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Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

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Title 3—The President

EXECUTIVE ORDER 11622

Amending Executive Order 11621 Creating a Board of Inquiry

By virtue of the authority vested in me by Section 206 of the Labor-Management Relations Act, 1947 (61 Stat. 155; 29 U.S.C. 176), Executive Order 11621¹ of October 4, 1971, is amended as follows:

(1) In the first paragraph, immediately following "International Longshoremen's Association, AFL-CIO", insert "; the International Association of Machinists and Aerospace Workers, AFL-CIO and District Lodge 94 and Local Lodge 1484 thereof;" and

(2) In the third paragraph, delete the name "Morris L. Myers".



THE WHITE HOUSE,

October 5, 1971.

[FR Doc.71-14830 Filed 10-6-71;9:55 am]

¹ 36 F.R. 19435.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Overseas Private Investment Corp.

Section 213.3317 is amended to show that one position of Secretary to the Vice President for Financing is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (10-7-71), paragraph (c) is added to § 213.3317 as set out below.

§ 213.3317 Overseas Private Investment Corp.

(c) One Secretary to the Vice President for Financing.

(5 U.S.C. secs. 3301, 3302, E.O. 15077; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.71-14719 Filed 10-6-71;8:50 am]

Title 7—AGRICULTURE

Chapter II—Food and Nutrition Service, Department of Agriculture

PART 215—SPECIAL MILK PROGRAM FOR CHILDREN

Appendix—Second Apportionment of Special Milk Program Funds, Pursuant to Child Nutrition Act of 1966, Fiscal Year 1971

Amendments of reapportionment for the State and total as listed below.

A second apportionment pursuant to section 3 of the Child Nutrition Act of 1966, Public Law 89-642, 80 Stat. 885-6 milk assistance funds available for fiscal year ending June 30, 1971, was published in the FEDERAL REGISTER on June 5, 1971 (36 F.R. 109). The second apportionment is amended for the State and total listed as follows:

	Total apportionment	State agency	Withheld for private schools
Vermont.....	\$294,458	\$279,776	\$14,682
West Virginia.....	1,031,875	996,729	35,146
Total.....	103,143,987	96,831,703	6,312,284

(Sec. 2, 3, 6, 8-16, 80 Stat. 885-890, 42 U.S.C. 1771, 1772, 1775, 1777-1785)

Dated: September 30, 1971.

EDWARD J. HEKMAN,
Administrator.

[FR Doc.71-14703 Filed 10-6-71;8:48 am]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 369]

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

Limitation of Handling

§ 908.669 Valencia Orange Regulation 369.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 35 F.R. 16625), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regula-

tion effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 5, 1971.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period October 8, through October 14, 1971, are hereby fixed as follows:

(i) District 1: 119,000 cartons;

(ii) District 2: 581,000 cartons;

(iii) District 3: Unlimited.

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

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

Dated: October 6, 1971.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Consumer and Marketing Service.

[FR Doc.71-14852 Filed 10-6-71;12:54 pm]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68-WE-8-AD; Amdt. 39-1305]

PART 39—AIRWORTHINESS DIRECTIVES

General Dynamics Models 340, 440 and C-131E Airplanes

Amendment 39-597 (33 F.R. 7110), AD 68-10-4 requires inspection of the front spar lower rail for cracks between wing stations 240 and 270 on General Dynamics Models 340, 440, and C-131E airplanes including those using turbo-propeller power. After issuing amendment 39-597, the agency determined that at least one operator has reported finding cracks near other leading edge joints outboard of station 270. Therefore, the AD is being amended to require inspection for cracks between wing stations 360 and 490, until modified in accordance with the manufacturer's Service Engineering Report.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697),

§ 39.13 of Part 39 of the Federal Aviation Regulations, amendment 39-597 (33 F.R. 7110), AD 68-10-4, is amended as follows:

1. By amending paragraph (c) to read: "Remove the wing leading edge and visually inspect the wing front spar lower rail between wing stations 240 and 270 and between wing stations 360 and 490 for cracks."

Note: During the inspection required by (c), pay particular attention to the areas immediately adjacent to the leading edge joints at wing stations 248, 264, 363, and 484. All reported cracks have originated in the rail forward flange at or near the leading edge attach screw holes.

2. By amending paragraph (e), at line 6, in pertinent part, to read: "* * * per details (a) and (b), Figure 1 * * *."

This amendment becomes effective October 8, 1971.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, and 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on September 27, 1971.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[FR Doc.71-14681 Filed 10-6-71;8:46 am]

[Airworthiness Docket No. 70-WE-50-AD;
Amdt. 39-1307]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

Amendment 39-1130 (35 F.R. 19530), AD 70-26-3, as amended by amendment 39-1161 (36 F.R. 4369), requires inspection and rework of the main landing gear beam P/N 65-16230 on Boeing 727 Series Airplanes. After issuing amendment 39-1161, the agency determined that a new beam P/N 65-62335 is an acceptable replacement for beam P/N 65-16230. Therefore, the AD is being further amended to provide terminating action for the inspection requirements of the AD when the new beam P/N 65-62335 is installed.

The AD is also amended to permit rework in accordance with instructions in Service Bulletin 57-120, dated April 30, 1971.

Since this amendment provides an alternative means of compliance, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, amendment 39-1130 (35 F.R. 19530), AD 70-26-3, as amended by amendment 39-1161 (36 F.R. 4369), is further amended as follows:

1. Revise paragraph (b) (1) to read:

(1) Rework the beam in accordance with rework instructions in Boeing Service Bulletin 57-120, dated 30 April 1971, or later FAA approved revisions, and repeat the inspection required in (3) above, or

2. Revise paragraph (d) to read:

(d) Inspections prescribed by this AD do not apply:

(1) To replacement beams P/N 65-62335;

or
(2) To replacement beams P/N 65-16230 until the replacement beams (P/N 65-16230) have accumulated 10,000 landings.

This amendment becomes effective October 8, 1971.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on September 27, 1971.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[FR Doc.71-14683 Filed 10-6-71;8:46 am]

[Airworthiness Docket No. 71-WE-4-AD;
Amdt. 39-1306]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

Amendment 39-1162 (36 F.R. 4369), AD 71-5-4, requires inspection and rework of the main landing gear beam P/N 65-16230 on Boeing 727 Series Airplanes. After issuing amendment 39-1162, the agency determined that a new beam P/N 65-62335 is an acceptable replacement for beam P/N 65-16230. Therefore, the AD is being amended to provide terminating action for the inspection requirements of the AD when the new beam P/N 65-62335 is installed.

The AD is also amended to permit rework in accordance with instructions in Service Bulletin 57-120, dated April 30, 1971.

Since this amendment provides an alternative means of compliance, and imposes no additional burden on any person, notice and public procedure thereon are unnecessary and the amendment may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, amendment 39-1162 (36 F.R. 4369), AD 71-5-4, is amended as follows:

1. Revise paragraph (e) to read:

(e) Any beam in which evidence of a crack in the bearing bore is found must, prior to further flight, be replaced with a beam inspected per this AD and found to be uncracked, or reworked in accordance with instructions in Boeing Service Bulletin No. 57-120, dated April 30, 1971, or later FAA approved revisions, or in accordance with instructions approved by the Chief, Aircraft Engineering Division, FAA Western Region.

2. Add paragraph (g).

(g) Inspections prescribed by this AD do not apply.

(1) To replacement beams P/N 65-62335;

or
(2) To replacement beams P/N 65-16230 until the replacement beams (P/N 65-16230) have accumulated 4,500 hours' time in service or 7,000 landings.

This amendment becomes effective October 8, 1971.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on September 27, 1971.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[FR Doc.71-14682 Filed 10-6-71;8:46 am]

[Airworthiness Docket No. 71-WE-21-AD;
Amdt. 39-1308]

PART 39—AIRWORTHINESS DIRECTIVES

General Dynamics Models 340/440 and C-131E Airplanes, Including Those Using Turbopropeller Power

There has been a report of the loss of the entire main landing gear piston assembly prior to touch down. Failure of a single lock pin (Menasco P/N 528067) permitted the upper bearing (Menasco P/N 528066) to unscrew from the piston and release the piston from the cylinder. A subsequent failure of the torque arms allowed the piston assembly to fall from the airplane. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require inspection of the main landing gears for loose or worn lockpins and rework, if necessary, on all General Dynamics Models 340, 440 and C-131E airplanes, including those using turbopropeller power.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GENERAL DYNAMICS. Applies to Models 340, 440 and C-131E Airplanes including those using turbopropeller power.

Compliance required as indicated.

To prevent failure of lockpins retaining the piston upper bearing and possible subsequent loss of the piston assembly from the main landing gear, accomplish the following:

(a) Within the next 300 hours' time in service from the effective date of this AD, unless already accomplished within the last 1,200 hours' time in service, and at intervals not to exceed 1,500 hours' time in service thereafter, inspect the piston upper bearing retaining lockpins on those main

landing gears known to have a single lockpin configuration or unknown lockpin configuration.

1. If loose or damaged lockpin(s) are discovered, replace lockpins before further flight.

2. Aircraft may be flown per FAR 21.197 to a base for rework.

(b) Within 1,000 hours' time in service from the effective date of this AD, unless already accomplished within the last 2,000 hours' time in service, and thereafter at intervals not to exceed 3,000 hours' time in service, inspect the piston upper bearing retaining lockpins on those main landing gears known to have more than a single lockpin configuration.

1. If loose or damaged lockpin(s) are discovered, replace lockpins before further flight.

2. Aircraft may be flown per FAR 21.197 to a base for rework.

(c) The repetitive inspection intervals in (a) and (b) may be extended to 8,000 hours when rework has been accomplished per Paragraph 2B, General Dynamics/Convair Service Bulletin No. 32-5, dated September 3, 1971, or later FAA approved revision, or a rework approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(d) Upon request of the operator, an FAA Air Carrier Maintenance Inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective October 28, 1971.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on September 27, 1971.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[FR Doc.71-14684 Filed 10-6-71;8:46 am]

[Docket No. 71-EA-99; Amdt. 39-1310]

PART 39—AIRWORTHINESS DIRECTIVES

DeHavilland Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to DeHavilland DHC-6 type airplanes.

During an analysis of the certification criteria of the subject aircraft, it was determined that the DHC-6 will experience a complete loss of AC power when a short develops in one of the AC circuits. Apparently because of the presently required slow-blow type fuses with high ratings, when a short occurs in an AC circuit, a self-protection feature in the inverter causes the voltage to approach zero prior to the rupture of the fuses. The result is a complete loss of AC power.

Since the foregoing deficiency could develop in airplanes of the same type design, an airworthiness directive is being issued which will require the replacement of present fuses with lower rating fuses as well as fast or medium-blow types. It will also require an inspection of the

inverters and replacement where necessary.

Since the foregoing requires expeditious adoption of the amendment, notice and public procedure hereon are unnecessary and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

DeHAVILLAND. Applies to DeHavilland Model DCH-6 Airplanes, Serial Numbers 6 through 289 certificated in all categories and incorporating Filtechronic Type FC 15 or FC 15A Inverters. Compliance required within the next 250 hours' time in service after the effective date of this AD unless already accomplished. To prevent a total loss of AC power in the event of a fault occurring in an AC circuit, accomplish the following:

(a) Comply with Accomplishment Instructions 1 and 2(a) through 2(e) of DeHavilland Service Bulletin No. 6/263 dated October 5, 1970, Revision B dated January 29, 1971.

(b) Remove slow-blow fuses not replaced in (a) and replace with:

(1) Littlefuse type 312 of the same rating for the 26-volt supply except that ratings greater than 2 amps shall be replaced with Littlefuse 312002.

(2) Littlefuse type 312 or Bussman type MB of the same rating for the 115 volt supply, except that ratings greater than 1 amp shall be replaced with Littlefuse 312001 or Bussman MBO1.

(c) Comply with Accomplishment Instructions 3 through 6 of DeHavilland Service Bulletin No. 6/263 dated October 5, 1970, Revision B dated January 29, 1971 for FC 15 and FC 15A inverter without a suffix letter after the serial number. Inverters which do not meet the requirements of the overload function test must be replaced, prior to further flight, with an inverter with a suffix letter after the serial number.

Equivalent methods may be used provided they are approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

Upon request with substantiation data submitted through an FAA maintenance inspector, the compliance time specified in this AD may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment is effective October 12, 1971.

(Secs. 312(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on September 24, 1971.

ROBERT H. STANTON,
Acting Director, Eastern Region.

[FR Doc.71-14685 Filed 10-6-71;8:47 am]

[Docket No. 71-CE-23-AD; Amdt. 39-1311]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna 206 Series Airplanes

An Airworthiness Directive was adopted on September 25, 1971, and made

effective immediately as to all known owners of Cessna 206 series airplanes. This AD was issued because an incident and recent investigations have established that cracks may exist in the aft fuselage bulkhead to which the rear fin spar attaches in these aircraft. Failure in this area can result in inflight separation of the vertical fin and rudder. In order to detect this condition the directive requires before further flight a visual inspection of the rear bulkhead and its stiffener for cracks and the fin attach bolt holes for elongation, wear and cracks or in the alternative removal of the fin attach bolts individually and a dye penetrant inspection around the bolt holes and the control cable cutouts in the bulkhead for cracks and a visual inspection of the bulkhead toward the outer flange for cracks. It also requires a visual inspection of the front spar attach area for cracks, elongation of holes and wear. If defects are found as a result of the required inspections, the directive provides that prior to further flight certain corrections can be attempted to achieve airworthiness but if corrections cannot be made, all defective parts must be replaced.

Since it was found that immediate corrective action was required, notice and public procedure hereon was impracticable and contrary to the public interest and good cause existed for making the AD effective immediately to the owners of Cessna 206 series airplanes by individual air mail letters dated September 25, 1971. These conditions still exist and the AD is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

CESSNA. Applies to 206 series airplanes up to Serial Number 206-01588, with 100 or more hours' time in service.

Compliance: Required as indicated, unless already accomplished.

To detect cracks and bolt looseness which could lead to inflight separation of the fin and rudder, accomplish the following:

(A) Before further flight:

(1) Remove stinger and fairing between fin and stabilizer.

(2) Either remove the vertical fin and visually inspect the rear bulkhead and its stiffener for cracks and the fin attach bolt holes for elongation, wear and cracks, or in the alternative remove the fin attach bolts individually and using the dye penetrant method of inspection, inspect around the bolt holes and the control cable cut outs in the bulkhead for cracks and visually inspect the bulkhead toward the outer flange for cracks.

(3) Visually inspect the front spar attach area for cracks, elongation of holes and wear.

(B) If defects are found as a result of the inspections required by paragraph A, prior to further flight the following corrections can be made to achieve airworthiness:

The AN5 bolt hole can be redrilled for an AN6 bolt; the AN6 bolt holes are acceptable

If they do not exceed 0.380 diameter; the AN6 bolt holes can be drilled out for an AN7 bolt providing there are no cracks or other deformities around the new hole.

Otherwise, prior to further flight, replace all defective parts with airworthy parts.

(C) Reassemble the fin to the aircraft using the following torque values:

- (1) AN5 Bolts, 140-225 inch-pounds;
- (2) AN6 Bolts, 190-390 inch-pounds;
- (3) AN7 Bolts, 500-840 inch-pounds (if an AN7 bolt is installed use a NAS679A7 nut).

(D) To accomplish the inspections, repair, or replacement required by this AD, the airplane may be flown in accordance with FAR 21.197 to a base where the inspections, repair, or replacement may be performed.

(E) Report any discrepancies on a Malfunction or Defect Report, FAA Form 8330-2 (Form 1226).

(F) Equivalent methods of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective October 8, 1971, to all persons except those to whom it was made effective by letter dated September 25, 1971.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on September 29, 1971.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.71-14686 Filed 10-6-71;8:47 am]

[Docket No. 7842; Amdt. 39-1318]

PART 39—AIRWORTHINESS DIRECTIVES

Rolls Royce Spey Models 506-14, 510-14, 511-8, and 511-14 Air- plane Engines

Amendment 39-636 (33 F.R. 11646), AD 68-17-5, requires, in part, periodic visual inspection of the exposed high pressure air system center section duct for signs of cracking and of the stainless steel wire braid wrap for security, distortion, and discoloration, at intervals not to exceed 600 hours' time in service on Rolls Royce Spey Models 506-14, 510-14, 511-8, and 511-14 airplane engines. After issuing amendment 39-636, due to service experience, the FAA has determined that the intervals between the repetitive inspections required by that amendment may be increased without any adverse effect on safety. Therefore, the AD is being amended to require that the repetitive inspections be performed at intervals not to exceed 1,000 hours' time in service.

Since this amendment relieves a restriction, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to

me by the Administrator (14 CFR 11.89), § 39.13 Part 39 of the Federal Aviation Regulations, amendment 39-636 (33 F.R. 11646), AD 68-17-5, is amended by striking out the number "600" from paragraph (b) and inserting the number "1,000" in place thereof.

This amendment becomes effective October 12, 1971.

(Secs. 313(a), 601, 603 of the Federal Aviation Act of 1958, U.S.C. 1354(a), 1421, 1423; sec. 6(c) of the Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on September 29, 1971.

WILLIAM G. SHREVE, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.71-14689 Filed 10-6-71;8:47 am]

[Airspace Docket No. 71-SO-145]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND RE- PORTING POINTS

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Atlanta, Ga., control zone and transition area.

The Atlanta control zone is described in § 71.171 (36 F.R. 2055) and the Atlanta transition area is described in § 71.181 (36 F.R. 2140). In the descriptions, reference is made to "Atlanta Airport." Since the name of this airport has been changed to "The William B. Hartsfield Atlanta International Airport," it is necessary to alter the control zone and transition area descriptions to reflect this change.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (36 F.R. 2055), the Atlanta, Ga., control zone is amended as follows:

"* * * Atlanta Airport * * *" is deleted and "* * * The William B. Hartsfield Atlanta International Airport * * *" is substituted therefor.

In § 71.181 (36 F.R. 2140), the Atlanta, Ga., transition area is amended as follows:

"* * * Atlanta Airport * * *" is deleted and "* * * The William B. Hartsfield Atlanta International Airport * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on September 2, 1971.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.71-14688 Filed 10-6-71;8:47 am]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Adminis- tration, Department of Health, Ed- ucation, and Welfare

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNC- TIONS, PRACTICES, AND PROCE- DURES

Subpart M—Organization

WASHINGTON HEADQUARTERS

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act, (sec. 701 (a), 52 Stat. 1055; 21 U.S.C. 371(a)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Part 2 is amended by revising § 2.171 to reflect organizational changes, as follows:

§ 2.171 Washington headquarters.

The central organization of the Food and Drug Administration consists of the following:

OFFICE OF THE COMMISSIONER

Commissioner of Food and Drugs.
Deputy Commissioner.
Associate Commissioner for Compliance.
Associate Commissioner for Medical Affairs.
Associate Commissioner for Science.
Assistant Commissioner for Administration.
Assistant Commissioner for Public Affairs.
Assistant Commissioner for Planning and Evaluation.
Assistant Commissioner for Program Coordination.

BUREAU OF FOODS

Director.
Deputy Director.
Office of the Assistant Director for Management.
Office of the Assistant Director for Scientific Coordination.
Office of Sciences.
Office of Product Technology.
Office of Compliance (Foods).
Office of Food Sanitation.

BUREAU OF RADIOLOGICAL HEALTH

Director.
Deputy Director.
Division of Biological Effects.
Division of Electronic Products.
Division of Medical Radiation Exposure.

BUREAU OF PRODUCT SAFETY

Director.
Deputy Director.
Division of Consumer Product Safety.
Division of Hazardous Substances and Poison Control.
Division of Clinical and Medical Devices.

EXECUTIVE DIRECTOR OF REGIONAL OPERATIONS

Executive Director of Regional Operations.
Deputy Executive Director of Regional Operations.
Division of Field Operations.
Division of Planning and Analysis.
Division of Federal-State Relations.

BUREAU OF VETERINARY MEDICINE

Director.
Deputy Director.
Division of Veterinary Research.
Division of New Animal Drugs.
Division of Veterinary Medical Review.
Division of Compliance.
Division of Nutritional Sciences.

BUREAU OF DRUGS

Director.
Deputy Director.
Drug Efficacy Study Implementation Project Office.
Office of the Assistant Director for Planning and Analysis.
Office of Compliance (Drugs).
Office of Pharmaceutical Research and Testing.
Office of Scientific Coordination.
Office of Scientific Evaluation.

Current locations and addresses of these units may be obtained from the Food and Drug Administration, Information Center, 5600 Fishers Lane, Rockville, Md. 20852.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: September 24, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.71-14673 Filed 10-6-71; 8:45 am]

SUBCHAPTER C—DRUGS

PART 135—NEW ANIMAL DRUGS

Subpart C—Sponsors of Approved Applications

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Diethylcarbamazine Citrate Syrup

The Commissioner of Food and Drugs has evaluated a new animal drug application (46-147V) filed by Kuba-Koon II, Ltd., 6425 Airline Highway, Metairie, La. 70003, proposing the safe and effective use of diethylcarbamazine citrate syrup as an anthelmintic in dogs. The application is approved.

To facilitate referencing, Kuba-Koon II, Ltd., is being assigned a code number and placed in the list of firms in § 135.501 (21 CFR 135.501).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135 and 135c are amended as follows:

1. Section 135.501 is amended in paragraph (c) by adding a new code number 061, as follows:

§ 135.501 Names, addresses, and code numbers of sponsors of approved applications.

Code No.	Firm name and address
061	Kuba-Koon II, Ltd., 6425 Airline Highway, Metairie, La. 70003.

2. Part 135c is amended by adding the following new section:

§ 135c.52 Diethylcarbamazine citrate syrup.

(a) *Specifications.* Each milliliter of syrup contains 60 milligrams of diethylcarbamazine citrate.

(b) *Sponsor.* See code No. 061 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is used for the prevention of infection with *Dirofilaria immitis* in dogs.

(2) The drug may be added to the daily ration at a dosage rate of 3.0 milligrams per pound of body weight per day or given directly by mouth at the same dosage rate.

(3) Older dogs should be proven negative for the presence of *Dirofilaria immitis* infection before administration of the drug. Those with proven infection of *Dirofilaria immitis* should be rendered negative using adulticidal and microfilaricidal drugs before administration of this drug.

(4) For use only by or on the order of a licensed veterinarian.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (10-7-71).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: September 24, 1971.

FRED J. KINGMA,
Acting Director,
Bureau of Veterinary Medicine.

[FR Doc.71-14712 Filed 10-6-71; 8:50 am]

PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Iprnidazole

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (43-477V) filed by Hoffmann-La Roche, Inc., Nutley, N.J. 07110, proposing that the provision for using ipronidazole in feed for turkeys be amended to exclude its use in feeds containing bentonite. The supplemental application is approved.

The Commissioner further concludes that the present regulation for ipronidazole should be amended to identify Hoffman-La Roche, Inc., by the code number assigned to it in § 135.501 (21 CFR 135.501).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135e.56 is amended by revising paragraph (b), by redesignating the present paragraph (e) as paragraph (f), and by adding a new paragraph (e), as follows:

§ 135e.56 Iprnidazole.

(b) *Approvals.* Premix level containing 12.5 percent of the drug had been granted; for sponsor see code No. 020 in § 135.501(c) of this chapter.

(e) *Special considerations.* Do not use in feeds containing bentonite.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (10-7-71).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: September 27, 1971.

FRED J. KINGMA,
Acting Director,
Bureau of Veterinary Medicine.

[FR Doc.71-14674 Filed 10-6-71; 8:46 am]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines,
Department of the Interior

SUBCHAPTER O—COAL MINE HEALTH AND SAFETY

PART 75—MANDATORY SAFETY STANDARDS, UNDERGROUND COAL MINES

Protective Clothing

Pursuant to the authority vested in the Secretary of the Interior under section 101(a) of the Federal Coal Mine Health and Safety Act of 1969 (Public Law 91-173), there was published in the FEDERAL REGISTER for March 19, 1971 (36 F.R. 5296), a notice of proposed rule making to amend Part 75, Subchapter O, Chapter I, Title 30, Code of Federal Regulations by adding § 75.1719, which prescribe the protective clothing which must be worn by each miner regularly employed in the active workings of an underground coal mine.

Interested persons were afforded a period of 30 days from the date of publication of the notice in which to submit written comments, suggestions, or objections to the proposed amendment. All of the comments were given careful consideration. Some of the standards have been revised as suggested and the standard requiring seat belts has been deleted.

The section number § 75.1719 had previously been assigned and reserved to other proposed standards and was inadvertently also assigned to this proposed amendment. Part 75 of Title 30, Code of Federal Regulations, Subchapter O—Coal Mine Health and Safety—Mandatory Health and Safety Standards, Underground Coal Mines, is amended and revised by adding § 75.1720 as set forth below:

§ 75.1720 Protective clothing; requirements.

On and after the effective date of this § 75.1720 each miner regularly employed in the active workings of an underground coal mine shall be required to wear the following protective clothing and devices:

(a) Protective clothing or equipment and face-shields or goggles when welding, cutting, or working with molten metal or when other hazards to the eyes exist from flying particles.

(b) Suitable protective clothing to cover those part of the body exposed to injury when handling corrosive or toxic

substances or other materials which might cause injury to the skin.

(c) Protective gloves when handling materials or performing work which might cause injury to the hands; however, gloves shall not be worn where they would create a greater hazard by becoming entangled in the moving parts of equipment.

(d) A suitable hard hat.

(e) Suitable protective footwear.

Effective date. The provisions of § 75.1720 shall become effective 45 days after the date of publication in the FEDERAL REGISTER.

HOLLIS M. DOLE,

Assistant Secretary of the Interior.

SEPTEMBER 24, 1971.

[FR Doc.71-14706 Filed 10-6-71;8:48 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER N—ARTIFICIAL ISLANDS AND FIXED STRUCTURES ON THE OUTER CONTINENTAL SHELF

[CGFR 71-74a]

PART 147—SAFETY ZONES

The purpose of these amendments is to delegate to district commanders the authority: (1) To establish safety zones around artificial islands and fixed structures on the Outer Continental Shelf and at their construction sites for the purpose of promoting the safety of life and property on the islands and structures, their appurtenances, and attending vessels, and on the waters within the safety zones; (2) to issue and enforce reasonable regulations for these purposes; and (3) to take appropriate measures in the safety zones for the protection of the living resources of the sea from harmful agents. The regulations also prescribe the procedures for establishing safety zones and the regulations relating to them. The criminal sanction provided by 43 U.S.C. 1333(e) (2) referred to in 33 CFR 140.20-5 for violation of regulations in Subchapter N applies to any regulations promulgated by the district commander under this authority.

In a notice of proposed rule making, 36 F.R. 13274, the Coast Guard proposed to add a new Part 147 to Subchapter N of Title 33 of the Code of Federal Regulations to accomplish the foregoing purposes. Eleven commentators submitted comments on the proposed rules. Five commentators supported the proposed regulations or their intent although in some cases the support was conditioned by specific recommendations discussed below. One commentator opposed the proposal in toto on both legal and policy grounds. The remaining commentators expressed no opinion as to the advisability of the regulations but made recommendations discussed below.

It was recommended that, in addition to "sea lanes," "shipping safety fair-

ways" and "anchorage areas" be included in proposed § 147.03-5 where it provides that safety zones shall not interfere with "recognized sea lanes essential to navigation." The concern was expressed (1) that the term "sea lanes" is limited to those portions of traffic separation schemes where unidirectional traffic is recommended and (2) that express provision is required to assure that shipping safety fairways and anchorage areas on the Outer Continental Shelf in the Gulf of Mexico would not be interfered with by the establishment of safety zones.

The term "recognized sea lanes essential to navigation" in § 147.03-5 is adopted from the similar provision in paragraph 5 of Article 5 of the 1958 Convention on the Continental Shelf relating to "international" navigation. (It should be noted that the absence of the word "international" in the regulation in fact makes it more restrictive than the Convention.) While the term "sea lane" is used in conjunction with traffic separation schemes, the terminology utilized in § 147.03-5 is generic and includes shipping safety fairways as well as other essential ship routing areas. The addition of specific terms relating to circumstances in the Gulf and other areas where fairways have been established would tend to derogate from the broad meaning of the term used in the regulation. If the term "shipping safety fairways" was added to "recognized sea lanes" the implication might be drawn that the latter term referred only to areas subject to a traffic separation scheme. The intent of the regulations is to follow the constraint imposed by the Convention on the Continental Shelf that the establishment of safety zones may not interfere with any recognized sea lane essential to navigation be it traffic separation scheme, fairway, or otherwise. Therefore, the term "shipping safety fairways" is not included in the regulations although fairways are within the scope of the limitation. It should be noted in this context that a given safety zone and the regulations issued to apply within it may affect a portion of a sea lane so long as they do not interfere with navigation within it.

The recommendation that "anchorage areas" be included in this section is also rejected for the reason that should such an area be located within 500 meters of an artificial island, fixed structure, or construction site it may well be necessary to promulgate safety zone regulations with regard to activities conducted within it in order to promote the safety of life and property on the installation or site or on the adjacent waters.

A number of commentators suggested that there should be a specific provision in the regulations permitting owners, operators, or interested government agencies to request the establishment of a safety zone. Section 147.03-1 as written provides an adequate basis for these parties and others to bring the relevant matters to the attention of the district commander in order that he may deter-

mine whether a safety zone should be established.

Some confusion was expressed as to the size and configuration of the safety zones. The 500 meter distance provided for in § 147.03-5 relates to the maximum radial extent of the zones measured from a construction site or the outer edge of an artificial island or fixed structure. The regulation has been modified to clarify this point.

Similar confusion was noted regarding the length of time that a safety zone might be in effect. Section 147.03-3 again provides the maximum time period during which the zone may be established and continued. This section contemplates that a safety zone may be established any time after the construction equipment and materials for an artificial island or fixed structure enter within 500 meters of the construction site until the island or structure has been entirely removed. Similarly a safety zone may continue in effect from the time of its establishment until the island or structure has been entirely removed at which time it would automatically terminate if not sooner terminated by the district commander.

Comments were made regarding the scope of the delegation to the district commander and the nature of the regulations which may be adopted by him to apply within a safety zone. Since the regulations for each zone will be subjected to public comment prior to their promulgation (except in emergency situations where public comment will be solicited immediately following the establishment of the zone) there will be full opportunity to air the district commander's proposed exercise of authority in each case as it arises to assure that it is in conformity with 33 CFR Part 147. Moreover, since the safety zones will be established on an individual basis, activities which will be regulated in any given zone and the extent to which they will be regulated will have to be individually determined at the time by the district commander in order to meet the contingencies existing at the particular safety zone site.

Concern was expressed that measures to protect the living resources of the sea from harmful agents adopted pursuant to § 147.01-1 might conflict with regulations issued by other governmental agencies, specifically those published in 30 CFR Part 250. It should be noted that the particular section in this part which relates to the discharge of harmful agents, 30 CFR 250.43, imposes responsibility and liability on a lessee only. The establishment of safety zones carries with it the obligation to "undertake, in the safety zones, all appropriate measure for the protection of the living resources of the sea from harmful agents", paragraph 7, Article 5 of the Convention on the Continental Shelf. In utilizing safety zones to carry out its responsibilities under the Outer Continental Shelf Lands Act the Coast Guard must be guided by this obligation which has been undertaken by the United States. Accordingly, these measures must apply to all persons and

activities within the safety zones. Any possible conflict between the measures undertaken pursuant to this regulation and 30 CFR Part 250 is dealt with in the last sentence of § 147.01-1 which excludes certain activities from the delegated regulatory authority.

One commentator to § 143.03-3(b) recommended that explicit provision be made to require publication of emergency safety zones in Notices to Mariners. This suggestion has been adopted to eliminate any uncertainty. It was the intention in drafting the proposed regulations to indicate that in certain emergency circumstances it may be appropriate and effective to utilize other methods of public notice. In every case, emergency or otherwise, where international or domestic shipping is involved information regarding safety zones will be published in Notices to Mariners, and, if appropriate, on navigational charts.

An editorial error appeared in the notice of proposed rule making—the inclusion of § 147.03-7 *Prohibited activities* in the index. Since the regulations do not include such a section this item has been deleted from the index.

Accordingly, in consideration of the foregoing, the Coast Guard hereby amends Subchapter N of Title 33 CFR by adding a new Part 147, to be effective on January 7, 1972, as follows:

Subpart 147.01—Purpose and Delegation

Sec.

- 147.01-1 Purpose of safety zones.
- 147.01-3 Delegation of authority.

Subpart 147.03—Establishment of Safety Zones

- 147.03-1 Initial action by the district commander.
- 147.03-3 Procedures.
- 147.03-5 Extent of safety zones.

AUTHORITY: The provisions of this Part 147 issued under the authority of sec. 633, 63 Stat. 545, sec. 4(e) (1), 67 Stat. 463, sec. 6(b) (1), 80 Stat. 938; 14 U.S.C. 633, 43 U.S.C. 1333(e) (1), 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b); in conformance with paragraphs 2, 3, 6, and 7 of Art. 5 Convention on the Continental Shelf (TIAS 5578) and Art. 2 Convention on the High Seas (TIAS 5200).

Subpart 147.01—Purpose and Delegation

§ 147.01-1 Purpose of safety zones.

Safety zones may be established around artificial islands and fixed structures being constructed, maintained, or operated on the Outer Continental Shelf to promote the safety of life and property on the islands and structures, their appurtenances and attending vessels, and on the adjacent waters within the safety zones. Regulations adopted for safety zones may extend to the prevention or control of specific activities and access by vessels or persons, and include measures to protect the living resources of the sea from harmful agents. The regulations do not encompass the operating equipment or procedures used in the drilling for and production of oil, gas, or other minerals, or the transportation of oil, gas, or other minerals by pipeline except as they relate to the safety of life and property on the islands and structures and on the waters adjacent to the

artificial islands and fixed structures or to the protection of the living resources of the sea within a safety zone from harmful agents.

§ 147.01-3 Delegation of authority.

The authority to establish safety zones and to issue and enforce safety zone regulations in accordance with the provisions of this part is delegated to district commanders. This authority may not be redelegated.

Subpart 147.03—Establishment of Safety Zones

§ 147.03-1 Initial action by the district commander.

Whenever it comes to the attention of the district commander that a safety zone and regulations may be required concerning an artificial island or fixed structure being constructed, maintained, or operated on the Outer Continental Shelf or its appurtenances and attending vessels, or the adjacent waters, he may initiate appropriate inquiry to determine whether a safety zone and regulations should be established. In making this determination, the district commander considers all relevant safety factors, including existing or reasonably foreseeable congestion of vessels, the presence of unusually harmful or hazardous substances, and any obstructions within 500 meters of an artificial island or fixed structure. If the district commander determines that the circumstances warrant the establishment of a safety zone and regulations he takes action as he deems necessary consistent with the provisions of this part.

§ 147.03-3 Procedures.

(a) *General.* Except as provided in paragraph (b) of this section, a safety zone and necessary regulations may be established concerning any artificial island or fixed structure being constructed, maintained or operated on the Outer Continental Shelf, following publication of a notice of proposed rule making in the FEDERAL REGISTER and after interested parties have been given the opportunity to submit comments. A zone and necessary regulations may be in effect during any period when construction equipment and materials are within 500 meters of the construction site until the removal of all portions of the artificial island or fixed structure.

(b) *Emergencies.* A safety zone and necessary regulations may be established without public rule making procedures when the district commander determines that imminent danger exists with respect to the safety of life and property on an artificial island, or fixed structure being constructed, maintained, or operated on the Outer Continental Shelf, its appurtenances and attending vessels or adjacent waters. A safety zone and regulations may be made effective on the date the rule is published in the FEDERAL REGISTER. However, if circumstances require, they may be placed into effect immediately, followed promptly by publication in the FEDERAL REGISTER. The district commander may utilize, in addition

to broadcast Notices to Mariners, Local Notices to Mariners, and Notices to Mariners, newspapers, and broadcasting stations to disseminate information concerning a safety zone and regulations pertaining thereto. The public may comment concerning the establishment of a safety zone or regulations under this paragraph. A safety zone or regulations may be modified or withdrawn, as appropriate, based on the comments received.

§ 147.03-5 Extent of safety zones.

A safety zone established under this part may extend to a maximum distance of 500 meters around the artificial island or fixed structure measured from each point on its outer edge or from its construction site, but may not interfere with the use of recognized sea lanes essential to navigation.

Dated: September 28, 1971.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc.71-14677 Filed 10-6-71;8:46 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 8—Veterans' Administration

PART 8-52—CONTRACT ADMINISTRATION

Novation and Change of Name Agreements

Subpart 8-52.2 is revised to read as follows:

Subpart 8-52.2—Novation Agreements and Change of Name Agreements

- | | |
|----------|---|
| Sec. | Scope. |
| 8-52.200 | Agreement to recognize a successor in interest. |
| 8-52.201 | Agreement to recognize change of name of contractor. |
| 8-52.202 | Processing novation agreements and change of name agreements. |
| 8-52.203 | |

- Appendix A—Novation agreement.
- Appendix B—Change of name agreement.

AUTHORITY: The provisions of this Subpart 8-52.2 issued under sec. 205(c), 63 Stat. 383, as amended, 40 U.S.C. 488(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c).

Subpart 8-52.2—Novation Agreements and Change of Name Agreements

§ 8-52.200 Scope.

This subpart prescribes the policy and procedures for (a) recognition of a successor in interest to Government contracts when such interests are acquired incidental to a transfer of all the assets of a contractor or such part of his assets as is involved in the performance of the contracts, and (b) a change of name of a contractor. (See also FPR 1-30.710 on assignment of claims in the case of transfer of a business or corporate merger.)

§ 8-52.201 Agreement to recognize a successor in interest.

(a) The transfer of a Government contract is prohibited by law (41 U.S.C. 15). However, the Government may recognize a third party as the successor in interest to a Government contract where the third party's interest is incidental to the transfer of all the assets of the contractor, or all that part of the contractor's assets involved in the performance of the contract. Examples include, but are not limited to:

- (1) Sale of such assets;
 - (2) Transfer of such assets pursuant to merger or consolidation of corporation; and
 - (3) Incorporation of a proprietorship or partnership.
- (b) When a contractor requests that the Government recognize a successor in interest, the contractor will be required to provide the contracting officer with one copy of each of the following, as applicable:

- (1) A properly authenticated copy of the instrument by which the transfer of assets was effected, as for example, a bill of sale, certificate of merger, indenture of transfer, or decree of court;
- (2) A list of all contracts and purchase orders which have not been finally settled between the contracting officer and the transferor, showing the contract number, the name and address of the purchasing office involved, the total dollar value of each contract as amended, the type of contract involved, and the balance remaining unpaid;
- (3) A certified copy of the resolutions of the boards of directors of the corporate parties authorizing the transfer of assets;
- (4) A certified copy of the minutes of any stockholders' meeting of the corporate parties necessary to approve the transfer of assets;
- (5) A properly authenticated copy of the certificate and articles of incorporation of the transferee if such corporation was formed for the purpose of receiving the assets involved in the performance of the Government contracts;
- (6) Opinion of counsel for the transferor and transferee that the transfer was properly effected in accordance with applicable law and the effective date of transfer;
- (7) Evidence of the capability of the transferee to perform the contracts;
- (8) Balance sheets of the transferor and the transferee as of dates immediately prior to and after the transfer of assets;
- (9) Evidence of security clearance requirements if required; and
- (10) Consent of sureties on all contracts listed under subparagraph (2) of this paragraph where bonds are required, or a statement that none is required.

(c) When it is consistent with the Government's interest to recognize a successor in interest to a Government contract, the contracting officer will execute a novation agreement with the transferor and the transferee, which will ordinarily provide in part that:

(1) The transferee assumes all the transferor's obligations under the contract;

(2) The transferor waives all rights under the contract as against the Government;

(3) The transferor guarantees performance of the contract by the transferee (a satisfactory performance bond may be accepted in lieu of such guarantee); and

(4) Nothing in the agreement will relieve the transferor or the transferee from compliance with any Federal law.

(d) All agreements, prior to execution, will be reviewed by the General Counsel for legal sufficiency. A format for such an agreement for use when the transferor and transferee are corporations, and all the assets of the transferor are transferred, is set forth in Appendix A of this subpart. The format may be adapted to fit specific cases and may be used as a guide in preparing similar agreements for use in other situations.

§ 8-52.202 Agreement to recognize change of name of contractor.

(a) When only a change of name is involved, so that the rights and obligations of the parties remain unaffected, an agreement between the contracting officer and the contractor will be executed effecting the amendment of all existing contracts between the parties so as to reflect the contractor's change of name. Prior to execution of such agreement, one copy of each of the following will be deposited by the contractor with the contracting officer:

- (1) A copy of the instrument by which the change of name was effected, authenticated by a proper official of the State having jurisdiction;
- (2) Opinion of counsel for the contractor as to the effective date of the change of name and that it was properly effected in accordance with applicable law; and
- (3) A list of all contracts and purchase orders which have not been finally settled between the contracting officer and the transferor, showing the contract number, the name and address of the purchasing office involved, the total dollar value of each contract as amended, and the balance remaining unpaid.

(b) A format for such an agreement which will be adapted for specific cases is set forth in Appendix B of this subpart.

§ 8-52.203 Processing novation agreements and change of name agreements.

(a) Where a contractor seeks a novation or change of name agreement, the documents pertaining thereto will be forwarded to the contracting officer. The contracting officer will prepare the applicable agreements and secure the signatures required thereon.

(b) Prior to obtaining the contractor's signature on a novation agreement, the contracting officer will forward the agreement to the Director, Supply Service, for review by the General Counsel as required by § 8-52.201 (d).

(c) A signed copy of the executed novation agreement or change of name agreement will be forwarded to the contractor, and a copy will be retained in the office executing the agreement.

(d) After execution and distribution of an agreement, the original contract(s) affected thereby will be appropriately modified by the contracting officer.

APPENDIX A—NOVATION AGREEMENT

This agreement, entered into as of (date upon which the transfer of assets became effective pursuant to applicable State law) 19--, by and between the ABC Corp., a corporation duly organized and existing under the laws of the State of ----- with its principal office in the City of ----- (hereinafter referred to as the "Transferor"); the XYZ Corp. [add if appropriate] (formerly known as the LMN Corp.), a corporation duly organized and existing under the laws of the State of ----- with its principal office in the City of ----- (hereinafter referred to as the "Transferee"); and the United States of America (hereinafter referred to as the "Government").

WITNESSETH:

1. Whereas, the Government, represented by the Contracting Officer of the Veterans' Administration, has entered into certain contracts and purchase orders with the Transferor [namely: -----] (or [as set forth in the attached listed marked "Exhibit A" to this Agreement and herein incorporated by reference;] and the term "the Contracts" as hereinafter used means the above Contracts and purchase orders, and all other Contracts and purchase orders, including modifications thereto, heretofore made between the Government, represented by the Contracting Officer and the Transferor (whether or not performance and payment have been completed and releases executed, if the Government or the Transferor has any remaining rights, duties, or obligations thereunder), and including modifications thereto hereafter made in accordance with the terms and conditions of such Contracts and purchase orders between the Government and the Transferee;

2. Whereas, as of -----, 19--, the Transferor assigned, conveyed, and transferred to the Transferee all the assets of the Transferor by virtue of a [term descriptive of the legal transaction involved] between the Transferor and the Transferee;

3. Whereas, the Transferee, by virtue of said assignment, conveyance and transfer, has acquired all the assets of the Transferor;

4. Whereas, by virtue of said assignment, conveyance, and transfer, the Transferee has assumed all the duties, obligations, and liabilities of the Transferor under the Contracts;

5. Whereas, the Transferee is in a position fully to perform the Contracts, and such duties and obligations as may exist under the Contracts;

6. Whereas, it is consistent with the Government's interest to recognize the Transferee as the successor party to the Contracts;

7. Whereas, there has been filed with the Government evidence of said assignment, conveyance, or transfer;

NOTE: Where a change of name is also involved, such as prior or concurrent change of name of the transferee, an appropriate recital shall be used; for example:

8. Whereas, there has been filed with the Government a certificate dated -----, 19--, signed by the Secretary of State of the State of -----, to the effect that the corporate name of LMN Corp. was changed to XYZ Corp. on -----, 19--;

Now, therefore, in consideration of the premises, the parties hereto agree as follows:

9. The Transferor hereby confirms said assignment, conveyance and transfer to the Transferee, and does hereby release and discharge the Government from, and does hereby waive, any and all claims, demands, and rights against the Government which it now has or may hereafter have in connection with the Contracts.

