois Corporation, address 303 North Main Street, Rockford, Illinois, filed on February 1, 1955, an application at Docket No. G-8428, pursuant to section 7 (a) of the Natural Gas Act for an order directing Panhandle to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Central Illinois Electric and Gas Company and to sell and deliver to Central Illinois Electric and Gas Company its natural-gas requirements for the City of Delavan, Illinois. The delivery point proposed is on Panhandle's Peoria lateral, approximately 1,900 feet west of the city limits of Delavan. Central Illinois Electric and Gas Company proposes to construct and operate a distribution system in Delavan and to interconnect it with Panhandle's Peoria lateral. The estimated cost of facilities to be constructed is \$121,300 at the end of the first five years. It is estimated that the annual gas requirements for Delavan and environs will be 45,650 Mcf for the first year of operation and 76,800 Mcf for the fifth year. The estimated maximum day requirements will be 445 Mcf for the first year of operation and 702 Mcf for the fifth year.

Accompanying the filing of the above-described Docket No. G-8428 application on February 1, 1955, was a petition by Central Illinois Electric and Gas Company for leave to intervene in the consolidated proceedings Docket No. G-1705, et al., and a motion that Docket No. G-8428 be consolidated therewith.

Protests or petitions to intervene in Docket No. G-8428 may be filed with the Federal Power Commission, Washington, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955. The application in Docket No. G-8428 is on file with the Commission for public inspection.

The Commission finds:

(1) It is appropriate and in the public interest to (a) consolidate for the purpose of hearing Docket No. G-8428 with Docket Nos. G-1705, G-1937, G-2433, G-2475, G-2057, G-2932, G-3159, G-4611, G-4666, G-4940, G-5139, and G-5979 and (b) publish notice of application in said Docket No. G-8428.

(2) Good cause has not been shown for the intervention of Illinois Power Company in Docket Nos. G-4308, G-4309, G-4310, G-4314, G-4315, G-4316, and G-4328.

(3) Although the petitions for leave to intervene and notice of intervention of all of the persons considered herein were not filed within the time required by § 1.8 of the Commission's rules of practice and procedure, good cause exists to permit the late filings.

(4) With the exception of Illinois Power Company's intervention in the dockets enumerated in Finding (2) the participation of Illinois Power Company Michigan Consolidated Gas Company, Central Illinois Light Company the City of Cleveland, Ohio, The Public Utilities Commission of the State of Ohio and Central Illinois Electric and Gas Company in the proceedings in which intervention was sought may be in the public interest.

The Commission orders:

(A) Due notice of the hereinbefore described application at Docket No. G-8428 and of its consolidation with the Docket No. G-1705, et al. proceedings be given, including publication in the FEDERAL REGISTER.

(B) Docket No. G-8428 be and the same is hereby consolidated for the purpose of hearing with Docket Nos. G-1705, G-1937, G-2433, G-2475, G-2057, G-2932, G-3159, G-4611, G-4666, G-4940, G-5139, and G-5979.

(C) With the exception of Illinois Power Company in Docket Nos. G-4308, G-4309, G-4310, G-4314, G-4315, G-4316, and G-4328, which intervention is hereby denied, Illinois Power Company Michigan Consolidated Gas Company Central Illinois Light Company, the City of Cleveland, Ohio, The Public Utilities Commission of the State of Ohio and Central Illinois Electric and Gas Company be and they are hereby permitted to become interveners in the respective proceedings in which they sought intervention, subject to the rules and regulations of the Commission: *Provided, however* That the participation of such interveners shall be limited to matters affecting asserted rights and interests specifically set forth in such petitions for leave to intervene: *And provided further* That the admission of such interveners shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

Adopted. February 9, 1955.

Issued: February 10, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1383; Filed, Feb. 16, 1955;  
8:58 a. m.]

[Docket No. E-6603]

KANSAS GAS AND ELECTRIC CO.

NOTICE OF APPLICATION

FEBRUARY 10, 1955.

Take notice that on February 4, 1955, an application was filed with the Federal Power Commission pursuant to Section 204 of the Federal Power Act

by Kansas Gas and Electric Company, a corporation organized under the laws of the State of West Virginia and doing business in the State of Kansas, with its principal business office at Wichita, Kansas, seeking an order authorizing the issuance of \$10,000,000 in principal amount of First Mortgage Bonds, -- Percent Series due 1985, and 60,000 shares of its authorized but unissued Serial Preferred Stock, par value \$100.00 per share. The proposed bonds and stock will be issued by competitive bidding; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 1st day of March 1955, file with the Federal Power Commission, Washington, 25, D. C., a petition of protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1384; Filed, Feb. 16, 1955;  
8:58 a. m.]

[Project No. 1927]

CALIFORNIA OREGON POWER CO.

NOTICE OF MODIFICATION OF LAND WITHDRAWAL, CLEARWATER RIVER, OREGON

JANUARY 26, 1955.

Conformable to the provisions of section 24 of the act of June 10, 1920 (41 Stat. 1063) as amended, this Commission under date of May 2, 1951, gave notice to The Director, Bureau of Land Management of the reservation of approximately 2,680 acres of lands of the United States pursuant to the filing on April 2, 1951, of an application for amendment of license for project No. 1927 by the California Oregon Power Company to include the Clearwater Developments Nos. 1 and 2.

On September 1, 1953, and October 19, 1954, the licensee filed completed applications for further amendment of its license, supported by revised map exhibits establishing project boundaries for the aforesaid developments, as built. Both applications show certain lands now occupied for project purposes which were not covered in the previous applications and that some lands heretofore reserved are no longer required for purposes of power development.

The licensee on August 17, 1954, filed still another amendatory application modifying slightly the boundaries of the Clearwater No. 1 Development to embrace portions of the right-of-way for the control cable extending outside of the project boundary as previously established.

In accordance with section 24 of the Federal Power Act notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in project No. 1927 and under said section 24 are, from the dates of filing of the respective applications, reserved from all forms of

disposal under the laws of the United States until otherwise directed by the Commission or by Congress:

WILLAMETTE MERIDIAN  
CLEARWATER NO. 1

All lands lying within the project boundaries as delimited upon a map designated "Exhibit K-20 (sheets 1, 2 and 3)" entitled, "Application for Amendment of License, Project No. 1927, Clearwater No. 1 Development" and filed in the office of this Commission on September 1, 1953, which in all probability will be, when surveyed, portions of the following subdivisions:

T. 26 S., R. 4 E. (unsurveyed),  
Sec. 34, S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 35, SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
Sec. 36, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 27 S., R. 4 E., (unsurveyed)  
Sec. 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 2, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ ,  
Sec. 3, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 27 S., R. 5 E., (unsurveyed).  
Sec. 6, SW $\frac{1}{4}$ .