10. The Transferee hereby assumes, agrees to be bound by, and undertakes to perform each and every one of the terms, covenants, and conditions contained in the Contracts. The Transferee further assumes all obligations and liabilities of, and all claims and demands against, the Transferor under the Contracts, in all respects as if the Transferee were the original party to the Contracts.

11. The Transferee hereby ratifies and confirms all actions heretofore taken by the Transferor with respect to the Contracts with the same force and effect as if the action had been taken by the Transferee.

12. The Government hereby recognizes the Transferee as the Transferor's successor in interest in and to the Contracts. The Transferee hereby becomes entitled to all right, title, and interest of the Transferor in and to the Contracts in all respects as if the Transferee were the original party to the Contracts. The term "Contractor" as used in the Contracts shall be deemed to refer to the Transferee rather than to the Transferor.

13. Except as expressly provided herein, nothing in this Agreement shall be construed as a waiver of any rights of the Government against the Transferor.

14. Notwithstanding the foregoing provisions, all payments and reimbursements heretofore made by the Government to the Transferor and all other action heretofore taken by the Government, pursuant to its obligations under any of the Contracts, shall be deemed to have discharged protanto the Government's obligations under the Contracts. All payments and reimbursements made by the Government after the date of this Agreement in the name of or to the Transferor shall have the same force and effect as if made to said Transferee and shall constitute a complete discharge of the Government's obligations under the Contracts, to the extent of the amounts so paid or reimbursed.

15. The Transferor and the Transferee hereby agree that the Government shall not be obligated to pay or reimburse either of them for, or otherwise give effect to, any costs, taxes or other expenses, or any increases therein, directly or indirectly arising out of or resulting from (i) said assignment, conveyance and transfer, or (ii) this Agreement, other than those which the Government, in the absence of said assignment, conveyance and transfer, or this Agreement, would have been obligated to pay or reimburse under the terms of the Contracts.

16. The Transferor hereby guarantees payment of all liabilities and the performance of all obligations which the Transferee (i) assumes under this Agreement, or (ii) may hereafter undertake under the Contracts as they may hereafter be amended or modified in accordance with the terms and conditions thereof; and the Transferor hereby waives notice of and consents to any such amendment or modification.

17. Except as herein modified, the Contracts shall remain in full force and effect.

In witness whereof, each of the parties hereto has executed this Agreement as of the day and year first above written.

UNITED STATES OF AMERICA,
By _____
Title _____
[CORPORATE SEAL]

ABC CORP.

By _____
Title _____

[CORPORATE SEAL]

XYZ CORP.

By _____
Title _____

CERTIFICATE

I, _____, certify that I am the Secretary of ABC Corp., named above; that _____, who signed this Agreement on behalf of said corporation, was then _____ of said corporation; and that this Agreement was duly signed for and in behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

Witness my hand and seal of said corporation this _____ day of _____, 19__.

[CORPORATE SEAL]

By _____

CERTIFICATE

I, _____, certify that I am the Secretary of XYZ Corp., named above; that _____, who signed this Agreement on behalf of said corporation, was then _____ of said corporation; and that this Agreement was duly signed for and in behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

Witness my hand and the seal of said corporation this _____ day of _____, 19__.

[CORPORATE SEAL]

By _____

APPENDIX B—CHANGE OF NAME AGREEMENT

This Agreement, entered into as of _____, 19__ (date upon which the change of name became effective pursuant to applicable State law), by and between the ABC Corp. (formerly the XYZ Corp. and hereinafter sometimes referred to as the "Contractor"), a corporation duly organized and existing under the laws of the State of _____, and the United States of America, represented by the Veterans Administration (hereinafter referred to as the "Government").

WITNESSES:

1. Whereas, the Government, represented by the Contracting Officer of the Veterans Administration, has entered into certain Contracts and purchase orders with the XYZ Corp. [namely: _____] (or [as set forth in the attached list marked "Exhibit A" to this Agreement and herein incorporated by reference]; and the term "the Contracts" as hereinafter used means the above Contracts and purchase orders, and all other Contracts and purchase orders, including modifications thereto, entered into between the Government, represented by the Contracting Officer and the Contractor (whether or not performance and payment have been completed and releases executed, if the Government or the Contractor has any remaining rights, duties, or obligations thereunder);

2. Whereas, the XYZ Corp., by an amendment to its certificate of incorporation, dated _____, 19__, has changed its corporate name to ABC Corp.;

3. Whereas, a change of corporate name only is accomplished by said amendment, so that rights and obligations of the Government and of the Contractor under the Contracts are unaffected by said change; and

4. Whereas, there has been filed with the Government documentary evidence of said change in corporate name;

Now, therefore, in consideration of the premises, the parties hereto agree that the Contracts covered by this Agreement are hereby amended by deleting therefrom the name "XYZ Corp." wherever it appears in the Contracts and substituting therefor the name "ABC Corp."

In witness whereof, each of the parties hereto has executed this Agreement as of the day and year first above written.

UNITED STATES OF AMERICA

By _____
Title _____

[CORPORATE SEAL] ABC CORP.

By _____

Title _____

CERTIFICATE

I, _____, certify that I am the Secretary of ABC Corp., named above; that _____, who signed this Agreement on behalf of said corporation, was then _____ of said corporation; and that this Agreement was duly signed for and in behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

Witness my hand and seal of said corporation this _____ day of _____, 19__.

[CORPORATE SEAL]

By _____

These regulations are effective November 1, 1971.

Approved: September 30, 1971.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[FR Doc.71-14707 Filed 10-6-71;8:48 am]

Chapter 15—Environmental Protection Agency

PART 15-2—PROCUREMENT BY FORMAL ADVERTISING

Section 15-2.407-3, *Protests against award*, is hereby added to Chapter 15, Title 41, of the Code of Federal Regulations.

Effective date. This regulation will become effective on its date of publication in the FEDERAL REGISTER (10-7-71).

Dated: October 1, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator.

Subpart 15-2.4—Opening of Bids and Award of Contract

§ 15-2.407-3 Protests against award.

(a) *Protests before award.* When a protest is received by the contracting officer, he will prepare a written statement of his opinion in the matter supported by copies of all pertinent papers. He will forward them, in duplicate, through procurement channels to the Director, Contracts Management Division, by the most expeditious means and marked "Immediate Action—Protest Before Award." The protest file will include the following:

(1) Statement of the Chief of the Contracting Operations containing recommendations (with supporting reasons) as to the merits of the protest, addressing each allegation of the protest;

(2) Contracting officer's statement of facts and circumstances including a discussion of the merits addressing each allegation of the protest;

(3) Contracting officer's conclusions and recommendations including documentary evidence on which based;

(4) Copy of the Invitation for Bids (IFB) or Request for Proposal (RFP);

(5) Copy of the abstract of bids or proposals;

(6) Copy of the bid or proposal of the successful offeror to whom the award is proposed to be made;

(7) Copy of the bid or proposal by the protester, if any;

(8) Current status of award;

(9) Copies of notice of protest given bidders and other persons when such notice is appropriate;

(10) The file shall be assembled in an orderly manner including an overall index of enclosures which shall indicate the location in the file of each document; and

(11) Name and telephone number of the person in the procurement office who may be contacted for information relevant to the protest.

(b) *Protests after award.* All formal protests after award will be processed, in duplicate, through procurement channels to the Director, Contracts Management Division, by the most expeditious means and marked "Immediate Action—Protest After Award." The protest file will include the materials listed in paragraph (a) of this section except for subparagraphs (6), (8), and (9) with following substituted therefor:

(1) Copy of the bid or proposal of the successful offeror to whom award has been made;

(2) Current status of contract, indicating whether performance has commenced, shipment or delivery has been made, or stopwork order has been issued; and

(3) Copy of any mutual agreement with the contractor to suspend performance on a no-cost basis when appropriate.

(c) *Protests lodged with General Accounting Office.* Where a protest is lodged with the General Accounting Office (GAO) or where it is determined to request the GAO for advice, the Assistant Administrator for Planning and Management, will sign the letter transmitting the protest file to the GAO. The Director, Contracts Management Division, will effect coordination with the General Counsel. The latter will assist the Director, Contracts Management Division, in identifying the legal issues involved in the protest.

(d) *Protests lodged with other authorities.* Where a protest is lodged with the Administrator of the Environmental Protection Agency, a Member of Congress, or the Small Business Administration (see § 1-1.703-2 of this title), the protest file will be processed, in duplicate, through procurement channels, to the Director, Contracts Management Division. The latter will direct such coordination and referrals as he deems appropriate.

(40 U.S.C. 486(c), sec. 205(c), 63 Stat. 377, as amended)

[FR Doc.71-14669 Filed 10-6-71;8:48 am]

Chapter 114—Department of the Interior

PART 114-26—PROCUREMENT SOURCES AND PROGRAMS

Motor Vehicles

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301 (Supp. V, 1965-69) and sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), a new Subpart 114-26.5 is added to Chapter 114, Title 41 of the Code of Federal Regulations, as set forth below.

This new subpart shall become effective on the date of its publication in the FEDERAL REGISTER (10-7-71).

WARREN F. BRECHT,
Deputy Assistant Secretary
of the Interior.

SEPTEMBER 30, 1971.

Subpart 114-26.5—GSA Procurement Programs

114-26.501	Purchase of new motor vehicles.
114-26.501-6	Forms used in connection with delivery of vehicles.
114-26.501-50	Acquisitions chargeable to purchase authorizations.
114-26.501-51	Acquisitions not chargeable to purchase authorizations.
114-26.501-52	Acquisition, utilization, and assignment of limousines, heavy sedans, and medium sedans.

AUTHORITY: The provisions of this Subpart 114-26.5 issued under 5 U.S.C. 301 (Supp. V, 1965-69) and sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 114-26.5—GSA Procurement Programs

§ 114-26.501 Purchase of new motor vehicles.

(a) The following factors, as a minimum, should be considered in the application of the policy set out in FPMR 101-26.501 and in the selection of the type of vehicle to be procured:

(1) Nature of the work on which the vehicle is to be used.

(2) Climatic and terrain conditions in the geographical area in which the vehicle is to be operated.

(3) Extent of "off-the-highway" driving anticipated in normal operation of the vehicle.

(4) The estimated economical service life expectancy of Type I vehicles under normal operations as compared to other vehicle types.

(5) A comparison of repair and maintenance costs.

(6) Sale or trade-in value of Type I vehicles as compared to other types.

(b) The annual appropriation Acts specify the maximum number of passenger-carrying vehicles which may be acquired by each Bureau and Office during the fiscal year. These allocations apply to all new acquisitions of automobiles and 4 x 2 station wagons, whether for replacement purposes or new additions to the fleet.

(c) Bureaus and Offices shall establish and maintain controls at the headquarters office level as necessary to ensure

that purchase authorizations specified in annual appropriation Acts are not exceeded.

§ 114-26.501-6 Forms used in connection with delivery of vehicles.

GSA Form 1718; unsatisfactory equipment report: Deficiencies noted during the warranty period should be reported to the nearest authorized representative of the manufacturer and, if not corrected satisfactorily, to the zone manager of the manufacturer. Deficiencies covered by a warranty should not be corrected at Government expense unless such correction has been authorized by an appropriate official at the Regional or comparable office level.

§ 114-26.501-50 Acquisitions chargeable to purchase authorizations.

The following acquisitions of passenger-carrying vehicles are chargeable to the purchase authorizations specified in annual appropriation Acts:

(a) Purchase of new vehicles from commercial sources, whether for replacement purposes or additions to the fleet.

(b) Acquisition from excess sources with reimbursement, whether for upgrading or replacement purposes, or for additions to the fleet.

(c) Acquisition from excess sources without reimbursement, unless an equal number of passenger-carrying vehicles is reported to GSA as excess within 30 days after receipt of the newly acquired excess vehicles. (See IPMR 114-26.501-51(a).)

(d) Acquisition from excess sources on a loan basis when the vehicle is to be used in excess of 90 days.

§ 114-26.501-51 Acquisitions not chargeable to purchase authorizations.

The following acquisitions of passenger-carrying vehicles are not chargeable to the purchase authorizations specified in annual appropriation Acts:

(a) Acquisition from excess sources without reimbursement for upgrading or replacement purposes, provided that an equal number of passenger-carrying vehicles are reported to GSA as excess within 30 days after delivery of the replacement vehicles.

(b) Assignment from GSA inter-agency motor pools.

(c) Rental from commercial sources.

(d) Acquisition from excess sources on a loan basis to fill a temporary emergency requirement not exceeding 90 days.

(e) Hire and utilization of employees' privately-owned automobiles.

§ 114-26.501-52 Acquisition, utilization, and assignment of limousines, heavy sedans, and medium sedans.

(a) *General.* Office of Management and Budget Circular No. A-22, Revised, prescribes policies governing the acquisition, assignment, and use of limousines, heavy sedans, and medium sedans by Federal agencies. The types of passenger automobiles governed by the circular are those designated as Types IV, V, and VI as described in the latest revision of Interim Federal Specification KKK-A-00811.

(b) *Authorization.* The Department is authorized to operate one limousine (Type VI) and eight medium sedans (Type IV), exclusive of those which may be approved for police-type law enforcement work. The Department is not authorized to operate any heavy sedans (Type V), except as may be approved for police-type law enforcement work.

(c) *Proposed acquisitions.* The following procedures shall be observed in the acquisition of limousines, heavy sedans, and medium sedans:

(1) *New purchases.* Proposed new purchases, whether for replacement purposes or otherwise, shall be justified and submitted as a part of the annual budget request in the usual manner. A separate "Schedule of Changes in Motor Vehicle Fleet", Standard Form 80, shall be submitted for automobiles in each of the following categories:

- Limousines—Law Enforcement.
- Heavy sedans—Law Enforcement.
- Medium sedans—Law Enforcement.
- Limousines—Other than law enforcement.
- Medium sedans—Other than law enforcement.

(2) *Acquisition from sources other than new procurement.* The prior approval of the Director of Management Operations shall be obtained for each proposed acquisition of a Type IV, V, or VI automobile from sources other than new procurement, including:

(i) Transfers from another Federal agency.

(ii) Rentals from GSA interagency motor pools for use on an indefinite assignment basis (such approval is not required for the occasional use of prestige-type automobiles from GSA Interagency Motor Pools on a dispatch or single trip basis).

(iii) Lease or hire from commercial sources, other than for short-term use under the provisions of paragraph 8 of OMB Circular A-22 or,

(iv) Forfeiture.

(3) *Exception.* The above procedures do not apply to nonfederally owned prestige-type automobiles acquired or to be acquired by a Territorial Government with grant or local government funds when such automobiles are for the use of non-Federal employees. However, should a nonfederally owned automobile be for assignment to a Federal official, the approval of the Director of Management Operations must be obtained prior to acquisition—whether by purchase or otherwise.

(d) *Inventory control.* The Office of Management Operations shall maintain an inventory control record of Types IV, V, and VI automobiles to ensure that the total acquisitions do not exceed the prescribed allowances. This record should identify separately those vehicles used for law enforcement work and those used for other purposes.

(e) *Reporting requirements.* Each acquisition and disposal of a federally owned Type IV, V, or VI automobile shall be reported to the Director of Management Operations promptly upon receipt or disposal.

(1) The following actions, involving nonfederally owned prestige-type automobiles operated in the Territories, must be reported to the Director of Management Operations promptly upon completion of such actions:

(i) Receipt of a vehicle to be assigned for the use of a Federal official.

(ii) Disposal of a vehicle previously operated by a Federal official.

(iii) Reassignment of a vehicle from or to a Federal official.

(2) Reports may be in the form of a memorandum and will include, as a minimum, the make, model, body style, and year model of each automobile acquired and disposed of, and show whether or not used for law enforcement work.

[FR Doc.71-14715 Filed 10-6-71;8:50 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

EDUCATIONAL TELEVISION SERVICE

Order. In the matter of amendment of Parts 81, 87, 89, and 93 of the Commission's rules and regulations to effect certain editorial changes therein.

1. On June 8, 1971, the Commission adopted a Second Report and Order in Docket 14744 (36 F.R. 11585; FCC 71-600), which among other things amended Parts 81, 87, 89, 91, and 93 of the Commission's rules to reflect the availability of the frequencies in the 2500-2690 MHz band in the Safety and Special Radio Services. Inadvertently, the provisions were not completely incorporated in Parts 81, 87, 89, and 93. Consequently, editorial changes are required to conform these rule parts with action taken in the Second Report and Order.

2. The rule amendments adopted herein are editorial in nature; therefore, the prior notice and effective date provisions of 5 U.S.C. 533 are not deemed necessary.

3. *Accordingly, it is ordered,* That pursuant to the authority contained in sections 4(i), 5(d), and 303(r) of the Communications Act of 1934, as amended, and § 0.231(d) of the rules and regulations, Parts 81, 87, 89, and 93 of the rules and regulations are amended effective October 15, 1971.

(Secs. 4, 5, 303, 48 Stat., as amended, 1060, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted: September 28, 1971.

Released: October 4, 1971.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] JOHN M. TORBET,
Executive Director.

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES

A. Part 81 of the rules is amended as follows:

1. In § 81.141 the table of frequencies in paragraph (a) is amended by deleting the band 2500-2690 MHz and substituting the frequencies listed below, footnote (7) is revised and a new footnote (10) is added to read as follows:

§ 81.141 Microwave technical standards.

(a) . . .

Frequency Band (MHz)	Power ¹ (watts)	Tolerance (percent)	Bandwidth ²	Beamwidth ³
2530-2537
2537-2539
2539-2541
2541-2543
2543-2545
2545-2547
2547-2549
2549-2551
2551-2553
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ional fixed stations employing television transmissions. The transmitting equipment for such stations shall meet the technical standards prescribed for instructional television fixed stations contained in Part 74, Subpart I, § 74.901, et seq. of this chapter. Use of these frequencies in the Aviation Radio Services is secondary to stations in the Public Safety Radio Services. Operational fixed stations authorized in the band 2500-2690 MHz prior to July 16, 1971, may continue to be authorized on a co-equal basis to other stations operating in accordance with the Table of Frequency Allocations. No expansion of existing systems on frequencies not allocated to this service will be permitted. Additional stations or new assignments may be authorized only in accordance with the provision of this section.

(10) Response frequencies. When authorized they are to be paired respectively with the bands 2650-2656, 2662-2668 and 2674-2680 MHz, and used in accordance with the technical standards prescribed for ITFS response stations in Part 74, Subpart I, of this chapter.

2. In § 87.463 footnote (5) in paragraph (b) is revised to read as follows:

§ 87.463 Frequencies available to fixed stations.

(b) * * *

(5) This frequency band is available only for operational fixed stations employing television transmissions.

PART 89—PUBLIC SAFETY RADIO SERVICES

C. Part 89 of the rules is amended as follows:

1. In § 89.101 subparagraph (8) in paragraph (i) is revised to read as follows:

§ 89.101 Frequencies.

(i) * * *

(8) This frequency band is available only for operational fixed stations employing television transmissions.

2. In § 89.121 the table of frequencies is amended by deleting the band 2500-2690 MHz and substituting the frequencies listed below, footnote (6) is revised and a new footnote (9) is added to read as follows:

§ 89.121 Microwave technical standards.

Table with 5 columns: Frequency band MHz, Power (watts), Tolerance (percent), Bandwidth, Beam width (degrees). Rows include bands 2650-2656, 2662-2668, 2674-2680, 2680-9375, 2687-9375, 2688-9375.

(6) This frequency band is available only for operational fixed stations employing television transmissions. The transmitting equipment for such stations shall meet the technical standards contained in Part 74, Subpart I, § 74.901, et seq. of this chapter. Use of these frequencies in the Maritime, Aviation, Industrial and Land Transportation Radio Services is secondary to stations in the Public Safety Radio Services. Operational fixed stations authorized in the band 2500-2690 MHz prior to July 16, 1971, may continue to be authorized on a co-equal basis to other stations operating in accordance with the Table of Frequency Allocations. No expansion of existing systems on frequencies not allocated to this service will be permitted. Additional stations or new assignments may be authorized only in accordance with the provision of this section.

(9) Response frequencies. When authorized they are to be paired respectively with the bands 2650-2656, 2662-2668, and 2674-2680 MHz, and used in accordance with the technical standards prescribed for ITFS response stations in Part 74, Subpart I, of this chapter.

PART 93—LAND TRANSPORTATION RADIO SERVICES

D. Part 93 of the rules is amended as follows:

1. In § 93.111 the table of frequencies is amended by deleting the band 2500-2690 MHz and substituting the frequencies listed below, footnote (6) is revised

and a new footnote (9) is added to read as follows:

§ 93.111 Microwave technical standards.

MICROWAVE TECHNICAL STANDARDS TABLE

Table with 5 columns: Frequency band MHz, Power (watts), Tolerance (percent), Bandwidth, Beam width. Rows include bands 2650-2656, 2662-2668, 2674-2680, 2680-9375, 2687-9375, 2688-9375.

(6) This frequency band is available only for operational fixed stations employing television transmissions. The transmitting equipment for such stations shall meet the technical standards, prescribed for instructional television fixed stations contained in Part 74, Subpart I, § 74.901, et seq. of this chapter. Use of these frequencies in the Land Transportation Radio Services is secondary to stations in the Public Safety Radio Services. Operational fixed stations authorized in the band 2500-2690 MHz prior to July 16, 1971, may continue to be authorized on a co-equal basis to other stations operating in accordance with the Table of Frequency Allocations. No expansion of existing systems on frequencies not allocated to this service will be permitted. Additional stations or new assignments may be authorized only in accordance with the provisions of this section.

(9) Response frequencies. When authorized they are to be paired respectively with the bands 2650-2656, 2662-2668, and 2674-2680 MHz, and used in accordance with the technical standards prescribed for ITFS response stations in Part 74, Subpart I, of this chapter.

2. In § 93.112 subparagraph (16) in paragraph (b) is revised to read as follows:

§ 93.112 Availability of microwave frequencies.

(b) * * *

(16) This frequency band is available only for operational fixed stations employing television transmissions.

[FR Doc.71-14634 Filed 10-6-71;8:45 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

[7 CFR Part 795]

PAYMENT LIMITATION FOR 1972 CROP YEAR

Notice of Proposed Rule Making

Notice is hereby given that the Department of Agriculture proposes to issue an amendment to the regulations governing the payment limitation (35 F.R. 19339) effective with respect to the 1972 crop year.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed changes to the Director, Commodity Stabilization Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250. In order to be assured of consideration, submissions should be submitted within 20 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection in the office of the Director at the above address during regular business hours (7 CFR 1.27(b)).

Studies are currently underway concerning the application of the payment limitation in 1971. Further amendments to the regulations may be proposed in the light of those studies.

The proposed amendment is issued pursuant to title I of the Agricultural Act of 1970 (7 U.S.C. 1307) to provide miscellaneous changes in the regulations as follows:

1. *Partnerships.* Section 795.6 of the regulations provides that each member of a partnership or other joint operation shall be regarded as a separate person for payment limitation purposes. In order to establish that a partnership or other joint venture is an ongoing and viable operation, members have been required to furnish satisfactory evidence that they are actively engaged in the farming operation and that their contributions to the joint operation are commensurate with their claimed shares of the proceeds. Individual contributions usually consist of land, labor, management, equipment, or capital. A capital contribution may be a direct out-of-pocket input of a specified sum or an amount borrowed by the individual.

We propose to clarify this rule. Where an individual's contribution consists principally of capital, we propose to require that such capital be furnished directly by that individual. If the money is borrowed, it must be acquired by the individual with no guarantees or cosignatures by other partners or members of the joint operations.

2. *Corporations.* Section 795.7 of the regulations provides that a corporation may be regarded as a separate person from its stockholders under certain conditions. It is proposed to amend the rule to require that, for any individual (or other entity) that owns more than 10 percent of the stock, the pro rata share of program earnings by the corporation based on the stockholder's interest in the corporation shall also be attributed to the stockholder for purposes of applying the payment limitation. The rule providing that a corporation and its majority stockholder are one person would be deleted since it would no longer be necessary.

The following example illustrates how the proposed rule would be applied. Producer A owns 75 percent of the value of the outstanding stock of corporation AB and producer B owns the remaining 25 percent. The corporation earns a computed program payment of \$60,000 which must be reduced to \$55,000 because of the limitation. Pro rata earnings attributable to the producers are, for A, 75 percent of \$55,000 or \$41,250, and for B, 25 percent of \$55,000 or \$13,750. Producer A has a separate farming interest and earns a computed payment under the same program of \$20,000. In applying the limitation to producer A, his pro rata share of payments to the corporation would be added to his other earnings under the program. Thus \$41,250 would be added to \$20,000 for a total of \$61,250, which would be reduced to \$55,000 under the proposed rule. Likewise, if producer B had separate farming interests and earned a computed payment under the same program of \$50,000, his pro rata share of the corporation payment would be added to his separate earnings for purposes of applying the limitation. Thus, \$13,750 added to \$50,000 would be \$63,750, which would be reduced to \$55,000 under the proposed rule.

3. *Changes in farming operations.* Section 795.13 of the regulations recognizes changes in farming operations. Informational material furnished to affected producers and interpretations relating to the payment limitation published in the FEDERAL REGISTER (36 F.R. 16569) provide that such changes can be recognized only if they are bona fide and substantive.

We propose to clarify the regulations by (1) stating specifically that any change in farming operations under § 795.13 must be bona fide and substantive and (2) listing examples of the kinds of changes that would not be considered as substantive.

4. *Custom farming.* Section 795.15 contains rules for applying the limitation where custom farming is involved. The general rule is that the person performing the custom farming must have no interest in the farm or in the crop in order to be regarded as a separate per-

son from the producers on the farm. It is proposed that the rule be strengthened by providing that the person performing the custom farming must likewise have no interest in the allotments on the farm.

It is proposed that the amendment to the regulations would read as follows:

1. Section 795.6 is amended by adding the following at the end thereof:

§ 795.6 Entities or other joint operations not considered as a person.

* * * Notwithstanding the foregoing, each individual or other legal entity who shares in the proceeds derived from farming by such joint operation shall not be considered as a separate person unless the individual or other legal entity is actively engaged in the farming operations of the partnership or other joint operation. An individual or other legal entity shall be considered as actively engaged in the farming operation only if its contribution to the joint operation is commensurate with its share in the proceeds derived from farming by such joint operation. If the contribution consists principally of capital, such capital must have been contributed directly to the joint operation by the individual or other legal entity and not acquired as a result of a loan made to the joint operation or a loan guaranteed by the joint operation or any of its other members or related entities.

2. Section 795.7 is revised to read as follows:

§ 795.7 Corporations and stockholders.

A corporation (including a limited partnership) shall be considered as one person, and an individual stockholder of the corporation may be considered as a separate person to the extent that such stockholder is engaged in the production of the crop as a separate producer and otherwise meets the requirements of § 795.3, except that where a stockholder owns more than a 10-percent share of the value of the outstanding stock of the corporation (including the stock owned by the individual's spouse and minor children), the stockholder's pro rata share of program payments to the corporation shall also be attributed to the stockholder for purposes of applying the limitation. A stockholder's pro rata share of the payment to a corporation shall be determined by multiplying his percentage share of the value of the outstanding stock (including the stock owned by the individual's spouse and minor children) by the amount of the payment to the corporation. Where the same two or more individuals or other legal entities own more than 50 percent of the value of the outstanding stock in each of two or more corporations, all such corporations shall be considered as one person.

3. Section 795.13 is amended by adding the following at the end thereof:

§ 795.13 Changes in farming operations.

* * * Any change in farming operations under this section must be bona fide and substantive.

(a) A substantive change includes, for example, a change from a cash lease to a share lease or vice versa, reduction in the size of the farm by sale or lease, increase in the size of the farm by purchase or lease, reduction in cotton allotment by sale or lease, increase in cotton allotment by purchase or lease, and dissolution of an entity such as a corporation or partnership.

(b) Examples of the types of changes that would not be considered as substantive are the following:

Example 1. A corporation is owned equally by four shareholders. The corporation owns land, buildings, and equipment and in the prior year carried out substantial farming operations. Three of the shareholders propose forming a partnership which they would own equally. The partnership would cash lease land and equipment from the corporation with the objective of having the three partners considered as separate persons for purposes of applying the payment limitation under the provisions of § 795.6 of the regulations.

The formation of such a partnership and the leasing of land from a corporation in which they hold a major interest would not constitute a substantive and bona fide change in operations. Therefore, the corporation and the partners would be limited to a single payment limitation.

Example 2. Three individuals each have individual farming operations which, if continued unchanged, would permit them to have a total of three payment limitations.

The three individuals propose forming a corporation which they would own equally. The corporation would then cash lease a portion of the farmland owned and previously operated by the individuals with the objective of having the corporation considered as a separate person for purposes of applying the payment limitation under the provisions of § 795.7 of the regulations. The formation of such a corporation and the leasing of land from the stockholders would not constitute a substantive and bona fide change in operations. Therefore, the corporation and the three individuals would be limited to three payment limitations.

4. Section 795.15 is revised to read as follows:

§ 795.15 Custom farming.

(a) Custom farming is the performance of services on a farm such as land preparation, seeding, cultivating, applying pesticides, and harvesting for hire with remuneration on a unit of work basis. A person performing custom farming shall be considered as being separate from the person for whom the custom farming is performed only if: (1) The compensation for the custom farming service is paid at a unit of work rate customary in the area and is in no way dependent upon the amount of the crop produced, and (2) the person performing the custom farming (and any other entity in which such person has more than a 20-percent interest) has no interest, directly or indirectly, (i) in the crop on the farm by taking any risk in the production of the crop, sharing in the proceeds of the crop, granting or

guaranteeing the financing of the crop, (ii) in the allotment on the farm, or (iii) in the farm as landowner, landlord, mortgageholder, trustee, lienholder, guarantor, agent, manager, tenant, sharecropper or any other similar capacity.

(b) A person having more than a 20 percent interest in any legal entity performing custom farming shall be considered as being separate from the person for whom the custom farming is performed only if: (1) The compensation for the custom farming service is paid at a unit of work rate customary in the area and is in no way dependent on the amount of the crop produced, and (2) the person having such interest in the legal entity performing the custom farming has no interest, directly or indirectly, (i) in the crop on the farm by taking any risk in the production of the crop, sharing in the proceeds of the crop, granting or guaranteeing the financing of the crop, (ii) in the allotment on the farm, or (iii) in the farm as landowner, landlord, mortgageholder, trustee, lienholder, guarantor, agent, manager, tenant, sharecropper, or in any other similar capacity.

Signed at Washington, D.C., on October 1, 1971.

CLIFFORD M. HARDIN,
Secretary.

[FR Doc.71-14731 Filed 10-6-71;8:51 am]

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Forest Service

[36 CFR Part 221]

TIMBER

Resale From Uncompleted Contracts

Notice is hereby given that pursuant to the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, as amended; 16 U.S.C. 476, 551), it is proposed to amend Part 221 of Title 36, Code of Federal Regulations, by adding § 221.8a to read as follows:

§ 221.8a Resale of timber from uncompleted contracts.

(a) Except as otherwise provided in this section, no bid will be considered in the resale of timber remaining from any uncompleted timber sale contract from any person, or from an affiliate of such person, who has not completed the contract (1) because of termination for purchaser's breach or (2) through failure to cut designated timber on portions of the sale area by the termination date.

(b) The no bid restriction in paragraph (a) of this section shall only apply when 50 percent or more of the timber remaining from the uncompleted contract is included in the resale and the resale is advertised within 3 years of the date the uncompleted contract is terminated.

(c) Where a third party agreement has been approved in accordance with § 211.16(b) of this chapter, the original purchaser shall not be affected by this section unless such purchaser is an affiliate of the third party.

(d) As used in this section, "person" includes any individual, corporation, company, association, firm, partnership, society, joint stock company, or other business entity or the successor in interest of any of the foregoing business entities. A person is an "affiliate" when either directly or indirectly (1) a person controls or has the power to control the other, or (2) a third person or persons controls or has the power to control both.

(30 Stat. 34, 35, as amended; 16 U.S.C. 551, 476)

The purpose of the new part is to provide that a bid from a person (individual, corporation, partnership, or affiliate thereof) who has failed to complete a timber sale contract will not be considered in the subsequent resale of the timber included in the contract.

All persons who wish to submit written data, views, or objections pertaining to the proposed amendment may do so by submitting them in duplicate to the Department of Agriculture, Forest Service, Division of Timber Management, South Agriculture Building, Room 3211, Washington, D.C., within 30 days of the date of this notice in the FEDERAL REGISTER.

All written submissions made pursuant to this notice will be available for public inspection in the Division of Timber Management during regular business hours. (7 CFR 1.27(b))

CLIFFORD M. HARDIN,
Secretary of Agriculture.

OCTOBER 1, 1971.

[FR Doc.71-14705 Filed 10-6-71;8:48 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 1, 123]

[Docket No. 10854; Reference Notice 70-41]

AIRCRAFT OPERATIONS CONDUCTED BY "COMMERCIAL OPERATORS" AND EDUCATIONAL INSTITUTIONS AND OTHER GROUPS

Withdrawal of Notice of Proposed Rule Making

The purpose of this notice is to withdraw NPRM 70-41 (35 F.R. 16641) which would amend the definition of "commercial operator" in Part 1 of the Federal Aviation Regulations.

Over 600 comments were received from interested persons in response to the notice. The bulk of the comments did not favor the amendments as proposed for several reasons. As a result, the FAA has reevaluated the proposals and has decided by this action to withdraw NPRM 70-41.

A substitute rulemaking action which would amend Part 91 of the Federal Aviation Regulations by adding a new Subpart D containing general operating

rules and an inspection program for large and turbine powered multiengine airplanes was recently issued by the FAA as NPRM 71-32 and published in the FEDERAL REGISTER on October 7, 1971 (36 F.R. 19507). Interested persons are invited to participate in the making of that rulemaking action by submitting their comments to the substitute proposals.

The withdrawal herein of NPRM 70-41 is made under the authority of sections 313(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on October 1, 1971.

JAMES F. RUDOLF,
Director,
Flight Standards Service.

[FR Doc.71-14679 Filed 10-6-71;8:46 am]

[14 CFR Part 39]

[Docket No. 71-CE-24-AD]

CESSNA MODEL 210D AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an Airworthiness Directive applicable to certain Cessna Model 210D airplanes. There have been an increasing number of reports of main gear actuator malfunctions on these model airplanes due to failure of ED 11935 L/R spindles. This situation can cause a gear-up landing with resultant damage to the airframe structure and exposure of the occupants to an unnecessary risk. This condition occurs in Cessna Model 210D airplanes, Serials Nos. 21058221 through 21058460.

In order to prevent this condition, an AD is being proposed requiring within the next 150 hours' time in service after its effective date, installation of Cessna Kits 1209005-1 R/L in accordance with Cessna Service Letter No. 69-17, dated September 16, 1969.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Director, Central Region, Attention: Regional Counsel, Airworthiness Rules Docket, 601 East 12th Street, Kansas City, MO 64106. All communications received within 30 days after publication of the notice in the FEDERAL REGISTER will be considered before action is taken upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new AD.

CESSNA. Applies to Model 210D (Serials Nos. 21058221 through 21058460) Airplanes.

To decrease the possibility of main gear extension failure:

Within the next 150 hours' time in service after the effective date of this AD, install Cessna Kits 1209005-1 R/L in accordance with Cessna Service Letter 69-17 dated September 16, 1969, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

Issued in Kansas City, Mo., on September 29, 1971.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.71-14687 Filed 10-6-71;8:47 am]

[14 CFR Parts 43, 91, 135]

[Docket No. 11437; Notice 71-32]

LARGE AND TURBINE-POWERED MULTIENGINE AIRPLANES

Proposed General Operating Rules

The Federal Aviation Administration is considering amending Part 91 of the Federal Aviation Regulations by adding a new Subpart D containing general operating rules and an inspection program for large and turbine-powered multiengine airplanes. As proposed, the inspection program would also apply to turbine-powered multiengine airplanes operated by the holder of an ATCO certificate issued under Part 135.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20590. All communications received on or before January 5, 1972, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

On October 27, 1970, the FAA published a notice of proposed rule making in the FEDERAL REGISTER (NPRM 70-41; 35 F.R. 16641), to amend the definition of "Commercial Operator" in Part 1 of the Federal Aviation Regulations to include a person who engages in the carriage by aircraft of (1) goods for his own account for later resale, or (2) passengers to a place for the purpose of selling them land, goods, or property of any kind, including hotel accommodations. Under that proposal, any person conducting such operations would be required to hold a Commercial Operator Certificate under Part 121 or 135, as appropriate.

By an amendment to the Air Travel Club rules of Part 123 of the Federal Aviation Regulations, it was also proposed in the same NPRM to extend the applicability of that Part to large aircraft operations conducted by educational institutions and other similar groups having a common purpose or objective, such as sportsman groups.

More than 600 comments were received in response to the notice. The bulk of the comments opposing the amendments were received from corporate or business aircraft operators. In substance they opposed the rule because it imposed an unnecessary administrative burden upon them, or would stop them from carrying goods or persons on their aircraft in the furtherance of their business. Some commentators raised the spectre that the rule would require them to hold a commercial operator certificate to demonstrate an aircraft to prospective customers, or to carry prospective customers without charge aboard a business or corporate aircraft for sales purposes. Most of the remaining commentators opposed the rule because it would require them to obtain a Part 121 certificate to carry goods for their own account for the purpose of sale, or to obtain a Part 123 certificate to carry student groups or sports groups aboard the aircraft even though no charge is made for the carriage of such groups.

Following the fatal accident last fall of the charter flight carrying a college football team, the Secretary of Transportation ordered an in-depth investigation of charter operations utilizing large airplanes. The task force which conducted that investigation under the direction of the Assistant Secretary for Safety and Consumer Affairs, Office of the Secretary of Transportation, made several recommendations which were adopted by the Secretary and submitted to the Administrator of FAA subsequent to the issuance of NPRM 70-41. Two of the recommendations which the task force urged the Administrator to implement under his rule making authority read in pertinent part as follows:

"Promulgate a new Part of the Federal Aviation Regulations governing the operation of all (a) large airplanes, (b) pressurized airplanes, and (c) turbine-powered airplanes, engaged in private carriage. This regulation should provide that those airplanes be operated and maintained in the condition for safe operation appropriate for transport category airplanes. The regulation should include requirements for crew proficiency, operations, and continued airworthiness consistent with the terms of original airworthiness certification of transport airplanes. It should be written so as to provide a level of safety comparable to FAR 121, but without the detailed administrative, financial and organizational requirements for the issuance of a commercial operator certificate prescribed in that Part. This new Part should be written in such a way that it provides the flexibility necessary for the operation and maintenance of the individual airplane.

Upon implementing the requirement that all large airplanes, pressurized airplanes, and turbine-powered airplanes be raised to an acceptable level of safety, commercial operator certification should no longer be required. The regulations should then require

that only scheduled and supplemental air carriers engaged in common carriage will be governed by FAR 121 and meet the highest possible degree of safety as required by section 601(b) of the Federal Aviation Act of 1958. Operators of large or complex airplanes engaged in private carriage should no longer be burdened with economic requirements, but could continue to meet under the new Part an acceptable level of safety. FAA field inspectors would no longer be required to make an economic determination of what constitutes operation "for compensation or hire." As air travel club airplanes would also be required by the new regulation to meet the acceptable level of safety, there would no longer be a requirement for FAR 123.

It is noted that some of the commentators (including the National Transportation Safety Board and the National Business Aircraft Association) who opposed NPRM 70-41 also suggested that if any additional safety standards were necessary for large airplanes they should be adopted in the form of operating rules only, thereby eliminating the burden of obtaining and maintaining a commercial operator certificate for operations involving corporate or private carriage operations.

The recommendations to prescribe the necessary safety standards as operating rules without requiring a commercial operator or other operating certificate have considerable merit. As a matter of fact, the FAA initiated a rule making program to upgrade, where necessary, the standards of Part 91 before the recommendations were received. Some of these rules have been adopted. Other proposals such as NPRM 71-8 which would establish qualification requirements for all copilots and an annual proficiency check for pilots in command of aircraft that require more than one pilot are under consideration by the FAA.

In order to proceed further with the program for the upgrading of Part 91, the FAA has decided to withdraw NPRM 70-41 and initiate herein a new notice of proposed rule making that would prescribe general operating rules for large airplanes and turbine-powered multiengine airplanes. The decision to proceed with the upgrading of Part 91 for large and turbine-powered multiengine airplanes is an important threshold step in the FAA policy to remove, to the extent possible, those differences in the safety standards that are primarily economic in nature and may result in unnecessary restrictions or limitations upon the operator of a large aircraft.

As proposed herein the General Operating Rules of Part 91 would be amended by adding a new Subpart D prescribing operating rules for all large or turbine-powered multiengine airplanes. In addition, Subpart D would also contain airplane inspection requirements, but the standards for the inspections as proposed herein would be added to the maintenance rules of Part 43. All of the rules in the proposed subpart are in the form of operating rules thereby eliminating the administrative, financial, and organizational requirements applicable to persons certificated as a commercial operator under Part 121. They would not

apply to aircraft that are required to be operated under the provisions of Parts 121 through 137. Persons conducting operations subject to those parts would be required to hold an appropriate operating certificate and conduct their operations in accordance with the rules of those parts, except that the inspection program prescribed in proposed § 91.217 would also apply to turbine-powered multiengine airplanes operated under Part 135.

As proposed herein the new Subpart D to Part 91 would contain the following significant provisions.

1. *Applicability.* Section 91.181, the initial section of the subpart, describes its applicability. As proposed, it applies to U.S. registered large or turbine-powered multiengine airplanes. To make these provisions applicable outside the United States § 91.1(b)(3) would be amended by adding Subpart D to the provisions of Part 91 that apply outside the United States.

Corporate aircraft operations, i.e., operations involving the carriage of persons or property within the scope and in the furtherance of a business, other than transportation, would be permitted to be conducted under this subpart. As more fully explained herein these operations include carriage of company employees, officials and guests; carriage of materials by a manufacturer for the purpose of being processed at its factory, or for delivery to the purchaser; demonstration of aircraft by an aircraft manufacturer or sales agency to a prospective purchaser; and the carriage on a corporate aircraft of persons for the purpose of selling to them land, goods, or property (including franchises and distributorships).

Other operations that would be subject to the new subpart as proposed herein would include the carriage of sports groups, athletic groups and other groups of persons having a common purpose or objective and for which no compensation is received, or for which no assessment, dues, membership fee, or other similar remittance is collected. It would not include air travel clubs which are subject to the certification and operation rules of Part 123.

The format of describing in proposed § 91.181 the types of operations that may be conducted under that subpart is not new. It has been used successfully to describe a framework for the types of operations permitted under Part 135 and for the privileges that may be exercised by the holder of a private pilot certificate under Part 61. It is hoped that it will be equally successful as an aid to persons who wish to conduct operations with large or turbine-powered multiengine airplanes.