All lands lying within 50 feet of the center line survey of the transmission line right-of-way as delimited upon a map designated "Exhibit K-20 (sheets 3 and 4)" entitled "Application For Amendment of License, Clearwater No. 1 Development, Trans-Mission Line" and files in the office of the Commission on September 1, 1953; affecting portions of the following subdivisions:

T. 26 S., R. 3 E.,  
Sec. 27, SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
Sec. 36, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
SE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 26 S., R. 4 E., (unsurveyed),  
Sec. 31, S $\frac{1}{2}$ S $\frac{1}{2}$ .  
T. 27 S., R. 4 E., (unsurveyed)  
Sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
Sec. 5, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
S $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ .  
Sec. 6, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Equals 263.51 acres.

CLEARWATER NO. 2

All lands lying within the project boundaries as delimited upon a map designated "Exhibit K-22 (sheets 1 to 4)" entitled, "Application For Amendment of License, Project No. 1927, Clearwater No. 2 Development" and filed in the office of the Commission on October 19, 1954, affecting portions of the following subdivisions:

T. 26 S., R. 3 E.,  
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ .  
T. 27 S., R. 3 E.,  
Sec. 1, lots 1 and 2.  
T. 26 S., R. 4 E., (unsurveyed)  
Sec. 31, S $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 27 S., R. 4 E., (unsurveyed),  
Sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
Sec. 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
Sec. 5, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 6, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Equals 153.89 acres.

CLEARWATER NO. 1

All portions of the following described subdivisions lying within 25 feet of the center line survey of the right-of-way for the control cable as delimited upon a map designated "Exhibit K-21 (sheet 1)" entitled, "Application For Amendment of License, Project No. 1927, Clearwater No. 1 Development, Transmission Line and Control Table"

and filed in the office of the Commission on August 17, 1954.

T. 26 S., R. 3 E.,  
 Sec. 27, SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 Sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ .  
 Equals 4.98 acres.

The general determination made by the Commission at its meeting of April 17, 1922 (2d Ann. Rept. 128) with respect to lands reserved for transmission line purposes only, is applicable to that of the above described lands reserved for that purpose.

This notice modifies and supersedes that given on May 2, 1951, and the area now reserved in connection with Clearwater Nos. 1 and 2 developments is 268.49 and 153.89 acres, respectively, all of which have been heretofore reserved for purposes of power development.

Photostatic copies of the project maps, FPC 1927, sheets 156 to 160 and 168 to 172, superseding FPC 1927, sheets 64 to 67, together with FPC 1927 sheet 167, have been transmitted to the Bureau of Land Management, Forest Service and Geological Survey.

[SEAL] LEON M. FUQUAY,  
 Secretary.

[F R. Doc. 55-1385; Filed, Feb. 16, 1955;  
 8:58 a. m.]

[Project No. 1927-11]

CALIFORNIA OREGON POWER CO.

NOTICE OF MODIFICATION OF LAND WITHDRAWAL, NORTH UMPQUA RIVER, TOKETEE DEVELOPMENT, OREGON

JANUARY 26, 1955.

Conformable to the provisions of section 24 of the act of June 10, 1920 (41 Stat. 1063) as amended, this Commission under dates of June 7, 1945, and September 15, 1949, gave notice to the Bureau of Land Management of the reservation of approximately 1750 acres of lands of the United States pursuant to the filing by the California Oregon Power Company of: An application for preliminary permit on March 13, 1945, for project No. 1927, a completed application for license therefor on January 17, 1946; and an application for amendment thereof on June 6, 1949.

On June 4, 1951, the licensee filed an application for further amendment of license, supported by revised exhibits filed July 14, 1952, superseding the exhibits which were the basis of the aforesaid withdrawal notices. These define the project boundaries of the various structures as finally located, thereby requiring a modification of the previous withdrawal notices.

Therefore, in accordance with section 24 of the Federal Power Act notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in project No. 1927 and are, from the date of filing of the revised exhibits, reserved from all forms of disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

WILLAMETTE MERIDIAN

All portions of the following described subdivisions lying within the project boundaries as delimited upon a map designated "Exhibit K-12, (Sheets 1, 2, and 3)" entitled, "Project No. 1927, Toketee Development" and filed in the office of the Commission on July 14, 1952:

T. 26 S., R. 3 E.,  
 Sec. 25, SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 Sec. 27, SE, E $\frac{1}{2}$ SW,  
 Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
 Sec. 35, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
 Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 Equals 355.49 acres.

and:

All portions of the following described subdivisions lying within a strip of land 50 feet in width embracing the access road right-of-way as delimited upon a map designated, "Exhibit K-12 (sheet 4)" entitled "Project No. 1927, Toketee Development, Cedar Springs-Toketee Access Road," and filed in the office of the Commission on July 14, 1952:

T. 26 S., R. 3 E.,  
 Sec. 27, S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 Sec. 28, S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
 Sec. 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 27 S., R. 3 E.,  
 Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 Sec. 3, lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 Sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 Sec. 12, NW $\frac{1}{4}$ SW $\frac{1}{4}$ .

This notice modifies and supersedes that of June 7, 1945, in its entirety and that of September 15, 1949, only insofar as it pertains to the Toketee Development. The acreage now contained in the project boundary is approximately 363.15 acres of which 353.95 acres have been reserved in earlier power withdrawals.

Photostatic copies of the project maps, FPC 1927, sheets 79, 80, 81, and 108, superseding maps FPC 1927, sheets 1, 3, and 30 have been transmitted to the Bureau of Land Management, Forest Service and Geological Survey.

[SEAL] LEON M. FUQUAY,  
 Secretary.

[F R. Doc. 55-1386; Filed, Feb. 16, 1955;  
 8:58 a. m.]

[Project No. 1927-18]

CALIFORNIA OREGON POWER CO.

NOTICE OF LAND WITHDRAWAL, OREGON

JANUARY 26, 1955.

Conformable to the provisions of section 24 of the act of June 10, 1920 (41 Stat. 1063) as amended, notice is hereby given that the hereinafter described lands, insofar as title thereto remains in the United States, are included in Power Project No. 1927 for which amendatory application for license was filed May 18, 1953 by the California Oregon Power Company of Medford, Oregon. Under said section 24 these lands are from said date of filing reserved from

all forms of disposal under the laws of the United States until otherwise directed by this Commission or by Congress.