Several years ago Advisory Circulars 120-12 and 120-14 were issued explaining the applicability of Parts 121 and 135 to common and private carriage. The applicability of those parts to certain types of operations conducted in the furtherance of a business was later explained in the preamble to NPRM 70-41. Recently, an educational flyer entitled "Look Before You Lease" was issued to

explain the responsibilities that may be incurred by unsuspecting persons under a lease arrangement. In addition, under a separate NPRM the FAA would require certain truth in leasing provisions regarding the aircraft and its operation to be included in each lease agreement for a large or turbine-powered multiengine airplane. In order to make this information available to all interested persons the NPRM would also require the lease to be filed with the FAA.

In order to avoid any misunderstanding as to whether the rules proposed in Subpart D, or the commercial operator rules of Part 121 or 135 would apply to a particular operation, by way of prologue it may be helpful to explain some of the more important policies of the FAA regarding operations for which a Commercial Operator Certificate is needed.

As defined in Part 1, a "commercial operator" means "a person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier or foreign air carrier or under the authority of Part 375 of [the regulations of the Civil Aeronautics Board]." Although there are numerous analogous legal precedents in other fields of transportation for the proper interpretation of the phrase "compensation or hire," there is no facile definition of that phrase which can be used in every fact situation. It is important to note, however, that the element of profit is not necessary to constitute compensation and a person who is remunerated only for his operating expenses performs his services for compensation. The definition further provides that where it is "doubtful that an operation is for compensation or hire," the test applied is "whether the carriage by air is merely incidental to the person's other business or is, in itself, a major enterprise for profit." This test, sometimes referred to as the primary business test, permits a person to transport his own goods in the furtherance of his primary business, except the transportation business, without holding an operating certificate under Part 121 or 135. The corporate aircraft which is used for the carriage of the company's goods to and from its plants during the processing stage is a typical example of the transportation authorized under that test. Some operators, however, have attempted to use this test as a means of circumventing the application of the commercial operator rules of Part 121 to their operations. This is particularly true in the case of the so-called meat or lobster haulers who allege that their primary business is the processing and sale of meat or lobsters, when actually it is the carriage of such products by airplane, for their own account, to a place where it is sold for a substantial profit. In some instances, even the ownership of the products by the operator of the airplane was found to be fictional since the operator was paid a fixed rate per pound for the cargo by the real owner.

The decision to apply Subpart D to the carriage of goods as an incident to a

primary business is not intended to change the applicability of Part 121 to those operations which involve primarily the transportation of cargo by aircraft from one point to another solely for the purpose of sale. Such transportation is considered a major enterprise in itself, and may not be conducted with a large aircraft by a person who does not hold an operating certificate issued under Part 121. The FAA wishes to make it very clear that it does not condone the use of any subterfuge designed to give the appearance of ownership of the goods by an aircraft operator and thereby avoid compliance with the operating certificate requirements of that part. We will continue to conduct a close surveillance program for the detection of such operators and take prompt and vigorous corrective action to deter further operations of that type.

Recently, in order to augment or more fully utilize their fleets, many corporate aircraft operators entered into agreements for the loan, exchange, or sharing of their aircraft. Basically, the agreements consist of either of the following arrangements:

(1) *Time sharing.* Under this arrangement one corporation agrees to lease its aircraft with crew, for a fixed charge per mile, to another corporation which may, or may not, own an aircraft. In some instances these arrangements are made between several corporations with an independent organization acting as the broker for the arrangements.

(2) *Interchange.* Under this arrangement one corporation agrees to lease its aircraft with crew to another corporation in exchange for equal time when needed on the lessee's aircraft. As distinguished from the time sharing arrangement, each of the corporations to the interchange agreement owns an aircraft and there is no monetary compensation paid for the aircraft or crew under the agreement.

Initially, it is to be noted that each of the arrangements described in paragraphs (1) and (2), sometimes referred to as a wet lease, provides for the lease of an aircraft with a flight crew employed by the lessor. Where an aircraft is leased with crew the operational control and ultimate safety responsibility for the aircraft normally remains in the hands of the lessor whose employee is pilot in command of the aircraft. Therefore, it is the policy of the FAA in such wet lease arrangements to consider the lessor of the aircraft as the operator of the aircraft within the meaning of the regulations. Conversely, in the case of a dry lease which merely provides for the lease of aircraft with no retention of operational control in the lessor, it is the policy of the FAA to consider the lessee of the aircraft as the operator.

In the time sharing arrangement described in (1), the lessor corporation receives "compensation" and is the "operator" of the aircraft within the meaning of Part 121 or 135. Moreover, the lessor corporation may not operate an aircraft under such arrangements without a commercial operator certificate on the alleged theory that such

operation was incidental to its primary corporate business. Accordingly, to correct any misunderstanding of the FAA policy in regard to such arrangements a General Notice (GENOT) was issued to all FAA Regional Offices stating that the lessor corporation under such circumstances is the operator of the aircraft and required to hold a commercial operator certificate under Part 121 or 135, as appropriate. As a corollary policy, the Genot further stated that when such operations are conducted through a management or brokerage organization providing such services as scheduling, upkeep, maintenance, hangaring, and training of flight crews, the management or brokerage organization would be considered to be the operator of the aircraft and required to hold a commercial operator certificate under Part 121 or 135, as appropriate.

In the aircraft interchange agreements described in (2), the lessor corporation is the operator of the aircraft and receives "compensation" for the use of its aircraft by the other corporation, albeit an aircraft with crew on an equal time basis from the other corporation. However, it is the policy of the FAA to permit each of the corporations involved in an interchange or reciprocal agreement described in (2) to operate the aircraft involved without holding a commercial operator certificate.

The FAA has also held that a subsidiary corporation may not lease an aircraft with crew to its parent corporation, even though the actual operating expenses of the flight are the only charges made. With the growth of the conglomerates and the use of various legal artifices to provide transportation for compensation this policy is becoming increasingly difficult to apply. Safetywise, neither the relationship of the corporations nor the type of compensation received for the services rendered should be relevant or controlling for such operations. Therefore, comments are requested as to whether the policies of the FAA in regard to operations conducted under arrangements (1) and (2) should be continued or modified if the proposed subpart D is adopted.

In response to the specter raised by some persons, the FAA has, by GENOT, made it clear that the manufacturer or an aircraft sales company does not need a commercial operator certificate to demonstrate aircraft in flight to a prospective purchaser. Moreover, in connection with such flights the prospective purchaser may be charged a fee to defray the normal operating expenses of the flight such as fuel, oil, hangar or landing fees, and salary of the flight crew. Such demonstrations are considered to be within the scope of, and incidental to, the primary business of the aircraft manufacturer or sales company. In accordance with the foregoing policy, the proposed Subpart D would apply to those demonstrations.

A growing trend in the corporate aircraft type of operation is the use of contract pilots. As a result, some persons are in the business of recruiting, training and furnishing pilots on a contract

basis to corporations, associations and other persons who own or lease an aircraft and wish to perform their own transportation as an incident to their business. Since the owner or lessee of the aircraft usually retains the operational control, direction and responsibility for the aircraft, it is the policy of the FAA in such cases not to require him to hold a commercial operator certificate, unless persons or property are carried on the aircraft for compensation or hire. Whenever the aircraft and flight crew are furnished by separate and unrelated persons, it is also the policy of the FAA to consider the lessee of the aircraft as the operator so long as he retains control, direction and responsibility of the aircraft. This policy, however, is not dispositive of all situations in which the pilot and aircraft are obtained from separate sources. Whenever the instrumentalities of transportation, i.e., the aircraft and crew, are furnished by separate persons acting in concert, the situation is not the same. In such cases the question to be considered is whether the net effect of the actual operational arrangements of the parties involved in the mosaic of that situation places responsibility for the operation of the aircraft in the lessor of the aircraft, the person furnishing the flight crew, or both. In a recent case it was found that the person furnishing the flight crew exercised complete control over all phases of the operation of the aircraft requiring any aviation expertise, and left to the lessee of the aircraft only those decisions normally made as to what and who was transported. Under these circumstances, the NTSB concluded the person furnishing the flight crew was the operator of the aircraft and was required to hold a commercial operator certificate. By entering into an arrangement whereby the aircraft lessor was a separate company, he was not permitted to shift his responsibility as operator to the lessee who had neither the intention nor the experience to assume such responsibilities.

The foregoing articulation of the FAA policies regarding the need for a commercial operator certificate should be of assistance in the preparation of comments in response to this NPRM. If any person has a question as to whether a commercial operator certificate is needed for any other kind of operation that he is presently conducting, or proposes to conduct, he should direct his inquiry to the nearest District office of the FAA without delay. This will avoid the unintentional assumption of responsibility or violation of the Federal Aviation Regulations by the persons concerned with the operation.

2. *Flying equipment and operating information.* The initial safety requirement for the new Subpart D would be prescribed in proposed § 91.183. Section 91.5 now requires each pilot in command, before beginning a flight, to familiarize himself with all available information concerning the flight. The proposed § 91.183 would specify the kinds of operating information and flying equipment that should be carried on the airplane

including an appropriate cockpit checklist which must be used by the pilot.

3. *Familiarity with operating limitations and emergency equipment.* Under proposed § 91.185(a) each pilot in command would be required to familiarize himself with the contents of the approved airplane flight manual for the airplane (if one is required), and with any placards, listings, or instrument markings describing the operating limitations of the airplane. This rule would supplement the requirements of § 91.31 which now requires compliance with such limitations by each person operating an airplane. Under paragraph (b) each required member of the crew would be required to be familiar with the emergency equipment installed on the particular airplane and the procedures to be followed in an emergency situation.

4. *Equipment requirements for night or over-the-top flights under VFR.* Proposed § 91.187 would require the IFR instruments and equipment specified in § 91.33(d) for night or over-the-top flights under VFR. These requirements, which are applicable to aircraft operated under Part 121, 123, or 135, should also be made applicable to all large or turbine powered multiengine airplanes.

5. *Survival and radio equipment for extended over-water operations.* As defined in Part 1, an extended over-water operation means "an operation over water at a horizontal distance of more than 50 nautical miles from the nearest shore line." Although § 91.33(b)(11) of the general flight rules requires aircraft operated for hire over water to be equipped with approved flotation gear, there is no additional equipment requirement for extended over-water operations. In the case of large or turbine-powered multi-engine airplanes that can be operated hundreds of miles over the ocean, additional survival equipment for the occupants is required in the event a ditching becomes necessary. Therefore, proposed § 91.189 would require such airplane to be equipped with a life preserver for each occupant and enough life rafts to carry all the occupants aboard the airplane. As proposed, each life raft would also be required to be equipped with certain items needed for survival or search and rescue. An emergency radio signaling device is also required on the airplane.

In addition to the foregoing survival equipment, proposed § 91.191 would require the airplane to be equipped with radio equipment adequate to communicate with appropriate ground stations and to navigate over the routes to be flown.

6. *Emergency equipment.* In the event of fire, smoke, and personal injuries which may be caused by an accident, or in-flight emergency, proposed § 91.193 would require certain equipment such as first aid kits, hand fire extinguishers, crash ax, and in certain cases, megaphones to be on board each airplane and readily available for use. As distinguished from the equipment required by proposed §§ 91.189 and 91.191 for extended over-water operations, emergency equipment

proposed in § 91.193 would be required for all operations.

7. *Flight altitude rules.* The minimum altitudes prescribed in the present § 91.79 are no longer appropriate for airplanes subject to the proposed Subpart D. As proposed in § 91.195, with certain exceptions, a minimum altitude of 1000' is prescribed for VFR day operations, and a minimum altitude of 1000' above the highest obstacle within 5 miles of the center of the course to be flown is prescribed for VFR night operations. These altitudes do not apply during takeoff or landing, when operating under an appropriate ATC clearance for special VFR weather minimums in accordance with § 91.107, or when operating with a waiver issued under § 91.63.

8. *Passenger information.* Large or turbine-powered multiengine airplanes used for the carriage of passengers should be equipped with no smoking and fasten safety belt signs. However, if the airplane is not equipped with such signs, § 91.197, as proposed herein, would require the passengers to be briefed by a number of the crew to insure that they are familiar with information regarding the use of safety belts and the times during which smoking is not permitted on board the airplane.

9. *Passenger briefing.* In addition to the briefing requirements proposed in § 91.197, proposed § 91.199 would require the passengers to be briefed by a member of the crew to insure that they are familiar with the location and use of the emergency exits and equipment. Although printed material may be used to assist in the briefing, an oral briefing is required. The oral briefing proposed in §§ 91.197 and 91.199 may be conducted by a flight attendant, if one is used, or by one of the members of the flight crew. However, it is the responsibility of the pilot in command to insure that the briefing is conducted.

10. *Carry-on-baggage.* The amount and size of carry-on-baggage by the passengers on a large or turbine-powered multiengine airplane, should be regulated to avoid creating a hazard or an obstacle in the event of an emergency. The proposed § 91.201 would require all carry-on-baggage on airplanes having a seating capacity of more than 19 passengers to be stowed in a location aboard the airplane that does not restrict the access to, or use of, a required emergency exit.

11. *Carriage of cargo in passenger compartments.* In addition to the proposed restrictions upon the stowage of carry-on-baggage, proposed § 91.203 would require all cargo carried in a passenger compartment to be stored in bins, or cargo racks, unless it is stowed and secured as provided in that section. Such requirements are necessary to provide for the safety of the occupants in the event of turbulence and to insure, to the extent possible, the crashworthiness of the airplane.

12. *Operating limitations: Takeoff limitations.* Present § 91.37 prescribes operating limitations for transport category airplanes. However, it does not provide takeoff accelerate-stop distance limita-

tions for transport category airplanes other than for turbine engine powered airplanes. The proposed § 91.205 would prescribe takeoff accelerate-stop distance limitations for reciprocating engine powered transport category airplanes similar to those prescribed in § 121.177 (a)(1) for air carriers and commercial operators.

13. *VFR fuel requirements.* Present § 91.23 prescribes the fuel requirements for the operation of civil aircraft under IFR conditions only. The minimum fuel reserve for VFR flights should no longer be left to the discretion of the individual operator. In addition to the fuel needed to fly to the first point of intended landing, the proposed § 91.207 would require a minimum fuel reserve of 45 minutes for VFR operations, day or night.

14. *Operating in icing conditions.* Part 91 does not prescribe equipment for operations conducted in icing conditions, or restrict the operations of an aircraft in such conditions if it is not equipped with de-icing equipment. The proposed § 91.209 would prescribe equipment and operating rules for such operations that would be similar to those contained in § 135.85.

15. *Flight crewmembers and recent experience.* Part 63 now requires a person acting as a flight engineer on a civil aircraft to hold an appropriate airman certificate. However, there is no rule that specifies when a flight engineer is required, except when specified under Part 121 or 135, or the aircraft type certificate. The proposed § 91.213 would require a flight engineer on each airplane having a maximum certificated takeoff weight of more than 80,000 pounds, if it was type certificated before January 2, 1964. After January 1, 1964, a flight engineer would be required on an airplane when required by its type certification. This requirement for large and turbine powered multiengine airplanes would be comparable to the requirements for large airplanes prescribed in § 121.387.

In addition to the foregoing requirement as to the types of airplanes for which a flight engineer is required, proposed § 91.211 would require a minimum of 50 hours of experience within the preceding 6 months in order to act in the capacity of a flight engineer. If the flight engineer does not have that recent experience, he would be required to pass an appropriate check before acting in that capacity.

16. *Second in command.* The proposed § 91.213 would specify the aircraft for which a second in command pilot is required. This requirement would require a pilot designated as the second in command on any large airplane, or each turbine powered multiengine airplane type certificated for two pilots. It is to be noted that NPRM 71-8A (36 F.R. 5247) would amend Part 61 to include certain recent experience and other requirements for a second in command. If that NPRM is adopted it would apply to those pilots required to be designated as second in command of airplanes type certificated for more than one pilot.

17. *Flight attendants.* Since airplanes subject to the proposed subpart may be used under some circumstances for the carriage of sports groups, athletic groups, and other groups of persons having a common purpose or objective, § 91.215 would require flight attendants to assist the flight crew in maintaining an adequate level of passenger safety aboard the airplane under normal and emergency conditions. Paragraph (b) of that section would require each required flight attendant to be familiar with the necessary functions to be performed and be capable of using the emergency equipment installed on the particular airplane. The number of flight attendants required is based upon the number of passengers on board the airplane for the particular flight.

18. *Inspection programs.* The final item for the proposed Subpart D contains a proposal in § 91.217 for an inspection program that will insure the airworthiness of each airplane subject to that subpart. It is to be noted that this proposal does not cover rotorcraft, small pressurized airplanes, or turbine-powered single-engine airplanes. Adequate inspections for rotorcraft are prescribed in §§ 91.163(c), 91.169(a)(1), 43.15(b), and 43.16 and no additional change appears necessary for the inspections of those aircraft. However, since small pressurized or turbine engine powered airplanes have structures and systems that are equal in complexity to large or turbine-powered multiengine airplanes, an inspection program similar to that proposed in this NPRM will be proposed for those airplanes in a separate notice of proposed rule making. Therefore, comments regarding the inspection program proposed for this notice should be limited to large airplanes and turbine-powered multiengine airplanes.

Air carriers, commercial operators, air travel clubs, or air taxi operators using large airplanes are required under Parts 121 and 123 to utilize approved inspection programs that are of such scope, frequency and detail that they will assure the airworthiness of their airplanes. Under the provisions of Part 135 an Air Taxi Operator or a Commercial Operator may also utilize an inspection program, for small airplanes as an alternative to a 100-hour and annual, or progressive inspection. The approved techniques, methods and practices for the performance of such inspections are derived in the most part from the recommendations or instructions of the manufacturer of the airplane concerned, based upon an analysis of the design features of the airplane, its structure and its major components. There are no other rules that authorize the use of an inspection program by other operators of large or turbine-powered multiengine airplanes.

In recent years there has been a significant increase in the use of large airplanes and turbine-powered multiengine airplanes by corporate and other operators within the general aviation group. These operators are equally dependent upon the manufacturer's recommendations and instructions for the establish-

ment of a proper inspection program for such airplanes. In many instances they have voluntarily established inspection programs that are equal in scope, frequency and detail to those established by air carriers and other operators under Part 121, 123, or 135. Yet, they cannot derive the full benefits of such inspection programs because of the time restrictions imposed upon them by the annual or 100-hour inspection required by § 91.169. Such restrictions are also imposed if they elect to use a progressive inspection because § 91.171 provides in part that—"the frequency and detail of the progressive inspection shall provide for the complete inspection of the aircraft within 12 calendar months and be consistent with the manufacturer's recommendations, field service experience, and the kind of operation in which the aircraft is engaged."

In order to provide for a more suitable program of inspections that will meet the needs of the particular operator, it is proposed under § 91.217 that the owner or operator of a large or turbine-powered multiengine airplane be required to select one of the following current programs of inspection for each make and model airplane that he operates:

(1) A continuous airworthiness inspection program that is a part of a continuous airworthiness maintenance program used by a person holding an air carrier or commercial operator certificate under Part 121.

(2) An approved aircraft inspection program used by a person holding an ATCO certificate under Part 135.

(3) An aircraft inspection program approved for a person holding an Air Travel Club certificate under Part 123.

(4) An inspection program recommended by the manufacturer.

(5) An inspection program approved by the Administrator under the provisions of this proposal.

It is to be noted that if this proposal is adopted for airplanes operated under subpart D, §§ 91.169 and 135.60 would be amended as shown herein to make it clear that the annual, 100-hour, or progressive inspections as set forth in Appendix D of Part 43 could no longer be used for large airplanes or turbine powered multiengine airplanes. However, any or all of the elements of those inspections may be embodied within an inspection program approved by the Administrator under the provisions of this proposal.

Proposed § 91.217(c) would also require the owner or operator to give notice of the inspection program selected. The notice must be in writing and include the make, model, serial number, and registration number of the airplane, and the person who will be responsible for the scheduling of the inspection. The notice containing that information must be submitted to the local Flight Standards District Office having jurisdiction over the area in which the airplane is based so that an FAA inspector may be able to conduct any necessary surveillance of the airplane and the persons performing the selected inspections.

Since the inspections proposed herein are considered to be maintenance, they may only be performed by persons authorized such privileges under Part 65 or 145 of the Federal Aviation Regulations.

The final proposal is an amendment to § 43.9(b) that would require the person performing the inspections required under Subpart D to certify that the inspections were performed in accordance with all the appropriate instructions and procedures specified in proposed § 43.13(d) for the inspection program selected by the owner or operator, and that he has given the owner or operator a signed and dated list of the defects, if any, discovered by the inspection.

For the convenience of the operators of airplanes that are subject to rules in the proposed Subpart D, other provisions of Part 91 that pertain solely to large airplanes or turbine-powered multiengine airplanes would be incorporated by reference within the framework of the subpart. This would include, for example, the equipment requirements of § 91.33(c)(3) and (d)(3), the T category weight limitations of § 91.37, the emergency exit requirements of § 91.47, the aural speed warning device requirement of § 91.49, and the minimum altitude requirements of § 91.87(d).

In consideration of the foregoing, it is proposed to adopt a new Subpart D to Part 91 and make conforming amendments to Parts 43, 91, and 135 of the Federal Aviation Regulations to read as set forth in this notice.

This rule making action is proposed under the authority of sections 313(a), 601, 602, 603, 604, and 605 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1422, 1423, 1424, and 1425), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on October 1, 1971.

JAMES F. RUDOLF,
Director,
Flight Standards Service.

PART 91—GENERAL OPERATING AND FLIGHT RULES

Subpart D—Large and Turbine-Powered Multiengine Airplanes

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Subpart D—Large or Turbine-Powered Multiengine Airplanes

§ 91.181 Applicability.

(a) This subpart prescribes rules (in addition to those prescribed in other subparts of this part) governing the operation of large or turbine-powered multiengine civil airplanes of U.S. registry. The rules in this subpart do not apply to those airplanes that are required to be operated under Parts 121 through 137 of this chapter.

(b) Operations governed by the rules in this subpart include—

- (1) Ferry or training flights;
- (2) Aerial work operations such as aerial photography or survey, or pipeline patrol;
- (3) Flights for the demonstration of an airplane to prospective customers when no charge is made in excess of the normal operating expenses for the flights, including fuel, oil, hangar and landing fees, and salary of the flight crew;
- (4) Flights conducted by the operator of an airplane for his personal transportation or the transportation of his guests when no charge, assessment, or fee is made for the transportation;
- (5) The carriage of company officials, employees and guests of the company on an airplane operated by that company, when the carriage is within the scope of, and incidental to, the business of the company (other than transportation) and no charge, assessment, or fee is made for the carriage;
- (6) The carriage of property (other than mail) on an airplane operated by a person in the furtherance of a business or employment when the carriage is within the scope of, and incidental to, that business or employment (other than transportation) and no charge, assessment, or fee is made for the carriage; and
- (7) The carriage on an airplane of athletic teams, sports groups, choral groups, or similar groups having a common purpose or objective when there is no charge, assessment, or fee of any kind made by any person for such transportation.

(5) The carriage of company officials, employees and guests of the company on an airplane operated by that company, when the carriage is within the scope of, and incidental to, the business of the company (other than transportation) and no charge, assessment, or fee is made for the carriage;

(6) The carriage of property (other than mail) on an airplane operated by a person in the furtherance of a business or employment when the carriage is within the scope of, and incidental to, that business or employment (other than transportation) and no charge, assessment, or fee is made for the carriage; and

(7) The carriage on an airplane of athletic teams, sports groups, choral groups, or similar groups having a common purpose or objective when there is no charge, assessment, or fee of any kind made by any person for such transportation.

§ 91.183 Flying equipment and operating information.

(a) The pilot in command of an airplane shall insure that the following flying equipment and aeronautical charts and data, in current and appropriate form, are accessible for each flight at the pilot station of the airplane:

(1) A flashlight that is in good working order.

(2) A cockpit checklist containing the procedures required by paragraph (b) of this section.

(3) Pertinent aeronautical charts.

(4) For IFR, VFR, over-the-top, or night operations, each pertinent navigational en route, terminal area, and approach and letdown chart.

(5) In the case of multiengine airplanes, one-engine-inoperative climb performance data.

(b) Each cockpit checklist must contain the following procedures and shall be used by the flight crewmembers when operating the airplane:

(1) Before starting engines.

(2) Before takeoff.

(3) Cruise.

(4) Before landing.

(5) After landing.

(6) Stopping engines.

(7) Emergencies.

(c) Each emergency cockpit checklist procedure required by paragraph (b) (7) of this section must contain the following procedures, as appropriate:

(1) Emergency operation of fuel, hydraulic, electrical, and mechanical systems.

(2) Emergency operation of instruments and controls.

(3) Engine inoperative procedures.

(4) Any other procedures necessary for safety.

§ 91.185 Familiarity with operating limitations and emergency equipment.

(a) Each pilot in command shall, before beginning a flight, familiarize himself with the airplane flight manual for the airplane, if one is required, and with any placards, listings, instrument markings, or any combination thereof, containing each operating limitation prescribed for that airplane by the Administrator, including those specified in § 91.31(b).

(b) Each required member of the crew shall, before beginning a flight, familiarize himself with the emergency equipment installed on the airplane to which he is assigned and with the procedures to be followed for the use of that equipment in an emergency situation.

§ 91.187 Equipment requirements: Over-the-top, or night VFR operations.

No person may operate an airplane over-the-top, or at night under VFR unless that airplane is equipped with the instruments and equipment required for IFR operations under § 91.33(d) and one electric landing light for night operations. Each required instrument and item of equipment must be in operable condition.

§ 91.189 Survival equipment for extended overwater operations.

(a) No person may operate an airplane in extended overwater operations unless it has on board the following survival equipment:

(1) A life preserver equipped with an approved survivor locator light, for each occupant of the airplane.

(2) Enough life rafts (each equipped with an approved survivor locator light) of a rated capacity and buoyancy to accommodate the occupants of the airplane.

(3) At least one pyrotechnic signaling device for each raft.

(4) One self-buoyant, water-resistant, portable emergency radio signaling device, that is capable of transmission on

the appropriate emergency frequency or frequencies, and not dependent upon the airplane power supply.

(b) The required life rafts, life preservers, and signaling devices must be easily accessible in the event of a ditching without appreciable time for preparatory procedures. This equipment must be installed in conspicuously marked approved locations.

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

§ 91.191 Radio equipment for extended overwater operations.

(a) No person may operate an airplane in extended overwater operations unless it has at least the following operable radio communication and navigational equipment appropriate to the facilities to be used and able to transmit to, and receive from, at any place on the route, at least one ground facility:

- (1) Two transmitters.
- (2) Two microphones.
- (3) Two headsets or one headset and one speaker.

(4) A marker beacon receiver.

(5) Two independent receivers for navigation.

(6) Two independent receivers for communications.

However, a receiver that can receive both communications and navigational signals may be used in place of a separate communications receiver and a separate navigational signal receiver.

(b) For the purposes of paragraphs (a) (5) and (6) of this section, a receiver is independent if the function of any part of it does not depend on the functioning of any part of another receiver.

§ 91.193 Emergency equipment.

(a) No person may operate an airplane unless it is equipped with the emergency equipment listed in this section:

(b) Each item of equipment—

(1) Must be inspected in accordance with § 91.217 to ensure its continued serviceability and immediate readiness for its intended purposes;

(2) Must be readily accessible to the crew;

(3) Must clearly indicate its method of operation; and

(4) When carried in a compartment or container, must have that compartment or container marked as to contents and date of last inspection.

(c) Hand fire extinguishers of an approved type must be provided for use in crew, passenger, and cargo compartments in accordance with the following:

(1) The type and quantity of extinguishing agent must be suitable for the kinds of fires likely to occur in the compartment where the extinguisher is intended to be used.

(2) At least one hand fire extinguisher must be provided and conveniently located on the flight deck for use by the flight crew.

(3) At least one hand fire extinguisher must be conveniently located in the passenger compartment of each airplane accommodating more than six but less

than 31 passengers, and at least two hand fire extinguishers must be conveniently located in each airplane accommodating more than 30 passengers.

(d) First-aid kits for treatment of injuries likely to occur in flight or in minor accidents must be provided.

(e) Each airplane must be equipped with a crash ax.

(f) Each passenger-carrying airplane must have a portable battery-powered megaphone or megaphones readily accessible to the crewmembers assigned to direct emergency evacuation, installed as follows:

(1) One megaphone on each airplane with a seating capacity of more than 60 and less than 100 passengers, at the most rearward location in the passenger cabin where it would be readily accessible to a normal flight attendant seat. However, the Administrator may grant a deviation from the requirements of this subparagraph if he finds that a different location would be more useful for evacuation of persons during an emergency.

(2) Two megaphones in the passenger cabin on each airplane with a seating capacity of more than 99 passengers, one installed at the forward end and the other at the most rearward location where it would be readily accessible to a normal flight attendant seat.

§ 91.195 Flight altitude rules.

(a) Notwithstanding § 91.79, and except as provided in paragraph (b) of this section, no person may operate an airplane under VFR at less than the following minimum altitudes:

(1) One thousand feet above the surface, or 1,000 feet from any mountain, hill, or other obstruction to flight for day operations.

(2) The altitudes prescribed in § 91.119 for night operations.

(b) This section does not apply—

(1) During takeoff or landing;

(2) When a different altitude is authorized by a waiver under § 91.63; or

(3) When a flight is conducted under the special VFR weather minimums of § 91.107 with an appropriate clearance from ATC.

§ 91.197 Smoking and safety belt signs.

(a) Except as provided in paragraph (b) of this section, no person may operate an airplane carrying passengers unless it is equipped with signs that are visible to passengers and cabin attendants to notify them when smoking is prohibited and when safety belts should be fastened. The signs must be so constructed that the crew can turn them on and off. They must be turned on for each takeoff and each landing and when otherwise considered to be necessary by the pilot in command.

(b) The pilot in command of an airplane that is not equipped as provided in paragraph (a) of this section shall insure that the passengers are orally notified each time that it is necessary to fasten their safety belts and when smoking is prohibited.

§ 91.199 Passenger briefing.

(a) Before each takeoff the pilot in command of an airplane carrying passengers shall ensure that all passengers have been orally briefed on:

- (1) Smoking;
- (2) Use of safety belts;
- (3) Location and means for opening the passenger entry door and emergency exits;
- (4) Location of survival equipment;
- (5) If the flight involves extended overwater operation, ditching procedures and the use of required flotation equipment; and
- (6) If the flight involves operations above 10,000 feet MSL, the normal and emergency use of oxygen.

(b) The oral briefing required by paragraph (a) of this section shall be given by the pilot in command or a member of the crew. It may be supplemented by printed cards for the use of each passenger, containing—

- (1) A diagram of, and methods of operating, the emergency exits; and
- (2) Other instructions necessary for use of emergency equipment.

Each card required by this paragraph must be carried in convenient locations on the airplane for use of each passenger. It must contain information that is pertinent only to the type and model airplane on which it is used.

§ 91.201 Carry-on-baggage.
No pilot in command of an airplane having a seating capacity of more than 19 passengers may permit a passenger to stow his baggage aboard that airplane except—

(a) In a suitable baggage or cargo storage compartment, or as provided in § 91.203; or

(b) Under a passenger seat in such a way that it will not slide forward under crash impacts severe enough to induce the ultimate inertia forces specified in § 25.561(b)(3) of this chapter, or the requirements of the regulations under which the airplane was type certificated.

§ 91.203 Carriage of cargo.
(a) No pilot in command may permit cargo to be carried in any airplane unless—

- (1) It is carried in an approved cargo rack, bin, or compartment installed in the airplane;
- (2) It is secured by means approved by the Administrator; or
- (3) It is carried in accordance with each of the following:

(i) It is properly secured by a safety belt or other tiedown having enough strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions.

(ii) It is packaged or covered to avoid possible injury to passengers.

(iii) It does not impose any load on seats or on the floor structure that exceeds the load limitation for those components.

(iv) It is not located in a position that restricts the access to or use of any re-

quired emergency or regular exit, or the use of the aisle between the crew and the passenger compartment.

(v) It is not carried directly above seated passengers.

(b) When cargo is carried in cargo compartments that are designed to require the physical entry of a crewmember to extinguish any fire that may occur during flight, the cargo must be loaded so as to allow a crewmember to effectively reach all parts of the compartment with the contents of a hand fire extinguisher.

§ 91.205 Operating limitations: Take-off limitations for transport category airplanes.

No pilot operating a reciprocating engine-powered transport category airplane may take off that airplane unless it is possible to stop the airplane safely on the runway, as shown by the accelerate stop distance data, at any time during takeoff until reaching critical-engine failure speed.

§ 91.207 VFR fuel requirements.

No pilot may begin a flight in an airplane under VFR unless, considering wind and forecast weather conditions, it has enough fuel to fly to the first point of intended landing and, assuming normal cruising fuel consumption to fly thereafter for at least 45 minutes.

§ 91.209 Operating in icing conditions.

(a) No pilot may take off an airplane that has—

(1) Frost, snow, or ice adhering to any propeller, windshield, or powerplant installation, or to an airspeed, altimeter, rate of climb, or flight attitude instrument system;

(2) Snow or ice adhering to the wings, or stabilizing or control surfaces; or

(3) Any frost adhering to the wings, or stabilizing or control surfaces, unless that frost has been polished to make it smooth.

(b) Except for an airplane that has ice protection provisions that meet the requirements in section 34 of Special Federal Aviation Regulation No. 23, or those for transport category airplane type certification, no pilot may fly—

(1) Under IFR into known or forecast light or moderate icing conditions; or

(2) Under VFR into known light or moderate icing conditions; unless the aircraft has functioning de-icing or anti-icing equipment protecting each propeller, windshield, wing, stabilizing or control surface, and each airspeed, altimeter, rate of climb, or flight attitude instrument system.

(c) Except for an airplane that has ice protection provisions that meet the requirements in section 34 of Special Federal Aviation Regulation No. 23, or those for transport category airplane type certification, no pilot may fly an airplane into known or forecast severe icing conditions.

(d) If current weather reports and briefing information relied upon by the

pilot in command indicate that the forecast icing conditions that would otherwise prohibit the flight will not be encountered during the flight because of changed weather conditions since the forecast, the restrictions in paragraphs (b) and (c) of this section based on forecast conditions do not apply.

§ 91.211 Flight engineer requirements.

(a) No person may operate the following airplanes without a flight crewmember holding a current flight engineer certificate:

(1) An airplane for which a type certificate was issued before January 2, 1964, having a maximum certificated takeoff weight of more than 80,000 pounds.

(2) An airplane type certificated after January 1, 1964, for which a flight engineer is required by the type certification requirements.

(b) No person may serve as a required flight engineer on an airplane unless, within the preceding 6 calendar months, he has had at least 50 hours of flight time as a flight engineer on that type airplane, or the Administrator has checked him on that type airplane and determined that he is familiar and competent with all essential current information and operating procedures.

§ 91.213 Second in command requirements.

No person may operate the following airplanes without a pilot who is designated as second in command of that airplane:

(a) A large airplane.

(b) A turbine-powered multiengine airplane in those operations for which 2 pilots are required under the type certification requirements.

§ 91.215 Flight attendant requirements.

(a) No person may operate an airplane unless at least the following number of flight attendants are on board the airplane:

(1) For airplanes having more than 19 but less than 51 passengers on board— one flight attendant.

(2) For airplanes having more than 50 but less than 101 passengers on board— two flight attendants.

(3) For airplanes having more than 100 passengers on board—two flight attendants plus one additional flight attendant for each unit (or part of a unit) of 50 passengers above 100.

(b) No person may serve as a flight attendant when required by paragraph (a) of this section unless that person is familiar with the necessary functions to be performed in an emergency or a situation requiring emergency evacuation and is capable of using the emergency equipment installed on that airplane for the performance of those functions.

§ 91.217 Inspection program.

(a) No person may operate an airplane governed by this subpart unless the replacement times for life limited parts specified in the aircraft data sheets and manufacturers information are compiled

with, and the airplane, including the airframe, engines, propellers, appliances, and emergency equipment are inspected in accordance with an inspection program selected under the provisions of this section.

(b) The registered owner or operator of each airplane governed by this subpart must select one of the following programs for the inspection of the make and model of that airplane:

(1) A continuous airworthiness inspection program that is a part of a continuous airworthiness maintenance program currently in use by a person holding an air carrier or commercial operator certificate under Part 121 of this subchapter.

(2) An approved aircraft inspection program currently in use by a person holding an ATCO certificate under Part 135 of this subchapter.

(3) An approved continuous inspection program currently in use by a person certificated as an Air Travel Club under Part 123.

(4) A current inspection program recommended by the manufacturer.

(5) Any other inspection program established by the registered owner or operator of that airplane and approved by the Administrator under paragraph (e) of this section.

(c) Notice of the inspection program selected shall be sent to the local FAA District Office having jurisdiction over the area in which the airplane is based. The notice must be in writing and include—

(1) Make, model, and serial number of the airplane;

(2) Registration number of the airplane;

(3) The inspection program selected under paragraph (b) of this section; and

(4) The name and address of the person responsible for scheduling the inspections required under the selected inspection program.

(d) The registered owner or operator may not change the inspection program for an airplane unless he has given notice thereof as provided in paragraph (c) of this section.

(e) Each registered owner or operator of an airplane desiring to establish an approved inspection program under paragraph (b) (5) of this section must submit the program for approval to the local FAA District Office having jurisdiction over the area in which the airplane is based. The program must include the following information:

(1) Instructions and procedures for the conduct of inspections for the particular make and model airplane, including necessary tests and checks. The instructions and procedures must set forth in detail the parts and areas of the airframe, engines, propellers, and appliances, including emergency equipment required to be inspected.

(2) A schedule for the performance of the inspections that must be performed under the program expressed in terms of the time in service, calendar time, number of system operations, or any combination of these.

§ 91.219 Availability of program.

Each owner or operator of an airplane shall make a copy of the inspection program selected under § 91.217 available to—

(a) The person responsible for the scheduling of the inspections;

(b) Any person performing inspections on the airplane; and

(c) Upon request, to the Administrator.

The following amendments to Parts 43, 91, and 135 of the Federal Aviation Regulations are also proposed to make those parts conform with the proposed subpart D.

1. Section 43.9(a) would be amended by adding a new subparagraph (5) to read as follows:

§ 43.9 Content, form and disposition of maintenance, rebuilding, and alteration records (except 100-hour, annual, and progressive inspections).

(a) *Maintenance records entries.* * * *

(5) If the work performed is an inspection required under § 91.217 of this chapter for a large or turbine-powered multiengine airplane, the entry must name the kind of inspection conducted (continuous airworthiness inspection program, approved inspection program, etc.) and include a statement that—

(i) The inspection was performed in accordance with the instructions and procedures for the kind of inspection program selected by the owner or operator of the airplane; and

(ii) A signed and dated list of the defects, if any, found by the inspection was given to the owner or operator of the airplane.

2. Section 43.13 would be amended by adding a new paragraph (d) to read as follows:

§ 43.13 Performance rules (general).

(d) Each person performing an inspection required by § 91.217 for a large or turbine-powered multiengine airplane shall do that work in accordance with the methods, techniques, and practices prescribed in subparagraphs (1) through (5) of this paragraph for the applicable inspection program.

(1) For a continuous airworthiness inspection program the standards prescribed in paragraph (c) of this section apply.

(2) For an approved aircraft inspection program the standards prescribed in paragraph (a) of this section apply.

(3) For a continuous inspection program the standards prescribed in § 43.15(a) of this part apply.

(4) For an inspection program recommended by a manufacturer the standards contained in the recommendations and instructions of the aircraft, engine, propeller, or appliance manufacturer apply.

(5) For an approved inspection program the standards prescribed in paragraph (a) of this section apply, except when the inspection program for the particular airplane includes other standards.

§ 91.1 [Amended]

2. Section 91.1(b) (3) would be amended by changing the words "Subparts A and C of this part" appearing in that section to "Subparts A, C, and D of this part."

§ 91.165 [Amended]

3. Section 91.165 would be amended by changing the words "§§ 91.169 and 91.170" appearing in that section to "Subpart D of this part or § 91.169, as appropriate, and § 91.170".

4. Section 91.169(c) would be amended by adding a new subparagraph (5) to read as follows:

§ 91.169 Inspections.

(c) * * *

(5) Any large airplane or turbine-powered multiengine airplane that is inspected in accordance with an inspection program authorized under Subpart D of this part.

§ 135.60 [Amended]

5. Paragraph (a) of § 135.60 would be amended by changing the words "§ 91.169 or § 91.171" appearing in that section to read "Part 91".

[FR Doc.71-14680 Filed 10-6-71;8:46 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 207, 208, 212, 214, 372]

[Docket No. 21666; EDR 173D; SPDR25A]

OVERSEAS MILITARY PERSONNEL CHARTERS

Supplemental Notice of Rule Making; Extension of Time

OCTOBER 4, 1971.

The Board, by circulation of notice of rule making EDR-173C/SPDR-25 date August 27, 1971, and published at 36 F.R. 17655, gave notice that it had under consideration proposed amendments to Parts 207, 208, 212, and 214 of its economic regulations (14 CFR Parts 207, 208, 212, and 214), and proposed adoption of a new Part 372 of its special regulations (14 CFR Part 372). These proposals would establish a new class of charter for military personnel and their dependents, enable air carriers and foreign air carriers to perform such charters, and relieve charter operators from certain provisions of the Federal Aviation Act in order to authorize them to act as indirect air carriers with respect to such charters. Interested persons were invited to participate by submission of twelve (12) copies of written data, views, or arguments pertaining thereto, to the Docket Section of the Board on or before October 18, 1971.

By letter dated September 20, 1971, the Department of Defense requests an extension of time for filing comments to December 17, 1971. The Department states that it has a significant interest in the rule making proceeding which di-

rectly affects a service having a broad usage among departmental personnel. It further avers that additional time is needed so that the Department's views may be carefully formulated and fully coordinated within the Department.

The undersigned finds that good cause has been shown for an extension of time for filing comments, but that an extension beyond 30 days is not warranted and would not be conducive to the proper dispatch of the Board's business. An extension of 30 days will provide a total of 75 days for the filing of comments, a period which should be ample for the Department. In addition, it is important that a final rule in this matter be issued with as much lead time as possible prior to the 1972 charter season.

Accordingly, pursuant to the authority delegated in § 385.20(d) of the Board's Organization Regulations, the undersigned hereby extends the time for submitting comments to November 17, 1971. (Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

[SEAL] **ARTHUR H. SIMMS,**
Associate General Counsel,
Rules and Rates.

[FR Doc.71-14723 Filed 10-6-71;8:51 am]

FEDERAL RESERVE SYSTEM

[12 CFR Parts 207, 220, 221]

[Regs. G, T, U]

CREDIT TO CONTRIBUTE CAPITAL TO BROKERS AND DEALERS

Postponement of Proposed Effective Date

SEPTEMBER 30, 1971.

1. Pursuant to the authority contained in the Securities Exchange Act of 1934 (15 U.S.C. 78g), the Board of Governors, on July 16, 1971 (36 F.R. 13218), published revisions to its proposals to amend Parts 207, 220, and 221 (Regulations G, T, and U).

2. In view of the extent and number of comments received from interested members of the public, the Board hereby announces that it will postpone the originally proposed effective date of October 1, 1971, to December 1, 1971, in order to permit further consideration of the views, suggestions, and comments received.

3. In view of the postponement of the effective date to December 1, 1971, the proposed changes to Regulations G, T, and U will apply to credit extended by banks, broker/dealers, and persons subject to Regulation G after December 1, 1971, and to renewals after such date of credit extended by banks after April 16, 1971, except in the case of credit extended by banks directly to broker/dealers where the restrictions would apply to such credit extended after December 1, 1971, and to renewals after that date of such credit extended after July 9, 1971.

By order of the Board of Governors, September 28, 1971.

[SEAL] **TYNAN SMITH,**
Secretary.

[FR Doc.71-14668 Filed 10-6-71;8:49 am]

FEDERAL POWER COMMISSION

[18 CFR Part 260]

[Docket No. R-308]

TOTAL GAS SUPPLY OF NATURAL GAS PIPELINE COMPANIES

Proposed Revised Annual Report Form

SEPTEMBER 29, 1971.

Notice is hereby given pursuant to section 553 of title 5 of the United States Code and sections 10, 14, and 16 of the Natural Gas Act (52 Stat. 826, 15 U.S.C. 7171; 52 Stat. 828, 15 U.S.C. 717m; and 52 Stat. 830, 15 U.S.C. 717o) that the Commission proposes to amend Paragraph (a) of § 260.7 of Part 260—Statements and Reports (Schedules); Subchapter G—Approved Forms, Natural Gas Act; Chapter I, Title 18 of the Code of Federal Regulations to prescribe a revised FPC Form No. 15, Annual Report of Total Gas Supply, for the reporting year 1971 and thereafter.

In the proceeding in Docket No. R-239 the Commission proposed to require the filing, as part of the then-proposed Form No. 15, of certain detailed reservoir reserve estimate, contractual, and deliverability data. These data were to be submitted on electric accounting punch cards, electric data processing magnetic tape, or paper tape. By Order No. 279, issued March 31, 1964 (31 FPC 750), the Commission promulgated § 260.7 of its Statements and Reports (Schedules), prescribing Form No. 15 which did not include the detailed reservoir reserve estimate, contractual, and deliverability data to be filed in automatic data processing (ADP) media. The then-prescribed report was designated as the First Phase and further consideration of the requirements for filing the additional detailed data was deferred as the Second Phase.

By notice issued in the instant proceeding on September 22, 1966 (31 F.R. 12729, September 29, 1966), the Commission proposed to require the filing of First Phase data in ADP media. By Order No. 337 issued February 16, 1967 (37 FPC 326), the Commission deferred requiring the submission of Form No. 15 in ADP media and revised § 260.7 by requiring the filing of a revised Form No. 15 with minor changes. The instant proceeding was continued by said order.

By notice issued in the instant proceeding on November 11, 1968 (33 F.R. 17195, November 20, 1968), the Commission proposed both substantial and minor revisions in Form No. 15. By Order No. 399 issued April 27, 1970 (43 FPC 563), the Commission amended § 260.7 by requiring the filing of revised Form

No. 15 with minor changes. The instant proceeding was continued by said order.

Since the issuance of Orders Nos. 337 and 399, it has become evident to the Commission that it should have the Second Phase reservoir data in order to establish criteria to check the reasonableness of the data filed by any single company and to evaluate independently the data filed by parties to Commission proceedings. This will also permit the Commission through ADP methods to have an instant check on the current Form No. 15 deliverability status of each interstate natural gas pipeline company. Accordingly, it is proposed to amend Form No. 15 by the addition of new Schedules Nos. 4 and 5 for the collection of reservoir data and flow test data for nonassociated gas completions, respectively. The Second Phase contractual data are presently being collected as part of independent producer rate schedule filings.

In addition to the new schedules, the Commission proposes to revise the instructions to Form No. 15 by permitting the filing of all schedules in ADP media. A magnetic tape prepared for the electronic computer, accompanied by a verified, attested electronic computer print-out, will be the preferred form for filing the report. The Commission recognizes that all companies may not have the resources or their modes of operation do not include the use of the electronic computer and, therefore, filing of the report in ADP media will be optional. It is the Commission's plan, however, eventually to require all companies to report in ADP media.

The amendment proposed herein would be made under authority granted to the Federal Power Commission by the Natural Gas Act, as amended, particularly sections 10, 14, and 16 thereof (52 Stat. 826, 15 U.S.C. 717i; 52 Stat. 828, 15 U.S.C. 717m; and 52 Stat. 830, 15 U.S.C. 717o).

Accordingly, it is proposed to amend paragraph (a) of § 260.7 of Part 260—Statements and Reports (Schedules); Subchapter G—Approved Forms, Natural Gas Act; Chapter I, Title 18 of the Code of Federal Regulations, to read as follows:

§ 260.7 Form No. 15, Annual report of gas supply for certain natural gas companies.

(a) A revised form of Annual Report of Total Gas Supply, designated FPC Form 15, is prescribed for the reporting year 1971 and thereafter to be used by natural gas companies as provided by and in accordance with paragraph (b) of this section.

It is further proposed to revise Form No. 15 by adding new Schedules Nos. 4 and 5 and by permitting the filing of all schedules in ADP media, all as set out in Attachment A.¹

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than No-

ember 15, 1971, data, views, comments, or suggestions in writing concerning the amended regulation, and revised form. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Washington, D.C., during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. In addition, interested persons wishing to have their comments considered in the clearance of the revised report form under the provisions of the Federal Reports Act of 1942, 44 U.S.C. 3501-3511, may at the same time submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Policy, Office of Management and Budget, Washington, D.C. 20503. Submittals to the Commission should indicate the name, title, mailing address, and telephone number of the person to whom communications concerning the proposals should be addressed and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed amendment and revision. The staff, in its discretion, may grant or deny requests for conference.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14690 Filed 10-6-71;8:47 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 270]

[Rel. No. IC-6735]

FREQUENCY OF DISTRIBUTIONS OF CAPITAL GAINS BY REGISTERED INVESTMENT COMPANIES

Proposed Limitation

Notice is hereby given that the Securities and Exchange Commission has under consideration the adoption of Rule 19b-1 (17 CFR 270.19b-1) under the Investment Company Act of 1940 (Act) limiting the frequency of distributions of capital gains by registered investment companies. The rule would be adopted pursuant to the authority granted to the Commission in sections 19(b) and 38(a) of the Act (15 U.S.C. 80a-19(b), 80a-37(a)).

Section 19(b) of the Act was added by the Investment Company Amendments Act of 1970, Public Law 91-547 (1970 Act) (84 Stat. 1422), and will become effective December 14, 1971. It reads as follows:

(b) It shall be unlawful in contravention of such rules, regulations, or orders as the Commission may prescribe as necessary or

appropriate in the public interest or for the protection of investors for any registered investment company to distribute long-term capital gains, as defined in the Internal Revenue Code of 1954, more often than once every 12 months.

The Report of the Committee on Banking and Currency, U.S. Senate, 91st Congress, 1st Session (Senate Report No. 91-184, May 21, 1969), stated that the section would incorporate the views expressed in the Investment Company Institute's "Guide to Business Standards." The guide suggested that no member should make a distribution of realized capital gains to shareholders in a manner that would indicate that they are part of regular dividends from investment income and that distributions of capital gains other than at fiscal year ends, or soon thereafter, could have such an effect. The committee report stated that section 19(b) would minimize any confusion on the part of investors which might arise from their failure to differentiate regular distributions of capital gains from distributions of investment income.

The Commission had previously recommended in its report to the Congress on the "Public Policy Implications of Investment Company Growth" (House Report No. 2337, 89th Cong., Second Sess., December 2, 1966, pages 194-195), that a limitation on capital gains distributions to not more than once a year be extended to all investment companies by an amendment to the Act. The Commission said that such a prohibition would relieve managers from pressure to realize such gains on a frequent and regular basis, mitigate improper sales practices related to the distribution of such gains, and eliminate the administrative expenses attending quarterly or semi-annual capital gains distributions.

Paragraph (a) of proposed Rule 19b-1 would limit a registered investment company, which is a "regulated investment company" as defined in the Internal Revenue Code (Code), to a single distribution with respect to the long term capital gains realized by the company during any one taxable year, except for a supplemental distribution under section 855 of the Code which does not exceed 10 percent of the company's prior capital gains distribution. This limited exception to the requirement for a single distribution in a taxable year would permit a regulated investment company to take advantage of the "spillover" provisions of the Code under which certain distributions made after the close of a taxable year are considered as made during such year. This enables such companies to distribute all realized gains so that they are not taxable to the company. In using the taxable year approach, as proposed, it appears unnecessary to provide special exceptions in the rule for changes in a company's taxable year or in its regular pattern of distributing capital gains.

Paragraph (b) of proposed Rule 19b-1 would limit a registered investment company which is not a "regulated investment company" to one distribution of

¹ Filed as part of the original document.

long term capital gains in any one taxable year. Since such companies are not subject to the "spillover" provisions of the Code, it is unnecessary to make provision in the rule for a limited supplemental distribution with respect to them.

It is also proposed that present Rule 19b-1 (17 CFR 270.19b-1) under section 19 of the Act, which is to become section 19(a) effective December 14, 1971, be redesignated Rule 19a-1 (17 CFR 270.19a-1).

The text of the proposed Commission action is as follows:

I. Part 270 of Chapter II of Title 17 of the Code of Federal Regulations would be amended by redesignating present § 270.19-1 as § 270.19a-1.

II. Part 270 of Chapter II of Title 17 of the Code of Federal Regulations would be amended by adding thereunder a new § 270.19b-1 reading as follows:

§ 270.19b-1 Frequency of distribution of capital gains.

(a) No registered investment company which is a "regulated investment company" as defined in section 851 of the Internal Revenue Code of 1954 (Code) shall distribute more than one capital gain dividend (distribution), as defined in section 852(b)(3)(C) of the Code, with respect to any one taxable year of the company, other than a distribution pursuant to section 855 of the Code which is supplemental to the prior distribution with respect to the same taxable year of the company and which does not exceed 10 percent of the amount of such prior distribution.

(b) No registered investment company which is not a "regulated investment company" as defined in section 851 of the Code shall make more than one distribution of long-term capital gains, as defined in the Code, in any one taxable year of the company.

Proposed Rule 19b-1 would be effective with respect to distributions made in taxable years beginning on or after December 14, 1971.

All interested persons are invited to submit views and comments on proposed Rule 19b-1. Written statements of views and comments should be submitted to the Securities and Exchange Commission, Washington, D.C. 20549, on or before November 1, 1971. All communications with respect to the proposed revisions should refer to File No. S7-410. Such communications will be available for public inspection.

(Sec. 19, 38(a), 54 Stat. 821, 841, sec. 11, 84 Stat. 1422, 15 U.S.C. 80a-19(b), 80a-37)

By the Commission, October 1, 1971.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc.71-14700 Filed 10-6-71;8:49 am]

Notices

DEPARTMENT OF STATE

Agency for International Development DEPUTY COORDINATOR, BUREAU FOR SUPPORTING ASSISTANCE

Redelegation of Authority

Pursuant to the authority delegated to me as Coordinator, Bureau for Supporting Assistance, I hereby delegate to the Deputy Coordinator, Bureau for Supporting Assistance, authority to act as my alter ego, to be responsible, under my direction and concurrently with me, for all aspects of the activities of said Bureau. In accordance with this delegation, said Deputy Coordinator is authorized to represent me, and to exercise my authority, with respect to all functions now or hereafter conferred upon me by A.I.D. delegations of authorities, regulations, manual orders, directives, notices, or other documents, by law or by any competent authority.

This redelegation of authority is effective immediately.

RODERIC L. O'CONNOR,
Coordinator,
Bureau for Supporting Assistance.

SEPTEMBER 23, 1971.

[FR Doc.71-14667 Filed 10-6-71;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Colorado 0102703]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 1, 1971.

The Bureau of Reclamation of the Department of the Interior has filed the above application for the withdrawal of the lands described below from all forms of appropriation under the Public Land Laws, including the General Mining Laws but not the Mineral Leasing Laws, subject to valid existing rights.

The applicant desires the land for use in connection with the Fryingspan-Arkansas Reclamation Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Colorado State Office, 700 Colorado State Bank Building, 1600 Broadway, Denver, CO 80202.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

- T. 12 S., R. 79 W.,
Sec. 5, W $\frac{1}{2}$;
Sec. 6, all;
Sec. 8, NE $\frac{1}{4}$;
Sec. 9, W $\frac{1}{2}$ W $\frac{1}{2}$.
T. 9 S., R. 80 W.,
Sec. 30, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 10 S., R. 80 W.,
Sec. 7, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 11 S., R. 80 W.,
Sec. 7, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 14, 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. 15, lots 1, 2, 4, 5, and 6, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 23, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$
NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$
SE $\frac{1}{4}$;
Sec. 24, lots 2, 3, and 4, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 25, lots 2, 3, 4, 5, 6, 7, and 8, S $\frac{1}{2}$ N $\frac{1}{2}$
SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$
W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 29, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 12 S., R. 80 W.,
Sec. 1, E $\frac{1}{2}$ of lot 1.
T. 9 S., R. 81 W.,
Sec. 25, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
T. 11 S., R. 81 W.,
Sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 25, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 36, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 11 S., R. 80 W.,
Sec. 26, lot 9.

The above described land aggregates 4,557.51 acres, more or less.

J. ELLIOTT HALL,
*Chief, Division of
Technical Services.*

[FR Doc.71-14710 Filed 10-6-71;8:40 am]

REDWOOD NATIONAL PARK, CALIF.

Notice of Filing of Plats of Survey

SEPTEMBER 30, 1971.

1. Plats of survey, accepted on the dates indicated, for the lands described in paragraph 5 of this notice will be officially filed in the Land Office, Sacramento, Calif., effective at 10 a.m. on November 11, 1971.

2. Section 2(a) of Public Law 90-545, the Redwood National Park Act, states in part:

The area to be included within the Redwood National Park is that generally depicted on the maps entitled "Redwood National Park" numbered NPS-RED-7114-A and NPS-RED-7114-B and dated September 1968, copies of which maps shall be kept available for public inspection in the offices of the National Park Service, Department of the Interior and shall be filed with appropriate officers of Del Norte and Humboldt Counties.

3. Section 3(b)(1) of Public Law 90-545, the Redwood National Park Act, states in part:

Effective on the date of enactment of this act, there is hereby vested in the United States all right, title, and interest in, and the right to immediate possession of, all real property within the Park boundaries designated in maps NPS-RED-7114-A and NPS-RED-7114-B, except real property owned by the State of California or a political subdivision thereof and except as provided for in paragraph (3) of this subsection.

4. The surveys and plats thereof described in this notice, to the extent that they delineate and describe lands taken under section 3(b)(1) of Public Law 90-545, include those lands which are within the Redwood National Park as generally depicted on maps entitled "Redwood National Park" numbered NPS-RED-7114-A and NPS-RED-7114-B and dated September 1968.

5. Lands affected by the plats of survey filed under this notice.

HUMBOLDT MERIDIAN, CALIF.

Tps. 9, 10, and 11 N., Rs. 1 and 2 E.

Survey of the irregular boundary of the Redwood National Park South Unit in these townships accepted February 20, 1971.

The survey represented on this plat, in four sheets, delineates land described and taken for the Redwood National Park under Public Law 90-545 dated October 2, 1968 (82 Stat. 931). Area in Redwood National Park: 16,109.97 acres.

T. 10 N., R. 1 E.

Dependent resurvey of portions of the subdivisional lines and the adjusted original

meanders of Freshwater Lagoon in section 8, a metes and bounds survey of an irregular parcel in section 5 and survey of a portion of the Redwood National Park boundary, South Unit, in this township accepted June 24, 1971.

The area within the Redwood National Park boundary, as delineated on this plat, is land described and taken for the Redwood National Park under Public Law 90-545 dated October 2, 1968 (82 Stat. 931).

Area in Redwood National Park: 234.86 acres.

T. 11 N., R. 1 E.

A dependent resurvey of a portion of the Second Standard Parallel North along the south boundary, portions of the north boundary and subdivisional lines, a survey of the subdivision of certain sections, a metes and bounds survey of irregular boundaries and a survey of a portion of the Redwood National Park Boundary, South Unit, in this township accepted June 24, 1971.

The area within the Redwood National Park, as delineated on this plat in three sheets, is land described and taken for the Redwood National Park under Public Law 90-545 dated October 2, 1968 (82 Stat. 931).

Area in Redwood National Park: 3,633.17 acres.

T. 12 N., R. 1 E.

A dependent resurvey of the north and west boundaries of section 10 and a retracement and reestablishment of a survey of the subdivision of section 10 executed by a California licensed surveyor for a predecessor owner in this township accepted February 26, 1971.

This area is entirely within the area described and taken for the Redwood National Park under Public Law 90-545 dated October 2, 1968 (82 Stat. 931).

Area in Redwood National Park: 80.93 acres.

T. 13 N., R. 1 E.

A dependent resurvey of portions of the south and east boundaries and subdivisional lines, a survey of the subdivision of certain sections, a metes and bounds survey of the irregular boundaries of designated parcels and the survey of that portion of the Redwood National Park Boundary South Unit in this township accepted June 24, 1971.

The area within the Redwood National Park, as delineated on this plat in four sheets, is land described and taken for the Redwood National Park under Public Law 90-545 dated October 2, 1968 (82 Stat. 931).

Portions of the area lying east of the park boundary are located within the Northern Redwood Purchase Unit.

Area in Redwood National Park: 2,579.23 acres.

T. 14 N., R. 1 E.

A dependent resurvey of portions of the south boundary and subdivisional lines, a survey of the subdivision of certain sections, a metes and bounds survey of irregular boundaries and survey of that portion of the Redwood National Park Boundary, North Unit, in this township accepted June 24, 1971.

The area within the Redwood National Park, as delineated on this plat in three sheets, is land described and taken for the Redwood National Park under Public Law 90-545 dated October 2, 1968 (82 Stat. 931).

Portions of the area lying east of the park boundary are located within the Northern Redwood Purchase Unit.

Area in Redwood National Park: 962.89 acres.

T. 16 N., R. 1 E.

A dependent resurvey of a portion of the Third Standard Parallel North along the

south boundary, and portions of the west boundary and subdivisional lines, a survey of the subdivision of certain sections and a survey of the Redwood National Park Boundary, North Unit, in this township, accepted May 5, 1971.

The area within the Redwood National Park, as delineated on this plat in two sheets, is land described and taken for the Redwood National Park under Public Law 90-545 dated October 2, 1968 (82 Stat. 931).

Area in Redwood National Park: 2,778.31 acres.

T. 13 N., R. 2 E.

A dependent resurvey of a portion of the subdivisional lines, a survey of the subdivision of certain sections, a retracement and reestablishment of a metes and bounds survey of irregular lots in section 7 and remonumentation of an original corner point in this township accepted June 24, 1971.

Portions of the areas shown on this plat are located within the Northern Redwood Purchase Unit.

T. 14 N., R. 2 E.

A dependent resurvey of portions of the south and west boundaries and subdivisional lines and a survey of the subdivision of sections 17, 20, 28, 29 and 32 in this township accepted February 26, 1971.

Portions of the areas shown on this plat are located within the Northern Redwood Purchase Unit.

T. 15 N., R. 1 W.

A dependent resurvey of portions of the east boundary and subdivisional lines, a survey of the subdivision of certain sections and the survey of a portion of the Redwood National Park Boundary, North Unit, in this township accepted May 5, 1971.

The area within the Redwood National Park, as delineated on this plat, is land described and taken for the Redwood National Park under Public Law 90-545, dated October 2, 1968 (82 Stat. 931).

Area in Redwood National Park: 1,211.68 acres.

T. 16 N., R. 1 W.

A dependent resurvey of a portion of the Third Standard Parallel North along the south boundary and a portion of the subdivisional lines, a survey of the subdivision of certain sections and a survey of a portion of the Redwood National Park Boundary, North Unit, in this township accepted May 5, 1971.

The area within the Redwood National Park, as delineated on this plat, is land described and taken for the Redwood National Park under Public Law 90-545, dated October 2, 1968 (82 Stat. 931).

Area in Redwood National Park: 934.91 acres.

Total area in Redwood National Park represented on these plats: 28,525.95 acres.

6. Simultaneously with the official filing of the plats of survey in the Land Office, Sacramento, Calif., copies of the plats of survey will also be filed with appropriate officers of Del Norte and Humboldt Counties, Calif. In addition, copies of the plats of survey will be made available for inspection in the offices of the National Park Service, Department of the Interior.

7a. Inquires concerning the technical aspects of preparation of the plats and the areas described on them shall be addressed either to the Director, Bureau of Land Management, U.S. Department

of the Interior, Washington, D.C. 20240 or to the Manager, Land Office, Bureau of Land Management, 2800 Cottage Way, Sacramento, CA 95825.

b. Inquiries concerning conformance of the area within the Redwood National Park, as shown on the plats, to the area included within the Redwood National Park generally depicted on the maps entitled "Redwood National Park" numbered NPS-RED-7114-A and NPS-RED-7114-B and dated October 2, 1968, shall be directed to the Director, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

ELMER F. GRAHAM,
Acting Assistant Director,
Bureau of Land Management.

LAWRENCE C. HADLEY,
Assistant Director,
National Park Service.

SEPTEMBER 28, 1971.

[FR Doc.71-14678 Filed 10-6-71;8:49 am]

**National Park Service
REDWOOD NATIONAL PARK, CALIF.**

Notice of Filing of Plats of Survey

CROSS REFERENCE: For a document issued jointly by the Bureau of Land Management and the National Park Service regarding Redwood National Park, Calif., Notice of Filing of Plats of Survey, see F.R. Doc. 71-14678, Department of the Interior, Bureau of Land Management, *supra*.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

RURAL DEVELOPMENT SERVICE

Establishment and Functions

In accordance with Reorganization Plan No. 2 of 1953, the Department of Agriculture gave advance notice in the FEDERAL REGISTER of July 21, 1971 (36 FR. 13411), concerning the proposed establishment of the Rural Development Service. Responses from interested parties have been favorable. Effective September 3, 1971, there is established a Rural Development Service under the direction of the Deputy Under Secretary for Rural Development who will report directly to the Secretary.

There is transferred to the Rural Development Service all functions now performed by the Deputy Under Secretary for Rural Development. In addition, upon enactment of the proposed legislation to establish the revenue-sharing program for rural development, that program with the exception of the audit function which will be assigned to the Office of the Inspector General, will be assigned to the Rural Development Service.

Accounting, budget, personnel, and other administrative services which are required by the new agency will be provided by the Office of Management Services.

Done at Washington, D.C., this 1st day of October 1971.

CLIFFORD H. HARDIN,
Secretary of Agriculture.

[FR Doc.71-14704 Filed 10-6-71;8:48 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 6811]

ISONIAZID

Drugs for Human Use; Drug Efficacy Study Implementation; Labeling

In a notice (DESI 6811) published in the FEDERAL REGISTER of September 26, 1969 (34 F.R. 14856), the Commissioner of Food and Drugs announced his conclusions pursuant to the evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on isoniazid, stating that isoniazid is regarded as effective for the treatment of all forms of active tuberculosis in which organisms are susceptible, and for preventive antituberculosis therapy, and possibly effective for treatment of leprosy and for topical use of the injectable form for tuberculosis empyema or effusion. The possibly effective indications have been reclassified as lacking substantial evidence of effectiveness in that no new evidence of effectiveness has been received pursuant to the announcement of September 26, 1969.

Any such preparation on the market for human use with labeling bearing indications lacking substantial evidence of effectiveness may be subject to regulatory proceedings.

Based upon a reevaluation of available data, the Commissioner of Food and Drugs finds it appropriate to amend the labeling section of the September 26, 1969, announcement to read as follows:

DESCRIPTION

Isoniazid is the hydrazide of isonicotinic acid. (Other descriptive information to be included by manufacturer or distributor should be confined to an appropriate description of the chemical and physical properties of the drug and the formulation.)

ACTIONS

Isoniazid acts against actively growing tubercle bacilli.

After oral administration isoniazid produces peak blood levels within 1 to 2 hrs. which decline to 50 percent or less within 6 hours. It diffuses readily into all body fluids (cerebrospinal, pleural, and ascitic fluids), tissues, organs, and excreta (saliva, sputum, and feces). The drug also passes through the placental barrier and into milk in concentrations comparable to those in the plasma. From 50 to 70 percent of a dose of isoniazid is excreted in the urine in 24 hours.

Isoniazid is metabolized primarily by acetylation and dehydrazination. The rate of acetylation is genetically determined. Approximately 50 percent of Negroes and Caucasians are "slow inactivators"; the majority

of Eskimos and Orientals are "rapid inactivators".

The rate of acetylation does not significantly alter the effectiveness of isoniazid. However, slow acetylation may lead to higher blood levels of the drug, and thus an increase in toxic reactions.

Pyridoxine deficiency (B_6) is sometimes observed in adults with high doses of isoniazid and is considered probably due to its competition with pyridoxal phosphate for the enzyme apotryptophanase.

INDICATIONS

All forms of active tuberculosis in which organisms are susceptible.

Preventive treatment in persons who have a high risk of developing active tuberculosis:

1. Household contacts, both tuberculin negative (especially children) and tuberculin positive.

2. Recent converters of any age.

3. Persons with previously known tuberculosis, now inactive, who have not had adequate chemotherapy.

4. Positive tuberculin reactors with abnormal pulmonary findings in chest X-rays.

5. Positive tuberculin reactors under the age of 20.

6. Positive tuberculin reactors in special clinical situations:

(1) Therapy with adrenal corticoids or immunosuppressive agents; after gastrectomy; reticuloendothelial disease such as leukemia or Hodgkin's disease; unstable severe diabetes; silicosis.

(2) Children who develop measles or pertussis or have recently received measles vaccine.

(3) In the case of a pregnant woman who has inactive tuberculosis previously untreated with antituberculosis drugs, or who has chest roentgenographic findings consistent with inactive tuberculosis, preventive therapy should be started in the last trimester and continued for a year.

CONTRAINDICATIONS

Isoniazid is contraindicated in patients who develop severe hypersensitivity reactions, including drug-induced hepatitis.

WARNINGS

Hepatitis associated with isoniazid therapy has been reported.

Individuals on isoniazid preventive treatment should be interviewed at monthly intervals. If symptoms and signs suggestive of hepatic damage are detected, the drug should be discontinued promptly and patients should be closely followed.

Preventive treatment should be deferred in individuals with acute hepatic diseases.

Isoniazid has been reported to induce pulmonary tumors in a number of strains of mice.

Although no isoniazid-related congenital anomalies have been found in reproduction studies in mammalian species (mice, rats, and rabbits), it has been reported that in both rats and rabbits, isoniazid may exert an embryocidal effect when administered orally during pregnancy.

PRECAUTIONS

All drugs should be stopped at the first signs of hypersensitivity reaction.

If isoniazid is reinstated, it should be in very small and gradually increasing doses to determine whether the manifestations are drug-induced.

Use of isoniazid should be carefully monitored in patients with convulsive disorders, preexisting hepatic diseases, and severe renal dysfunction.

Period ophthalmoscopic examination during isoniazid therapy is recommended when visual symptoms occur.

ADVERSE REACTIONS

Toxic effects are usually encountered only with higher doses of isoniazid and the incidence is reportedly higher in "slow inactivators".

Nervous system reactions:

Peripheral neuropathy occurs most often in the malnourished and is usually preceded by paresthesias in the feet and hands.

Convulsions, toxic encephalopathy, optic neuritis and atrophy, and toxic psychosis have also been reported.

Gastrointestinal and hepatic reactions:

Nausea, vomiting, epigastric distress, elevated serum transaminases (SGOT, SGPT), bilirubinuria, hepatitis with or without jaundice.

Isoniazid-associated hepatitis is generally considered a hypersensitivity reaction.

Hematologic reactions:

Agranulocytosis, hemolytic or aplastic anemia, thrombocytopenia, and eosinophilia.

Hypersensitivity reactions:

Fever, skin eruptions (morbilliform, maculopapular, purpuric, or exfoliative), lymphadenopathy and vasculitis.

Metabolic and endocrine reactions:

Pyridoxine deficiency, pellagra, hyperglycemia, metabolic acidosis, and gynecomastia.

Miscellaneous reactions:

Rheumatic syndrome and systemic lupus erythematosus-like syndrome.

Local reactions (for intramuscular preparation):

Local irritation at the site of injection.

ACUTE POISONING

Acute isoniazid poisoning is characterized by coma, intractable seizures, respiratory distress, metabolic acidosis, hyperglycemia, and acetoneuria.

DOSAGE AND ADMINISTRATION

(See also Indications.)

For treatment of active tuberculosis:

Isoniazid is used in conjunction with other effective antituberculous agents.

If the bacilli become resistant, therapy must be changed to agents to which the bacilli are susceptible.

Usual oral and parenteral dosage.

Adults: 5 mg./kg./day up to 300 mg. daily in single or divided doses.

Infants and children: 10-30 mg./kg./day (up to 300-500 mg. total) in single or divided doses, depending on severity of infection.

For preventive treatment:

Adults: 300 mg./day in single or divided doses.

Infants and children: 10 mg./kg./day (up to 300 mg. total) in single or divided doses.

Continuous administration of isoniazid for a sufficient period is an essential part of the regimen, because relapse rates are inversely proportional to the duration of chemotherapy.

Concomitant administration of pyridoxine (B_6) is recommended in the malnourished and in those predisposed to neuropathy (e.g., diabetics), and in adolescents.

Holders of applications approved for isoniazid are requested to submit, within 60 days following publication of this amended announcement in the FEDERAL REGISTER, supplements to their new-drug applications to provide for revised labeling in accord with the labeling section above. Such supplements should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9 (d) and (e)) which permit certain changes to be put into effect at the earliest possible time.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: September 25, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.71-14676 Filed 10-6-71; 8:46 am]

[Docket No. FDC-D-373; NADA No. 5-951V Etc.]

DR. MAYFIELD LABORATORIES ET AL.
Certain Products Containing Sulfathiazole; Notice of Opportunity for Hearing

In the FEDERAL REGISTER of August 5, 1970 (35 F.R. 12490, DESI 5951V), the Commissioner of Food and Drugs announced the conclusions of the Food and Drug Administration following evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group on the following preparations containing sulfathiazole as the designated active ingredient:

1. Dr. Mayfield Calf Scour Tablets; NADA (new animal drug application) No. 5-951V; Dr. Mayfield Laboratories, 1209 South Main Street, Charles City, Iowa 50616.
2. Dr. Mayfield Poultry Sulfa Tablets; NADA No. 5-951V; and
3. Dr. Mayfield Poultry Sulfa; NADA No. 5-951V.

The announcement invited the holder of said new animal drug application and any other interested persons to submit pertinent data on the drugs' effectiveness. No data were received in response to the announcement and available evidence fails to provide substantial evidence of effectiveness of the drugs for their recommended use in the treatment of scours in calves; for treatment of typhoid in chickens and turkeys, or for preventing spread of pullorum, typhoid, cholera, and coryza in chickens and turkeys.

Efficacy data covering the below listed products have also been reviewed by the Administration. These products are similar in composition to the previously cited products, but efficacy data were not furnished to be reviewed by the Academy as requested in the notice regarding drug effectiveness which was published in the FEDERAL REGISTER of July 9, 1966 (31 F.R. 9426), and, therefore, were not evaluated by the Academy. The above mentioned findings of the Administration regarding drug effectiveness apply equally to the following products:

1. Sulfathiazole Tablets; NADA No. 4-971V; Haver-Lockhart Laboratories, Post Office Box 676, Kansas City, Mo. 66141;
2. Duatok Sulfathiazole Sodium N.F. Soluble Powder; NADA No. 5-273V; American Cyanamid Co., Agricultural Division, Post Office Box 400, Princeton, N.J. 08540 and

3. Sulfathiazole Solution Veterinary, NADA No. 7-100V; Fleming Specialty Co., Post Office Box 2613, Charlotte, N.C. 28201.

Therefore, notice is given to the above-named firms and to any interested person who may be adversely affected that the Commissioner proposes to issue an order under the provisions of section 512(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(e)) withdrawing approval of the new animal drug applications listed above and all amendments and supplements thereto held by said firms for the listed drug products on the grounds that:

Information before the Commissioner with respect to the drugs was evaluated together with the evidence available to him when the application was approved. These data do not provide substantial evidence that the drugs have the effect they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

In accordance with the provisions of section 512 of the act (21 U.S.C. 360b), the Commissioner will give the applicants and any interested person who would be adversely affected by an order withdrawing such approval an opportunity for a hearing at which time such persons may produce evidence and arguments to show why approval of the above named new animal drug application should not be withdrawn. Promulgation of the order will cause any drug similar in composition to the above-listed drug products and recommended for similar conditions of use to be a new animal drug for which an approved new animal drug application is not in effect. Any such drug then on the market would be subject to appropriate regulatory action.

Within 30 days after publication hereof in the FEDERAL REGISTER, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or
2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing the approval of the new animal drug application.

Failure of such persons to file a written appearance of election within said 30 days will be construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process which the Commissioner finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing,

they must file a written appearance requesting the hearing and giving the reasons why approval of the new animal drug application should not be withdrawn together with a well-organized and full-factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition to this notice. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. When it clearly appears from the data in the application and from the reasons and factual analysis in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, the Commissioner will enter an order stating his findings and conclusions on such data. If a hearing is requested and is justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he shall issue a written notice of the time and place at which the hearing will commence. The time shall be not more than 90 days after the expiration of said 30 days unless the hearing examiner and the applicant otherwise agree.

Responses to this notice will be available for public inspection in the Office of the Hearing Clerk (address given above) during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under the authority delegated to the Commissioner (21 CFR 2.120).

Dated: September 27, 1971.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[FR Doc.71-14714 Filed 10-6-71; 8:49 am]

SUN CHEMICAL CORP.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 2B2723) has been filed by Sun Chemical Corp., Post Office Box 70, Chester, S.C. 29706, proposing that § 121.2526 *Components of paper and paperboards in contact with aqueous and fatty foods* (21 CFR 121.2526) be amended to provide for the additional safe use of bis(methoxy-methyl) tetrakis ((octadecyloxy) methyl) melamine resins as a water repellent employed in the manufacture of paper and paperboard intended for use in contact with fatty foods.

Dated: September 26, 1971.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.71-14675 Filed 10-6-71; 8:46 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 71-102]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR Ch. I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the Outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from August 31, 1970 to October 8, 1970 (List Nos. 21-70, 22-70 and 23-70). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and materials approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b) (35 F.R. 4954)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 and 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner canceled or suspended by proper authority.

BUOYANT APPARATUS FOR MERCHANT VESSELS

Approval No. 160.010/36/2, 4.0' x 3.0' x 0.67' buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 11-person capacity, dwg. Nos. 10-1, Rev. 4, BA-1, and BB-1 September 8, 1958, May 24, 1959, and July 30, 1965, respectively, and specification dated September 9, 1958, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, OR 97217, effective September 9, 1970. (It is an extension of Approval No. 160.010/36/2 dated October 22, 1965.)

Approval No. 160.010/49/1, 2.75' x 2.75' x 0.67' buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 7-person capacity, dwg. Nos. 8-1, Rev. 1, BA-1, and BB-1 dated July 11, 1958, May 24, 1959, and July 30, 1965 respectively and specification dated September 9, 1958, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, OR

97217, effective September 9, 1970. (It is an extension of Approval No. 160.010/49/1 dated October 22, 1965.)

Approval No. 160.010/50/1, 4.0' x 4.0' x 0.75' buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 20-person capacity, dwg. Nos. 16-1, Rev. 1, BA-1, and BB-1 dated July 11, 1958, May 24, 1959, and July 30, 1965, respectively, and specification dated September 9, 1958, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, OR 97217, effective September 9, 1970. (It is an extension of Approval No. 160.010/50/1 dated October 22, 1965.)

Approval No. 160.010/58/1, 6.0' x 4.0' x 0.75' buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 20 person capacity, dwg. Nos. 20-1, Rev. 1, BA-1, and BB-1 dated March 28, 1960, May 24, 1959, and July 30, 1965 respectively, and specification dated March 24, 1960, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, OR 97217, effective September 9, 1970. (It is an extension of Approval No. 160.010/58/1 dated October 22, 1965.)

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE), FOR MERCHANT VESSELS

Approval No. 160.017/10/3, Model 241-A/GR, Type II, embarkation-debarkation ladder, chain suspension, steel ears, steel rungs, dwg. No. 241-A/GR dated January 10, 1952, revised September 2, 1965, approval limited to ladders 61 feet or less in length, manufactured by Great Bend Manufacturing Corp., 234 Godwin Avenue, Paterson, NJ 07501, effective September 9, 1970. (It is an extension of Approval No. 160.017/10/3 dated October 12, 1965.)

LIFE RAFTS FOR MERCHANT VESSELS

Approval No. 160.018/16/0, Type "B" MK2, life raft, for other than ocean and coastwise service, 9.58' x 8.0' x 2.33', 18-person capacity, with polyurethane foamed, fibrous glass reinforced plastic tanks, identified by general arrangement dwg. No. M-99-17 dated May 6, 1959, and revised September 20, 1960, manufactured by Marine Safety Equipment Corp., foot of Wycoff Road, Farmingdale, NJ 07727, effective September 9, 1970. (It is an extension of Approval No. 160.018/16/0 dated October 18, 1965 and change of address of manufacturer.)

LINE-THROWING APPLIANCE, IMPULSE- PROJECTED ROCKET TYPE (AND EQUIP- MENT), FOR MERCHANT VESSELS

Approval No. 160.040/1/5, Model GR-52-A impulse-projected rocket-type line-throwing appliance adapted for remote firing, assembly dwgs. as per Drawing List dated March 29, 1965, this certificate extended for 1 year only, formerly Harvell-Kilgore Corp., manufactured by Kilgore Corp., Toone, Tenn. 38381, effective August 31, 1970. (It is an extension of Approval No. 160.040/1/5 dated July 8, 1965 and change of name of manufacturer.)

Approval No. 160.040/2/0, international line throwing rocket, Smith & Wesson Model-Line Launcher dwg. No.

1100 dated 11/5/69, Primer-Ejection Cartridge dwg. No. 6-0141-B dated 11/20/68, Parts List No. 6-0141-B dated 11/20/68, Operating Instructions dwg. No. 6-0195-B dated 9/15/70, Service Line Box dwg. No. 6-0192-C dated 9/14/70, Line Throwing Rocket Equipment Layout dwg. No. 6-0191-D dated 9/8/70, Parts Lists No. 6-0191-D dated 9/8/70, International Line Throwing Rocket dwg. No. 6-0190-D dated 6/19/70, Parts List No. 6-0190-D dated 6/19/70, and COMDT (MMT-3) letter dated October 7, 1970, manufactured by Smith & Wesson Pyrotechnics, Inc., Post Office Box 247, Jefferson, OH 44047, effective October 7, 1970.

JACKKNIFE (WITH CAN OPENER) FOR MERCHANT VESSELS

Approval No. 160.043/1/0, Type S702 jackknife (with can opener), dwg. No. 1160 dated August 11, 1950, manufactured by Camillus Cutlery Co., Camillus, N.Y. 13031, effective October 7, 1970. (It is an extension of Approval No. 160.043/1/0 dated January 18, 1966.)

BUOYANT VESTS, KAPOK, OR FIBROUS GLASS FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

Approval No. 160.047/628/0, Type I, Model AK-1, adult kapok buoyant vest, USCG Specification subpart 160.047, manufactured by Hunter Outdoor Products, 234 Union Street, North Adams, MA 01247, effective October 1, 1970.

Approval No. 160.047/629/0, Type I, Model CKM-1, child medium kapok buoyant vest, USCG Specification Subpart 160.047, manufactured by Hunter Outdoor Products, 234 Union Street, North Adams, MA 01247, effective October 1, 1970.

Approval No. 160.047/630/0, Type I, Model CKS-1, child small kapok buoyant vest, USCG Specification Subpart 160.047, manufactured by Hunter Outdoor Products, 234 Union Street, North Adams, MA 01247, effective October 1, 1970.

BUOYANT CUSHIONS, KAPOK, OR FIBROUS GLASS

FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

Approval No. 160.048/257/0, group approval for rectangular and trapezoidal kapok buoyant cushions, USCG Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4(c) (1) (i), manufactured by Hunter Outdoor Products, 234 Union Street, North Adams, MA 01247, effective October 1, 1970.

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

APPROVED FOR USE ON MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSEN- GERS FOR HIRE

Approval No. 160.049/4/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, USCG Specification Subpart 160.049, sizes to be as per Table 160.049-4 (c) (1), manufactured by Iowa Fibro

Products, Inc., 2425 Dean Avenue, Des Moines, IA 50317, effective October 8, 1970. (It is an extension of Approval No. 160.049/4/0 dated December 20, 1965.)

Approval No. 160.049/9/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, USCG Specification Subpart 160.049, sizes to be as per Table 160.149-4 (c) (1), manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, IA 50317, for Hawkeye Sporting Goods Co., Post Office Box 613, Des Moines, IA 50303, effective October 8, 1970. (It is an extension of Approval No. 160.049/9/0 dated December 20, 1965.)

Approval No. 160.049/38/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, USCG Specification Subpart 160.049, sizes to be as per Table 160.049-4 (c) (1), manufactured by See Bentz & Sons, 111 Fifth Street, Watertown, WI 53094, effective September 10, 1970. (It is an extension of Approval No. 160.049/38/0 dated October 22, 1965.)

INFLATABLE LIFE RAFTS

Approval No. 160.051/28/3, 15-person inflatable life raft, identified by general arrangement dwg. PE-E-1047, revision N dated September 2, 1970, and specification, revision I dated September 2, 1970, manufactured by Uniroyal, Inc., Plastic Products Division, Providence, R.I. 02901, effective September 29, 1970. (It supercedes Approval No. 160.051/28/2 dated August 3, 1970 to show specification revision.)

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM

FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

Approval No. 160.052/260/0, Type II, Model No. AU, adult unicellular plastic foam buoyant vest, dwg. Nos. 16 and 17, Rev. 1 dated June 24, 1963, and Bill of Materials dated October 22, 1965, manufactured by Milco Products Corp., 139 Emerson Place, Brooklyn, NY 11205, effective September 14, 1970. (It is an extension of Approval No. 160.052/260/0 dated November 10, 1965.)

Approval No. 160.052/261/0, Type II, Model No. CUM, child medium unicellular plastic foam buoyant vest, dwg. Nos. 16 and 18, Rev. 1 dated June 24, 1963, and Bill of Materials dated October 22, 1965, manufactured by Milco Products Corp., 139 Emerson Place, Brooklyn, NY 11205, effective September 14, 1970. (It is an extension of Approval No. 160.052/261/0 dated November 10, 1965.)

Approval No. 160.052/262/0, Type II, Model No. CUS, child small unicellular plastic foam buoyant vest, dwg. Nos. 16 and 19, Rev. 1 dated June 24, 1963, and Bill of Materials dated October 22, 1965, manufactured by Milco Products Corp., 139 Emerson Place, Brooklyn, NY 11205, effective September 14, 1970. (It is an extension of Approval No. 160.052/262/0 dated November 10, 1965.)

FISHING TACKLE, KITS, EMERGENCY, FOR MERCHANT VESSELS

Approval No. 160.061/3/0, Model VB-102 emergency fishing tackle kit, con-

tainer and packing dwg. No. VB-102 dated December 22, 1965, and list of contents dated December 19, 1965, manufactured by Van Brode Milling Co., Inc., Clinton, Mass. 01510, effective October 8, 1970. (It is an extension of Approval No. 160.061/3/0 dated December 28, 1965.)

TELEPHONE SYSTEMS, SOUND-POWERED

Approval No. 161.005/52/0, sound-powered telephone station, selective ringing, common talking, 19 stations maximum, bulkhead mounting, splashproof, with a separately mounted 4", 6", 8", or 10" bell or cow gong bell, Model SE, dwg. No. 51, Alt. 0 dated April 1957, for use in locations not exposed to the weather, manufactured by Hose-McCann Telephone Co., Inc., 25th Street and Third Avenue, Brooklyn, NY 11201, effective October 5, 1970. (It is an extension of Approval No. 161.005/52/0 dated December 9, 1965.)