WILLAMETTE MERIDIAN

All portions of the following subdivisions lying within 50 feet of the center line survey of the transmission line location as delimited on a map designated "Exhibit K-19 (Sheets 1 to 10)" entitled, "Amendment To License, The California Oregon Power Company, Transmission Line From Dixonville to Soda Springs, Douglas County, Oregon," and filed in the office of the Federal Power Commission on May 18, 1953:

T. 25 $\frac{1}{2}$  S., R. 1 E.,  
 Sec. 31, lots 1, 2, 3, 4, 5;  
 Sec. 32, lot 4, SW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ .  
 T. 26 S., R. 1 E.,  
 Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 5, lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 Sec. 10, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 Sec. 13, SW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 15, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$ .  
 T. 26 S., R. 2 E.,  
 Sec. 13, N $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 19, lots 1, 2, 3, 4;  
 Sec. 20, lots 1, 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 Sec. 21, lot 2, N $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
 Sec. 22, lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 Sec. 23, N $\frac{1}{2}$ N $\frac{1}{2}$ ,  
 Sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 26 S., R. 3 E.,  
 Sec. 18, lot 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 26 S., R. 1 W.,  
 Sec. 1, lots 1, 2, 5, 6, 7, 12;  
 Sec. 2, lots 9, 14, 15, 16, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
 Sec. 8, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 Sec. 9, S $\frac{1}{2}$ N $\frac{1}{2}$ ,  
 Sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 Sec. 18, lots 2, 3, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 26 S., R. 2 W.,  
 Sec. 13, N $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 Sec. 14, N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
 Sec. 15, N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
 Sec. 21, lot 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 30, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Sec. 31, lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 26 S., R. 3 W.,  
 Sec. 35, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area reserved pursuant to the filing of this application is approximately 291.24 acres of which 208.61 acres have been heretofore reserved for power purposes.

The general determination made by the Commission at its meeting of April 17, 1922 (2d Ann. Rept. 128) is applicable to the aforesaid lands.

A photostatic copy of each of eleven sheets of the project maps (FPC 1927, 140 to 150, incl.) have been transmitted to the Bureau of Land Management, Geological Survey, and Forest Service.

[SEAL] LEON M. FUQUAY,  
 Secretary.

[F R. Doc. 55-1387; Filed, Feb. 16, 1955;  
 8:59 a. m.]

[Project No. 1927-20]

CALIFORNIA OREGON POWER Co.

NOTICE OF LAND WITHDRAWAL, NORTH UMPQUA RIVER, OREGON

JANUARY 26, 1955.

Conformable to the provisions of section 24 of the act of June 10, 1920 (41 Stat. 1063) as amended, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States are included in power project No. 1927 for which application for amendment of license to include Lemolo No. 1 Development was filed September 15, 1952, by the California Oregon Power Company of Medford, Oregon. Under said section 24 these lands are, from said date of filing, reserved from all forms of disposal under the laws of the United States until otherwise directed by the Commission or by Congress. The area reserved by the filing of this application is approximately 4,160 acres, of which 2,680 acres have been heretofore reserved in earlier power site withdrawals:

WILLAMETTE MERIDIAN

- T. 25 S., R. 5 E. (unsurveyed),
  - Sec. 27, SW 1/4,
  - Sec. 28, S 1/2,
  - Sec. 29, SE 1/4,
  - Sec. 32, NE 1/4,
  - Sec. 33, N 1/2 N 1/2, SE 1/4 NE 1/4,
  - Sec. 34, W 1/2.
- T. 26 S., R. 5 E. (unsurveyed),
  - Sec. 2, S 1/2 SW 1/4,
  - Sec. 3, All;
  - Sec. 10, E 1/2 NE 1/4,
  - Sec. 11, W 1/2, S 1/2 NE 1/4, SE 1/4,
  - Sec. 12, S 1/2,
  - Sec. 13, N 1/2, W 1/2 SW 1/4,
  - Sec. 14, N 1/2, SE 1/4,
  - Sec. 23, N 1/2 NE 1/4,
  - Sec. 24, NW 1/4 NW 1/4.
- T. 26 S., R. 6 E. (unsurveyed),
  - Sec. 18, NW 1/4.

Copies of the project maps (FPC 1927, 112 to 115, incl.) have been transmitted to the Bureau of Land Management, Geological Survey and Forest Service.

[SEAL] LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1388; Filed, Feb. 16, 1955; 8:59 a. m.]

[Project No. 1927-21]

CALIFORNIA OREGON POWER Co.

NOTICE OF LAND WITHDRAWAL, NORTH UMPQUA RIVER, OREGON

JANUARY 26, 1955.

Conformable to the provisions of section 24 of the act of June 10, 1920 (41 Stat. 1063) as amended, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in power project No. 1927 for which application for amendment of license to include Lemolo No. 2 Development was filed September 15, 1952, by the California Oregon Power Company of Medford, Oregon. Under said section 24 these lands are from said date of filing, reserved from all forms of disposal under the laws of the United States until otherwise di-

rected by the Commission or by Congress:

WILLAMETTE MERIDIAN

- T. 26 S., R. 3 E.,
  - Sec. 24, W 1/2,
  - Sec. 25, NE 1/4, NW 1/4 SW 1/4.
- T. 25 S., R. 4 E., (unsurveyed),
  - Sec. 35, SE 1/4,
  - Sec. 36, NE 1/4, N 1/2 SE 1/4, SW 1/4 SE 1/4, SW 1/4.
- T. 26 S., R. 4 E., (unsurveyed)
  - Sec. 1, NW 1/4,
  - Sec. 2, All;
  - Sec. 3, SE 1/4,
  - Sec. 5, S 1/2,
  - Sec. 8, All;
  - Sec. 9, NE 1/4, N 1/2 SE 1/4, SW 1/4,
  - Sec. 10, N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4, NW 1/4 SW 1/4,
  - Sec. 11, N 1/2 NW 1/4,
  - Sec. 17, NE 1/4 NW 1/4, W 1/2 W 1/2,
  - Sec. 18, E 1/2, SW 1/4,
  - Sec. 19, NW 1/4 NE 1/4, NE 1/4 NW 1/4, W 1/2 W 1/2,
  - Sec. 30, W 1/2 NW 1/4.
- T. 25 S., R. 5 E.,
  - Sec. 29, SW 1/4,
  - Sec. 31, N 1/2,
  - Sec. 32, NW 1/4.

The area reserved pursuant to the filing of this application is approximately 5,480 acres, of which 2,840 acres have been heretofore included in earlier power withdrawals.

Photostatic copies of the project maps (FPC 1927, 120 to 125, incl.) have been transmitted to the Bureau of Land Management, Forest Service and Geological Survey.

[SEAL] LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1389; Filed, Feb. 16, 1955; 8:59 a. m.]

[Project No. 1927]

CALIFORNIA OREGON POWER Co.

MODIFICATION OF LAND WITHDRAWAL, NORTH UMPQUA RIVER, OREGON

JANUARY 26, 1955.

Conformable to the provisions of section 24 of the act of June 10, 1920, as amended, this Commission gave notice on September 15, 1949, to the Director, Bureau of Land Management of, among other lands, the reservation of approximately 960 acres of lands of the United States pursuant to the filing on August 2, 1949, of an application for amendment of license by the California Oregon Power Company for Project No. 1927 to include the Slide Creek and Soda Springs developments.