Approval No. 161.005/53/1, sound-powered telephone station, selective ringing, common talking, 19 stations maximum, bulkhead mounting, splashproof, with a separately mounted 4", 6", 8", or 10" bell or cow gong bell, with relay to operate externally powered audible signal, Model SER, dwg. No. 52, Alt. 1 dated May 24, 1965, for use in locations not exposed to the weather, manufactured by Hose-McCann Telephone Co., Inc., 25th Street and Third Avenue, Brooklyn, NY 11201, effective October 5, 1970. (It is an extension of Approval No. 161.005/53/1 dated December 9, 1965.)

SAFETY VALVES (POWER BOILERS)

Approval No. 162.001/137/1, Style HNA-MS-55 carbon steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 150° p.s.i. primary service pressure rating, 650° F. maximum temperature, dwg. No. HV-25-MS issued June 3, 1950, and dwg. No. D-28167 issued March 11, 1947, approved for sizes 1½", 2", 3", and 4", manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective October 5, 1970. (It is an extension of Approval No. 162.001/137/1 dated December 9, 1965.)

Approval No. 162.001/138/1, Style HNA-MS-56 carbon steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 1500 p.s.i. primary service pressure rating, 750° F. maximum temperature, dwg. No. HV-25-MS issued June 3, 1950, and dwg. No. D-28167 issued March 11, 1947, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective October 5, 1970. (It is an extension of Approval No. 162.001/138/1 dated December 9, 1965.)

Approval No. 162.001/139/1, Style HNA-MS-57 alloy steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 1500 p.s.i. primary service pressure rating, 900° F. maximum temperature, dwg. No. HV-26-MS, issued June 5, 1950, and dwg. No. D-28167 issued March 11, 1947, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective

October 5, 1970. (It is an extension of Approval No. 162.001/139/1 dated December 9, 1965.)

Approval No. 162.001/140/1, Style HNA-MS-58 alloy steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 1500 p.s.i. primary service pressure rating, 1,000° F. maximum temperature, dwg. No. HV-26-MS, issued June 5, 1950, and dwg. No. D-28167 issued March 11, 1947, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective October 5, 1970. (It is an extension of Approval No. 162.001/140/1 dated December 9, 1965.)

RELIEF VALVES (HOT WATER HEATING BOILERS)

Approval No. 162.013/4/2, Type No. 175 relief valve for hot water heating boilers, relieving capacity 175,000 B.t.u. per hour at a maximum set pressure of 30 p.s.i., dwg. No. VWROOT-0304B dated April 30, 1964, approved for three-fourths of an inch inlet size, fail safe disc added to subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/4/2 dated December 10, 1965.)

Approval No. 162.013/5/2, Type No. 250 relief valve for hot water heating boilers, relieving capacity 250,000 B.t.u. per hour at a maximum set pressure of 30 p.s.i., dwg. No. VWROOT-0304B dated April 30, 1964, approved for three-fourths of an inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/5/2 dated December 10, 1965.)

Approval No. 162.013/17/2, Type No. 175-15 relief valve for hot water heating boilers, relieving capacity 150,000 B.t.u. per hour at a maximum set pressure of 15 p.s.i., dwg. No. VWROOT-0304A dated April 30, 1964, approved for three-fourth inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/17/2 dated December 10, 1965.)

Approval No. 162.013/18/2, Type No. 1050 relief valve for hot water heating boilers, relieving capacity 1,050,000 B.t.u. per hour at a maximum set pressure of 30 p.s.i., dwg. No. VWROOT-0505B dated April 30, 1964, approved for 1¼-inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/18/2 dated December 10, 1965.)

Approval No. 162.013/21/1, Type No. 250-15 relief valve for hot water heating boilers, relieving capacity 200,000 B.t.u. per hour at a maximum set pressure of 15 p.s.i., dwg. No. VWROOT-0304A dated April 30, 1964, approved for three-fourth inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North

Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/21/1 dated December 10, 1965.)

Approval No. 162.013/22/1, Type No. 350-15 relief valve for hot water heating boilers, relieving capacity 220,000 B.t.u. per hour at a maximum set pressure of 15 p.s.i., dwg. No. VWRO4T-0304A dated April 30, 1964, approved for three-fourth inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/22/1 dated December 10, 1965.)

Approval No. 162.013/23/1, Type No. 350 relief valve for hot water heating boilers, relieving capacity 350,000 B.t.u. per hour at a maximum set pressure of 30 p.s.i., dwg. No. VWRO4T-0304B dated April 30, 1964, approved for three-fourth inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/23/1 dated December 10, 1965.)

Approval No. 162.013/24/1, Type No. 480-15 relief valve for hot water heating boilers, relieving capacity 300,000 B.t.u. per hour at a maximum set pressure of 15 p.s.i., dwg. No. VWRO5T-0304A dated April 30, 1964, approved for three-fourth inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/24/1 dated December 10, 1965.)

Approval No. 162.013/25/1, Type No. 480 relief valve for hot water heating boilers, relieving capacity 480,000 B.t.u. per hour at a maximum set pressure of 30 p.s.i., dwg. No. VWRO5T-0304B dated April 30, 1964, approved for three-fourth inch inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/25/1 dated December 10, 1965.)

Approval No. 162.013/26/1, Type No. 750-15 relief valve for hot water heating boilers, relieving capacity 500,000 B.t.u. per hour at a maximum set pressure of 15 p.s.i., dwg. No. VWROOT-0405A dated April 30, 1964, approved for 1" inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/26/1 dated December 10, 1965.)

Approval No. 162.013/27/1, Type No. 750 relief valve for hot water heating boilers, relieving capacity 750,000 B.t.u. per hour at a maximum set pressure of 30 p.s.i., dwg. No. VWROOT-0405B dated April 30, 1964, for 1" inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/27/1 dated December 10, 1965.)

Approval No. 162.013/28/1, Type No. 1050-15 relief valve for hot water heating boilers, relieving capacity 650,000 B.t.u. per hour at a maximum set pressure of 15 p.s.i., dwg. No. VWROOT-0505A dated April 30, 1964, approved for 1 1/4" inlet size, fail safe disc added to diaphragm subassembly, manufactured by Bell & Gossett Co., 8200 North Austin Avenue, Morton Grove, IL 60053, effective October 6, 1970. (It is an extension of Approval No. 162.013/28/1 dated December 10, 1965.)

FLAME ARRESTERS FOR TANK VESSELS

Approval No. 162.016/6/3, Figure No. 94300 flame arrester, cast iron or aluminum body, and aluminum, copper, or stainless steel tube bank, dwg. No. ST-10616 dated August 28, 1956, approved for 3", 4", 6", 8", and 12" sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by GPE Controls, Inc., Singer, 6511 Oakton Street, Morton Grove, IL 60053, effective September 15, 1970. (It supersedes Approval No. 162.016/6/2 dated January 9, 1969 to show approval of 12" size.)

PRESSURE VACUUM RELIEF VALVES AND SPILL VALVES FOR TANK VESSELS

Approval No. 162.017/67/3, Figure No. 130 pressure vacuum relief valve, enclosed pattern, weight loaded poppets, bronze, nickel, cast iron or corrosion-resistant alloy steel body, dwg. No. 130-A, Rev. 6 dated July 27, 1959, approved for sizes 3", 4", 5", 6", and 8", manufactured by Mechanical Marine Co., Inc., 45-15 37th Street, Long Island City, NY 11105, effective September 15, 1970. (It is an extension of Approval No. 162.017/67/3 dated November 10, 1965.)

Approval No. 162.017/84/0, Model MV-250 pressure-vacuum relief valve, enclosed pattern, screwed inlet, weight loaded discs, all bronze construction, dwg. No. MV-250A dated April 18, 1960, approved for 2 1/2" pipe size, manufactured by The Staytite Co., 3606-12 Polk Avenue, Houston, TX 77003, effective September 28, 1970. (It is an extension of Approval No. 162.017/84/0 dated October 11, 1965.)

SAFETY RELIEF VALVES, LIQUEFIED COMPRESSED GAS

Approval No. 162.018/58/0, Style JO-24 safety relief valve for liquefied petroleum gas and anhydrous ammonia service, full nozzle type, metal-to-metal seat, minimum allowable temperature -75° F., approved for inlet diameters of 1 inch through 6 inches, maximum set pressure of 275 p.s.i.g. for orifices D, E, F, G, H, J, K, L, M, N, P; 165 p.s.i.g. for orifices Q and S; 100 p.s.i.g. for orifice R, manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective September 23, 1970. (It is an extension of Approval No. 162.018/58/0 dated October 22, 1965.)

Approval No. 162.018/64/1, S & J Model X96410 pilot operated safety relief valves, 2" and 6" sizes for liquefied compressed gas service. Approved for a maximum set pressure of 20 p.s.i.g. and for temperatures not less than -260° F., manufactured by GPE Controls, Inc., 6511 West

Oakton Street, Morton Grove, IL 60053, effective September 15, 1970. (It supersedes Approval No. 162.018/64/0 dated January 9, 1969 to show approval of 2" size and material change for bellows gaskets and diaphragm.)

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/1/0, Volvo-Penta model No. 886437 flame arrester; backfire flame control for gasoline engines, Volvo-Penta assembly dwg. No. 886437 dated February 18, 1965, manufactured by Chrysler Corp., Marine Division, Post Office Box 1, Marysville, MI 48040, effective September 28, 1970. (It is an extension of Approval No. 162.041/1/0 dated November 17, 1965.)

Approval No. 162.041/16/0, Onan 145B354 flame arrester, backfire flame control for gasoline engines, with the following major components: Flame Arrester Tube Assembly, Resonator, Adapter, Flame Arrester Disc Assembly, *Gasket-Carburetor Air Horn 140A855, *Gasket-Carburetor to Air Cleaner 145A11, *Spacer-Resonator Adaptor 140A856, *to be used only in conjunction with Onan MAJ generator sets, manufactured by Onan, Division of Studebaker Industries, Inc., 2515 University Avenue Southeast, Minneapolis, MN 55414, effective October 5, 1970. (It is an extension of Approval No. 162.041/16/0 dated December 14, 1965.)

DECK COVERINGS FOR MERCHANT VESSELS

Approval No. 164.006/40/0, "Hill Brothers C G Base Coat" and "C G Red Top", magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG10210-1787: FP3069 dated August 30, 1951, approved for use without other insulating material to meet Class A-60 requirements in a 1 1/2" thickness, manufactured by Hill Brothers Chemical Co., 2159 Bay Street, Los Angeles, CA 90021, effective September 18, 1970. (It reinstates and supersedes Approval No. 164.006/40/0 terminated December 7, 1966.)

INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

Approval No. 164.009/141/0, "Incombustible Hullboard SG", aluminum foil faced fibrous glass type, incombustible material identical to that described in National Bureau of Standards Test Report No. TG-10210-2188: FR 3705 dated September 11, 1968, and Johns-Manville Sales Corp. letters dated July 9, 1968 and July 15, 1968, approved in a nominal density of 3 pounds per cubic foot, 1" through 2" thickness, Plant: Richmond, Ind., manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York, NY 10016, effective September 16, 1970.

Dated: September 24, 1971.

G. H. READ,
Captain, U.S. Coast Guard, Acting
Chief, Office of Merchant
Marine Safety.

[FR Doc.71-14702 Filed 10-6-71;8:49 am]

National Transportation Safety Board

[Docket No. SA-429]

**AIRCRAFT ACCIDENT NEAR JUNEAU,
ALASKA****Investigation of Accident; Notice of
Hearing**

In the matter of investigation of accident involving Alaska Airlines, Inc., Boeing 727 of U.S. Registry N2969G, near Juneau, Alaska, September 4, 1971, Docket No. SA-429.

Notice is hereby given that an Accident Investigation Hearing on the above matter will be held commencing at 9:30 a.m., (local time) on October 20, 1971, at the Baranof Hotel, Juneau, Alaska.

Dated this 1st day of October 1971.

[SEAL] WILLIAM R. HENDRICKS,
Senior Hearing Officer.

[FR Doc.71-14711 Filed 10-6-71;8:49 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-254]

**COMMONWEALTH EDISON CO. AND
IOWA-ILLINOIS GAS AND ELECTRIC
CO.****Notice of Issuance of Facility
Operating License**

Notice is hereby given that no request for a hearing by the applicant or petition for leave to intervene by any interested person having been filed following publication of the Notice of AEC Consideration of Issuance of Facility Operating Licenses in the FEDERAL REGISTER on March 16, 1971, 36 F.R. 5008, the Atomic Energy Commission (the Commission) has issued Facility Operating License No. DPR-29 to Commonwealth Edison Co. (Commonwealth Edison) and Iowa-Illinois Gas and Electric Co. (Iowa-Illinois) authorizing Commonwealth Edison and Iowa-Illinois to own, as their interests appear in the application, and Commonwealth Edison, acting for itself and as agent for Iowa-Illinois to possess, use, and operate the Quad-Cities Nuclear Power Station Unit 1, a single cycle, boiling water reactor on Commonwealth Edison's site in Rock Island County, Ill. The reactor is designed for operation at steady state power levels up to 2511 megawatts (thermal), but operation, in accordance with the provisions of Facility Operating License No. DPR-29 and its Technical Specifications, is restricted to power levels not to exceed 25 megawatts (thermal), primary system temperatures not to exceed 225° F., and primary system pressures not to exceed 1000 p.s.i.g. to permit fuel loading and low-power startup testing.

The Commission has inspected the facility and has determined that it has been constructed in accordance with the application, as amended, and the provisions of Provisional Construction Permit No. CFP-23. The licensee has submitted proof of financial protection

in satisfaction of the requirements of 10 CFR Part 140.

The Director of Regulation has made the findings set forth in the license, and has concluded that the application for construction permit and facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Chapter 1, that the issuance of the license to permit fuel loading and low-power testing will not have a significant adverse impact on the quality of the environment, and will not be inimical to the common defense and security or to the health and safety of the public.

For further information concerning this license, see copies of (1) Facility Operating License No. DPR-29, and appended Technical Specifications, (2) the Division of Reactor Licensing's Safety Evaluation for the Quad-Cities Station Units 1 and 2, dated August 25, 1971, (3) the report of the Advisory Committee on Reactor Safeguards on the Quad-Cities Station Units 1 and 2, dated March 9, 1971, and (4) the Discussion and Findings pursuant to Appendix D to 10 CFR Part 50 Supporting the Issuance of an Operating License Authorizing the Loading of Fuel and Operation Not in Excess of 25 Mwt. Copies of these documents may be obtained upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 1st day of October 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[FR Doc.71-14764 Filed 10-6-71;8:51 am]

CIVIL AERONAUTICS BOARD

[Docket No. 9977]

AIRLINES MUTUAL AID PACT**Notice of Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on November 1, 1971, at 10 a.m., local time, in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., October 1, 1971.

[SEAL] ARTHUR S. PRESENT,
Hearing Examiner.

[FR Doc.71-14720 Filed 10-6-71;8:50 am]

[Docket No. 23629; Order 71-10-8]

AIRPORT SECURITY COUNCIL ET AL.**Order Approving Agreement Regarding
Cargo Security at Metropolitan
New York Airports**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of October 1971.

By Order 71-8-15, August 3, 1971 (Docket 23629), the Board approved an application, filed by the Airport Security Council (ASC), on behalf of the air carriers, foreign and domestic, serving the three metropolitan New York airports (John F. Kennedy International Airport, La Guardia Airport, and Newark Airport), to conduct multicarrier discussions to reach agreement on procedures to be followed to alleviate air cargo handling, traffic, and storage problems which are expected to occur at the aforementioned airports in the event a dock strike affecting New York waterports takes place on October 1, 1971.

Discussions were held pursuant to Order 71-8-15 on August 17 and 31, 1971, and, on September 9, 1971, there was filed with the Board, pursuant to section 412 of the Federal Aviation Act of 1958, as amended (the Act), an agreement (Agreement CAB 22706, Docket 23629), adopted by the discussants, setting forth the guidelines to be followed by airlines at the metropolitan New York airports in the event of such a strike.

The agreement (a memorandum of understanding set forth below) deals primarily in the areas of cargo traffic acceptance procedures, customs and storage facilities and cargo routing. The guidelines include: (1) Controlled acceptance and/or rerouting of articles of extraordinary value, restricted items and perishables when emergency is imminent; (2) controlled acceptance and/or rerouting of general cargo before a terminal becomes incapable of coping with the emergency; (3) control of cargo flow from inland cities to gateway airports and liaison between gateways and other stations to avoid directing cargo to New York airports which such airports would not be able to handle; (4) exchange of information between carriers concerning cargo capacity availability so that carriers backlogged can divert excess freight to carriers having available capacity; (5) avoidance of the use of New York airports for transshipment to other countries; (6) routing of imports destined for inland points on direct flights to interior points rather than through gateway points; (7) removal of import merchandise released by Customs, and other cargo, at the carrier's option to a public warehouse or other storage at the expense of the owner of the merchandise or his agent if

* In both (1) and (2) if a shipment cannot be carried immediately, a new date or time of acceptance will be assigned.

not removed from the carrier's premises by the expiration of the free-time allowance.

In addition to the foregoing matters, the Board has noted in the review of documentation attendant to the agreement that U.S. Customs will implement special procedures in the event of a dock strike which will include (1) extending working hours and days, (2) staffing of off-airport customs inspection facilities and (3) providing for the transfer of unit and aircraft loads to recognized container stations and approved off-airport locations to alleviate warehousing problems.

No comments relative to the agreement or requests for a hearing have been received.

On October 1, 1971, a dock strike commenced, which may or may not continue. This could, without adequate planning and preparation by the air carriers serving the metropolitan New York airports, cause the cargo inundation of such airports, resulting in substantial security, handling, storage and traffic problems. The guidelines are basically designed to: (1) Prevent the flooding of any of the airports in question with enormous amounts of cargo and thus the deterioration of cargo services and handling at such airports; and (2) insure adequate cargo customs and storage facilities and cargo security. The agreement (or memorandum of understanding) encompasses procedures which the carriers, assuming conformance with applicable tariff and regulatory requirements, could individually invoke in light of the emergency situation which may arise as a result of the dock strike. Board approval of the memorandum will, however, permit the carriers to cooperate in joint efforts in a manner which will maximize the facilitation of the movement of cargo and resolution of the problem created, and will enable them to participate in intercarrier discussions and exchange of information in furtherance of that process. Accordingly, the Board finds that the public interest warrants the approval of the agreement (memorandum) for that purpose, subject, however, to the restrictions set forth below. We wish to make it clear, however, that our approval will not relieve the carriers from the requirement of bringing their tariffs into conformity with any procedures adopted, to the extent that provisions are not presently contained therein, or conforming to other applicable regulatory requirements such as embargo notices, etc.

The instant circumstances are similar to those which caused the Board to approve multicarrier discussions and agreements relating to passenger congestion at the International Arrivals Building and the North Passenger Terminal complex at JFK.³ Although, in the present case the carriers and the Board are concerned with the proper handling of cargo rather than passengers, it appears that the impending dock strike has circumstances similar to those mentioned above

³ Cf., Order 71-1-55, Jan. 12, 1971, Docket 20051, and Order 71-5-69, May 14, 1971, Docket 23385.

and presents an extraordinary situation which warrants the affected carriers' collective consideration and prompt Board approval of the instant agreement.

The Board recognizes the general nature of the guidelines contained in the agreement and that the parties have not set forth in detail exactly how each guideline will be implemented. Thus, it is obvious that the carriers will have considerable latitude in implementing such guidelines. Nevertheless, the Board expects the parties to the agreement to extend fair and equal treatment to all shippers regardless of size and to accept cargo, in accordance with the terms of the subject guidelines, on a first-come first-served basis irrespective of the identity of the shipper or any prior business dealings the shipper might have conducted with the carrier.³

The administration of the guidelines contained in the instant agreement will be left to the discretion of the parties involved: *Provided, however, That such guidelines are applied to only those cargo handling problems which will arise at the three metropolitan New York airports in the event of a dock strike in the metropolitan New York area, and cargo traffic acceptance, customs inspection and storage procedures necessary to deal with such problems. Furthermore, we will require that any amendments to the instant agreement be filed with the Board for approval under section 412 of the Act. In addition, the Board will continue in effect those conditions pertaining to any further discussions held pursuant to Order 71-8-15 concerning review and amendment of the agreement. In consideration of the foregoing it is not found that Agreement CAB 22706 is adverse to the public interest or in violation of the Act.*

Accordingly, it is ordered, That:

1. Agreement CAB 22706 among members of the Airport Security Council and other air carriers and foreign air carriers providing air transportation from or to John F. Kennedy International Airport, La Guardia Airport and Newark Airport be and hereby is approved;

2. Any amendments to Agreement CAB 22706 are to be filed in Docket 23629 with the Board for prior approval under section 412 of the Act;

3. Agreement CAB 22706 and its provisions, described herein, shall be limited to those cargo handling problems which are expected to arise at the three metropolitan New York airports as a result of the dock strike in the metropolitan New York area, and cargo traffic acceptance, customs, and storage procedures necessary to deal with such problems;

4. All parties to Agreement CAB 22706 conducting operations pursuant to the guidelines set forth in such agreement shall continue strict adherence to those provisions of sections 404 and 411 of the

³ The Board will condition its approval to require specific adherence by the parties to the agreement to those provisions of the act prohibiting discrimination or unfair or deceptive practices.

⁴ We note that conformance with such guidelines will be on a voluntary basis.

Act prohibiting unjust discrimination and unfair or deceptive practices, respectively;

5. The approval granted herein shall expire 15 days after the date of termination of the dock strike, or 15 days after the termination of any resumption thereof which occurs prior to January 31, 1972; in addition this order may be earlier revoked or amended at any time at the discretion of the Board;

6. The Board shall retain jurisdiction over the agreement to take such further action at any time without a hearing as it may deem appropriate; and

7. A copy of this order shall be served upon the Airport Security Council; the Departments of the Treasury, Transportation, and Justice; the Bureau of Customs; the Federal Aviation Administration; the Port of New York Authority; and the American Importers Association.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board,

[SEAL]

HARRY J. ZINK,
Secretary.

MEMORANDUM SETTING FORTH OPTIONAL GUIDELINES ON ACTION TO BE TAKEN BY AIRLINES AT METROPOLITAN NEW YORK AIRPORTS IN EVENT OF A NEW YORK WATERPORT STRIKE

I. AGREEMENT RE PROSPECTIVE CRISIS

The attendees agreed that, in the event of a waterport strike upon the expiration of the current collective bargaining agreement on September 30, 1971, ocean cargo diverted to the airlines would create a cargo crisis at metropolitan New York airports. This type of crisis could develop before, at any time during, or even immediately following a strike by the labor organization operating in the waterport.

II. COURSE OF ACTION RECOMMENDED

The conferees concluded that a state of emergency will have arrived when the cargo flow volume through the facilities of an airline exceeds its capacity to store and process this cargo. The emergency should be declared before a positive cargo glut has occurred, to avoid a breakdown in cargo flow and handling procedures.

It was also agreed that there is an urgent need for guidelines on action to be taken by the airlines at metropolitan New York airports in case of an emergency of this nature.

On the basis of the findings at this meeting, we are setting forth the following guidelines, asking the Civil Aeronautics Board for approval of Points III through IX hereof, when a state of emergency arises:

III. ACCEPTANCE OF CARGO

Articles of extraordinary value and restricted items. A system of controlled acceptance and/or rerouting will be applied without discrimination to articles of extraordinary value and restricted items, when emergency is imminent. Controlled acceptance will include action up to designating a specific reservation of airplane space and designation of a specific period prior to flight departure, when cargo will be accepted for air carriage. When a shipment cannot be accepted immediately, a time of acceptance will be assigned.

Perishables. During the emergency period, perishable shipments may be accepted only

where confirmed booking to point of destination is established and preferably only on direct flights.

General cargo. A system of controlled acceptance and/or rerouting of general cargo will be applied without discrimination to general cargo, before the terminal becomes incapable of coping with the emergency. Controlled acceptance will include action up to designating a specific reservation of airplane space and designation of a specific period prior to flight departure when cargo will be accepted for air carriage. When a shipment cannot be accepted immediately, a time of acceptance will be assigned.

In fulfillment of these policies, only such quantities as can be reasonably carried on available capacity for a particular day will be accepted.

Only freight which has been booked in advance will be accepted.

Only freight which is ready, as far as documentation is concerned, to be placed on-board an aircraft, or accompanied by the necessary Shipper's Letter of Instructions and shipper's export declarations and/or export licenses will be accepted.

IV. CONTROL OF CARGO FLOW

Categories of traffic affected by security considerations will include export, import and domestic cargo. Capability of acceptance and interchange of cargo between international and domestic carriers will affect all categories of cargo.

Airlines will notify their district offices, sales representatives, and customers that, during the dock strike, once cargo flow has begun to tax airline facilities to the point where security hazards are imminent, international shipments must have international space reserved before acceptance at origin. The procedure will enable domestic carriers to accept international shipments with the assurance that, upon arrival at the gateway, international carriers will accept the cargo.

Domestic carriers will have considerable problems with domestic shipments from freight forwarders, consigned to a freight forwarder at a gateway care of an international airline, unless international space is already reserved.

When such freight is offered at an inland point, domestic carrier should check with its office at the gateway destination, to determine whether the international carrier will accept the freight, where no reservation is indicated.

V. LIAISON BETWEEN GATEWAY AND OTHER STATIONS

When domestic cargo transiting the New York airports accumulates in proportions sufficient to constitute a security problem, domestic carriers should coordinate closely with other stations, to assure that such stations avoid directing cargo into New York which New York is unable to handle.

VI. EXCHANGE OF INFORMATION CONCERNING CARGO CAPACITY AVAILABLE

In order to assure that maximum use is made of available aircraft space, international carriers should work out some system whereby they notify each other of excess capacity, if any, so that carriers backlogged can divert excess freight to carriers having available capacity.

VII. AVOIDANCE OF USE OF U.S. AIRPORTS FOR TRANSSHIPMENT TO OTHER COUNTRIES

All carriers should instruct overseas offices not to use U.S. airports for transshipments to foreign countries, as far as possible, in order to relieve congestion at U.S. airports.

VIII. IMPORTS FOR INLAND POINTS

Imports for inland points in the United States should, preferably, be routed on direct

flights to interior points, rather than the gateway points on the eastern and western seaboard and gulf coasts, in order to avoid unnecessary congestion at these gateway points.

IX. REMOVAL OF MERCHANDISE FROM TERMINAL FACILITIES FOR STORAGE UPON EXPIRATION OF FREE STORAGE TIME

Import merchandise released by Customs, but not removed from carriers' premises by the expiration of free time as defined by Customs regulations and IATA rules, as applied in ordinary business practice may, at the carrier's option be removed to a public warehouse or other secure storage, at the expense of the owner of the merchandise, or his agent.

Import merchandise for which a Customs entry has not been filed at the expiration of the lay order period stated in Customs regulations will be removed to the designated general order warehouse at the expense of the owner of the merchandise, or his agent.

All other cargo not removed from carriers' premises by expiration of free time published in carrier's tariff, may, at carrier's option, be removed to a public warehouse or other secure storage, at the expense of the owner of the merchandise, or his agent.

[FR Doc.71-14726 Filed 10-6-71;8:51 am]

[Docket No. 23862, etc.]

GROUP FARE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on October 21, 1971, at 10 a.m., local time in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Thomas P. Sheehan.

In order to facilitate the conduct of the conference interested parties are instructed to submit to the Examiner and other parties on or before October 14, 1971, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., October 1, 1971.

[SEAL] RALPH L. WISER,
Chief Examiner.

[FR Doc.71-14722 Filed 10-6-71;8:50 am]

[Docket No. 23538]

IMPERIAL AIR FREIGHT SERVICE, INC.

Notice of Hearing Regarding Increased Excess Value Charges

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on November 2, 1971, at 10 a.m., e.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the Prehearing Conference Report and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., October 1, 1971.

[SEAL] RICHARD M. HARTSOCK,
Hearing Examiner.

[FR Doc.71-14721 Filed 10-6-71;8:50 am]

[Docket No. 22628; Order 71-9-121]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fares

Issued under delegated authority September 30, 1971.

Agreement adopted by Joint Conference 1-2-3 of the International Air Transport Association relating to fare matters; Docket 22628, Agreement CAB 22687.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1-2-3 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB agreement number.

The agreement would amend an existing resolution governing mixed class aircraft by permitting Air Afrique to reconfigure Caravelle II R aircraft so as to result in the placement of the first class compartment between economy or tourist class compartments.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that Resolution JT123 (Mall 671)060a, which is incorporated in Agreement CAB 22687, is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Action on Agreement CAB 22687 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-14724 Filed 10-6-71;8:51 am]

[Docket No. 22628; Order 71-9-126]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fares

Issued under delegated authority September 30, 1971.

Agreement adopted by Joint Conference 2-3 of the International Air Transport Association relating to fare matters; Docket 22628, Agreement CAB 22657.

By Order 71-9-4, dated September 1, 1971, action was deferred, with a view

toward eventual approval, on a resolution incorporated in an agreement adopted by Joint Conference 2-3 of the International Air Transport Association (IATA). The agreement would have the effect of liberalizing requirements relating to sleeping accommodations provided in conjunction with group inclusive tour travel from the Far East to points in Europe/Africa/Middle East.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period, and the tentative conclusions in Order 71-9-4 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 22657 be and hereby is approved.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-14725 Filed 10-6-71;8:51 am]

[Docket No. 23333; Order 71-9-124]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of September 1971.

Agreement adopted by the Traffic Conference of the International Air Transport Association relating to cargo rate matters, Docket No. 23333, Agreement CAB 22460.¹

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement among various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA), and adopted at the worldwide cargo rate conference held in Singapore May-June 1971.

The agreement, insofar as it would apply in air transportation as defined by the Act, embraces cargo rate resolutions to apply on Latin American routes to/from the United States from October 1, 1971, through September 30, 1972; on South Pacific routes to/from the United States as well as on mid-Atlantic routes to/from Puerto Rico and the U.S. Virgin Islands, from October 1, 1971, through September 30, 1973; and within the Eastern Hemisphere to and from Guam, Okinawa, and American Samoa, for a 2-year period beginning October 1,

1971.² The principal elements of the agreement, which generally speaking provides for selective rate increases, are described below.

With respect to general cargo rate structures, a comparison of present versus proposed rates in selected markets is set forth in Appendix A.³ Southbound rates from the United States to points in South America would generally remain at status quo.⁴ However, the carriers have agreed to increase general cargo rates for traffic moving in the northbound direction by about 10 percent. Rates to/from the Caribbean would be increased by a range of 5 to 10 percent and by roughly 5 percent between the United States and Mexico/Venezuela. On mid-Atlantic routes where the Board's primary interest extends to rates applicable to/from the Commonwealth of Puerto Rico and the United States Virgin Islands, general cargo rates would be increased by approximately 3 percent, and the 200-kilogram weightbreak would be eliminated, effecting an increase of about 22 percent for shipments now meeting this weight requirement. The 200-kilogram weightbreak would also be deleted within the general cargo rate scale applicable on South Pacific routes to/from the U.S. west coast, effecting increases up to 7 percent; west coast-Auckland rates would be reduced slightly at weightbreaks of 100 kilograms and above. Within the Eastern Hemisphere, general cargo rates to/from Pacific U.S. territories remain essentially at status quo.

Specific commodity rates within the Western Hemisphere would generally be increased selectively by market by an average of 5 percent, rates currently bearing minimum weight requirements of 45 kilograms would be canceled or the minimum weight requirement increased to 100 kilograms, and specific commodity rates which are allegedly unproductive would be canceled. On South Pacific routes, the carriers have adopted selective increases, decreases, and cancellations within the specific commodity rate structure.

Minimum charges generally would be increased in all geographic areas of air transportation covered by the agreements. Within the Western Hemisphere, minimum charges are proposed at levels \$3 higher than at present, except in United States-Mexico markets where increases in minimum charges to/from Los Angeles would vary by between \$2 and \$5. On mid-Atlantic routes involving San Juan, minimum charges would remain at status quo, except that traffic from San Juan to Tel Aviv would be subject to an increase of \$4 (from \$18 to \$22),

² Rate agreements for application on North Atlantic and North/Central Pacific routes to/from the United States were not reached.

³ Appendices A, B, C, and D filed as part of the original document.

⁴ Southbound rates to Panama and countries on the mainland of South America (excluding Venezuela) were previously increased over the levels agreed at the last IATA cargo conference, and approved by the Board in Order 70-12-87 of Dec. 15, 1970.

and a \$2 increase (from \$17 to \$19) is proposed for traffic moving to San Juan from certain points in the Middle East. An increase of \$3, from \$12 to \$15, would apply in the case of shipments moving between points in the South Pacific and points in Hawaii or on the U.S. west coast, and charges to/from other U.S. points would be raised from \$16 to \$20, except to and from San Juan where the increase is from \$18 to \$20 and to/from Alaska where a slight decrease from \$16 to \$15 was agreed.⁵

Resolutions governing the unitization of freight would be amended so as to have the effect of expanding from 17 to 22 the number of standard nonaircraft unit load devices which would qualify for discounts and tare weight allowances where such are owned by shippers. These 22 sizes are set forth in Appendix B,⁶ where it is also noted that standard size Nos. 12 through 22 will be phased out by December 31, 1972. To the extent that the formula upon which discounts are based has not been altered, no substantive change in rating concept has occurred, neither have the carriers made substantive changes in provisions relating to carrier-owned, nonaircraft unit load devices, which will continue to receive a tare allowance but no discount.

With respect to the bulk unitization of freight in aircraft unit load devices, the carriers have adopted a list of 11 standard sizes which may be used for rating purposes⁷ by the individual traffic conferences of IATA, and this list is reflected in Appendix C.⁸ Within the Western Hemisphere, the present six sizes of unit load devices were essentially retained, and these are now designated as standard sizes 3, 4, 5, 7, 8, and 9.⁹ Pivot weights remain at status quo. However, all currently available rates between Los Angeles and various Central/South American and Caribbean points have been canceled, and although several rates would continue to apply only to/from Miami/New York, many markets have

⁵ For shipments moving via the Atlantic between the United States and the Far East/Australasia, minimum charges would be increased as follows:

(a) To/from U.S. west coast/Hawaii/Alaska: From \$18 to \$20.

(b) To/from San Juan: From \$24 to \$27.

(c) To/from other U.S. points: From \$23 to \$25.

⁶ In general, the rating concept of the bulk unitization program is based on uniform charges to apply, regardless of the commodities being shipped (excepting valuables and restricted articles), on a point-to-point basis. The charge applies to chargeable weights (gross weight less tare weight) up to a specified pivot weight, after which the weight in excess is assessed an over-pivot weight charge.

⁷ These same sizes would qualify for rates on mid-Atlantic routes, where the bulk unitization concept has been revaluated only for a 6-month period (ending Mar. 31, 1972) and with rates constructed, as at present, using North Atlantic bulk unitization rates applicable for New York in conjunction with general cargo rates or bulk rates established within the Western Hemisphere to/from New York.

¹ Agreement CAB 22460, R-1, R-3, R-18, R-27, R-29 through R-35, R-37, R-38, R-40, R-42, R-44, R-46 through R-50, R-52, R-53, R-55, R-56, R-58, R-59, R-60, R-62, R-63, R-65, R-66, and R-68.

also been eliminated⁸ for application to/from these U.S. points, resulting in increases to those shippers. Of those rates which remain, the point-to-point charges, as well as over-pivot weight charges, from Miami to Caracas/Maracaibo/Panama City would be increased by about 5 to 7 percent and from New York to the same points by approximately 1 to 3 percent. Northbound rates to Miami and New York from Buenos Aires/Montevidéo/Rio de Janeiro/Sao Paulo would be increased by between 5 and 7 percent. With respect to the South Pacific, standard sizes 3, 4, 5, and 8 reflect those unit load devices to be retained, and size 10 would be added. Over-pivot weight charges would be kept at status quo, but pivot weights would be reduced. The point-to-point charges, heretofore specified only between Sydney and the U.S. west coast, would be reduced by 9 to 10 percent, and new charges to/from Auckland and Noumea were agreed,⁹ as were to/from Melbourne. In all geographic areas, charges for recontouring/adjusting and unloading by carriers, as well as demurrage charges, would remain at status quo. However, to the extent that the carriers have previously offered a \$25 discount to shippers owning their own aircraft pallets and utilizing them in conjunction with an igloo, regardless of whether the pallet is full or half sized, an increase would be effected, by virtue of standardizing the discount for all sizes of half pallets at \$15, for standard sized units 7 and 9 (which are rated within the Western Hemisphere and on mid-Atlantic routes).

The agreement would also amend resolutions relating to the carriage of live animals. The resolutions governing the rating of such animals in air transportation at the under 45-kilogram weight-break rate¹⁰ would be amended so as to increase the minimum charge to 150 percent of the otherwise applicable minimum charges. Also, the resolutions governing charges for stalls used in transporting large animals¹¹ have been amended so as to increase (from 100 to 250 kilograms per animal¹²) the weight base upon which the stall is rated and so as to increase from \$50 to \$60 per animal the rental fee when a stall is provided by the carrier.

Other matters for Board consideration include the establishment of a \$1.50 charge for the preparation within the

Western Hemisphere of an air waybill by a carrier or its agent,¹³ and for revalidation, without substantive change, of the resolution governing valuation charges for shipments with a declared value of more than \$16.50 per kilogram. The carriers would also amend the resolution which establishes premium rates (generally 200 percent of the under 45-kilogram general cargo rate) for the carriage of valuable items (such as gold bullion, bank notes and precious gems) so as to make industrial diamonds and cultured pearls subject to these premium rates¹⁴ and so as to establish an absolute minimum charge of \$30 to be applicable in instances where the otherwise agreed minimum does not reach such a level.

By Order 71-7-125, dated July 22, 1971, the Board established procedural dates for the receipt of economic justification from the U.S. carriers, comments and objections from interested persons and answers, relating to the agreements now before the Board for consideration. In support of new or increased charges to be provided by the agreements, statements and economic justification have been received from American, Braniff, Delta, Eastern, Northwest, and Pan American. Comments and objections have been received from the National Industrial Traffic League (the League), which urges the Board to disapprove, insofar as it would apply within the Western Hemisphere, the resolution establishing a \$1.50 charge for the preparation of an air waybill by a carrier or its agent. Pan American has filed an answer to the League's comments and objections.

The increases in rates and charges contemplated by these resolutions, insofar as they would be applicable in air transportation,¹⁵ appear to contravene the terms of Executive Order 11615 and Board Orders 71-8-78 and 71-9-51 issued pursuant thereto. We will therefore defer action, pending further consideration and clarification of the applicability of the Executive order, on such resolutions as they extend to the various types of increases involved. Pending further action by the Board, the increased rates and charges may not be effectuated. Our approval of other provisions which are encompassed in these same resolutions and which do not involve rate increases will, however, permit them to be implemented.

With the exception noted below, we will approve those resolutions which have been adopted, revalidated and/or

amended without effecting rate increases. We will also approve rate resolutions agreed for application and providing both increases and decreases in rates within the Eastern Hemisphere.¹⁶ Such resolutions do not involve traffic moving to/from North America (including the United States) and instead encompass matters involving traffic wholly within the Far East/Australasia area and between points in such area and those within the area comprised of Europe/Middle East/Africa. The Board's interest is limited to the extent that air transportation, as defined by the Act, would give it jurisdiction over matters within such area which involve Guam/Okinawa/American Samoa. These U.S. Pacific territories are not subject to the national price stabilization policy, and rate increases to/from such conform with those agreed for the geographic area as a whole. In their economic justification of rate increases for Eastern Hemisphere operations to and from these territories, Pan American anticipates that the revenue impact will be minimal, and Northwest states that the introduction of new specific commodity rates will benefit the territories by the development of new traffic, and that such reduced rates will dilute the revenue increases stemming from other elements of the rate package.

We will disapprove, as it would apply in air transportation as defined by the Act, revalidation of the resolution governing valuation charges where a shipper declares the value of a shipment at more than \$16.50 per kilogram. As the Board indicated in its statement of policy issued to the U.S. carrier members of IATA prior to the start of the deliberations in Singapore, this resolution is inequitable inasmuch as the current imposition of excess valuation charges based upon the shippers' total declared value gives no recognition of the liability coverage of \$16.50 which is automatically provided under the basic transportation charge. The Board's statement also questioned the reasonableness of the valuation charge itself, i.e., 40 cents per \$100, and put the carriers on notice that they would be expected to justify any such charge on the basis of recognized expenses stemming solely from excess valuation declarations. No justification has been received in this regard, and accordingly our disapproval of this resolution extends to the level of charges encompassed therein.

By Order 71-6-92 of June 17, 1971, the Board dealt with three resolutions agreed for early effectiveness at the Singapore conference, in which, among other things, it limited approval of certain new specific commodity rates (agreed for application through September of 1973) so as to expire with the present worldwide cargo rate structure,

¹⁶ Except insofar as action would be deferred to the extent increase general cargo rates might have indirect application in the construction of through rates in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

⁸ Including Asuncion/Belem/Bogota/Curaçao/Guayaquil/Kingston/La Paz/Lima/Porto Alegre/Quito/Santiago.

⁹ Auckland and Noumea rates would be available after a carrier gives notice of the introduction of service by wide-bodied aircraft.

¹⁰ Other than baby poultry less than 72 hours old, monkeys and primates—which qualify for quantity discounts provided within the general cargo rate scale or by specific commodity rates in markets where available.

¹¹ Weighing 200 kilograms or more.

¹² Except in the case of single animal occupancy of a double stall, where the weight base would be increased from 200 to 500 kilograms.

¹³ Such a charge has previously been effective within the Eastern Hemisphere, where the level of the charge would be increased by the instant agreement to \$1.50 for worldwide conformity.

¹⁴ This amendment results in companion changes in other resolutions, including the mixed consignment rule and container and bulk unitization resolutions, so as to exclude these items from the rating concepts therein, and the effect is increased rates.

¹⁵ Except insofar as air transportation, as defined by the Act, would include matters involving Guam/Okinawa/American Samoa.