The licensee on March 3, 1952, filed an application for further amendment of the license supported by revised exhibits establishing a final project boundary for the Slide Creek development, the exhibits showing the location of the project as built, indicating that some of the lands withdrawn in connection therewith are no longer required for project purposes and certain additional lands are now occupied for project purposes.

On June 23, 1952, the licensee filed another amendatory application, supported by revised exhibits establishing a final boundary of the Soda Springs Development.

Under such circumstances and in accordance with section 24 of the act notice

is hereby given that the lands herein-after described, insofar as title thereto remains in the United States, are included in Project No. 1927, and under said section 24, are, from the dates of filing of the respective applications, reserved from all forms of disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

WILLAMETTE MERIDIAN

All portion of the following subdivisions lying within the project boundary as delimited on a map designated, "Exhibit K-13, sheets 1 and 2" entitled "Application For Amendment of License, Project No. 1927, Slide Creek Development, Topographic Map of Conduit Location" and filed in the office of this Commission on February 28, 1952:

- T. 26 S., R. 3 E.,
  - Sec. 21, S 1/2 NW 1/4, SW 1/4 SE 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4,
  - Sec. S 1/2 NW 1/4, W 1/2 SE 1/4, E 1/2 SW 1/4, NW 1/4 SW 1/4,
  - Sec. 28, NE 1/4, NE 1/4 NW 1/4.

All portions of the following subdivisions lying within the project boundary as delimited on a map designated, "Exhibit K-14, sheets 1 and 2," entitled "Application for Amendment of License, Project No. 1927, Soda Springs Development" and filed in the office of this Commission on June 24, 1952:

- T. 26 S., R. 3 E.,
  - Sec. 17, SW 1/4 SE 1/4, SW 1/4,
  - Sec. 18, NE 1/4 SE 1/4,
  - Sec. 20, NE 1/4, NE 1/4 NW 1/4,
  - Sec. 21, NW 1/4.

This notice modifies and supersedes that given on September 15, 1949, insofar as reference therein is made to the Slide Creek and Soda Springs developments and the area now reserved in connection therewith is 123.26 and 130.72 acres, respectively all of which are included in earlier power site withdrawals.

Photostatic copies of the amendatory project maps, FPC 1927, sheets 93, 94, 101, and 102, superseding maps FPC 1927, sheets 37 and 44, have been transmitted to the Bureau of Land Management, Forest Service and Geological Survey.

[SEAL] LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1352; Filed, Feb. 16, 1955; 8:49 a. m.]

[Project No. 1927-22]

CALIFORNIA OREGON POWER Co.

MODIFICATION OF LAND WITHDRAWAL, FISH CREEK

JANUARY 26, 1955.

Conformable to the provisions of section 24 of the act of June 10, 1920, as amended, this Commission gave notice on August 10, 1950, to the Director, Bureau of Land Management of the reservation of 1283.47 acres of lands of the United States pursuant to the filing on June 23, 1950, of an application for amendment of license by the California Oregon Power Company for project No. 1927, to include the Fish Creek Development.

On February 24, 1953, the licensee filed an application for further amendment of license supported by revised exhibits

establishing a final project boundary for the Fish Creek Development. The revised exhibits showing the location of the various project structures as built indicate that some of the lands withdrawn in connection therewith are no longer required for project purposes and that certain additional lands are being occupied for project purposes.

Under such circumstances and in accordance with section 24 of the act, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in power project No. 1927 for which application for license was filed February 24, 1953. Under said section 24 these lands are, from said date of filing, reserved from all forms of disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

WILLAMETTE MERIDIAN

All portions of the following subdivisions lying within the project boundary as delimited on map designated "Exhibit K-18 sheets 1 to 4" entitled "Application For Amendment of License, Project No. 1927, Fish Creek Development, Topographic Map of Conduit, Forebay Spillway, Penstock and Power House Location" and filed in the office of the Federal Power Commission on February 24, 1953:

- T. 26 S., R. 3 E.,  
 Sec. 27, SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , S  $\frac{1}{2}$  SW  $\frac{1}{4}$ ,  
 Sec. 33, SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ,  
 Sec. 34, NW  $\frac{1}{4}$ , W  $\frac{1}{2}$  SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ .  
 T. 27 S., R. 3 E.,  
 Sec. 3, lot 3, SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , E  $\frac{1}{2}$  SW  $\frac{1}{4}$ ,  
 Sec. 10, NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , E  $\frac{1}{2}$  NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ,  
 E  $\frac{1}{2}$  SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ,  
 Sec. 14, SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ ,  
 Sec. 15, E  $\frac{1}{2}$  NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ,  
 Sec. 23, N  $\frac{1}{2}$  NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ .

This notice modifies and supersedes that given August 10, 1950, insofar as it referred to the Fish Creek Development proper, and the area now reserved embraces but 160.05 acres, all of which are included in earlier power site withdrawals.

Photostatic copies of the amendatory maps, FPC 1927, 132, 133, 134, and 135 superseding maps, FPC 1927, 56 and 57 have been transmitted to the Bureau of Land Management, Forest Service and Geological Survey.

[SEAL] LEON M. FUQUAY,  
 Secretary.

[F R. Doc. 55-1353; Filed, Feb. 16, 1955;  
 8:50 a. m.]

[Docket No. E-6431]

CITIZENS UTILITIES Co.

NOTICE OF APPLICATION

FEBRUARY 9, 1955.

Take notice that on February 4, 1955, an application was filed by Citizens Utilities Company (Applicant) a corporation organized and existing under the laws of the State of Delaware, and qualified to do business as a foreign corporation in the States of Arizona, Colorado, Connecticut, Idaho, Maine, Vermont, and Washington, with its principal place of business in Stamford, Connecticut, requesting an increase in the authorization to export electric energy from the United

States to Mexico heretofore granted pursuant to the provisions of section 202 (e) of the Federal Power Act.

Generally Applicant seeks a modification of the authorization to export to Cia de Servicios Publicos de Nogales (Cia) up to but not in excess of 3,000,000 kwh per year at a rate not to exceed 800 kw as provided in the Commission's order issued July 2, 1954, in the above-entitled matter, so as to permit the increased exportation to Cia of a maximum of 6,000,000 kwh per year at a rate not to exceed 2000 kw all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to the application should, on or before March 1, 1955, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's general rules and regulations. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
 Secretary.

[F R. Doc. 55-1344; Filed, Feb. 16, 1955;  
 8:48 a. m.]

[Docket No. E-6433]

CITIZENS UTILITIES Co.

NOTICE OF APPLICATION FOR AUTHORIZATION  
 TO EXPORT ELECTRIC ENERGY

FEBRUARY 9, 1955.