3. Except to the extent that action is deferred insofar as increased charges would be effected in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico by new or amended provisions, it is not found that the following resolutions, which are incorporated in the agreement as indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB No.	IATA No.	Title	Application
R-27	501	Minimum Charges for Cargo (Revalidating and Amending)	1/2 (M. and South Atlantic)
R-30	501	Minimum Charges for Cargo (Revalidating and Amending)	3/1 (South Pacific)
R-32	501	Minimum Charges for Cargo (Revalidating and Amending)	1/2 (except North or Central Pacific)
R-33	501	Minimum Charges for Cargo (Revalidating and Amending)	1/2 (except North or Central Pacific)
R-37	508	Charges for Stalls (Revalidating and Amending)	1, 2, 3; 1/2; 2/3; 3/1
R-38	508	Charges for Stalls (Revalidating and Amending)	2, 1/2/3
R-40	511	Rates for Live Animals (Revalidating and Amending)	1, 1/2; 2/3; 3/1
R-42	511	Rates for Live Animals (Revalidating and Amending)	3, 1/2/3
R-44	5120	Charge for Preparation of Air Waybill (Revalidating and Amending)	1; 2; 3
R-46	513	Charges on Mixed Consignments (Revalidating and Amending)	Worldwide (except North Atlantic)
R-48	521	Use of Unit Load Devices (Revalidating and Amending)	Worldwide (except North Atlantic)
R-49	531	TCI—Bulk Unitization Charges (Revalidating and Amending)	North or Central Atlantic and Pacific)
R-50	534b	Mtd and South Atlantic—Bulk Unitization Charges (Revalidating and Amending)	1/2 (Middle and South Atlantic)
R-52	536b	South Pacific—Bulk Unitization Charges (Revalidating and Amending)	3/1 (South Pacific)
R-53	551	TCI General Cargo Rates	1/2 (Middle Atlantic)
R-56	554b	Mtd Atlantic General Cargo Rates	3/1 (South Pacific)
R-59	556	JT31 General Cargo Rates—South Pacific	1/2 (Middle and South Atlantic)
R-60	560	Specific Commodity Rates Board (Revalidating and Amending)	2/3; 3/1 (South Pacific); 1/2/3 (except North or Central Pacific)
R-63	560	Specific Commodity Rates Board (Revalidating and Amending)	Worldwide
R-65	595	Special Rates for Valuable Cargo (Amending)	Worldwide
R-68	597	Carriage of Human Remains (Amending)	1/2 (Middle and South Atlantic)

i.e., September 30, 1971, in order that in the case of rates to apply within the Western Hemisphere and September of 1973 for those applicable on South Pacific routes.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. It is not found that the following resolutions, incorporated in the agreement as indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB No.	IATA No.	Title	Application
R-18	002	Standard Revalidation Resolution	Worldwide (except North or Central Pacific and in some cases North Atlantic)
R-29	501	Minimum Charges for Cargo (Revalidating and Amending)	3
R-31	501	Minimum Charges for Cargo (Revalidating and Amending)	2/3
R-34	502	Low Density Cargo (Revalidating and Amending)	Worldwide (except North or Central Pacific and North Atlantic)
R-47	520	Unit Load Devices Board (NEW)—Replacing Current Resolution 520	Worldwide (except North Atlantic)
R-62	560	Specific Commodity Rates Board (Revalidating and Amending)	3 (North Atlantic)
R-66	560	Newspapers and Periodicals (Revalidating and Amending)	1/2 (M. and South Atlantic)

2. It is found that, insofar as it applies in air transportation as defined by the Act, the following resolution, which is incorporated in the agreement as indicated, is adverse to the public interest and in violation of the Act:

Agreement CAB No.	IATA No.	Title	Application
R-35	503	Charges in Relation to Value (Revalidating and Amending)	Worldwide (except North Atlantic)

4. Except to the extent that action is deferred insofar as increased charges might indirectly apply in the construction of through rates in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico, it is not found that the following resolutions, which are incorporated in the agreement as indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB 22460	IATA No.	Title	Application
R-55	553	TC3 General Cargo Rates	3.
R-58	555	Joint 23 and Joint 123 General Cargo Rates	2,3; 1/2,3.

Accordingly, it is ordered, That:

1. Those portions of Agreement CAB 22460 set forth in finding paragraph 1 above be and hereby are approved;

2. That portion of Agreement CAB 22460 set forth in finding paragraph 2 above is hereby disapproved;

3. Action on those portions of Agreement CAB 22460, as set forth in finding paragraph 3 above relating to increased charges effected by new or amended provisions in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and as set forth in finding paragraph 4 above relating to the indirect application of increased charges in the construction of through rates in said area of air transportation, be and hereby is deferred;

4. Except as ordered in paragraph 3 above, those portions of Agreement CAB 22460 set forth in finding paragraphs 3 and 4 be and hereby are approved; and

5. Specific commodity rates embodied in Agreement CAB 22460, R-1 and R-3 and set forth in Appendix D hereto, are approved through September 30, 1972, with respect to those applying within the Western Hemisphere, and through September 30, 1973, with respect to those applying on South Pacific routes.

This order will be published in the FEDERAL REGISTER.

By Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc. 71-14643 Filed 10-6-71; 8:45 am]

[Docket No. 23333; Order 71-9-125]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of September 1971.

Agreement adopted by the Traffic Conferences of the International Air Transport Association relating to cargo matters; Docket 23333; Agreement CAB 22460.¹

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreement, which has been assigned the above-designated CAB agreement number, was adopted at meetings held in Singapore in May and June of 1971 and is intended to be effective October 1, 1971.²

The subject agreement encompasses most of the resolutions governing charges for nontransportation services;³ resolutions involving administrative, procedural, or technical provisions which do not affect basic rate levels in air transportation as defined by the act; and sev-

¹ Agreement CAB 22460, R-12 through R-17; R-20 through R-24; R-26; R-28; R-36; R-39; R-41; R-43; R-45; R-51; R-54; R-57; R-61; R-64; and R-67.

² Insofar as air transportation as defined by the act is concerned, the instant resolutions generally would not have application to/from the United States via North Atlantic or North/Central Pacific routes, where the carriers have not reached agreement.

³ A resolution relating to charges for the preparation of air waybills by carriers or their agents (Resolution 512c, Agreement CAB 22460, R-44) is the subject of another Board order relating to basic rate levels in air transportation as defined by the act and elements of the agreement to which interested persons have addressed comments and objections pursuant to the procedural schedule established by Board Order 71-7-125, dated July 22, 1971.

eral resolutions which either do not affect air transportation within the meaning of the act or which have an indirect effect to the extent that the rates incorporated therein might be used in the construction of through rates in air transportation.

The more substantive elements of the instant agreement relate to the amendment and revalidation of resolutions governing charges for certain ancillary services. The amendments would have the effect of increasing charges for the collection of disbursements made by carriers, for c.o.d. services, and for the amendment of air waybills by carriers or their agents at the request of a shipper or his agent after the dispatch of a consignment from the airport of departure.

By our action herein, we will approve those resolutions of an administrative, technical, or procedural nature which have application in air transportation, subject in two instances to conditions which would require the carriers to file with the Board for approval, prior to implementation, any rate adjustment made pursuant to the procedural resolutions in question. However, we will defer action, insofar as they would apply in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico, on those amendments to resolutions which would have the effect of increasing charges for ancillary services; similarly, we will defer action, insofar as they might have indirect application in the same area of air transportation by their use in the construction of through rates, on increased general cargo rates agreed for application within the area comprised of Europe/Africa/Middle East and between points involving routes via the South Atlantic.⁴

The Board, acting pursuant to sections 102, 204(a), and 412 of the act, makes the following findings:

1. It is not found that the following resolutions, incorporated in the agreement as indicated, are adverse to the public interest or in violation of the act:

⁴ These deferrals of action are consistent with our actions in Order 71-9-124 which is simultaneously issued herewith and which deals with basic rate levels agreed at the Singapore conference.

3. Except to the extent that action is deferred on the application in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico of increased charges effected by amendments to the following resolutions, it is not found that such resolutions are adverse to the public interest or in violation of the Act:

Agreement CAB No.	IATA No.	Title	Application
R-39	509	Charges for Disbursements (Revalidating and Amending)	Worldwide
R-43	512a	C.O.D. Procedures (Revalidating and Amending)	Worldwide
R-46	512d	Change for Amendment of Air Waybill (Revalidating and Amending)	Worldwide

4. Except to the extent that action is deferred on the indirect application in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico of new or increased charges provided therein, it is not found that the following resolutions, which are incorporated in the agreement as indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB No.	IATA No.	Title	Application
R-54	562	TC2 General Cargo Rates	2
R-57	556c	South Atlantic General Cargo Rates	1/2

5. It is not found that the following resolution, which is incorporated in the agreement as indicated and which does not directly affect air transportation within the meaning of the Act, is adverse to the public interest or in violation of the Act:

Agreement CAB No.	IATA No.	Title	Application
R-53	115h	Meeting Non-IATA Competition in the Middle East-Cargo	2

6. It is not found that the following resolutions, which are incorporated in the agreement as indicated, affect air transportation within the meaning of the Act:

Agreement CAB No.	IATA No.	Title	Application
R-23	501	Minimum Charges for Cargo (Revalidating and Amending)	2
R-41	511	Rates for Live Animals (Revalidating and Amending)	2
R-51	533	JT23-Bulk Utilization Charges (Revalidating and Amending)	2/3
R-51	530	Specific Commodity Rates Board (Revalidating and Amending)	2
R-57	537	Carrriage of Human Remains (Amending)	2

Agreement CAB No.	IATA No.	Title	Application
R-12	601c	Cargo Tie-In Resolution	1/2 (Middle and South Atlantic); 2/3; 3/1 (South Pacific); 1/2/3 (South Pacific)
R-14	601H	Closing and Opening of Ndola Airport (Revalidating and Amending)	2; 2/3
R-15	601I	2 Year Effectiveness Escape-Cargo (Revalidating and Amending)	2; 2/3; 1/2 (Middle and South Atlantic); 2/3; 3/1 (South Pacific); 1/2/3 (Middle and South Atlantic and South Pacific)
R-17	601F	Special Effectiveness Resolution (Amending)	1; 2; 3
R-20	614b	Construction Rule for Cargo Rates (Revalidating and Amending)	Worldwide (except North Atlantic and North or Central Pacific)
R-21	621b	Rates of Exchange (Amending)	1; 2; 3
R-22	621c	Conversion Rate Administrative Provisions (Amending)	1; 2; 3
R-23	621d	Decimialization of United Kingdom, Irish and Gibraltar Currency (NEW)	1; 2; 3
R-24	623b	Rounding Off Cargo Rates (Amending)	Worldwide
R-36	507b	Use of Surface Transportation (Revalidating and Amending)	Worldwide (except North Atlantic and North or Central Pacific)
R-64	500a	Application/Substitution Form for Specific Commodity Rates (Revalidating and Amending)	Worldwide (except North Atlantic)

2. It is not found that the following resolutions, incorporated in the agreement as indicated, are adverse to the public interest or in violation of the Act, provided that approval thereof is subject to the conditions hereinafter stated:

Agreement CAB No.	IATA No.	Title	Application
R-13	001ee	Mid and South Atlantic Escape for Cargo Rates (NEW)	1/2 (Middle and South Atlantic)
R-16	001o	Provided that all notices issued pursuant to this resolution for the adjustment of rates applicable to air transportation as defined by the Federal Aviation Act of 1958 (the Act) shall be filed with the Board as an agreement under section 412 of the Act and approved by the Board prior to being placed in effect. South Atlantic Escape for Cargo Rates (NEW) - provided that all notices issued pursuant to this resolution for the adjustment of rates applicable to air transportation as defined by the Federal Aviation Act of 1958 (the Act) shall be filed with the Board as an agreement under section 412 of the Act and approved by the Board prior to being placed in effect.	3/1

Accordingly, it is ordered, That:

1. Those portions of Agreement CAB 22460 set forth in finding paragraphs 1 and 5 above be and hereby are approved;

2. Those portions of Agreement CAB 22460 set forth in finding paragraph 2 above be and hereby are approved subject to the conditions therein stated;

3. Action on those portions of Agreement CAB 22460, as set forth in finding paragraph 3 above relating to increased charges in air transportation to/from the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and as set forth in finding paragraph 4 above relating to the indirect application of new or increased charges in the construction of through rates in said area of air transportation, be and hereby is deferred;

4. Except as ordered in paragraph 3 above, those portions of Agreement CAB 22460 set forth in finding paragraphs 3 and 4 be and hereby are approved; and

5. Jurisdiction is disclaimed with respect to that portion of Agreement CAB 22460 set forth in finding paragraph 6 above.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-14644 Filed 10-6-71;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP72-44]

ALGONQUIN GAS TRANSMISSION CO.

Notice of Proposed Changes in Rates and Charges

OCTOBER 5, 1971.

Take notice that Algonquin Gas Transmission Co. (Algonquin) on September 27, 1971, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume Nos. 1 and 2¹ to become effective on October 16, 1971. The proposed rate changes would increase Algonquin's charges for jurisdictional sales and services by \$474,449 annually. Algonquin requests the Commission to waive compliance with those parts of its rules and regulations necessary to place the proposed increased rates in effect.

Algonquin in its filing states that the proposed changes in its rates are designed to recoup only the effect of an increase in the cost of gas purchased from Texas Eastern Transmission Corp. (Texas Eastern) resulting from the latter's rate increase filed on September 16, 1971, pursuant to its stipulation and agreement approved by Commission order on

¹Original Volume No. 1: 21st Revised Sheet No. 5, 21st Revised Sheet No. 10, 22d Revised Sheet No. 11-A, 22d Revised Sheet No. 12, 21st Revised Sheet No. 14, and 18th Revised Sheet No. 15-J.

Original Volume No. 2: 22d Revised Sheet No. 4, 19th Revised Sheet No. 57.

March 24, 1971 in Docket Nos. RP70-29 et al. Algonquin requests that the proposed rate changes become effective, without suspension, on October 16, 1971, the same day that Texas Eastern has requested that its rate increase be placed in effect.

Algonquin states that it has permission to track under its existing tracking authorization issued May 18, 1971, in Docket No. RP70-30 et al., \$200,727 of the total increase.

Copies of this filing were served on Algonquin's jurisdictional customers and interested state commissions.

Any order issued in this proceeding is subject to our Statement of Policy Implementing the Economic Stabilization Act of 1970 (Public Law 91-379, 84 Stat. 799, as amended by Public Law 92-15, 85 Stat. 38) and Executive Order No. 11615, including such amendments as the Commission may require.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 13, 1971 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14831 Filed 10-6-71;10:02 am]

[Docket No. AR70-1]

AREA RATE PROCEEDING; PERMIAN BASIN AREA

Notice of Continuance of Settlement Conference

SEPTEMBER 29, 1971.

On September 17, 1971, the United Distribution Cos. filed a motion for a continuance to November 2, 1971, of the settlement conference now scheduled to reconvene on October 5, 1971. On September 22, 1971, the California Distributor Group filed an answer opposing the motion.

Upon consideration, notice is hereby given that the conference for the purpose of attempting to settle the matters and issues in this area rate proceeding will reconvene on October 7, 1971, at 10 a.m., in a conference room of the Federal Power Commission, 441 G Street NW., Washington, DC.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14691 Filed 10-6-71;8:47 am]

[Docket No. G-15458]

EL PASO NATURAL GAS CO.

Notice of Petition to Amend

SEPTEMBER 29, 1971.

Take notice that on September —, 1971, El Paso Natural Gas Co. (petitioner), Post Office Box 1492, El Paso, TX 79978, filed in Docket No. G-15458 a petition to amend the order of the Commission heretofore issued in said docket pursuant to section 7(c) of the Natural Gas Act on February 9, 1959 (21 FPC 200), by authorizing the construction and operation of additional tap facilities and the establishment of an additional delivery point for the exchange of natural gas with Mountain Fuel Supply Co. (Mountain Fuel) all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The order of February 9, 1959, authorized, inter alia, the construction and operation of certain facilities by El Paso's predecessor in interest, Pacific Northwest Pipeline Corp., and the transportation and delivery of volumes of natural gas by Mountain Fuel to El Paso in Sublette County, Wyo., in exchange for the delivery of equivalent volumes by El Paso to Mountain Fuel at a point of delivery on El Paso's system near Green River, Wyo. Such deliveries by El Paso are accomplished in accordance with the terms and conditions of a Gas Exchange Agreement between the parties dated July 1, 1958, on file with the Commission as Rate Schedule X-15 of El Paso's FPC Gas Tariff, Original Volume No. 4.

Petitioner states that an amendment of Gas Exchange Agreement dated July 6, 1971, provides for an additional point of delivery of exchange quantities by El Paso to Mountain Fuel in Uintah County, Utah. Petitioner seeks authorization for the construction and operation of the tap facilities necessary to establish such additional delivery point. No change is proposed in the authorized exchange quantities between the parties or in the exchange charge of 4 cents per Mcf payable by Mountain Fuel to El Paso.

The total estimated cost of the proposed tap facilities to be constructed by El Paso is \$4,550, which cost will be reimbursed by Mountain Fuel.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 19, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party

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in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14692 Filed 10-6-71;8:47 am]

[Project 2700]

EPIC, INC.

Notice of Application for Preliminary Permit for Unconstructed Project

SEPTEMBER 29, 1971.

Public notice is hereby given that EPIC, Inc., of Raleigh, N.C. (correspondence to: J. Garner Bagnal, President, EPIC, Inc., Box 2979, Raleigh, NC 27602), has been substituted for the city of Statesville, N.C., and North Carolina Electric Membership Corp. as applicant for preliminary permit under the Federal Power Act (16 U.S.C. 791a-825r) for proposed Project No. 2700, known as the Green River Pumped Storage Project, to be located on the Green River in Polk County, N.C., in the region of Columbus, Saluda, and Hendersville, N.C. Notice of the original application was issued March 6, 1970.

According to the application, the proposed pumped storage hydroelectric project would be developed in stages and would consist of: (1) An upper reservoir, located about 1 mile east of the west boundary of Polk County, formed by a rockfill dam (Pulliam damsite) 300 feet high, providing about 25,000 acre-feet of usable storage between elevations 1,980 and 2,100 feet (USGS datum); (2) a forebay channel, approximately 2,800 feet long; (3) a power tunnel, approximately 2,800 feet long; (4) a powerhouse with two generator/motors each rated at 250,000 kw.; (5) a 600-foot-long tailrace; (6) a lower reservoir at approximately river mile 29, providing 25,000 acre-feet of usable storage between elevations 1,060 and 1,100 with a rockfill dam (Foster damsite) about 165 feet high; (7) a substation; and (8) appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14693 Filed 10-6-71;8:47 am]

[Docket No. CP72-70]

LO-VACA GATHERING CO.

Notice of Application

SEPTEMBER 29, 1971.

Take notice that on September 21, 1971, Lo-Vaca Gathering Co. (applicant), Post Office Drawer 521, Corpus Christi, TX 78403, filed in Docket No. CP72-70 an application pursuant to the Commission's Order No. 431, issued in Docket No. R-418 on April 15, 1971, for a limited term certificate of public convenience and necessity authorizing the construction and operation of facilities and the sale of natural gas to Texas Eastern Transmission Corp. (Texas Eastern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has been advised by Texas Eastern of a need for additional volumes of natural gas to meet existing contractual requirements. Specifically, applicant seeks authorization to construct facilities in Jackson and Matagorda Counties, Tex., and to operate these facilities for the sale and delivery of up to 50,000 Mcf of natural gas per day to Texas Eastern for a period of 1 year from the date of the completion of these facilities. The total volume of natural gas to be delivered during this 1-year period will not exceed 16 million Mcf and the selling price will be 35 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 20, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14694 Filed 10-6-71;8:47 am]

[Docket No. CP72-68]

MICHIGAN POWER CO. AND GREAT LAKES GAS TRANSMISSION CO.

Notice of Application

SEPTEMBER 29, 1971.

Take notice that on September 20, 1971, Michigan Power Co. (applicant), Post Office Box 413, Three Rivers, MI 49093, filed in Docket No. CP72-68 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Great Lakes Gas Transmission Co. (respondent) to establish physical connection of its natural gas transmission facilities with the facilities to be constructed by applicant, and to sell and deliver up to 3,000 Mcf of natural gas per day to applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, applicant requests that respondent be directed to provide a new delivery point on its 36-inch pipeline located near the city limits of the city of Manistique, Schoolcraft County, Mich., and to sell and deliver natural gas to enable applicant to initiate natural gas service to the city of Manistique. Applicant proposes the construction and operation of a natural gas distribution system in the city of Manistique and environs.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 19, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14695 Filed 10-6-71;8:47 am]

[Docket No. CP72-62]

MICHIGAN WISCONSIN PIPE LINE CO., ET AL.

Notice of Application

SEPTEMBER 29, 1971.

Take notice that on September 10, 1971, Michigan Wisconsin Pipe Line Co. (Michigan Wisconsin), 1 Woodward Avenue, Detroit, MI 48226, Trunkline Gas Co. (Trunkline), Post Office Box

1642, Houston, TX 77001 and Panhandle Eastern Pipe Line Co. (Panhandle), Post Office Box 1642, Houston, TX 77001 filed in Docket No. CP72-62 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities and on a short-term basis the transportation and sale of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that Michigan Wisconsin, Panhandle, and Trunkline have entered into an Agreement dated July 15, 1971, under which, during the period from July 1, 1971 through October 31, 1972, Michigan Wisconsin will sell to Trunkline at Michigan Wisconsin's Patterson Compressor Station located in St. Mary Parish, La., a firm volume of 15 million Mcf of natural gas and additional gas on a best efforts basis. The Agreement also provides for the transportation of gas by Panhandle and Trunkline for Michigan Wisconsin's account and the future sale of gas by Panhandle to Michigan Wisconsin in the Southwest.

During the winter period November 1, 1971, through March 31, 1972, Michigan Wisconsin will deliver firm gas to Trunkline at a rate of 50,000 Mcf per day. In addition, Michigan Wisconsin will use its best efforts to deliver to Trunkline, and Trunkline will use its best efforts to receive, an additional volume of up to 100,000 Mcf per day. The first 50,000 Mcf of such best efforts gas (after the delivery of 50,000 Mcf of the firm gas), will be transported by Trunkline and Panhandle for the account of Michigan Wisconsin and redelivered at Panhandle's existing delivery points located at River Rouge, Mich., and Muncie, Ind. The balance of the 100,000 Mcf per day of such best efforts gas, if any, shall be sold by Michigan Wisconsin and purchased by Trunkline. Michigan Wisconsin has exercised its option to convert the first 50,000 Mcf per day of such best efforts gas to a firm obligation of all parties.

During the periods July 1, 1971, through October 31, 1971 and April 1, 1972, through October 31, 1972, Michigan Wisconsin will use its best efforts to deliver to Trunkline, and Trunkline and Panhandle will use their best efforts to receive, up to 100,000 Mcf of gas per day. Panhandle and Trunkline will transport for Michigan Wisconsin, at Michigan Wisconsin's option, up to one-half of the gas tendered by Michigan Wisconsin to Trunkline. The sales by Michigan Wisconsin to Trunkline are to be made at a rate of 32 cents per Mcf, and the transportation service by Panhandle and Trunkline for Michigan Wisconsin will be rendered at a rate of 13.5 cents per Mcf.

On 6 months' notice by Michigan Wisconsin to Panhandle, which notice shall not be given prior to May 31, 1973, Michigan Wisconsin will purchase from Panhandle on an equivalent thermal con-

tent and firm basis a volume of gas equivalent to that sold by Michigan Wisconsin to Trunkline. The volumes deliverable by Panhandle may be increased or decreased from time to time at the request of Michigan Wisconsin but may not exceed 70,000 Mcf per day. The point at which Panhandle will deliver the gas to Michigan Wisconsin is Michigan Wisconsin's facilities near its Greensburg Compressor Station located in Kiowa County, Kans. or at such other points as are mutually agreeable to both parties. Trunkline and Panhandle are obligated to construct, own, operate, and maintain all facilities necessary to accomplish the measurement and delivery of the gas to be sold and transported under the Agreement. All delivery points and mainline facilities are in existence except for the delivery point in Kiowa County, Kans. which will be constructed, owned, operated, and maintained by Panhandle. The estimated cost of construction of this delivery point and necessary temporary compression facilities, which will be available for other use elsewhere on Panhandle's system following the completion of redeliveries to Michigan Wisconsin, is \$706,000. Panhandle is not obligated to deliver any gas after December 31, 1976. The price for such sales is 26 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 20, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc. 71-14696 Filed 10-6-71; 8:48 am]

[Docket No. CP72-64]

TENNESSEE GAS PIPELINE CO.

Notice of Application

SEPTEMBER 29, 1971.

Take notice that on September 15, 1971, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (applicant), Post Office Box 2511, Houston, TX 77002, filed in Docket No. CP72-64 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for Michigan Wisconsin Pipe Line Co. (Michigan Wisconsin), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport, for Michigan Wisconsin, a minimum daily quantity of 20,000 Mcf and up to a maximum daily quantity of 50,000 Mcf of natural gas per day. Applicant states that it will receive such volumes from Michigan Wisconsin at an interconnection in Lafourche Parish, La., and transport this gas to the tailgate of the Placid Oil Co.'s Patterson plant in St. Mary's Parish, La., the tailgate of the Atlantic-Richfield Oil Co.'s Bayou Sale plant in St. Mary's Parish, La., and the tailgate of the Superior Oil Company's Lowry plant in Cameron Parish, La., in accordance with a Gas Transportation Contract between the parties dated June 18, 1971.

The Transportation Contract provides that the service will be performed for a term of 2 years commencing November 1, 1971, and the transportation rate will be 1.5 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 19, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14698 Filed 10-6-71;8:48 am]

[Docket No. CP72-66]

UNITED GAS PIPE LINE CO.

Notice of Application

SEPTEMBER 29, 1971.

Take notice that on September 16, 1971, United Gas Pipe Line Co. (applicant), 1525 Fairfield Avenue, Shreveport, LA 71102, filed in Docket No. CP72-66 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(c) of the regulations under said Act, for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing November 1, 1971, and operation of certain natural gas sales and transportation facilities to enable applicant to make sales of natural gas to existing customers and to make miscellaneous rearrangements of existing facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of the certificate requested herein is to augment applicant's ability to supply with the least possible delay, the natural gas requirements of its customers in existing market areas, and to make miscellaneous relocations and rearrangements of existing facilities. United states that the proposed facilities will not be used to deliver natural gas for boiler fuel purposes and that the deliveries through these facilities to any one customer will not exceed 100,000 Mcf annually. The total cost of the facilities proposed herein is not to exceed \$100,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 19, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-14697 Filed 10-6-71;8:48 am]

FEDERAL RESERVE SYSTEM

COMBANKS CORP.

Notice of Applications for Approval of Acquisition of Shares of Banks; Correction

In the notice of applications for approval of acquisition of shares of banks published in the FEDERAL REGISTER of September 22, 1971 (36 F.R. 18817), the name Bank at Apopka, Apopka, Fla., should be corrected to read The Commercial Bank at Apopka, Apopka, Fla.

Board of Governors of the Federal Reserve System, September 30, 1971.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.71-14669 Filed 10-6-71;8:45 am]

NORTRUST CORP.

Proposed Acquisition of Security Trust Company

Nortrust Corp., Chicago, Ill., has applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(a) (8)) and § 222.4(b) (2) of the Board's Regulation Y, for permission to acquire voting shares of Security Trust Co., Miami, Fla. Notice of the application was published on September 4, 1971, in The Miami News, a newspaper circulated in Miami, Fla.

The proposed subsidiary would perform the activities of a trust company and would act as an investment and financial adviser. Such activities have been specified by the Board in § 222.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 222.4(b).

The application may be inspected in Room 1020 of the Board's building or at the Federal Reserve Bank of Chicago.

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the

public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than October 29, 1971.

Board of Governors of the Federal Reserve System, September 29, 1971.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.71-14670 Filed 10-6-71;8:45 am]

SAN DIEGO FINANCIAL CORP.

Formation of One-Bank Holding Company

San Diego Financial Corp., San Diego, Calif., has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) of action whereby applicant would become a bank holding company through acquisition of 100 percent of the voting shares of the successor by merger to San Diego Trust and Savings Bank, San Diego, Calif.

The application may be inspected at the Federal Reserve Bank of San Francisco.

Section 3(c) of the Act requires that the Board consider the effect of the proposed acquisition on competition, the financial and managerial resources and future prospects of the applicant and the bank concerned, and the convenience and needs of the communities to be served.

Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than October 21, 1971.

Pursuant to § 222.3(b) of Regulation Y, this application shall be deemed to be approved on November 5, 1971, unless the applicant is notified to the contrary before that time, or is granted approval at an earlier date.

Board of Governors of the Federal Reserve System, September 29, 1971.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.71-14671 Filed 10-6-71;8:45 am]

SOUTHEAST BANKING CORP.

Notice of Applications for Approval of Acquisition of Shares of Banks; Correction

In the notice of applications for approval of acquisition of shares of banks

published in the FEDERAL REGISTER of September 22, 1971 (36 F.R. 18817), the name Bank at Apopka, Apopka, Fla., should be corrected to read The Commercial Bank at Apopka, Apopka, Fla.

Board of Governors of the Federal Reserve System, September 30, 1971.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.71-14672 Filed 10-6-71;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[812-3029]

INVESTORS SYNDICATE DEVELOPMENT CORP.

Notice of Filing of Application for Order Authorizing Joint Transaction

OCTOBER 1, 1971.

Notice is hereby given that Investors Syndicate Development Corp., Investors Building, 8th and Marquette, Minneapolis, MN 55402, (ISDC), a general business corporation organized under the laws of the State of Nevada, and a wholly owned subsidiary of Investors Syndicate of America, Inc., (ISA), a face-amount certificate company registered under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 17(d) of the Act and Rule 17d-1 thereunder for an order approving the below described transaction in connection with a joint enterprise in which an affiliated person of and a company controlled by a registered investment company are participants. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Applicant states that in November of 1969, it entered into a joint venture with Mankato Downtowner, Inc. (Downtowner), a Minnesota corporation, for the purpose of acquiring property and developing and operating an apartment complex in Mankato, Minn.

Applicant states that the joint venture agreement between ISDC and Downtowner provided that ISDC would contribute \$300,000 toward the estimated project cost of \$1,805,000, plus an additional \$34,000 for project costs in excess of the estimate, and that Downtowner would provide cash for costs in excess of \$1,850,000. In return for assignment to the venture of a contract for deed covering the project property and for construction of the project as general contractor at a minimum fee, Downtowner was to share equally with ISDC in equity ownership of the project. Eighty percent of net income after expenses and debt service was to be paid to ISDC until recovery by ISDC of its contribution, plus interest of 10 percent, and the remaining 20 percent was to be divided equally between ISDC and Downtowner. Upon recovery of contribution by ISDC, 80 percent of net income was to be paid to

Downtowner until recovery of any contribution, plus interest, made by Downtowner, and thereafter all net income was to be divided equally between the parties.

Applicant states that primarily as a result of increased labor and construction loan interest costs and various modifications in the nature of improvements, the construction cost of the project, which is expected to be substantially completed by November 15, 1971, and finally completed by the end of November, is expected to exceed the original estimate of \$1,805,000 by approximately \$395,000 to \$420,000. ISDC has contributed \$45,000 in excess of estimate as provided for in the agreement, but Downtowner is unable to contribute the remaining and necessary \$350,000 to \$375,000, though it may be able to contribute a portion, and ISDC now wishes to assume all or a major portion of such contribution in order to complete the project.

Applicant states that prior to entering into the aforesaid joint venture agreement, Downtowner was not an affiliated person of ISA, but became such by virtue of participation in partnership with ISDC. Consequently, amendment by ISDC and Downtowner of the joint venture agreement to provide for contribution of the additional funds by ISDC and for appropriate amendment of provisions relating to cash flow, ownership and depreciation would appear to constitute a transaction in which ISDC as a company controlled by a registered investment company (ISA) is a joint participant with an affiliated person of ISA (Downtowner) and is therefore subject to such rules and regulations as the Commission may prescribe for the purpose of limiting or preventing participation by such controlled company (ISDC) on a basis different from or less advantageous than that of such other participant (Downtowner).

Applicant states that in its considered business judgment such contribution is the most desirable of available alternatives, is in its best interests and is no less advantageous to it than to Downtowner. Cessation of construction would obviously result in substantial loss. On the other hand, much of the project was completed prior to the increase in construction costs, and therefore advantageously. The remaining construction completed after the increase merely involves construction costs which are normal in today's market. Further, to the extent the additional costs are attributable to improvements, such costs have resulted in increased value. The project has been observed and inspected at closely spaced intervals and the complex is known to be well conceived, carefully constructed, and generally of high quality.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide as here pertinent, that it shall be unlawful for an affiliated person of a registered investment company acting as principal, to participate in, or effect any transaction in connection with any joint enterprise or arrangement in which any such registered company or a company controlled by such registered company, is a partici-

pant unless an application regarding such arrangement has been granted by the Commission.

Applicant requests that the Commission approve amendment of the joint venture agreement between ISDC and Downtowner to provide for the contribution by ISDC of an additional amount up to \$375,000, to the extent such amount is not contributed by Downtowner, with revision of cash flow, ownership and depreciation provisions to be subject to negotiation.

Notice is further given that any interested person may, not later than October 18, 1971, submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted or he may request he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulations, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc.71-14701 Filed 10-6-71;8:43 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

OCTOBER 4, 1971.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but

interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 51146 Sub 210, Schneider Transport & Storage, Inc., now assigned December 6, 1971, postponed to December 13, 1971, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 10761 Sub 247, Transamerican Freight Lines, Inc., assigned November 1, 1971, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 51146 Sub 158, Schneider Transport & Storage, Inc., MC 51146 Sub 161, Schneider Transport & Storage, Inc., MC 87720 Sub 100, Bass Transportation Co., Inc., MC 108453 Sub 33, G & A Truck Lines, Inc., MC 114457 Subs Nos. 83 and 110, Dart Transit Co., MC 118989 Subs Nos. 42 and 62, Container Transit, Inc., MC 119531 Subs Nos. 141 and 146, Dieckbrader Express, Inc., MC 119632 Sub 38, Reed Lines, Inc., MC 119670 Sub 17, The Victor Transit Corp., MC 123255 Sub 6, B & L Motor Freight, Inc., now assigned October 19, 1971, is postponed to November 30, 1971, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 75320 Sub 156, Campbell Sixty-Six Express, Inc., now assigned hearing on November 8, 1971, in Room 305, 1252 West Peachtree Street NW., Atlanta, GA.

MC 115495 Sub 20, United Parcel Service, Inc., assigned November 29, 1971, at the Radisson Denver Hotel, 1719 Grant Street, Denver, CO.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-14730 Filed 10-6-71;8:51 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 4, 1971.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42284—*Newsprint Paper from Sheldon, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-262), for interested rail carriers. Rates on newsprint paper, also returned shipments of newsprint paper winding cores, in carloads, in the reverse direction, as described in the application, from Sheldon, Tex., to Tallavast, Fla., on the one hand, and from Tallavast, Fla., to Sheldon, Tex., on the other.

Grounds for relief—Rate relationship and return movements of commodities.

Tariff—Supplement 27 to Southwestern Freight Bureau, Agent, tariff ICC 4891. Rates are published to become effective on November 7, 1971.

FSA No. 42285—*Iron or Steel Wire to Memphis, Tenn.* Filed by Southwestern Freight Bureau, agent (No. B-252), for interested rail carriers. Rates on wire, iron, or steel, in carloads, as described in the application, from Houston, Texas, Oklahoma City, Tulsa, and Sand Springs, Okla., to Memphis, Tenn.

Grounds for relief—Rate relationship. Tariff—Supplement 243 to Southwestern Freight Bureau, agent, tariff ICC 4753. Rates are published to become effective on November 9, 1971.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.71-14729 Filed 10-6-71;8:51 am]

[Notice 375]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 1, 1971.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 5326 (Sub-No. 13 TA), filed September 24, 1971. Applicant: WILSON B. DILL, CARL M. DILL, SR., AND ARTHUR B. DILL, a partnership, doing business as DILL BROS. COMPANY, Galena, Md. 21635. Applicant's representative: Arthur B. Dill (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, from Delmar, Del., Camp Hill and Lewisburg, Pa., to points in Delaware, Maryland, Virginia, New York, New Jersey, and Pennsylvania, for 180 days. Supporting shipper: Mr. C. R. Huhn, Jr., Ralston Purina Co., 35th and Edgemoor Avenue, Wilmington, DE 19802. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 814-B Federal Building, Baltimore, Md. 21201.

No. MC 22426 (Sub-No. 11 TA), filed September 24, 1971. Applicant: LONGVIEW MOTOR TRANSPORT, INC., 763 Seventh Avenue, Post Office Box 1366, Longview, WA 98632. Applicant's representative: John Deering (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *General commodities* (with the usual exceptions), between Portland, Oreg., and Longview, Wash., on the one hand, and, on the other, port of entry on the United States-Canada international boundary at or near Blaine, Wash., for 180 days. Supporting shippers: Olympia Steamship Co., Inc., World Trade Building, Portland, Oreg. 97204; Gahen Trading Co., Inc., Post Office Box 17006, Portland, OR 97217; Japan Line (U.S.A.), Ltd., 1200 Commonwealth Building, 421 Southwest Sixth Avenue, Portland, OR 97204. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Mulnomah Building, 319 Southwest Pine Street, Portland, OR 97204.

No. MC 49304 (Sub-No. 29 TA), filed September 24, 1971. Applicant: BOWMAN TRUCKING CO., INC., Post Office Box 6, Stephens City, VA 22655. Applicant's representative: James L. Bowman (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement, lime, limestone products*, in bulk, from points in Warren County, Va., to points in Maryland, Pennsylvania, West Virginia, North Carolina, Delaware, and Washington, D.C., for 180 days. Note: Applicant states it does intend to tack with MC 49304 and MC 49304 Sub 14. Supporting shipper: Riverton Corp., Riverton, Va. 22651. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, DC 20423.

No. MC 52861 (Sub-No. 25 TA), filed September 27, 1971. Applicant: WILLS TRUCKING, INC., 2535 Center Street, Cleveland, OH 44113. Applicant's representative: Blyd B. Ferris, 88 East Broad Street, Suite 1660, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Recarborizing coke*, from Ecorse and Detroit, Mich., to the plantsite of Sharon Steel Corp. in Farrell, Pa., and to points in Ohio, for 180 days. Supporting shipper: Hickman Williams & Co., 1 Erieview Plaza, Cleveland, OH 44114. Send protests to: District Supervisor G. J. Baccel, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 87720 (Sub-No. 116 TA), filed September 27, 1971. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Star Route A, Post Office Box 391, Flemington, NJ 08822. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, naval stores, and all oil products* (except in bulk), from Flemington, N.J., to points in Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Maine,

Vermont, and New Hampshire, for 180 days. Supporting shipper: Tenneco Chemicals, Inc., Newport Division, Post Office Drawer 911, Pensacola, FL 32502. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 96498 (Sub-No. 32 TA), filed September 24, 1971. Applicant: BONIFIELD BROS., TRUCK LINES, INC., Post Office Box 40, West Frankfort, IL 62896. Applicant's representative: R. W. Burgess, 8514 Midland Boulevard, St. Louis, MO 63114. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Smithland Locks jobsite at Dog Island, Ky., as an off-route point in connection with carrier's regular route, between Paducah, Ky., and St. Louis, Mo., for 180 days. NOTE: Applicant states it does intend to tack the authority in MC-96498 and to interline at St. Louis, Mo., Chicago, Ill., Evansville, Ind., and Paducah, Ky. Supporting shipper: David S. Sieber, Traffic Supervisor, Dravo Corp., Neville Island, Pittsburgh, Pa. 15225. Send protests to: Harold C. Jolliff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 325 West Adams Street, Room 475 Springfield, IL 62704.

No. MC 107295 (Sub-No. 553 TA), filed September 24, 1971. Applicant: PREFAB TRANSIT COMPANY, 100 South Main Street, Post Office Box 146, Farmer City, IL 61842. Applicant's representative: Bruce J. Kinnee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, fiberboard, pulpboard, and parts, materials, and accessories used in the installation thereof*, from Meridian, Miss., to points in Florida, Alabama, Georgia, South Carolina, North Carolina, and Virginia, for 180 days. Supporting shipper: George Daly, Assistant Director of Traffic, Building Products Group, The Flintkote Co., 480 Central Avenue, East Rutherford, NJ 07073. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 325 West Adams Street, Room 476, Springfield, IL 62704.

No. MC-116004 (Sub-No. 24 TA), filed September 24, 1971. Applicant: TEXAS-OKLAHOMA EXPRESS, INC., Post Office Box 743, Dallas, TX 75221, Office: 2222 East Graunvylar Road, Irving, TX 75060. Applicant's representative: Vernon Crenshaw (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials and related material and supplies used in the installation thereof*, from the plant-site of Allied Materials Corp. at or near Stroud, Okla., to points within the Dallas-Fort Worth commercial zone, for

180 days. NOTE: Applicant states it does intend to tack with MC-116004 and subs. Supporting shipper: Allied Materials Corp., 5101 North Pennsylvania, Post Office Box 12340, Oklahoma City, OK 73112. Send protests to: District Supervisor E. K. Willis, Jr., Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, TX 75202.

No. MC 126548 (Sub-No. 10 TA), filed September 24, 1971. Applicant: ELMER A. FEHRLE, doing business as FEHRLE TRUCKING, 2329 18th Street SW., Cedar Rapids, IA 52404. Applicant's representative: Kenneth F. Dudley, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Air pollution control equipment and accessories*, from Waterloo, Iowa, to points in Alabama, Connecticut, Delaware, Georgia, Florida, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: Ace Incinerator Co., Post Office Box 746, Waterloo, IA 50704. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 128548 (Sub-No. 2 TA), filed September 23, 1971. Applicant: MIDWEST TRANSPORT, INC., 2609 South Halsted Street, Chicago, IL 60608. Applicant's representative: Richard Smykal (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and other commodities distributed by dairies* (except commodities in bulk), from the plantsites, warehouse storage, and production facilities utilized by Land O'Lakes, Inc., at Chicago, Ill., and points in the Chicago, Ill., commercial zone, as defined by the Commission, and Reedsburg and Spencer, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Gary Huntbatch, Traffic Division Supervisor, Land O'Lakes, Inc., 614 McKinley Place, Post Office Box 116, Minneapolis, MN 55440. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 135893 (Sub-No. 1 TA), filed September 27, 1971. Applicant: FLAVORLAND EXPRESS, 1911 Cunningham Drive, Sioux City, IA 51107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* as described in

sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 except hides and commodities in bulk, from the plant and warehouse facilities of Needham Packing Co., Inc., located at West Fargo, N. Dak., Fargo, N. Dak., Sioux City, Iowa, and Omaha, Nebr., to points in Connecticut, Delaware, Florida, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, between the plant and warehouse facilities of Needham Packing Co., Inc., located at Fargo, N. Dak., West Fargo, N. Dak., Sioux City, Iowa, and Omaha, Nebr., for 180 days. Supporting shipper: Needham Packing Co., Inc., Sioux City, Iowa. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Building, Omaha, Nebr. 68102.

MOTOR CARRIER OF PASSENGERS

No. MC 133772 (Sub-No. 1 TA), filed September 24, 1971. Applicant: CHARTERED BUS SERVICE, INC., 1551 Azalea Garden Road, Norfolk, VA 23502. Applicant's representative: John Vangol (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, in round trip, beginning and ending at Norfolk, Va., and extending to Baltimore, Md.; Elizabeth City, Greensboro, Salisbury, Fayetteville, Winston-Salem, Charlotte, and Durham, N.C.; Princess Anne, Md.; Dover, Del.; and the District of Columbia, for 180 days. Supporting shipper: Norfolk State College, Norfolk, Va. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-52 Federal Building, Richmond, Va. 23240.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 71-14727 Filed 10-6-71; 8:51 am]

[Notice 761]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 4, 1971.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the

order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73042. By order of September 27, 1971, the Motor Carrier Board approved the transfer to Hatfield Trucking Service, Inc., Sacramento, Calif., of the operating rights in certificates Nos. MC-117503 (Sub-No. 2), and MC-117503 (Sub-No. 3) issued February 12, 1959, and December 21, 1960, respectively, to Jack Carlton Hatfield, doing business as Hatfield Trucking Service, Sacramento, Calif., authorizing the transportation of general commodities, with exceptions, between the San Francisco International Airport, Calif., on the one hand, and, on the other, Sacramento and Nimbus, Calif., McClellan Air Force Base, McClellan, Calif., and Mather Air Force Base, Mather Field, Calif., restricted to shipments having a prior or subsequent movement by air; and between McClellan Air Force Base at Planehave, Calif., and Sacramento Signal Depot at Polk, Calif., on the one hand, and, on the other, Alameda, Oakland, Berkeley, Richmond, and San Francisco, Calif. Howard P. Welch, 1107 Ninth Street, Suite 437, Sacramento, CA 95814, attorney for applicants.

No. MC-FC-73067. By order of September 27, 1971, the Motor Carrier Board approved the transfer to Arkansas Transit Homes, Inc., 5417 Baseline Road, Little Rock, AR 72209, of Certificate of Registration No. MC-96938 (Sub-No. 1) issued October 22, 1964, to Wendell C. Chandler, doing business as Arkansas Transit Homes, 5417 Baseline Road, Little Rock, AR 72209, evidencing a right to engage in transportation in interstate commerce as described in certificate No. M-2076 dated January 17, 1958, issued by the Arkansas Commerce Commission.