Notice is hereby given that Citizens Utilities Company a corporation organized in Delaware with its principal place of business at Stamford, Connecticut, has filed an application pursuant to section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for authority to increase the rate of delivery of electric energy previously authorized to be transmitted across the international boundary between the United States and Canada at a point proximate to Rock Island, Quebec and Derby Line, Vermont, from 3,000 kw to 6,000 kw without change in the annual amount of energy to be transmitted, which amounts to 5,000,000 kwh.

The requested authorization would supersede the authorization granted in the order of the Commission issued December 14, 1955.

Any person desiring to be heard or to make any protest with reference to such application should, on or before March 1, 1955, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY  
 Secretary.

[F R. Doc. 55-1345; Filed, Feb. 16, 1955;  
 8:48 a. m.]

[Docket No. G-3294]

B. A. HARDY

NOTICE OF APPLICATION AND DATE OF  
 HEARING

FEBRUARY 9, 1955.

Take notice that B. A. Hardy (Applicant) an individual whose address is

Shreveport, Louisiana, filed on September 27, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the Hugoton Field in southwest Kansas, which is sold in interstate commerce to Panhandle Eastern Pipe Line Company (contract date December 26, 1946 price 11 cents per Mcf) for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 3, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 23, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
 Secretary.

[F R. Doc. 55-1346; Filed, Feb. 16, 1955;  
 8:48 a. m.]

[Docket No. G-3576]

W. A. HEWELL, TRUSTEE

NOTICE OF APPLICATION AND DATE OF  
 HEARING

FEBRUARY 10, 1955.

Take notice that W. A. Hewell, Trustee (Applicant) an individual whose address is Longview, Texas filed on September 28, 1954, an application for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

The Applicant as trustee and operator, individually and as agent for James K. Bivins, Tom Cook, Jr., Aylene Fields, Kathryn M. Jones, Pearl E. Jones, Jim McMurrey, B. R. Rainwater and Bluford

Stinchcomb, produce natural gas from the Carthage Field, Panola County, Texas, and sell in interstate commerce to Arkansas Louisiana Gas Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 2, 1955, at 9:40 a. m. e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 21, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1354; Filed, Feb. 16, 1955; 8:50 a. m.]

[Docket No. G-3756]

SIDNEY G. MYERS

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 9, 1955.

Take notice that Sidney G. Myers (Applicant) an individual whose address is Shreveport, Louisiana, filed on September 30, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the Rodessa Field, Caddo Parish, Louisiana, which is sold in interstate commerce to Arkansas Louisiana Gas Company (contract dated September 28, 1954, initial price 5.25 cents per Mcf) for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and pro-

cedure, a hearing will be held on March 4, 1955, at 9:20 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 23, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1347; Filed, Feb. 16, 1955; 8:48 a. m.]

[Docket Nos. G-3667, G-3668]

E. J. HUDSON ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that E. J. Hudson, individually and on behalf of others as listed in the respective applications, (Applicant) an individual whose address is Houston, Texas, filed applications on September 29, 1954, for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicant produces natural gas in the hereinafter indicated fields, which he sells to the designated purchasers in interstate commerce for resale:

DOCKET NO. G-3667

Field	Purchaser	Sales price (cents per Mcf)
Egan Field, Acadia Parish, La.	Louisiana Natural Gas Corp.	9.25
Do.....	Transcontinental Gas Pipe Line Corp.	9.51
Do.....	United Gas Pipe Line Co.	5.6588 to 9.0218
Carthage Field, Panola County, Tex.	Arkansas Louisiana Gas Co.	8.25
Do.....	Tennessee Gas Transmission Co.	6.92
Big Hill Field, Jefferson County, Tex.	Texas Eastern Transmission Co.	10.00 to 12.60

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject

to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 9, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however* That the Commission may after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 23, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1355; Filed, Feb. 16, 1955; 8:51 a. m.]

[Docket No. G-3773]

C. E. BEYMER ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 9, 1955.

Take notice that C. E. Beymer and Clyde Beymer, Jr. (Applicants) whose address is Lakin, Kansas, filed on September 30, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicants produce natural gas from portions of Hugoton Field in Kearney County Kansas, which is sold in interstate commerce to Kansas-Nebraska Natural Gas Company Inc. (contract date July 2, 1953; price 11 cents per Mcf) for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 3, 1955, at 9:40 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the

provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 23, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1348; Filed, Feb. 16, 1955;  
8:48 a. m.]

[Docket Nos. G-3869, G-4053]

F KIRK JOHNSON ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

FEBRUARY 9, 1955.

Take notice that F Kirk Johnson, individually and as representative of J. M. Stewart and Brooks-Scanlon Oil Company Applicant at Docket No. G-3869 and as Applicant at Docket No. G-4053, whose address is Fort Worth, Texas, filed an application on October 1, 1954 at Docket No. G-3869 and on October 4, 1954 at Docket No. G-4053 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant (G-3869) produces natural gas from the Giacomini Lease in the Padroni Gas Field, Logan County, Colorado, and sells it in interstate commerce to Kansas-Nebraska Natural Gas Company Inc. (contract dated May 22, 1953; sale price 14 cents per Mcf; rate of delivery 60,000 Mcf daily increasing to 76,250 Mcf during first year) for resale.

Applicant (G-4053) produces natural gas from the Tribelhorn Lease in the Padroni Gas Field, Logan County Colorado and sells it in interstate commerce to Kansas-Nebraska Natural Gas Company Inc. (contract dated May 22, 1953; sale price 14 cents; rate of delivery 60,000 Mcf increasing to 76,250 Mcf daily during first year) for resale.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 2, 1955, at 9:20 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved

in and the issues presented by such applications: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 21, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1349; Filed, Feb. 16, 1955;  
8:49 a. m.]

[Docket No. G-4082]

DELTA DRILLING CO.

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that Delta Drilling Company (Applicant) a Texas Corporation whose address is Tyler, Texas filed on October 4, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the Millhaven Field, Ouachita Parish, Louisiana, which it sells to Southern Natural Gas Company in interstate commerce for resale. The contract dated April 20, 1951, specifies delivery of 4,500,000 Mcf per year at the price of 11½ cents per Mcf.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the

Commission's rules of practice and procedure, a hearing will be held on March 8, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 23d day of February 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1357; Filed, Feb. 16, 1955;  
8:51 a. m.]

[Docket Nos. G-3777, G-3778, G-3781,  
G-3831]

MORAN AND CO. AND M. J. MORAN

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

In the matters of Moran and Company, Docket No. G-3777 M. J. Moran, Docket No. G-3778; Moran and Company, Docket No. G-3781, M. J. Moran, Docket No. G-3831.

Take notice that M. J. Moran and Moran and Company (Applicants) with their respective places of business at Weston, West Virginia, filed on September 30, 1954, separate applications in the above-entitled matters for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the respective Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

Applicants produce and sell natural gas to Equitable Gas Company for transportation in interstate commerce for resale as indicated below:

Docket No.	Applicant	Field	Deliveries	Rate
G-3777	Moran & Co.....	Collins Settlement District, Lewis County, W Va.	(1).....	Cents 16
G-3778	M. J. Moran.....	Kanawha River Field, Glenville District, Gilmer County, W Va.	Approximately 7,000 Mcf annually.	16
G-3781	Moran & Co.....	Goose Pen Run Field, Lewis County, W Va.	Approximately 75,000 Mcf annually.	18
G-3831	M. J. Moran.....	Lynch Run Field, Gilmer County, W Va.	Approximately 2,000 Mcf annually.	16

<sup>1</sup> Well production against existing line pressures for 2 months; at buyer's option for other months.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the

Commission's rules of practice and procedure, a hearing will be held on March 14, 1955, at 9:40 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceeding pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F R. Doc. 55-1356; Filed, Feb. 16, 1955;  
8:51 a. m.]

[Docket No. G-4087]

MARS Co.

NOTICE OF APPLICATION AND DATE OF  
HEARING

FEBRUARY 10, 1955.

Take notice that the Mars Company (Applicant) whose address is Oil City, Pennsylvania, filed on October 4, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the Appalachian Field, Pennsylvania, which is sold in interstate commerce to United Natural Gas Company (contract dated December 30, 1949) for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 4, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission,

Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 23, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F R. Doc. 55-1350; Filed, Feb. 16, 1955;  
8:49 a. m.]

[Docket No. G-4224, G-4225]

OHIO FUEL SUPPLY Co. AND  
R. E. CRAWFORD

NOTICE OF APPLICATION AND DATE OF  
HEARING

FEBRUARY 10, 1955.

In the matters of the Ohio Fuel Supply Company, Docket No. G-4224, R. E. Crawford, Docket No. G-4225.

Take notice that the Ohio Fuel Supply Company a Minnesota corporation with its principal place of business at Minneapolis, Minnesota, and R. E. Crawford, an individual whose address is 1750 Hennepin Avenue, Minneapolis, Minnesota filed on October 7, 1954, separate applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully presented in the respective applications which are on file with the Commission and open for public inspection.

Applicants produce natural gas from the Hugoton Field, Texas County Oklahoma, which they sell to Northern Natural Gas Company and Panhandle Eastern Pipe Line Company at an initial price of 9.8262 cents per Mcf. Rate of delivery is the ratable take.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 14, 1955 at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955. Failure

of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F R. Doc. 55-1358; Filed, Feb. 16, 1955;  
8:51 a. m.]

[Docket No. G-4560]

COLUMBIAN FUEL CORP

NOTICE OF APPLICATION AND DATE OF  
HEARING

FEBRUARY 10, 1955.

Take notice that Columbian Fuel Corporation (Applicant) a Delaware corporation whose address is 380 Madison Avenue, New York, New York, filed on October 25, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from leases in the Carthage Field, Panola County Texas, which it sells to Texas Gas Transmission Corporation pursuant to a contract dated July 1, 1952, for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 14, 1955, at 9:50 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F R. Doc. 55-1359; Filed, Feb. 16, 1955;  
8:51 a. m.]

[Docket No. G-4655]

THOMAS CROWLEY

## NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that Thomas Crowley (Applicant) an individual whose address is 1440 7th Street, Parkersburg, West Virginia filed on November 1, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the Sheridan District, Calhoun County West Virginia which it sells to Godfrey L. Cabot, Inc., at 12 cents per Mcf for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 10, 1955, at 9:50 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
*Secretary.*[F R. Doc. 55-1360; Filed, Feb. 16, 1955;  
8:52 a. m.]

[Docket No. G-6162]

SUPERIOR OIL Co.

## NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that The Superior Oil Company (Applicant) a California corporation whose address is Los Angeles, California, filed an application on November 29, 1954, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas

Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the Keyes Field, Cimarron and Texas Counties, Oklahoma, and the Greenwood Field, Baca County Colorado, which it sells to Colorado Interstate Gas Company in interstate commerce for resale. The contract, dated May 6, 1954, calls for delivery of a minimum quantity per year equal to the sum of the accumulated allowables for all wells involved at an initial price of 15 cents per Mcf.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 8, 1955, at 9:45 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 23, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
*Secretary.*[F R. Doc. 55-1361; Filed, Feb. 16, 1955;  
8:52 a. m.]

[Docket No. G-6260]

EDWIN M. JONES OIL Co.

## NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that Henrietta Yerger Jones, dba Edwin M. Jones Oil Company (Applicant) an individual whose address is 404 Milam Building, San Antonio, Texas, filed on November 29, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas produced in the Greta Field, Refugio

County, Texas, to Transcontinental Gas Pipe Line Corporation in the amount 6,200 Mcf per month at an initial rate of 7.217976 cents per Mcf. Such natural gas to be transported in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 10, 1955, at 9:40 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. This proviso to be included where applicable.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
*Secretary.*[F R. Doc. 55-1362; Filed, Feb. 16, 1955;  
8:52 a. m.]

[Docket No. G-6854]

TEXAS GAS TRANSMISSION CORP

## NOTICE OF APPLICATION

FEBRUARY 9, 1955.

Take notice that Texas Gas Transmission Corporation (Applicant) a Delaware corporation with its principal place of business in Owensboro, Kentucky filed an application on December 21, 1954, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicant to construct and operate facilities and to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application on file with the Commission for public inspection.

Applicant proposes:

(1) To increase firm deliveries to The Ohio Fuel Gas Company (Ohio Fuel) by 39,650 Mcf per day and, simultaneously therewith, reduce interruptible deliveries under Texas Gas' IS-4 Rate Schedule from 75,000 Mcf to 35,000 Mcf per day.

(2) To serve the entire estimated requirements of the Horseshoe System of Indiana Gas & Water Company, Inc. (Indiana Gas) through the facilities proposed herein, which will enable Texas

Gas to meet its delivery obligations set forth in the presently effective executed service agreement between Texas Gas and Indiana Gas directly through its (Texas Gas) facilities; and

(3) To serve the increased firm requirements for the 1955-56 winter of its present customers, other than Ohio Fuel, in the amount of 50,833 Mcf.

Applicant requests authority to construct and operate the necessary facilities to render the additional service above-described. These proposed facilities are:

- (1) Approximately 77.64 miles of 26-inch pipe;
- (2) Approximately 13.61 miles of 20-inch pipe;
- (3) Approximately 73.9 miles of 12-inch pipe;
- (4) Approximately 37 miles of 10-inch pipe;
- (5) Approximately 5 miles of 8-inch pipe;
- (6) 22,600 compressor horsepower and
- (7) Two sales meter stations.