No. MC-FC-73139. By order of September 27, 1971, the Motor Carrier Board approved the transfer to Old-Lyme Saybrook Taxi Service, Inc., Old Lyme, Conn., of certificate No. MC-124138 issued to Martin R. Lane, Sr., doing business as Colchester Taxi, Colchester, Conn., authorizing the transportation of: Passengers and their baggage, in special and charter operations, with certain restrictions, between Colchester, Conn., and New York, N.Y., F Kent Sistare, Jr., attorney, 302 State Street, New London, CT 06320.

No. MC-FC-73177. By order of September 24, 1971, the Motor Carrier Board approved the transfer to Cavalier Transportation Co., Inc., Riverside, N.J., of certificate No. MC-123057 (Sub-No. 4), issued June 17, 1968, to James Ricciardi & Sons, Inc., Staten Island, N.Y., authorizing the transportation of: Gypsum products (except in bulk), and building materials as described in appendix VI to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities in bulk), from the plantsite of the Kaiser Gypsum Co., Inc., at Delanco, N.J., to points in Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Delaware, Maryland, Virginia, and the District of Colum-

bia; and returned shipments of the above-named commodities in the reverse direction. Bert Collins, 140 Cedar Street, New York, NY 10006, attorney for applicants.

No. MC-FC-73186. By order of September 27, 1971, the Motor Carrier Board approved the transfer to Cole Transport, Inc., Bronx, N.Y., of the operating rights in permit Nos. MC-133845 and MC-133845 (Sub-No. 1) issued August 14, 1970, and November 16, 1970, respectively, to Anthony Colangelo, doing business as Cole Trucking Co., New York, N.Y., authorizing the transportation of piece goods from points in the New York, N.Y., commercial zone to Paterson and Carlstadt, N.Y., restricted to shipments having a prior movement by water; and wearing apparel from John F. Kennedy Airport, New York, N.Y., to Carlstadt, N.J., restricted to shipments having a prior movement by air, and from points in the New York, N.Y. commercial zone and Port Newark and Port Elizabeth, N.J., to Carlstadt, N.J., on shipments having a prior movement by water. Morris Honig, 150 Broadway, New York, NY 10038, attorney for applicants.

No. MC-FC-73187. By order of September 27, 1971, the Motor Carrier Board approved the transfer to Harold E. Trego, Inc., Lionville, Pa., of the operating rights in Certificates Nos. MC-119180, MC-119180 (Sub-No. 3), and MC-119180 (Sub-No. 4) issued March 16, 1961, May 2, 1967, and May 12, 1967, respectively, to Trego Bros., Inc., North East, Md., authorizing the transportation of stone, sand, and gravel, from points in Cecil County, Md., to points in Caroline, Cecil, Dorchester, Kent, Queen Annes, Talbot, Somerset, Wicomico, and Worcester Counties, Md., to points in Delaware, and points in Accomack and Northampton Counties, Va.; sulphate of ammonia, in bulk, in dump vehicles, from Bristol, Pa., to Laurel and Clayton, Del.; fertilizer, from Baltimore, Md., to points in Kent County, Del., and fertilizer, in bags or packages, from Clayton, Del., to points in Connecticut, New Jersey, New York (portion), Virginia (portion), and Pennsylvania (portion). H. James Conaway, Jr., 1401 Market Tower Building, Ninth and Market Streets, Wilmington, DE 19801, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.71-14728 Filed 10-6-71;8:51 am]

[Notice 80]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

OCTOBER 1, 1971.

The following applications are governed by Special Rule 1100.247¹ of the

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application; or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 647 (Sub-No. 7), filed August 19, 1971. Applicant: EXHIBITORS SERVICE COMPANY, a corporation, 85 Helen Street, McKees Rocks, PA 15136.

Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mattoon, Ill., to points in Maryland, New Jersey, New York, Ohio, Pennsylvania, West Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 923 (Sub-No. 12), filed August 23, 1971. Applicant: OWENSBORO EXPRESS, INC., 2021 Mill Avenue, P.O. Box 1365, Owensboro, KY 42301. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission and those requiring special equipment): (1) Between Owensboro, Ky., and Evansville, Ind.; from Owensboro over U.S. Highway 60 to junction U.S. Highway 41, thence over U.S. Highway 41 to Evansville, Ind., and return over the same route, serving all intermediate points; (2) between junction U.S. Highway 60 and Morganfield, Ky.; from junction U.S. Highway 41 and U.S. Highway 60 over U.S. Highway 60 to Morganfield, Ky., and return over the same route, serving all intermediate points; (3) between junction U.S. Highway 41 and U.S. Highway 60 and Sebree, Ky.; from junction U.S. Highway 41 and U.S. Highway 60 over U.S. Highway 41 to Sebree, Ky., and return over the same route, serving all intermediate points; and (4) between Owensboro and Beech Grove, Ky.; from Owensboro over Kentucky Highway 54 to junction Kentucky Highway 56, thence over Kentucky Highway 56 to Beech Grove, Ky., and return over the same route, serving all intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Louisville, or Owensboro, Ky.

No. MC 1367 (Sub-No. 5), filed August 19, 1971. Applicant: OWL TRANSFER & STORAGE COMPANY, INC., 3623 Sixth Avenue South, Seattle, WA 98134. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except class A and B explosives; commodities in bulk; commodities which because of their size or weight require the use of special equipment; household goods as defined by the Commission, livestock, and articles of unusual value), between points in Washington, on and west of U.S. Highway 97 (except points in Clallam, Jefferson, and Mason Counties, Wash.), restricted to traffic having a prior or subsequent movement by water or rail and moving in shipper-owned or leased containers or trailers. **NOTE:** Applicant also presently holds contract carrier authority under

MC 103647, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 2202 (Sub-No. 397), filed August 24, 1971. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, OH 44309. Applicant's representative: James W. O'Conner, Post Office Box 471, Akron, OH 44309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Evansville, Ind., and Nashville, Tenn.; from Evansville over U.S. Highway 41 to Hopkinsville, Ky.; thence over U.S. Highway 41A to Nashville, and return over the same route as an alternate route for operating convenience only, serving no intermediate points. Restriction: Restricted against traffic originating at or destined to points in Tennessee. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 398), filed August 24, 1971. Applicant: ROADWAY EXPRESS, INC. 1077 Gorge Boulevard, Post Office Box 471, Akron, OH 44309. Applicant's representative: James W. Conner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving Alliance, La., as an off-route point in connection with applicant's regular route authority in Louisiana. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., New Orleans, La., or Washington, D.C.

No. MC 4405 (Sub-No. 486), filed August 19, 1971. Applicant: DEALERS TRANSIT, INC., 7701 South Lawndale Avenue, Chicago, IL 60652. Applicant's representative: Robert E. Joyner, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heat exchangers and equalizers for air, gas or liquids, machinery and equipment for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas or liquids, and parts, attachments, and accessories* for use in the installation and operation of the above named items, from points in Alabama to points in the United States, including Alaska (but excluding Hawaii). **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, appli-

cant requests it be held at Birmingham, Ala.

No. MC 11592 (Sub-No. 15), filed August 19, 1971. Applicant: BEST REFRIGERATED EXPRESS, INC., 1402 Pacific Street, Omaha, NE 68108. Applicant's representative: Irving L. Johnson, 1402 Pacific Street, Omaha, NE 68108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible animal feed ingredients*, from Fremont and Omaha, Nebr., to Kansas City, Mo., Chicago, Ill., and Camp Hill and Harrisburg, Pa. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 13002 (Sub-No. 9), filed August 17, 1971. Applicant: FREMONT SMITH TRUCK LINES, INC., 5500 Military Road, Sioux City, IA 51103. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from points in Kansas and Nebraska, to the plantsite and storage facilities of Armour-Dial, Inc., at or near Fort Madison, Iowa, under contract with Armour-Dial, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 13087 (Sub-No. 36), filed August 18, 1971. Applicant: STOCKBERGER TRANSFER & STORAGE, INC., 524 Second Street Southwest, Mason City, IA 50401. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) from Tama, Iowa to points in Illinois, Indiana, Michigan, Minnesota, Missouri, and Wisconsin, restricted to traffic originating at Tama, Iowa. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 14552 (Sub-No. 41), filed August 18, 1971. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a corporation, 555 West Federal Street, Youngstown, OH 44501. Applicant's representatives: Paul F. Beery and Boyd B. Ferris, 88 East Broad Street, Suite 1660, Columbus, OH 43215. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: (a) *Concrete products* (except commodities in bulk); (b) *pipe fittings*; and (c) *materials and supplies* incidental to the manufacture of concrete products (except commodities in bulk), between the plantsite of Price Brothers Co. in Dutchess County, N.Y., on the one hand, and, on the other, points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, Ohio, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant now holds contract carrier authority under its No. MC 123991 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 14552 (Sub-No. 42), filed August 18, 1971. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a corporation, 555 West Federal Street, Youngstown, OH 44501. Applicant's representative: Boyd B. Ferris, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and foodstuffs*, in vehicles, requiring mechanical refrigeration, between Solon, Ohio, on the one hand, and, on the other, points in the southern Peninsula of Michigan. NOTE: Applicant states the authority sought may be tacked with the authority contained in applicant's Sub 30 certificate to permit service between points in the southern Peninsula of Michigan, on the one hand, and, on the other, points in Pennsylvania on and west of U.S. Highway 15, points in West Virginia on and north of a line beginning at the Ohio River and extending east along U.S. Highway 50 to junction U.S. Highway 19, thence south along U.S. Highway 19 to junction U.S. Highway 33, thence east along U.S. Highway 33 to junction U.S. Highway 219, and thence northwest along U.S. Highway 219 to the Maryland-West Virginia State line. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 20981 (Sub-No. 5), filed August 17, 1971. Applicant: FUCCY HAULING & EXCAVATING, INC., Post Office Box 453, New Cumberland, WV 26047. Applicant's representative: D. L. Bennett, 129 Edgington Lane, Wheeling, WV 26003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ladle brick*, on pallets, from New Cumberland, W. Va., to Chicago, Ill.; Gary, Ind.; Ashland, Ky.; Cleveland, Lorain, Warren, Canton, Columbus, Mansfield, Middletown, and Steubenville, Ohio; Butler and Erie, Pa., under contract with Crescent Brick Co., Inc., New Cumberland, W. Va. NOTE: Applicant holds common carrier authority under MC 106884, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 28517 (Sub-No. 9), filed August 9, 1971. Applicant: FARNY TRUCK SERVICE, INC., 1605 Northwest Pettygrove Street, Portland, OR 97209. Applicant's representative: Jerry R. Woods, 726 Blue Cross Building, 100 Southwest Market Street, Portland, OR 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, household goods as defined by the ICC in 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment, serving Longview and Kelso, Wash., as off-route points in connection with authorized services between Portland and Ranier, Oreg., over U.S. Highway 30, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Longview, Wash., or Portland, Oreg.

No. MC 29698 (Sub-No. 17), filed August 25, 1971. Applicant: LESTER FELLOWS CO., a corporation, 110 Halstead Street, East Orange, NJ 07108. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hydrants and valves, and parts of hydrants and valves*, from the plantsite of United States Pipe and Foundry Co. at Burlington, N.J., to points in Connecticut, Delaware, Massachusetts, Maryland, Rhode Island and points in Pennsylvania and New York on and east of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 220 to Bald Eagle, Pa., thence along Pennsylvania Highway 350 to Philipsburg, Pa., thence along U.S. Highway 322 through Clearfield, Pa., to junction U.S. Highway 219, thence along U.S. Highway 219 to Hamburg, N.Y., thence along U.S. Highway 62 through Buffalo, N.Y., to junction New York Highway 429, thence along New York Highway 429 to junction U.S. Highway 104, thence on and south of a line extending along U.S. Highway 104 to Mexico, N.Y., thence along New Highway 69 to Utica, N.Y., and thence along New York Highway 8 to Ticonderoga, N.Y., and *returned shipments* of the commodities named above from the above-specified destinations to Burlington, N.J., restricted to a transportation service to be performed under a continuing contract, or contracts, with the United States Pipe and Foundry Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 30837 (Sub-No. 445), filed August 18, 1971. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, WI 53140. Applicant's representative: Paul F. Sullivan, 711 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Folding tent campers* designed to be drawn by passenger automobiles, in truckaway service, (a) from Granger

and Middlebury, Ind., South Haven, Mich.; Wauseon, Ohio; Lenni and Somerset, Pa.; and Knoxville, Tenn., to points in the United States (except Alaska and Hawaii), (b) from San Jose, Calif., to points in Washington, Oregon, Nevada, Idaho, Arizona, Colorado, Montana, Wyoming, Utah, New Mexico, and Texas, and (c) from Santa Rosa, Montebello, and Oakland, Calif., to points in Washington, Oregon, Nevada, Arizona, Idaho, and Utah; (2) *car top campers*, in truckaway service, from Fair Lawn, N.J., to points in the United States (except Alaska and Hawaii), and (3) *boat, trailers*, from Algonac, Mich., to Cortland, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31389 (Sub-No. 141), filed August 16, 1971. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, NC. Applicant's representative: Francis W. McInerney, 1000 16th Street NW, Washington, DC 20036. Authority sought to operate as *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* with the usual exceptions, serving the plantsite of the Borg & Beck Division of Borg-Warner Corp., at 18½ mile road, east of Mound Road, Sterling Heights, Mich., as an off-route point in connection with applicant's regular route operations to and from Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 31879 (Sub-No. 32), filed July 16, 1971. Applicant: EXHIBITORS FILM DELIVERY & SERVICE CO., INC., 101 West 10th Avenue, North Kansas City, MO 64116. Applicant's representative: Warren A. Goff, 2122 Sterick Building, Memphis, TN 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except classes A and B explosives, household goods, as defined in 17 M.C.C. 467, commodities in bulk, and livestock, restricted so that no service shall be rendered in the transportation of parcels, packages, or articles weighing in the aggregate more than 200 pounds from any one consignor, at any one location, to any one consignee, at any one location, on any one day, and further restricted against the transportation of any single parcel, package, or article weighing more than 100 pounds; (a) between points in Weld, Adams, Jefferson, Douglas, El Paso, Fremont, Pueblo, Huerfano, Las Animas, Logan, Sedgwick, Phillips, Morgan, Washington, Yuma, Arapahoe, Elbert, Lincoln, Kit Carson, Cheyenne, Crowley, Kiowa, Otero, Bent, Prowers, and Baca Counties, Colo.; points in Laramie and Goshen Counties, Wyo.; points in Sloux, Scotts Bluff, Banner, Kimball, Dawes, Box Butte, Morrill, Cheyenne, Sheridan, Garden, Deuel Counties, Nebr., and points in New Mexico in the following described area and on a line commencing

at the northwest corner of Colfax County, N. Mex., at its junction with the Colorado-New Mexico State line; over the western boundary of Colfax County to the western boundary of Mora County, N. Mex.; thence over the western boundary of Mora County to the boundary of Santa Fe County, N. Mex.; thence in a north and westerly direction over the Santa Fe County boundary to the boundary of Los Alamos County, N. Mex.; thence in a north and westerly direction over the Los Alamos County boundary until that boundary meets the Santa Fe County boundary at the southern tip of Los Alamos County; thence over the Santa Fe County boundary to U.S. Highway 85 and/or Interstate Highway 25; thence over U.S. Highway 85 and/or Interstate Highway 25 to its junction with U.S. Highway 60; thence over U.S. Highway 60 to the New Mexico-Texas State line, thence over the New Mexico State line in a north and westerly direction to the point of beginning, (b) between points in (a) above on the one hand, and on the other points in Kansas and points in Nebraska on, south, and 10 miles north of a line beginning on U.S. Highway 138 at the Nebraska-Colorado State line to U.S. Highway 30, and thence continuing over U.S. Highway 30 to the Nebraska-Iowa State line. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority at points in Kansas, to provide through service to points in Boone and Carroll Counties, Ark.; and the western two-thirds of Missouri. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Denver, Colo., or Albuquerque, N. Mex.

No. MC 33037 (Sub-No. 15), filed August 18, 1971. Applicant: **STUDER TRUCK LINE, INC.**, Beattie, Kans. 66406. Applicant's representative: Clyde N. Christey, 641 Harrison, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed* (molasses base) from Omaha, Nebr., to points in Kansas on and east of U.S. Highway 81. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 34227 (Sub-No. 9), filed August 23, 1971. Applicant: **PACIFIC INLAND TRANSPORTATION COMPANY**, a corporation, 15 South Broadway, Cortez, CO 81321. Applicant's representative: David R. Parker, 605 South 14th Street, Post Office Box 32028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Suitcases, travel bags, briefcases, carrying cases, and materials and supplies* used in the repair and distribution of the above-named commodities, from Denver, Colo., to points in Georgia, under contract with Samsonite Corp. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 36509 (Sub-No. 20), filed August 26, 1971. Applicant: **LOOMIS ARMORED CAR SERVICE, INC.**, 55 Battery Street, Seattle, WA 98121. Applicant's representative: George H. Hart, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency, securities, and negotiable instruments*, between points in King County, Wash., on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada located at or near Blaine, Wash., under contract with various banks and banking institutions. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 36603 (Sub-No. 2), filed August 24, 1971. Applicant: **HOLLSTEIN TRANSFER, INC.**, Post Office Box 343, Stenersen Lane, Cockeysville, MD 21030. Applicant's representative: F. Vernon Schmidt (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, explosives, household goods, commodities in bulk, commodities requiring special equipment, livestock, and commodities injurious or contaminating to other lading), between the warehouse facilities of Michel Warehousing Corp., located at points within the commercial zone of Baltimore, Md., on the one hand, and, on the other, points within the commercial zone of Washington, D.C., under contract with Michel Warehousing Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 37523 (Sub-No. 5), filed August 9, 1971. Applicant: **GENE MCGINNIS**, doing business as **FREDONIA TRUCK LINE**, Post Office Box 325, Fredonia, KS 66736. Applicant's representative: Leland M. Spurgeon, 308 Casson Building, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed feeds and feed ingredients*, between Wilson and Montgomery Counties, Kans., and points in Missouri, Arkansas, Texas, Oklahoma, Nebraska, Colorado, and New Mexico. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 123056, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Topeka, Kans.

No. MC 41116 (Sub-No. 46) (Amendment), filed August 13, 1971, published in the FEDERAL REGISTER issue of September 23, 1971, amended and republished as amended this issue. Applicant: **FOGLEMAN TRUCK LINE, INC.**, Post Office Box 1504, Crowley, LA 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper*

and paper products, products produced or distributed by manufacturers and converters of paper and paper products and, (2) materials and supplies used in the manufacture and distribution of the commodities described in (1) (except commodities in bulk, and commodities which because of size or weight require the use of special equipment), between the sites of the plant and storage facilities of Boise-Southern Co., in Beauregard Parish, La., on the one hand, and, on the other, points within the District of Columbia, Arizona, Colorado, Connecticut, Delaware, Maryland, Massachusetts, Michigan, New Mexico, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Utah, Virginia, and West Virginia, under contract with Boise Cascade Corp. **NOTE:** Applicant holds common carrier authority under MC 123993 and subs, therefore dual operations may be involved. The purpose of this republication is to broaden the scope of authority sought. If a hearing is deemed necessary, applicant requests it be held at New Orleans, or Baton Rouge, La.

No. MC 43716 (Sub-No. 29), filed August 25, 1971. Applicant: **BIGGE DRAYAGE COMPANY**, a corporation, 10700 Bigge Avenue, San Leandro, CA 94577. Applicant's representative: R. A. Doty (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, which, by reason of size or weight, require the special handling or the use of special equipment and commodities which do not require special handling or the use of special equipment when moving in the same shipment on the same bill of lading as commodities, which by reason of size or weight require special handling or the use of special equipment; (2) *self-propelled articles*, transported on trailers and related machinery, tools, parts, and supplies moving in connection therewith; (3) *iron and steel articles* as described in appendix 5 to the Commission's report in *Descriptions in Motor Carrier Certificates*, ex parte, MC 45, 61 M.C.C. 209 and 766; (4) *pipe*, other than iron or steel, together with fittings; and (5) *construction materials*, between points in California, on the one hand, and, on the other, points in Oregon, Washington, Idaho, Montana, Utah, Nevada, Wyoming, Colorado, and Arizona. **NOTE:** Applicant states the requested authority can be tacked for service between points in (1) Washington, on the one hand, and, on the other, Nevada, by tacking in California, and (2) points in Oregon on the one hand, and, on the other, points in Arizona, Utah, Wyoming, and Colorado by tacking in California. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., Portland, Oreg., or Salt Lake City, Utah.

No. MC 43867 (Sub-No. 22), filed August 19, 1971. Applicant: **ALTON LEANDER McALISTER**, Post Office Box 2214, 1610 East Scott Street, Wichita Falls, TX 76303. Applicant's representative: Clayte

Binion, c/o Rawlings, Sayers & Scurlock, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*: (1) Between points in Oklahoma and Kansas; (2) between points in Oklahoma and Kansas, on the one hand, and, on the other, points in Texas, and those in Lea and Eddy Counties, N. Mex.; (3) between points in Kansas, Oklahoma, Texas, and those in Lea and Eddy Counties, N. Mex., on the one hand, and, on the other, points in Arizona, Colorado, Utah, and Wyoming; (4) between points in Texas, on the one hand, and, on the other, points in Montana; (5) between points in Illinois, Indiana, and Kentucky on the one hand, and, on the other, St. Louis, Mo., and points in Kansas and Oklahoma; (6) between points in Texas, Oklahoma, and Lea and Eddy Counties, N. Mex., on the one hand, and, on the other, points in Nevada; and (7) between points in Texas, Oklahoma, Louisiana, and New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex., or Oklahoma City, Okla.

No. MC 45876 (Sub-No. 2), filed August 20, 1971. Applicant: MIX TRANSFER CO., a corporation, 701 North Fourth Street, Minneapolis, Minn. 55401. Applicant's representative: Milton H. Bix, 1540 Dain Tower, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newspapers, horticultural commodities, vegetables* requiring refrigerated service, *meat and meat products*, fresh or frozen (maximum shipment of 5,000 pounds on meat and meat products only), except in bulk or tank transports, from Minneapolis-St. Paul, Minn., metropolitan area to points in Wisconsin. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 51146 (Sub-No. 231), filed August 16, 1971. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, WI 54306. Applicant's representative: Charles Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Miquon, Pa., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

NOTE: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. Applicant has various duplicative items of authority under various subs but does not seek duplicative authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 51146 (Sub-No. 232), filed August 16, 1971. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, WI 54306. Applicant's representative: Charles Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Cleaning, scouring, or washing compounds; buffing and polishing compounds; carbon gum or sludge removing compounds; rust preventative lube oils and greases; paints, stains, and varnishes* (except commodities in bulk, in tank vehicles): (1) Between Woodbridge, N.J.; Chicago, Joliet, and South Beloit, Ill.; San Jose and Vernon, Calif.; Garland, Tex.; Minneapolis and St. Paul, Minn.; Atlanta, Ga.; Cleveland, Ohio; and Detroit, Mich.; (2) from Chicago, Joliet, and South Beloit, Ill., to points in the United States (excluding Alaska and Hawaii); (3) from Garland, Tex., to points in Oklahoma, New Mexico, Arizona, Arkansas, Louisiana, and Missouri. (b) *Materials and supplies* used in the manufacturing and packaging of cleaning, scouring, or washing compounds; buffing and polishing compounds; carbon gum or sludge compounds; rust preventative lube oils and greases; paints, stains, and varnishes (except commodities in bulk, in tank vehicles), from points in the United States (except Alaska and Hawaii) to Chicago, Joliet, and South Beloit, Ill.; Garland, Tex.; San Jose, Calif.; Woodbridge, N.J.; and Minneapolis and St. Paul, Minn. NOTE: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. Applicant has various duplicative items of authority under various subs but does not seek duplicative authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 52110 (Sub-No. 124), filed August 16, 1971. Applicant: BRADY MOTORFRATE, INC., 2150 Grand Avenue, Des Moines, IA 50312. Applicant's representative: Cecil L. Loettich, 11th Floor Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, from the plantsite and storage facilities of Aristo Kansas Meat Packers, Inc., at or near Holton, Kans., to

points in Indiana, Ohio, the Lower Peninsula of Michigan, New Jersey, New York, Pennsylvania, Maryland, and the District of Columbia, restricted to traffic originating at the named origin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo.

No. MC 52460 (Sub-No. 109), filed August 19, 1971. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, OK 74107. Applicant's representative: Steve B. McCommas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals, including fertilizer and fertilizer material*, from Kansas City, Mo., to points in Iowa, Kansas, Nebraska, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, or Oklahoma City, Okla.

No. MC 53965 (Sub-No. 76), filed August 16, 1971. Applicant: GRAVES TRUCK LINE, INC., 739 North 10th Salina, KS. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats and meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and hides), from the plantsite and/or storage facilities of Farmland Foods, Inc., at or near Denison, Iowa to points in Kansas, Oklahoma, Texas, Colorado, and Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 59194 (Sub-No. 16), filed August 18, 1971. Applicant: EASTERN FREIGHT WAYS, INC., Eastern and Moonachie Avenues, Carlstadt, NJ 07072. Applicant's representative: Maxwell A. Howell, 1120 Investment Building, 1511 K Street NW, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (a) Regular routes: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): (1) Between Scranton, Pa., and New York, N.Y., serving all intermediate points: From Scranton over unnumbered highways via Moosic, Pa., to junction Pennsylvania Highway 502, thence over Pennsylvania Highway 502 to junction Pennsylvania Highway 307, thence over Pennsylvania Highway 307 to junction U.S. Highway

611, thence over U.S. Highway 611 to junction U.S. Highway 46, and thence over U.S. Highway 46 to New York, and return over the same route; (2) between Scranton, Pa., and junction Pennsylvania Highway 307 and U.S. Highway 611, serving all intermediate points: From Scranton over Pennsylvania Highway 307 to junction U.S. Highway 611, and return over the same route; (3) between Scranton, Pa., and junction U.S. Highway 611 and Pennsylvania Highway 307, serving all intermediate points: From Scranton over U.S. Highway 611 to junction Pennsylvania Highway 307, and return over the same route; (4) between junction U.S. Highway 46 and New Jersey Highway 3 and New York, N.Y., serving all intermediate points and serving junction U.S. Highway 46 and New Jersey Highway 3 for the purpose of joinder: From junction U.S. Highway 46 and New Jersey Highway 3 over New Jersey Highway 3 through the Lincoln Tunnel to New York, and return over the same route;

(5) Between Scranton, Pa., and New York, N.Y., serving all intermediate points: From Scranton over U.S. Highway 11 to junction Pennsylvania Highway 309 (formerly U.S. Highway 309), thence over Pennsylvania Highway 309 via Wilkes-Barre, Pa., to junction U.S. Highway 22, thence over U.S. Highway 22 to Newark, N.J., thence over combined U.S. Highways 1 and 9 through the Holland Tunnel to New York, and return over the same route; (6) between Scranton, Pa., and Wilkes-Barre, Pa., serving all intermediate points: From Scranton over Pennsylvania Highway 315 to Wilkes-Barre, and return over the same route; (7) between junction U.S. Highway 22 and New Jersey Highway 82 and New York, N.Y., serving all intermediate points: From junction U.S. Highway 22 and New Jersey Highway 82 over New Jersey Highway 82 to junction New Jersey Highway 439, thence over New Jersey Highway 439 via the Goethals Bridge to New York, and return over the same route; (8) between Scranton, Pa., and junction Pennsylvania Turnpike Northeast Extension and U.S. Highway 22, serving no intermediate points, and serving junction Pennsylvania Turnpike Northeast Extension and U.S. Highway 22 for the purpose of joinder: From Scranton over Pennsylvania Turnpike Northeast Extension to junction U.S. Highway 22, and return over the same route; (9) between Scranton, Pa., and junction U.S. Highway 206 and U.S. Highway 46, serving all intermediate points and serving junction U.S. Highway 206 and U.S. Highway 46 for the purpose of joinder: From Scranton over U.S. Highway 6 to junction U.S. Highway 206, thence over U.S. Highway 206 to junction U.S. Highway 46, and return over the same route; (10) between junction U.S. Highways 206 and 46 and junction U.S. Highways 206 and 22, serving all intermediate points and serving junction U.S. Highways 206 and 22 for the purpose of joinder: From

junction U.S. Highways 206 and 46 over U.S. Highway 206 to junction U.S. Highway 22, and return over the same route; (11) between Wilkes-Barre, Pa., and junction U.S. Highway 202 and U.S. Highway 22, serving all intermediate points: From Wilkes-Barre over Pennsylvania Highway 115 to Easton, Pa., thence over U.S. Highway 611 to Doylestown, Pa., thence over U.S. Highway 202 to junction U.S. Highway 22, and return over the same route;

(12) Between junction U.S. Highway 22 and New Jersey Highway 24 and junction New Jersey Highway 24 and U.S. Highway 46, serving all intermediate points and serving both junctions for the purpose of joinder: From junction U.S. Highway 22 and New Jersey Highway 24 over New Jersey Highway 24 to junction U.S. Highway 46, and return over the same route; (13) between junction New Jersey Highways 3 and 17 and junction New Jersey Highways 3 and 20, serving all intermediate points and serving junction New Jersey Highways 3 and 17 and junction New Jersey Highways 3 and 20 for the purpose of joinder: From junction New Jersey Highways 3 and 17 over New Jersey Highway 17 to junction County Road 36 (Moonachie Avenue), thence over County Road 36 to junction County Road 43 (Moonachie Road), thence over County Road 43 to junction New Jersey Highway 20, thence over New Jersey Highway 20 to junction of New Jersey Highway 3, and return over the same route; (14) between junction U.S. Highway 46 and New Jersey Highway 17 and junction New Jersey Highway 17 and County Road 36 (Eastern Avenue), serving all intermediate points and serving junction U.S. Highway 46 and New Jersey Highway 17 and junction New Jersey Highway 17 and County Road 36 for the purpose of joinder: From junction U.S. Highway 46 and New Jersey Highway 17 over New Jersey Highway 17 to junction County Road 36 (Eastern Avenue), and return over the same route; and

(15) Between junction U.S. Highway 46 and U.S. Highway 1 and junction U.S. Highway 1 and Truck U.S. Highway 1, serving all intermediate points and serving junction U.S. Highway 1 and Truck U.S. Highway 1 for the purpose of joinder: From junction U.S. Highway 46 and U.S. Highway 1 over U.S. Highway 1 to junction Truck U.S. Highway 1, and return over the same route; (b) irregular routes: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Camden, Passaic, Bergen, Hudson, Essex, Union, Middlesex, Monmouth, Morris, Somerset, Mercer, Ocean, and Sussex Counties, N.J., and those in that part of Pennsylvania on and east of Pennsylvania Highways 309 (formerly U.S. Highway 309). Any duplication of authority granted herein or to the extent that such authority duplicates any heretofore granted to or now held by carrier shall not be construed as conferring more

than one operating right. Note: Applicant intends to tack the proposed authority with its existing authority wherever possible. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. Applicant already holds the authority herein under MC-59194 (Sub-No. 13), except that shipments must move through a Newark-New York City gateway. This application seeks to remove that gateway requirement. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.

No. MC 59367 (Sub-No. 77), filed August 18, 1971. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915 Fort Dodge, IA 50501. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Tama, Iowa, to points in Illinois, Indiana, Minnesota, Missouri, Nebraska, and Wisconsin, restricted to traffic originating at Tama, Iowa. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa or Omaha, Nebr.

No. MC 60014 (Sub-No. 28), filed August 9, 1971. Applicant: AERO TRUCKING, INC., Post Office Box 308, Monroeville, PA 15146. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and construction materials*, from Bedford Park, Ill., to points in Connecticut, Delaware, District of Columbia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 242), filed August 19, 1971. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint*, from Moline, Ill., to Horicon, Wis. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 62499 (Sub-No. 11) (Amendment), filed March 29, 1971, published in the FEDERAL REGISTER issue of April 29, 1971, and republished as amended this issue. Applicant: HAGERSTOWN MOTOR EXPRESS CO., INC., Post Office Box 1946, Middleburg Pike, Hagerstown, MD 21740. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, explosives and blasting supplies and commodities requiring special equipment), from points in Maryland, Pennsylvania, Virginia, and West Virginia within 40 miles of Hagerstown, Md., to Hagerstown, Md. NOTE: Applicant states that it can tack with MC-62499 and subs thereunder, with presently authorized points in Maryland, Pennsylvania, Virginia, and West Virginia. The purpose of this republication is to add Pennsylvania as an origin State, and to add Virginia and West Virginia to the tacking information. If a hearing is deemed necessary, applicant requests it be held at Hagerstown, Md.

No. MC 67210 (Sub-No. 5) (Correction), filed August 9, 1971, published in the FEDERAL REGISTER issue of September 10, 1971, corrected and republished as corrected this issue. Applicant: GLENNON TRANSPORTS, INC., 1000 North 14th Street, St. Louis, MO 63106. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter and printing supplies* (except in bulk, in tank vehicles), *paper, ink* (except in bulk, in tank vehicles), *wire banding materials, boxes, bags, glue* (except in bulk, in tank vehicles), *rollers and plastic sheeting*, (1) between Sparta and Effingham, Ill., and (2) between Sparta and Effingham, Ill., on the one hand, and, on the other, St. Louis, Mo., Indianapolis, Ind., Chicago, Mattoon, Decatur, and Charleston, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to redescribe the territorial scope of the application, a portion of which was inadvertently omitted in the previous publication. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 67450 (Sub-No. 42), filed August 16, 1971. Applicant: PETERLIN CARTAGE CO., a corporation, 9651 South Ewing Avenue, Chicago, IL. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such goods, wares, merchandise and equipment* used or useful to persons engaged in the operation of retail stores (except commodities in bulk, iron and steel and commodities requiring refriger-

ation in transit), between Elgin, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 80913 (Sub-No. 9), filed August 9, 1971. Applicant: PINTER BROS., INC., Carl's Path, Deer Park, N.Y. 11729. Applicant's representative: John P. Tynan, 69-20 Fresh Pond Road, Ridgewood, NY 11227. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value), classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment and those injurious or contaminating to other lading, (1) between New York, N.Y., and points in Westchester and Putnam County, N.Y. NOTE: Applicant states that the requested authority will joinder at New York, N.Y., to provide through service to and from the balance of its authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 82063 (Sub-No. 36), filed August 24, 1971. Applicant: KLIPSCH HAULING CO., a corporation, 119 East Loughborough, St. Louis, MO 63111. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, MO 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in Arizona, California, Colorado, Nevada, New Mexico, and Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC 85718 (Sub-No. 4), filed August 17, 1971. Applicant: SEWARD MOTOR FREIGHT, INC., 205 South 14th Street, Seward, NE 68434. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pole line transmission materials*, from the plantsite and warehouse facilities of Hughes Brothers, Inc., at or near Seward, Nebr., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, or Lincoln, Nebr.

No. MC 88836 (Sub-No. 2), filed August 20, 1971. Applicant: GEORGE E. STRONG, doing business as STRONG TRUCKING, 117 Old Bridge Road, Englishtown, NJ 07960. Applicant's representative: Alexander Markowitz, Post

Office Box 793, Vineland, NJ 08360. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural commodities, fertilizers, fertilizing materials and compounds, insecticides, pesticides, or germicides, agricultural soil conditioners, grain or feed, lime products, containers, new or used*, in the transportation of such commodities, between points in Mercer, Middlesex, and Monmouth Counties, N.J., on the one hand, and, on the other, points in Connecticut, Massachusetts, Rhode Island, New York, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, or Trenton, N.J.

No. MC 89684 (Sub-No. 77), filed August 16, 1971. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South Second West, Salt Lake City, UT 84110. Applicant's representative: Harry D. Pugsley, 400 El Paso Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Construction supplies, materials, and equipment parts*, excluding explosives and poisonous articles, from points in Salt Lake County, Weber County and Utah County to Flagstaff, Ariz., over U.S. Highway 89, serving all intermediate points in Arizona, between Page and Flagstaff, Ariz., that are located on U.S. Highway 89, including Page and Flagstaff, over U.S. Highway 89, and serving as an off-route point the Navajo Power Plant located approximately 5 miles from Page, Ariz., restricted to shipments not exceeding 1,000 pounds in weight. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 92215 (Sub-No. 10), filed August 16, 1971. Applicant: PEN-BAY TRANSPORT, INC., 83 Weldo Avenue, Rockland, ME 04841. Applicant's representative: Frank L. Kaler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, with usual exceptions, between Rockland, Maine and the Penobscot Bay Island of Vinalhaven and North Haven, Maine. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Vinalhaven, or Rockland, Maine.

No. MC 95510 (Sub-No. 2), filed July 28, 1971. Applicant: D. C. COTNER, Highway 19 North, Salem, MO 65560. Applicant's representative: J. Max Price, 103 Center Street, Salem, MO 65560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips and related wood products*, from Salem, Mo., to Alton and Tamms, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 95540 (Sub-No. 819), filed August 19, 1971. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in appendix I, sections A and C to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Moultrie, Ga., to points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, and Wisconsin. Restriction: Restricted to shipments originating at the plantsite and/or storage facilities of Swift & Co. and destined to the named States. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Atlanta, Ga.

No. MC 96881 (Sub-No. 12), filed August 18, 1971. Applicant: ORVILLE M. FINE, doing business as FINE TRUCK LINE, 1211 South Ninth Street, Fort Smith, AR 72901. Applicant's representatives: Thomas Harper and Don A. Smith, Post Office Box 43, Kelley Building, Fort Smith, AR 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Interstate Commerce Commission, commodities in bulk, and commodities requiring special equipment), over the following routes: (1) Between Broken Bow, Okla., and the Broken Bow Dam site, from Broken Bow over U.S. Highway 259 to the junction of Oklahoma Highway 259 A, thence on Oklahoma Highway 259 A to the Broken Bow Dam site, and return over the same route, serving all intermediate points; (2) between Horatio, Ark., and Shreveport, La., from Horatio, Ark., over Arkansas Highway 41 to the junction of Texas Highway 8, thence on Texas Highway 8 to the junction of U.S. Highway 82, thence on U.S. Highway 82 to the junction of U.S. Highway 71 at Texarkana, Ark.-Tex., thence on U.S. Highway 71 to Shreveport, La., and return over the same route, serving all intermediate points; and (3) between Idabel, Okla., and Clarksville, Tex., from Idabel, Okla., over Oklahoma Highway 37 to the junction of Texas Highway 259, thence over Texas Highway 259 to Clarksville, Tex., and return over the same route, for operating convenience only, and serving no intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Fort Smith or Texarkana, Ark., or Shreveport, La.

No. MC 98749 (Sub-No. 26), filed August 20, 1971. Applicant: DURWARD L. BELL (ANN MEYERS BELL INDE-

PENDENT EXECUTRIX), doing business as BELL TRANSPORT COMPANY, Ryder Road and Eastman Road, Post Office Box 2362, Longview, TX 75601. Applicant's representative: Joe T. Lanham, 1102 Perry-Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, between Longview, Tex., on the one hand, and, on the other, points in Texas. **NOTE:** Applicant states that by joinder and tacking of present authority with that proposed applicant proposes service from points in Texas to points in the United States except Alaska and Hawaii, and from points in Oklahoma, Kansas, and Arkansas to points in Texas other than Texas gulf ports. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 99780 (Sub-No. 19), filed August 17, 1971. Applicant: CHIPPER CARTAGE COMPANY, INC., 1327 Northeast Bond Street, Peoria, IL 61604. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, IL 60614. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products, meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities of Oscar Mayer & Co., at Davenport, Iowa, on the one hand, and, on the other, points in Illinois, restricted to the transportation of Oscar Mayer & Co., traffic originating at Davenport, Iowa, and destined to points in Illinois. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Springfield, Ill., or Peoria, Ill.

No. MC 100449 (Sub-No. 28), filed August 18, 1971. Applicant: MALLINGER TRUCK LINE, INC., Otho, Iowa 50569. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Tama, Iowa, to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Texas, and Wisconsin, restricted to traffic originating at Tama, Iowa. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 100666 (Sub-No. 197), filed August 18, 1971. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson,

280 National Foundation Life Building, 3535 Northwest 58th Street, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products and linerboard*; from Valliant, Okla., to points in Alabama, Arkansas, Mississippi, Louisiana, Texas, Missouri, Kansas, Nebraska, Iowa, Illinois, Indiana, Kentucky, Tennessee, Michigan, Minnesota, and Wisconsin and (2) *materials and supplies* used in the manufacture of paper and paper products and linerboard (except commodities in bulk, in tank vehicles), from destination States in (1) above to Valliant, Okla. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 102567 (Sub-No. 145) (Correction), filed July 26, 1971, published in the FEDERAL REGISTER issue of September 10, 1971, and republished in part, as corrected this issue. Applicant: EARL GIBBON TRANSPORT, INC., 4295 Meadow Lane, Post Office Drawer 5357, Bossier City, LA 71010. Applicant's representative: Jo E. Shaw, 816 Houston First Savings Building, Houston, Tex. 77002. **NOTE:** The purpose of this partial republication is to show applicant correct name as EARL GIBBON TRANSPORT, INC., erroneously shown as EARL GIBBON TRANSFER, INC. The rest of the application remains as previously published.

No. MC 103993 (Sub-No. 662), filed August 19, 1971. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghe- sani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Shelby County, Tenn., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 106393 (Sub-No. 551), filed August 23, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, OK 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Hardin County, Tenn., to points in the United States (except Alaska and Hawaii). **NOTE:** Common

control and dual operations may be involved. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Memphis or Nashville, Tenn.

No. MC 106398 (Sub-No. 552), filed August 18, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, OK 74151. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings, complete, knocked down, or in sections*; (2) *building sections*; (3) *building panels*; (4) *parts and accessories used in the installation and completion of commodities described in (1), (2), and (3) above*; and (5) *metal prefabricated structural components, and panels, and accessories used in the installation and completion thereof*, from the plantsite of Butler Manufacturing Co. at Galesburg, Ill., to points in Colorado, Florida, Kansas, Minnesota, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, and Utah. **NOTE:** Common control and dual operations may be involved. Applicant states that the requested authority can be tacked with its existing authority under MC 106398 (Sub-No. 521) at Galesburg, Ill., and transport the requested commodities to points in Florida, Kansas, Minnesota, Nebraska, New Mexico, and South Dakota, and with Sub-No. 341 in New Mexico. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106407 (Sub-No. 27), filed August 19, 1971. Applicant: T. E. MERCER TRUCKING CO., a corporation, 1023 North Commerce Street, Fort Worth, TX 76101. Applicant's representative: Clayte Binion, c/o Rawlings, Sayers & Scurlock, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, (1) between points in Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas; (2) between Memphis, Tenn., and points in Oklahoma, on the one hand, and, on the other, points in Mississippi; (3) between points in Mississippi, on the one hand, and, on the other, points in Texas, Arkansas, and Louisiana; (4) between points in Louisiana, Arkansas, Kansas, Mississippi, New Mexico, Oklahoma, Texas, and Memphis, Tenn., on the one hand, and, on the other, points in Georgia, Alabama, and Florida; (5) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana; (6) between points in Kansas and Colorado, on the one hand, and, on the other, points in New Mexico; (7) between points in Texas, Oklahoma, Kansas, and New Mexico, on the one hand, and, on the other, points in Utah, Wyoming, Idaho, and Montana; (8) between points in Arkansas, Louisiana, Oklahoma, and Texas; (9) between points in Mississippi

and Alabama, (10) between points in Mississippi and Alabama, on the one hand, and, on the other, points in Arkansas and Louisiana; (11) between points in Ohio, Michigan, and West Virginia; (12) between points in Missouri, Indiana, Kentucky, and Tennessee; and (13) between points in Arizona, Arkansas, Colorado, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming, on the one hand, and, on the other, points in California. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex., or Oklahoma City, Okla.