Items (1) and (2) are loops to existing lines. Items (3) (4) and (5) constitute a new lateral to serve the "Horseshoe System" of Indiana Gas & Water Company, Inc., an existing customer. Item (6) includes 18,100 horsepower in existing stations and 4,500 horsepower in a new station at Riverton, Louisiana. These proposed facilities will be located in the States of Louisiana, Mississippi, Tennessee, Kentucky and Indiana.

The total overall cost of the proposed facilities is estimated to be \$17,498,519. Applicant proposes to finance the construction of such facilities through the sale of \$18,000,000 of First Mortgage Bonds and from cash on hand.

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Commission in accordance with §§ 1.8 and 1.10 of its rules of practice and procedure (18 CFR 1.8 and 1.10) on or before March 1, 1955.

Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f))

[SEAL] LEON M. FUQUAY,  
Secretary.

[F R. Doc. 55-1351; Filed, Feb. 16, 1955; 8:49 a. m.]

**HOUSING AND HOME FINANCE AGENCY**

Office of the Administrator

REGIONAL DIRECTOR OF URBAN RENEWAL, REGION II, PHILADELPHIA, PA.

REDELEGATION OF AUTHORITY WITH RESPECT TO SLUM CLEARANCE AND URBAN RENEWAL PROGRAM

The Regional Director of Urban Renewal, Region II, Philadelphia, Housing and Home Finance Agency, is hereby authorized within such region to exer-

cise all the authority delegated to me by the Housing and Home Finance Administrator's delegation of authority effective December 23, 1954 (20 F R. 428, January 1, 1955) with respect to the program authorized under Title I of the Housing Act of 1949, as amended (63 Stat. 414-421, as amended, 42 U. S. C. 1450-1460) and under section 312 of the Housing Act of 1954 (68 Stat. 629) except those authorities which under Paragraph 4 of such delegation may not be redelegated.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947) 62 Stat. 1283 (1948) as amended by 64 Stat. 80 (1950) 12 U. S. C., 1952 ed. 1701c)

Effective as of the 31st day of January 1955.

DAVID M. WALKER,  
Regional Administrator  
Region II.

[F R. Doc. 55-1402; Filed, Feb. 16, 1955; 9:03 a. m.]

REGIONAL ADMINISTRATOR (INCLUDING ACTING REGIONAL ADMINISTRATOR) REGION II, PHILADELPHIA, PA.

REVOCATION OF DELEGATION OF AUTHORITY TO TAKE ALL ACTIONS AUTHORIZED TO BE TAKEN BY REGIONAL ADMINISTRATOR WITH RESPECT TO MATTERS WITHIN REGION I, NEW YORK, N. Y.

The delegation of authority to the Regional Administrator (including the Acting Regional Administrator) of the Housing and Home Finance Agency Region II, Philadelphia, Pennsylvania, to take all actions authorized to be taken by a Regional Administrator with respect to matters within Region I, New York, New York, published at 20 F R. 186, January 7, 1955, is hereby revoked.

(Reorg. Plan 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950) 12 U. S. C., 1952 ed. 1701c; Reorg. Order 1, 19 F R. 9303-5 (Dec. 29, 1954))

Effective as of the 17th day of February 1955.

ALBERT M. COLE,  
Housing and Home Finance  
Administrator

[F R. Doc. 55-1403; Filed, Feb. 16, 1955; 9:03 a. m.]

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 1-3676]

SCURRY OILS LTD.

NOTICE OF APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

FEBRUARY 11, 1955.

In the matter of Scurry Oils Limited, Capital Stock, 50 cents Par Value, File No. 1-3676.

The above-named issuer, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to withdraw the specified security from listing and registration on

the American Stock Exchange and Los Angeles Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

As of December 31, 1954, 2,442,849 shares of Scurry Oils Limited had been exchanged into shares of Scurry-Rainbow Oil Limited, leaving 60,076 shares with 200 holders of record in the United States and 167,075 shares with 235 holders of record in Canada. During January 1955, about 20,000 additional shares were exchanged. The stock has been removed from the Toronto Stock Exchange. Its volume on the Los Angeles Stock Exchange has diminished to negligible proportions and this Exchange has no rules to be complied with in connection with this application. The American Stock Exchange will not oppose this application provided withdrawal becomes effective on April 30, 1955, to which date the offer of exchange remains open. The proposed delisting will end a confusion of names (Scurry and Scurry-Rainbow) on the stock exchanges and result in a saving of time and expense complying with the rules of the stock exchanges and the Securities Exchange Act of 1934.

Upon receipt of a request, on or before March 10, 1955, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F R. Doc. 55-1366; Filed, Feb. 16, 1955; 8:53 a. m.]

[File No. 70-3341]

GENERAL PUBLIC UTILITIES CORP AND JERSEY CENTRAL POWER & LIGHT CO.

NOTICE OF FILING REGARDING ISSUANCE OF SHORT-TERM NOTES BY PARENT, ISSUANCE OF COMMON STOCK BY SUBSIDIARY AND ACQUISITION THEREOF BY PARENT, AND INCREASE IN AUTHORIZED SHARES OF SUBSIDIARY

FEBRUARY 10, 1955.

Notice is hereby given that General Public Utilities Corporation ("GPU") a registered holding company, and Jersey Central Power & Light Company ("Jersey Central") a public-utility subsidiary

company of GPU, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6, 7, and 10 of said act as applicable to certain proposed transactions, which are summarized as follows:

GPU proposes to issue from time to time its unsecured notes in an amount not to exceed \$5,000,000 outstanding at any one time. Such notes will mature ten months from the date issued, will bear interest at the prime rate for commercial borrowings at the date issued, and will be prepayable without premium. Any such temporary borrowing may be refunded in part or in whole out of the proceeds of further temporary borrowings of the same character, but no such temporary borrowings will be effected later than June 30, 1956. The proceeds of said notes will be used for investment in the common stock equities of the subsidiaries of GPU, including Jersey Central.

Jersey Central proposes to issue and sell to GPU, and GPU proposes to purchase from Jersey Central, 400,000 additional shares of Jersey Central's common stock at the par value thereof, namely \$10 per share, for an aggregate purchase price of \$4,000,000. Such shares will be issued and sold by Jersey Central, and purchased by GPU, from time to time, but not later than the issuance and sale during 1955 by Jersey Central of additional first mortgage bonds, and, together with Jersey Central's retained earnings during 1955, will supply the additional common stock equity component of Jersey Central's 1955 financing.

Jersey Central additionally proposes to increase its authorized shares of common stock from 3,000,000 shares, of which 2,653,770 shares are presently outstanding, to 4,000,000 shares.

The application-declaration states that no State or other Federal commission (other than this Commission) has jurisdiction over the notes proposed to be issued by GPU and that the common stock to be issued by Jersey Central will have been expressly authorized by the Board of Public Utility Commissioners of the State of New Jersey the State Commission of the state in which Jersey Central is organized and doing business.

It is requested that the Commission's order become effective forthwith upon issuance.

Notice is further given that any interested person may not later than February 23, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said filing which he desires to controvert, or 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, 425 Second Street NW., Washington 25, D. C. At any time after said date, said application-declaration, as filed or as amended, may be granted and permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under

the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

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

[F. R. Doc. 55-1365; Filed, Feb. 16, 1955;  
8:52 a. m.]

### INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30246]

IRON AND STEEL BORINGS AND TURNINGS  
FROM PEORIA, ILL., TO KEOKUK, IOWA

APPLICATION FOR RELIEF

FEBRUARY 14, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. G. Raasch, Agent, for and on behalf of carriers parties to schedule listed below.

Commodities involved: Iron and steel borings and turnings, carloads.

From: Peoria, Ill.

To: Keokuk, Iowa.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: Wabash Railroad Company, I. C. C. 7607, supp. 62.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
*Secretary.*

[F. R. Doc. 55-1374; Filed, Feb. 16, 1955;  
8:55 a. m.]

[4th Sec. Application 30247]

SUPERPHOSPHATE FROM NEBRASKA, MISSOURI, AND ILLINOIS TO CEDAR RAPIDS, IOWA

APPLICATION FOR RELIEF

FEBRUARY 14, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to schedule listed below. Commodities involved: Superphosphate (acid phosphate) other than ammoniated or defluorinated, in bulk, carloads.

From: Omaha and South Omaha, Nebr., St. Louis, Mo., East St. Louis, Chicago Heights, Joliet and Streator, Ill. To: Cedar Rapids, Iowa.

Grounds for relief: Competition with rail carriers, circuitous routes, market competition, and additional destination.

Schedules filed containing proposed rates: W. J. Prueter, Agent, I. C. C. A-4057, supp. 11.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
*Secretary.*

[F. R. Doc. 55-1375; Filed, Feb. 16, 1955;  
8:55 a. m.]

[4th Sec. Application 30248]

PAPER BAGS FROM TOLEDO AND JAITE, OHIO,  
TO LOUISIANA

APPLICATION FOR RELIEF

FEBRUARY 14, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. 4367, pursuant to fourth-section order No. 17220.

Commodities involved: Paper bags, carloads.

From: Jaite and Toledo, Ohio.

To: Baton Rouge, Gramercy, New Orleans and Reserve, La.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved

in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Secretary.

[F. R. Doc. 55-1376; Filed, Feb. 16, 1955;  
8:56 a. m.]

[4th Sec. Application 30249]

FERTILIZER FROM STERLINGTON, LA., TO  
MISSISSIPPI

APPLICATION FOR RELIEF

FEBRUARY 14, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Fertilizer and fertilizer materials, carloads.

From: Sterlington, La.

To: Points in Mississippi.

Grounds for relief: Rail competition, circuitry market competition, and additional routes.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. 4112, supp. 43.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Secretary.

[F. R. Doc. 55-1377; Filed, Feb. 16, 1955;  
8:56 a. m.]

[4th Sec. Application 30250]

WALNUT LUMBER, LOGS, ETC., FROM KAN-  
SAS TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 14, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Walnut lumber, logs, stumps, veneer, and related articles, carloads.

From: Points in Kansas.

To: Points in official territory.

Grounds for relief: Rail competition, circuitry and to maintain grouping.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 4061, supp. 23.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Secretary.

[F. R. Doc. 55-1378; Filed, Feb. 16, 1955;  
8:56 a. m.]

[4th Sec. Application 30251]

PAPER AND PAPER ARTICLES FROM POINTS  
IN OFFICIAL TERRITORY TO NEW  
MEXICO

APPLICATION FOR RELIEF

FEBRUARY 14, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Paper and paper articles, including wallboard, carloads.

From: Points in official territory, including adjacent points.

To: New Mexico.

Grounds for relief: Rail competition, circuitry, and to maintain grouping.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. 4134 supp. 5.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved

in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Secretary.

[F. R. Doc. 55-1379; Filed, Feb. 16, 1955;  
8:56 a. m.]

[Ex Parte MC-48]

TRANSPORTATION OF PETROLEUM AND PE-  
TROLEUM PRODUCTS BY MOTOR CARRIERS  
WITHIN A SINGLE STATE

INVESTIGATION TO DETERMINE EXTENT OF  
COMMISSION'S JURISDICTION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 7th day of February A. D. 1955.

It appearing that in petitions of Refiners Transport and Terminal Corporation, Hugh Breeding, Inc., and Commercial Transport, Inc., reference is made to some of the uncertainty respecting the jurisdiction of this Commission over the transportation by motor carriers within a single State of petroleum and petroleum products which have a prior movement by rail, pipe line, or water, from an origin in a different State;

It further appearing that a number of applications have been filed by motor common carriers for certificates of public convenience and necessity to perform the service described within single States;

And it further appearing that it is desirable to determine the extent of this Commission's jurisdiction over the transportation described:

*It is ordered*, That an investigation be, and it is hereby instituted to determine the extent of this Commission's jurisdiction over the transportation by motor common and contract carriers, in tank trucks, within a single State, of petroleum and petroleum products, which have a prior movement by rail, pipe line, or water from an origin in a different State.

*It is further ordered*, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director of the Federal Register.

*And it is further ordered*, That this proceeding be, and it is hereby assigned for hearing before Examiner R. Edwin Brady on the 22d day of March, A. D. 1955, at 9:30 o'clock a. m., United States Standard Time, at the offices of the Interstate Commerce Commission, Washington, D. C.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Secretary.

[F. R. Doc. 55-1380; Filed, Feb. 16, 1955;  
8:57 a. m.]

[Rev. S. O. 562, Taylor's I. C. C. Order 47]

SOUTHERN RAILWAY Co.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Charles W Taylor, Agent, the Southern Railway Company, because of a work stoppage, by switchmen, is unable to accept and transport traffic routed over its lines. *It is ordered, That:*

(a) Rerouting traffic: All railroads in the States of Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi, North Carolina, Ohio, South Carolina, Tennessee and Virginia, are hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained. The railroads desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or

rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: The carriers rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipments on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree,

said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 8:00 a. m., February 11, 1955.

(g) Expiration date: This order shall expire at 11:59 p. m., March 1, 1955, unless otherwise modified, changed, suspended or annulled.

*It is further ordered,* That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., February 11, 1955.

INTERSTATE COMMERCE  
COMMISSION,  
CHARLES W TAYLOR,  
*Agent.*

[F. R. Doc. 55-1409; Filed, Feb. 16, 1955; 9:05 a. m.]