No. MC 107295 (Sub-No. 550), filed August 19, 1971. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings, complete, knocked down, or in sections, and when transported in connection with the transportation of such buildings, component parts thereof and equipment and materials incidental to the erection and completion of such buildings*, from Houston, Tex., to points in the United States (except Alaska, Hawaii, Arkansas, Illinois, and Wisconsin). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Chicago, Ill., or St. Louis, Mo.

No. MC 107496 (Sub-No. 823), filed August 20, 1971. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, IA 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal tallow, greases, animal fats and oils, lard and lard compounds*, in bulk, in tank vehicles, from the plantsite or storage facilities utilized by Illini Beef Packers Inc., at or near Joslin, Ill., to points in Illinois, Iowa, Indiana, Wisconsin, Minnesota, Missouri, and Ohio. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107496 (Sub-No. 824), filed August 20, 1971. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, IA 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sand and sand with additives*, from points in the Chicago, Ill. commercial zone, to points in Indiana, Illinois, Ohio, Michigan, Wisconsin, West Virginia, Kentucky, Missouri, and Iowa; (2) *liquid sulphur trioxide (sulfan)*, in bulk, in tank vehicles, from East St. Louis, Ill., to points in Alabama, Colorado, Illinois, Indiana, Kansas, Michigan, Mississippi, Missouri, Ohio, South Carolina, and Wisconsin; (3) *fly ash*, in bulk, (a) from the plantsite of the Illinois Power Co., at Wood River, Ill., to points in Missouri, and (b) from the plantsite of the Interstate Power Co., at Clinton, Iowa, to points in Illinois, and Wisconsin; and (4) *sulcrete or cement mixes*, from Memphis, Tenn., to points in Missouri. **NOTE:** Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107515 (Sub-No. 773), filed August 26, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA. Applicant's representative: Alan E. Serby, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Adhesives, epoxy, and resin impregnated fabrics, molding compounds and thinners* (except in bulk in tank vehicles), from River Rouge, Mich., to points in Georgia, Florida, and Texas. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 108057 (Sub-No. 8), filed August 18, 1971. Applicant: McDONNELL BROS., INC., 759 Riverside Avenue, Lyndhurst, NJ 07071. Applicant's representative: James J. Farrell, 200 North Boulevard, Belmar, NJ 07719. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Nonferrous scrap metal*, in bulk or in packages or on pallets, between Howell Township (Monmouth County), N.J., on the one hand, and, on the other, Baltimore, Md., New York, N.Y., and points in Connecticut, Ohio, Pennsylvania, and Rhode Island, under contract with Emil A. Schroth, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 108119 (Sub-No. 35), filed August 18, 1971. Applicant: E. L. MURPHY TRUCKING COMPANY, a corporation, 3303 Sibley Memorial Highway, St. Paul, MN 55111. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: (1) *Snowmobiles*; (2) *snowmobile trailers*; (3) *parts, attachments and accessories* for the commodities described in (1) and (2) above; (4) *snowmobile clothing and accessories*; and (5) *materials, supplies and equipment*, utilized in the manufacture and distribution of the commodities described in (1), (2), (3), and (4) above, between points in Minnesota, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that joinder could occur at Minnesota with applicant's size and weight authority (lead certificate) on those commodities which qualify as "size and weight" shipments. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108207 (Sub-No. 334), filed August 19, 1971. Applicant: FROZEN FOOD EXPRESS, a corporation, Post Office Box 5888, 318 Cadiz Street, Dallas, TX 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Adhesive cements, paints and chemicals*, in vehicles equipped with mechanical refrigeration, from Springfield, Mo., to points in California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans., or Fort Worth, Tex.

No. MC 109064 (Sub-No. 25), filed August 19, 1971. Applicant: TEX-O-Ka-N Transportation Company, a corporation, 3301 Southeast Loop 820, Post Office Box 8367, Fort Worth, TX 76112. Applicant's representative: Clayte Binion, c/o Rawlings, Sayers & Scurlock, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, (1) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana; (2) between points in Kansas and Oklahoma, points in Lea and Eddy Counties, N. Mex., and points in Texas; (3) between points in Arkansas, Louisiana, New Mexico, and Texas (except between points in New Mexico and between points in Texas, on the one hand, and, on the other, points in New Mexico); and (4) between points in Arizona, Arkansas, Colorado, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming, on the one hand, and, on the other, points in California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex., or Oklahoma City, Okla.

No. MC 108241 (Sub-No. 8), filed August 16, 1971. Applicant: BARROWS TRANSFER AND STORAGE COM-

PANY, a corporation, Armory Road, Waterville, Maine 04901. Applicant's representative: Arthur E. Finger, Jr., 30 Boylston Street, Cambridge, MA 02138. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in the State of Maine. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Portland, Maine.

No. MC 109564 (Sub-No. 11), filed August 19, 1971. Applicant: LYONS TRANSPORTATION LINES, INC., 1701 Parade Street, Erie, PA 16503. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, and those injurious or contaminating to other lading), serving Slippery Rock, Pa., and points in Mercer County, Pa., as off-route points in connection with applicant's authorized regular route authority, and serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 110563 (Sub-No. 70), filed August 20, 1971. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix 1 to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Denison, Fort Dodge, Le Mars, and Mason City, Iowa; Emporia, Kans.; Luverne, Minn.; Dakota City, and West Point, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia. Restriction: Restricted to traffic originating at the plantsites and storage facilities of Iowa Beef Processors, Inc., at or near the named origins. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 110563 (Sub-No. 71), filed August 20, 1971. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products*

and food preparations (except commodities in bulk), from Chelsea, Mich., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, New York, New Jersey, Pennsylvania, and Washington, D.C. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Columbus, Ohio.

No. MC 110341 (Sub-No. 16), filed August 16, 1971. Applicant: PORT NORRIS EXPRESS CO., INC., 28 South High Street, Port Norris, NJ 08349. Applicant's representative: William P. Jackson, 919 18th Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cullet*, between points in Virginia, Maryland, West Virginia, Ohio, Pennsylvania, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, North Carolina, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111812 (Sub-No. 434), filed August 17, 1971. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux City, SD 57101. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products, advertising materials, and display racks*, used in connection therewith, from Bethlehem, Pa., to Los Angeles and Oakland, Calif., Denver, Colo., Chicago, Ill., Waterloo, Iowa, Minneapolis, Minn., Omaha, Nebr., Portland, Oreg., and Seattle, Wash. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority at Waterloo, Iowa via Sub-11 to Lakefield, Minn., thence Sub-13 to Sioux Falls, S. Dak., thence Sub-200 to California, Arizona, and Salt Lake City, Utah, but that tacking via the forementioned route is not intended. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 111812 (Sub-No. 435), filed August 17, 1971. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, SD 57101. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mattoon, Ill., to points in Ohio, West Virginia, Iowa, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming, restricted to traffic originating at Mattoon, Ill., and destined to points in the States

named above. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 112253 (Sub-No. 6), filed August 16, 1971. Applicant: CARTER ENTERPRISES, INC., Post Office Box 294, Elizabethton, TN 37643. Applicant's representative: R. Cameron Rollins, 321 East Center Street, Kingsport, TN 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, cinder blocks, concrete blocks, clay blocks, shale and shale products, concrete and concrete products, and mortar mixes*, (1) between Kingsport, Johnson City, Elizabethton, and Knoxville, Tenn., on the one hand, and, on the other, points in North Carolina, Virginia, Kentucky, and West Virginia; and (2) between Richlands and Groseclose, Va., on the one hand, and, on the other, points in North Carolina, Tennessee, Kentucky, and West Virginia, under contract with General Shale Products Corp. NOTE: Applicant states that duplicating authority may be involved. If the authority sought is granted, applicant requests that any existing duplicating authority be canceled. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Nashville, Tenn.

No. MC 112304 (Sub-No. 50), filed August 25, 1971. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, OH 45223. Applicant's representative: R. F. Baum (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum and aluminum articles* (except commodities in bulk), from the plant-site and warehouse facilities of Amax Aluminum Mill Products, Inc., in Grundy County, Ill., to points in Minnesota, Iowa, Missouri, Wisconsin, Michigan, Indiana, Ohio, Kentucky, Tennessee, West Virginia, Virginia, North Carolina, Delaware, Maryland, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia, and (2) *return of damaged or rejected shipments* (except commodities in bulk), from points in the destination States listed in (1) above to the plant-site and warehouse facilities of Amax Aluminum Mill Products, Inc., in Grundy County, Ill., restricted to traffic originating at the named origins and destined to the named destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112520 (Sub-No. 245), filed August 18, 1971. Applicant: MCKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, FL 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrofluosilicic acid*, in bulk, from points in Sumter County, Ga., to points in Alabama, Flor-

ida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states it could tack authority sought with existing authorities wherein it holds origins in Florida, Georgia, and Alabama, although tacking with these authorities would be extremely circuitous and therefore does not contemplate tacking at present time. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 112520 (Sub-No. 246), filed August 26, 1971. Applicant: MCKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, FL 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, from points in Thomas County, Ga., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 112822 (Sub-No. 192) (Amendment), filed April 22, 1971, published in the FEDERAL REGISTER issue of May 13, 1971, amended and republished as amended this issue. Applicant: BRAY LINES INCORPORATED, 1401 North Little, Post Office Box 1191, Cushing, OK 74023. Applicant's representative: Thos. Lee Allman, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, cooked, cured, or preserved*; with or without vegetables, milk, eggs, or fruit ingredients, other than frozen, from Fort Madison, Iowa to points in Arizona and Texas; and (2) *meat, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Illinois, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin, to Fort Madison, Iowa. NOTE: Applicant states there may be tacking possibilities, however, none are intended. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. The purpose of this republication is to add part (2) above. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Kansas City, Mo.

No. MC 112822 (Sub-No. 212), filed August 20, 1971. Applicant: BRAY LINES, INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, OK 74023. Applicant's representative: Edward T. Lyons, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from City of Industry, Calif., to points in Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, Texas, and Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority is being sought and is agreeable to cancellation of duplicating portions if this application is granted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 112822 (Sub-No. 213), filed August 20, 1971. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, OK 74023. Applicant's representative: Edward T. Lyons, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products*, in containers, (2) *advertising matter and commodities* used or distributed by wholesale or retail suppliers, marketers, or distributors of petroleum products, and (3) *paints, lacquers, thinners, and epoxy coatings*, in containers, from points in California, Oregon, and Washington to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, or San Francisco, Calif.

No. MC 114273 (Sub-No. 98), filed August 18, 1971. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, 2720 First Avenue NE., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* (except hides and commodities in bulk), as defined in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant-site and storage facilities utilized by Wilson Sinclair Co., located at Cedar Rapids, Iowa to points in Kentucky. Restriction: Restricted to the transportation of traffic originating

at the named origin and destined to the named destinations. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 99), filed August 18, 1971. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Wichita, Kans., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 100), filed August 19, 1971. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides and commodities in bulk) as defined in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Tama, Iowa, to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 102), filed August 18, 1971. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* (except hides and commodities in bulk), as defined in

sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and storage facilities utilized by Wilson Sinclair Co., located at Des Moines, Iowa to points in Indiana, Michigan, and Ohio, restricted to the transportation of traffic originating at the named origin and destined to the named destinations. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 103), filed August 18, 1971. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Wichita, Kans., to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 104), filed August 18, 1971. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products, vehicle body sealer and sound-deadening compounds*, in packages or containers, except commodities in bulk, from points in Hancock County, W. Va., to points in Arkansas, Colorado, Illinois, Iowa, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114604 (Sub-No. 8), filed August 20, 1971. Applicant: CAUPELL TRANSPORT, INC., State Farmers Market, Building 33, Forest Park, GA 30050. Applicant's representative: Guy H. Postell, Suite 713, 3384 Peachtree Road NE., Atlanta, GA 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising material*, from the plantsite of Pabst Brewing Co., at Pabst, Ga. (near Perry,

Ga.), to points in Alabama, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia; and *returned shipments of the above-specified commodities*, from points in the above-specified destination territory to the plantsite of Pabst Brewing Co., Pabst, Ga. (near Perry, Ga.). Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 114840 (Sub-No. 10), filed August 17, 1971. Applicant: EUGENE EBY, GLENN EBY AND WAYNE EBY, a partnership, doing business as, EBY BROTHERS, 2622 Regan Street, Boise, ID 83702. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, ID 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and lumber mill products, plywood and plywood mill products and particle board*, from points in Crook, Deschutes, Gilliam, Jefferson, Lake, Morrow, Sherman, Wasco, and Wheeler Counties, Oreg., to points in Idaho south of the northern boundary of Idaho County, and (2) *stone and clay products*, consisting of brick, flue tile, blocks, slabs and tile, from points in Box Elder, Salt Lake, and Weber Counties, Utah, to points in Ada, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, and Washington Counties, Idaho, and Baker, Malheur, and Union Counties, Oreg. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 115180 (Sub-No. 77), filed August 18, 1971. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 265 West 14th Street, New York, NY 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07304. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Swift Processed Meats Co., at St. Charles, Ill., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 115331 (Sub-No. 322) (correction), filed August 13, 1971, published in the FEDERAL REGISTER issue of September 23, 1971, corrected in part, and republished as corrected, this issue. Applicant:

TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, IL 62201. Note: The purpose of this partial republication is to reflect the correct docket number as MC 115331 (Sub-No. 322) in lieu of MC 119331 (Sub-No. 322). The rest of the notice remains the same.

No. MC 115379 (Sub-No. 39), filed August 25, 1971. Applicant: JOHN D. BOHR, INC., Post Office Box 217, Annville, PA 17003. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared animal and poultry feed*, from Delmar, Del., Camp Hill and Lewisburg, Pa., to points in Delaware, Maryland, Virginia, Pennsylvania, New Jersey, and New York. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at (1) Harrisburg, Pa., or (2) Washington, D.C.

No. MC 115667 (Sub-No. 5), filed August 18, 1971. Applicant: ARROW TRANSFER CO., LTD., 320 Seymour Boulevard, North Vancouver, BC, Canada. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products; paper and paper products; rubber and rubber products; chemicals in bags, drums or sacks (except in bulk); machinery, heavy machinery, and building materials; wire and wire mesh; containers containing general commodities having a prior or subsequent movement by ocean vessel, with or without undercarriages, pipe and tubing; iron and steel articles; contractors' equipment, materials and supplies*, between ports of entry on the international boundary line between the United States and Canada located in Washington, on the one hand, and, on the other, points in California, Oregon, and Washington (except points on the Olympic Peninsula in Washington). Note: Applicant specifically requests that it be noted that applicant presently already holds authority to transport commodities, the transportation of which, because of size or weight, requires the use of special equipment between ports of entry on the international boundary line between the United States and Canada, located in Washington, on the one hand, and, on the other, points in California, Oregon, and Washington, and that the purpose of the application is to be able to continue to transport commodities which, by interpretations, have been authorized under size and weight authority, but which because of recent Commission and court decisions, have been ruled to be no longer properly includable, and therefore has curtailed what may be transported under this size and weight description, and that appli-

cant does not seek duplicating authority, only to transport commodities which would be excluded from size and weight authority under present Commission decisions. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 115826 (Sub-No. 223), filed August 18, 1971. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088 T.A., Denver, CO 80217. Applicant's representative: Robert R. Digby, 217 Luhrs Tower, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and advertising material*, from Golden, Colo., to points in California and Texas. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver or Golden, Colo.

No. MC 115826 (Sub-No. 224), filed August 18, 1971. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088 T.A., Denver, CO 80217. Applicant's representative: Robert R. Digby, 217 Luhrs Tower, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Lafayette, Ind., to points in Arkansas, Oklahoma, Texas, Alabama, Florida, Mississippi, Louisiana, Nevada, Kentucky, Tennessee, Georgia, Missouri, Wyoming, Montana, Idaho, Oregon, Washington, New Mexico, Utah, California, and Arizona. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Chicago, Ill.

No. MC 116073 (Sub-No. 184), filed August 16, 1971. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tassar, 1819 Fourth Avenue South, Kegal Plaza, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Folding tent campers*, designed to be drawn by passenger automobiles, from points in Santa Clara County, Calif., to points in the United States including Alaska but excluding Hawaii. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 116514 (Sub-No. 30), filed August 16, 1971. Applicant: EDWARDS TRUCKING, INC., Post Office Drawer 428, Hemingway, SC 29554. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, 13th and Pennsylvania Avenue NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Textile waste materials and used bagging*,

and (b) *textile waste materials and cotton* which are within the exemption of section 203(b) (6) of the Interstate Commerce Act, when transported in the same vehicle with the commodities in (a) above, (1) between points in Alabama and Mississippi, and (2) between points in Alabama and Mississippi on the one hand, and, on the other, points in Virginia, North Carolina, South Carolina, Tennessee, and Georgia. Note: Applicant states that the purpose of part (2) of the application is to permit joinder of its existing authority with the authority sought in part (1) above. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 116702 Sub-No. 38), filed August 18, 1971. Applicant: THADDEUS A. GORSKI, doing business as GORSKI BULK TRANSPORT, Post Office Box 700, Harrow, ON, Canada. Applicant's representative: William B. Elmer, 23801 Gratiot Avenue, East Detroit, MI 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic and liquid latex*, from points in Washington, W. Va., and Ottawa, Ill., to the international border between the United States and Canada located on the St. Clair, Detroit, Niagara, and St. Lawrence Rivers and the border between the United States and Canada located at or near Rouses Point and Champlain, N.Y., and Derby Line and Newport, Vt., under contract with Marbon Division of Borg-Warner Corp. Note: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.; Boston, Mass.; Detroit, Mich.; or Washington, D.C.

No. MC 116702 (Sub-No. 39), filed August 18, 1971. Applicant: THADDEUS A. GORSKI, doing business as GORSKI BULK TRANSPORT, Post Office Box 700, Harrow, ON, Canada. Applicant's representative: William B. Elmer, 23801 Gratiot Avenue, East Detroit, MI 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals*, from the international boundary line between the United States and Canada at points on the Niagara, Detroit, and St. Clair Rivers, to points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana; and (2) *materials and supplies* used in the manufacture and processing of chemicals, on return, under a continuing contract with Chinook Chemicals Corp., Ltd. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y., Boston, Mass., Detroit, Mich., or Washington, D.C.

No. MC 116763 (Sub-No. 207), filed August 18, 1971. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Dakota City, Nebr., and Emporia, Kans., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and West Virginia, restricted to traffic originating at the plantsites of and storage facilities of Iowa Beef Processors at or near the above-named origins. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 116763 (Sub-No. 208), filed August 18, 1971. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by plumbing, heating, and air conditioning wholesalers*, (1) from Anniston, Birmingham, and Holt, Ala.; Rogers, Ark.; Rosedale, Miss.; Wichita, Kans.; Ashland City and Chattanooga, Tenn.; Fort Worth and Tyler, Tex., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, Ohio, and Pennsylvania, and (2) from New Britain, Conn.; Orange, N.J.; Buffalo, Cheektowaga, Elmira, and Orangeburg, N.Y.; Henderson and Monroe, N.C.; Ambler, Blossburg, Duncanville, Erie, New Castle, Philadelphia, Sharon, Stowe, and York, Pa.; Buena Vista, Lynchburg, and Winchester, Va., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, and Ohio. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant also states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116947 (Sub-No. 20), filed August 16, 1971. Applicant: HUGH H. SCOTT, doing business as SCOTT TRANSFER CO., 920 Ashby Street SW., Atlanta, GA 30310. Applicant's representative: William Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, GA 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel drums, fibreboard, or pulpboard drums, plastic articles*, other than expanded,

corrugated fibreboard boxes, from the plantsite of Container Corp. of America, Lithonia, Ga., on the one hand, and, on the other, points in Alabama, Florida, North Carolina, South Carolina, Mississippi, Tennessee, Virginia, Louisiana, New Jersey, Pennsylvania, Illinois, Arkansas, and Texas; (2) *fibreboard boxes*, other than corrugated, from the plantsite of Container Corp. of America, Stone Mountain, Ga., on the one hand, and, on the other, points in Alabama, Florida, North Carolina, South Carolina, Mississippi, Tennessee, Virginia, Louisiana, New Jersey, Pennsylvania, Illinois, Arkansas, and Texas, and (3) *corrugated fibreboard boxes*, from the plantsite of Container Corp. of America at Fernandina Beach, Fla., to Washington, W. Va., Marseilles, Ill., Waycross, Ga., Lexington, Ky., and Winston-Salem, N.C., under contract with Container Corp. of America, Chicago, Ill. **NOTE:** Applicant holds common carrier authority under MC 117956 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116947 (Sub-No. 22), filed August 19, 1971. Applicant: HUGH H. SCOTT, doing business as SCOTT TRANSFER CO., 920 Ashby Street SW., Atlanta, GA 30310. Applicant's representative: William Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, GA 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and metal container parts and accessories and equipment*, used in connection with the distribution of metal containers and metal container ends when moving with metal containers, from the plantsite of National Can Corp. at Madisonville, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Kansas, Missouri, Oklahoma, and Texas, under contract with National Can Corp., Chicago, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 117119 (Sub-No. 438), filed August 20, 1971. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Adair County, Okla., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Washington, D.C.

No. MC 117119 (Sub-No. 439), filed August 20, 1971. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mattoon, Ill., to points in Missouri, Montana, Nebraska, North Dakota, South Dakota, Wyoming, Alabama, Arkansas, Colorado, Kansas, New Mexico, Oklahoma, and Texas, restricted to traffic originating at Mattoon, Ill., and destined to points in the States named above. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 117119 (Sub-No. 440), filed August 20, 1971. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Omaha, Nebr., to points in Minnesota, Wisconsin, and points in the Upper Peninsula of Michigan. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Omaha, Nebr.

No. MC 117712 (Sub-No. 7), filed August 18, 1971. Applicant: KENNETH WEBER Highway 63 North Kirksville, MO 65101. Applicant's representative: Herman W. Huber, 101 East High Street, Jefferson City, MO 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Logs and rough or unfinished lumber*, from points in that part of Missouri north of the Missouri River, and that part of Iowa south of U.S. Highway 20 to points in Minneapolis and St. Paul, Minn. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jefferson City, or St. Louis, Mo.

No. MC 117815 (Sub-No. 180), filed August 16, 1971. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, IA 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non-alcoholic beverages*, (1) from Lenexa, Kans., to points in Illinois, Iowa, Minnesota, and Wisconsin; (2) from Granite City, Ill., to points in Iowa, Minnesota, and Wisconsin; and (3) from Omaha, Nebr., to points in Illinois, Iowa, Missouri, and Wisconsin. **NOTE:** Applicant states that the requested authority

can be tacked with its existing authority but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 117815 (Sub-No. 182), filed August 18, 1971. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, IA 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Tama, Iowa to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin, restricted to traffic originating at Tama, Iowa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 118142 (Sub-No. 41), filed August 20, 1971. Applicant: M. BRUENGER & CO., INC., 6330 North Broadway, Wichita, KS 67219. Applicant's representative: M. Bruenger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Emporia, Kans., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to traffic originating at the plantsites or storage facilities of Iowa Beef Processors, Inc., located at or near Emporia, Kans. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 118159 (Sub-No. 116), filed August 18, 1971. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, Post Office Box 10216, New Orleans, LA 70121. Applicant's representative: Jack R. Anderson, 1925 National Plaza, Tulsa, OK 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal litter and chopped alfalfa*, (1) from Atlanta, Ga., to points in Alabama, points in those parts of Kentucky and Tennessee west of U.S. Highway 431, points in that part of Louisiana

east of the Mississippi River, and points in that part of Arkansas on and east of a line beginning at the Arkansas-Missouri State line near Corning, Ark., and extending southwesterly along U.S. Highway 67 to junction U.S. Highway 65 at or near North Little Rock, Ark., thence along U.S. Highway 65 southeasterly to the Arkansas-Louisiana State line near Readland, Ark. (except Little Rock, Ark., and points in its commercial zone as defined by the Commission); and (2) from Houston, Tex., to points in Arkansas, Louisiana, and Mississippi. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., Houston, Tex., or New Orleans, La.

No. MC 118318 (Sub-No. 23), filed August 17, 1971. Applicant: IDA-CAL FREIGHT LINES, INC., Post Office Box 422, Twin Falls, ID 83301. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, ID 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products* as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Wallula, Wash., to points in California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 118831 (Sub-No. 83), filed August 19, 1971. Applicant: CENTRAL TRANSPORT, INCORPORATED, Post Office Box 5044, High Point, NC. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Mecklenburg County, N.C., to points in Tennessee. NOTE: Applicant states that the requested authority can be tacked at Charlotte and other parts with its presently held authority in its Sub 44 wherein it conducts operations from points in South Carolina to points in Georgia, North Carolina, and Virginia. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Raleigh, N.C., or Atlanta, Ga.

No. MC 119176 (Sub-No. 10), filed August 19, 1971. Applicant: THE SQUAW TRANSIT COMPANY, a corporation, 6211 South 49th West Avenue, Post Office Box 9415, Tulsa, OK 74107. Applicant's representative: Clayte Binion, c/o Rawlings, Sayers & Scurlock, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*: (1) Between points in Oklahoma; (2) between points in Oklahoma, on the one hand, and, on the other, points in Colorado, Kansas, and Nebraska; (3) between Cof-

feyville, Kans., and Bartlesville and Tulsa, Okla., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Kentucky, Louisiana, Missouri, New Mexico, Ohio, and Texas; (4) between Houston, Tex., on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, and Texas; (5) between points in Michigan, on the one hand, and, on the other, points in Illinois, Indiana, and Ohio; (6) between points in Colorado, on the one hand, and, on the other, ports of entry at or near the United States-Canada boundary line in Montana and North Dakota; (7) between points in Nevada, on the one hand, and, on the other, points in Texas, and those in Lea, Eddy, San Juan, Rio Arriba, and McKinley Counties, N. Mex.; (8) between points in Arkansas, Kansas, Missouri, Oklahoma, Tennessee, and Texas; (9) between points in Alabama, Florida, Georgia, and Mississippi; and (10) between points in Alabama, Florida, Georgia, and Mississippi, on the one hand, and, on the other, points in Arkansas and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex., or Oklahoma City, Okla.

No. MC 119493 (Sub-No. 80), filed August 19, 1971. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Post Office Box 1186, Joplin, MO 64801. Applicant's representative: Ray F. Kempt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Beverages, carbonated and noncarbonated, beverage concentrates, beverage flavoring compounds, and beverage preparations*, (1) from Lenexa, Kans., to points in Arkansas, Missouri, and Oklahoma; (2) from Granite City, Ill., to points in Arkansas, Kansas, Missouri, and Oklahoma; (3) from Memphis, Tenn., to points in Arkansas, Mississippi, Louisiana, Missouri, and Oklahoma; and (B) *Advertising matter, bottles, containers and articles dealt in and used by beverage manufacturers and distributors*, from points in Arkansas, Missouri, Oklahoma, Kansas, Mississippi, and Louisiana, to Lenexa, Kans., Granite City, Ill., and Memphis, Tenn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119531 (Sub-No. 153), filed August 20, 1971. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, OH 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers, closures, and paper cartons*, from Parkersburg, W. Va.,

to points in Maryland; and (2) *paper and paper products*, from points in Ohio, to Parkersburg, W. Va. **NOTE:** Applicant states that tacking possibilities exist at Parkersburg, W. Va., to permit service from Zanesville, Ohio, to Baltimore, Md. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119547 (Sub-No. 24), filed August 16, 1971. Applicant: EDGAR W. LONG, INC., Route 4, Zanesville, OH 43701. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Noncarbonated beverages* (other than alcoholic), from Geneva, Ohio, to points in Pennsylvania, Indiana, New York, Michigan, and West Virginia and (2) *materials and supplies* used in the manufacture and shipping of such beverages, from points in Pennsylvania, Indiana, New York, Michigan, and West Virginia to Geneva, Ohio. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., Columbus, Ohio, or Washington, D.C.

No. MC 119547 (Sub-No. 25), filed August 16, 1971. Applicant: EDGAR W. LONG, INC., Route 4, Zanesville, OH 43701. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles, bowls, cups, dishes and plates*, in containers, from Logansport, Ind., to points in the United States (except Alaska and Hawaii), (2) *chinaware, earthenware, porcelain and stoneware*, from Sebring, Ohio, to points in the United States (except Alaska and Hawaii; Jamaica and Albany, N.Y.; Boston, Mass.; and East Hartford, Conn.), (3) *glassware*, from Jeannette, Pa., to points in the United States (except Chicago, Ill.; New York City, N.Y.; points in Arkansas, Florida, Louisiana, Alaska, and Hawaii), (4) *chinaware, earthenware, porcelain and stoneware*, from Chester, W. Va., to points in the United States (except Alaska and Hawaii; Jamaica and Albany, N.Y.; Boston, Mass.; and East Hartford, Conn.), and (5) *materials and supplies* (except commodities in bulk) used in the manufacture and shipping of the commodities described in (1), (2), (3), and (4) above, from points in the United States (except Alaska and Hawaii) to the respective origin points. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., Columbus, Ohio, or Washington, D.C.

No. MC 119547 (Sub-No. 26), filed August 18, 1971. Applicant: EDGAR W. LONG, INC., Route 4, Zanesville, OH

43701. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from New Lexington, Ohio to points in the United States on and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada (except those in Iowa, Missouri, Oklahoma, and Texas), those in that part of New York on, north, and east of a line beginning at Oswego, N.Y., and extending eastward along U.S. Highway 104 to Maple View, N.Y., thence southward along U.S. Highway 11 to the New York-Pennsylvania State line (except New York City, N.Y.); New Jersey, Delaware, Maryland, those in the Upper Peninsula of Michigan, and to Detroit, Mich., and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., Columbus, Ohio, or Washington, D.C.

No. MC 119547 (Sub-No. 27), filed August 19, 1971. Applicant: EDGAR W. LONG, INC., Route 4, Zanesville, OH 43701. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware*, from Columbus, Ohio to points in the United States (except Alaska, Florida, and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., Columbus, Ohio or Washington, D.C.

No. MC 119657 (Sub-No. 13), filed August 23, 1971. Applicant: GEORGE TRANSIT LINE, INC., 760-764 North-east 47th Place, Des Moines, IA 50313. Applicant's representative: Kenneth F. Dudley, 611 Church Street, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed and feed ingredients*, between points in Iowa and Nebraska; and (2) *feed ingredients*, from Gayville, S. Dak., to points in Illinois, Minnesota, South Dakota, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 119767 (Sub-No. 274), filed August 16, 1971. Applicant: BEAVER TRANSPORT CO., a corporation, I-94 and County Highway C, Bristol, WI. Applicant's representative: Allan B. Torhorst, Post Office Box 307, Burlington,

WI 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mattoon, Ill., to points in Alabama, Georgia, Indiana, Iowa, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Dakota, Ohio, South Dakota, Tennessee, Wisconsin, and Louisville, Ky. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 119777 (Sub-No. 220), filed August 17, 1971. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Highway 85 East, Madisonville, KY 42431. Applicant's representative: William G. Thomas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fencing, fencing parts, and fencing accessories* (except commodities which because of size or weight require the use of special equipment), between Birmingham, Ala., on the one hand, and, on the other, points in Arkansas, Delaware, the District of Columbia, Florida, Georgia, Louisiana, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Oklahoma, South Carolina, Tennessee (Memphis only), Virginia, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, West Virginia, Connecticut, Massachusetts, and Rhode Island. **NOTE:** Applicant states it has existing authority which could be tacked with requested authority but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant now holds contract carrier authority under its No. MC 126970 and subs, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Louisville, Ky.

No. MC 119777 (Sub-No. 221), filed August 17, 1971. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, KY 42431. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New crated furniture*, from Hillsdale, Mich., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant holds contract carrier authority under MC 126970 and subs thereunder, therefore dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119789 (Sub-No. 99), filed August 18, 1971. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post

Office Box 6188, Dallas, TX 75222. Applicant's representative: James T. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grass seed*, in bags or boxes; *fertilizer compounds* in bags or boxes; *fertilizer and seed distributors*; *grass catchers*; *weed killing compounds*, in bags or boxes; *agricultural insecticides and fungicides* in bags or boxes; *mowers and mower parts*; *agricultural implements* weighing less than 50 pounds, *turf aerators*; *rubber or plastic products*; *lawn sprinklers*; *electric metal signs and advertising displays and matter*, from Marysville, Ohio, to points in Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, Washington, D.C., or Dallas, Tex.

No. MC 119789 (Sub-No. 100), filed August 19, 1971. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, TX 75222. Applicant's representative: James T. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, from Plainview, Tex., to points in New York, New Jersey, Rhode Island, Maryland, Pennsylvania, Virginia, Delaware, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 119789 (Sub-No. 101), filed August 24, 1971. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, TX 75222. Applicant's representative: James T. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, in cartons, from points in Henry County, Va., to points in Arizona and California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Dallas, Tex., or Phoenix, Ariz.

No. MC 121060 (Sub-No. 13), filed August 18, 1971. Applicant: ARROW TRUCK LINES, INC., 1220 West Third Street, Birmingham, AL 35207. Applicant's representative: William P. Jackson, Jr., 919 18th Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed handling systems, grain bins, storage tanks, automatic feeder units and iron and steel articles*, from Birmingham, Ala., to points in Arkansas, Kansas, Kentucky, Missouri, and Texas. NOTE: Applicant states it will tack at Birmingham, Ala., with authority in MC-121060. No duplicating authority is being sought.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 123329 (Sub-No. 19), filed August 19, 1971. Applicant: H. M. TRIMBLE & SONS LTD., a corporation, 4056 Ogden Road SE., Calgary, AB, Canada. Applicant's representative: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrofluorosilicic acid*, in bulk, from ports of entry between the United States and Canada located in the State of Washington, to points in King County, Wash. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held in the State of Washington.

No. MC 123407 (Sub-No. 92), filed August 18, 1971. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue South, Minneapolis, MN 55404. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, composition ceiling tile and building materials and supplies and accessories used in the installation thereof*, from International Falls, Minn., to points in Illinois. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Portland, Ore.

No. MC 123407 (Sub-No. 93), filed August 26, 1971. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue South, Minneapolis, MN 55404. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel fence posts and accessories*, from Chicago Heights, Ill., to points in Wisconsin and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123639 (Sub-No. 140), filed August 18, 1971. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, CO 80216. Applicant's representative: John F. DeCock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Dakota City and West Point, Nebr., Deni-

son, Fort Dodge, LeMars and Mason City, Iowa; Emporia, Kans., and Luverne, Minn., to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. Restriction: (1) Restricted to traffic originating at the plantsites of and storage facilities of Iowa Beef Processors, Inc., at or near the named origins; and (2) restricted against service as follows: From Dakota City, Nebr., and Emporia, Kans., to points in Illinois; From Denison, Fort Dodge, and Mason City, Iowa and West Point, Nebr., to points in Chicago, Ill., commercial zone; from LeMars, Iowa to points in Illinois and Indiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124692 (Sub-No. 81), filed August 16, 1971. Applicant: SAMMONS TRUCKING, a corporation, Post Office Box 1447, Missoula, MT 59801. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated metal buildings, knocked down, prefabricated metal buildings sections, knocked down, component parts thereof, and equipment, materials and supplies used in the installation, construction, and erection thereof, and building materials*, from the plantsite of Butler Manufacturing Co., at Galesburg, Ill., to points in North Dakota, South Dakota, Montana, Wyoming, Utah, Idaho, California, Oregon, and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124774 (Sub-No. 81), filed August 19, 1971. Applicant: MIDWEST REFRIGERATED EXPRESS, INC., 3200 Hiway 75 North, Post Office Box 536, Sioux City, IA 51101. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsites of Sunflower Beef Packers, of Nebraska, Inc., at or near York, Nebr., and Sunflower Beef, Inc., at or near Wichita, Kans., to points in Maryland, New Jersey, New York, Pennsylvania, Tennessee, Kentucky, and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 125380 (Sub-No. 2), filed August 16, 1971. Applicant: SOULANGES CARTAGE & EQUIPMENT COMPANY, LIMITED, 7150 Hochelaga Street, Montreal 427, PQ, Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York, NY 10016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bags and in bulk, from ports of entry on the international boundary line between the United States and Canada located in New Hampshire, New York, Vermont, and Maine, to points in Maine, Massachusetts, Connecticut, New York (except points in Clinton, Franklin, Hamilton, Herkimer, Jefferson, Lewis, and St. Lawrence Counties), Vermont (except those in Addison, Caledonia, Chittenden, Essex, Franklin, Lamoille, Orange, Orleans, and Washington Counties), and New Hampshire (except points in Carroll, Coos, and Grafton Counties), under contract with Canada Cement Lafarge Ltd., restricted to traffic moving from points in the Providence of Quebec, Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Plattsburgh, N.Y., or Montpelier, Vt.

No. MC 126142 (Sub-No. 6), filed August 9, 1971. Applicant: GLEASON TRANSPORTATION CO., INC., Post Office Box 907, White River Junction, VT 05001. Applicant's representative: Frederick T. O'Sullivan, 372 Granite Avenue, Milton, MA 02186. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts* (except commodities in bulk, in tank vehicles, hides, and skins), from Springfield, Vt., to Claremont, N.H. NOTE: Applicant states it will tack this authority to its Sub 1, at Springfield, Vt., to perform a single line service on traffic originating under MC 126142 Sub 5. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Montpelier, Vt.

No. MC 126473 (Sub-No. 18), filed August 23, 1971. Applicant: HAROLD DICKEY TRANSPORT, INC., Packwood, Iowa 52580. Applicant's representative: Kenneth F. Dudley, 611 Church Street, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of Tama Corp. near Tama, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Kansas City, Mo.

No. MC 126709 (Sub-No. 5), filed August 18, 1971. Applicant: SABER, INC., 514 South Floyd Boulevard, Sioux City, IA 51101. Applicant's representative:

Davey E. Delaney (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible and inedible animal fats and oils*, in bulk, in tank vehicles, (1) from Luverne, Minn., to Sioux City, Iowa; and (2) from Dennison, Fort Dodge, Lemars, and Mason City, Iowa, to Sioux City, Iowa, restricted to the transportation of product having an immediate subsequent movement by rail, barge, or truck. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 127393 (Sub-No. 2), filed August 16, 1971. Applicant: J & J TRUCK LEASING, INC., 19401 East 40 Highway, Independence, MO 64055. Applicant's representative: Warren H. Sapp, 450 Professional Building, 1103 Grand Avenue, Kansas City, MO 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, between points in Atchison, Bourbon, Cherokee, Crawford, Doniphan, Johnson, Leavenworth, Linn, Miami, and Wyandotte Counties, Kans., and points in Missouri located on and west of U.S. Highway 63, under contract with Carey Salt Co., restricted to the transportation of traffic having an immediately prior movement by rail. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 127557 (Sub-No. 16), filed September 1, 1971. Applicant: COMMERCIAL TRANSPORTATION, INC., 833 Warner Street SW., Atlanta, GA 30310. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Atlanta, Ga., to Richmond, Ind., and points in Ohio and Michigan. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 127660 (Sub-No. 2), filed August 26, 1971. Applicant: KENNETH L. EBY, 10208 Southeast French Road, Vancouver, WA 98664. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, between points in Oregon and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 128007 (Sub-No. 35), filed August 16, 1971. Applicant: HOFER, INC., Post Office Box 583, 4032 Parkview Drive, Pittsburg, KS 66762. Applicant's representative: Clyde N. Christey, 641 Harrison, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cottonseed products and soybean products*, from Memphis, Tenn., and points in Arkansas and Mississippi to points in Kansas, Oklahoma, Nebraska, Iowa, Missouri, Colorado, South Dakota, North Dakota, Illinois, and Texas; (2) *fish meal*, from Cameron, Holmwood, Abbeville, Morgan City, New Orleans, Empire, and Dulac, La., Moss Point and Pascagoula, Miss., Sabine Pass, Houston, Fort Arthur, and Galveston, Tex., to points in Arkansas, Kansas, Oklahoma, Nebraska, Iowa, Missouri, Colorado, South Dakota, North Dakota, and Illinois; and (3) *dry feed ingredients*, from Lubbock, Rotan, Sherman, Hamlin, Wolf City, Quannah, Richmond, Freeport, Lamesa, Plainview, Levelland, Sweetwater, El Paso, Abilene, Hereford, Friona, Etter, Pompa, Amarillo, Dumas, Stamford, Fort Worth, Temple, Harlingen, Waxahachie, Byron and Beaumont, Tex., Guymon, Oklahoma City, Altus, Hollis and Clinton, Okla., to points in Kansas, Oklahoma, Nebraska, Iowa, Missouri, Colorado, South Dakota, North Dakota, Illinois, Louisiana, Arkansas, and New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128449 (Sub-No. 3), filed August 20, 1971. Applicant: JAMES A. TUCKER, doing business as JIMMIE TUCKER TRUCKING, Route 1, Box 40-B, Broken Bow, OK 74728. Applicant's representative: James A. Tucker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper, paper products and linerboard*, from Valliant, Okla., to points in Alabama, Arkansas, Mississippi, Louisiana, Texas, Oklahoma, Kansas, Missouri, Nebraska, Iowa, Illinois, Indiana, Kentucky, Tennessee, Michigan, Minnesota, and Wisconsin; and (2) *materials and supplies*, used in the manufacturing of paper and paper products and linerboard, excepting commodities in bulk and commodities which because of size or weight require the use of special equipment, from all the destination States named above to Valliant, Okla. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 128648 (Sub-No. 8), filed August 23, 1971. Applicant: TRANSPORTED, INC., 1226 West Chicago Avenue, East Chicago, IN 46312. Applicant's representative: William J. Lippman, Suite 960, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: *Steel and steel products*, (1) between points in Los Angeles, San Bernardino, Contra Costa, and Alameda Counties, Calif., Chicago and Franklin Park, Ill., and (2) between the points described above, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). Restriction: Restricted to a transportation service performed under a continuing contract or contracts with the Marvals Steel Co. of Fontana, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 129171 (Sub-No. 6), filed August 16, 1971. Applicant: ARTHUR SHELLEY, R.D. No. 2, Dallas, PA 18708. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, PA 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Candy and confectionery*, from Bethlehem, Pa., to Portland, Oreg., and Minneapolis, Minn., and (B) *candy and confectionery advertising matter and premiums* when shipped therewith, from Duryea, Pa., to Portland, Oreg., Los Angeles and San Francisco, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 126381 and Sub No. 2, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129558 (Sub-No. 3), filed August 18, 1971. Applicant: ROY ROSS, doing business as ROY ROSS TRUCKING COMPANY, Post Office Box 405, 297 Spruce Street, Gallipolis, OH 45631. Applicant's representatives: James R. Stiverson and Edwin H. van Deusen, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and liquid commodities in bulk), from Bidwell, Gallia County, Ohio, and Xenia, Greene County, Ohio, to points in Pennsylvania, under contract with Bob Evans Farms, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 133055 (Sub-No. 3), filed August 17, 1971. Applicant: SAM GORDON, doing business as S. G. TRUCKING, 4167 Whiteside, Los Angeles, CA 90063. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, CA 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum wallboard*, from Apex, Nev., to points in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Tura Counties, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority.

If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133095 (Sub-No. 8), filed August 17, 1971. Applicant: TEXAS CONTINENTAL EXPRESS, INC., Post Office Box 434, Euless, TX 76039. Applicant's representative: Rocky M. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from points in Massachusetts, Connecticut, New York, and Pennsylvania to points in Alabama, Arkansas, Arizona, California, Georgia, Kansas, Louisiana, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Mexico, Ohio, Oklahoma, Tennessee, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Boston, Mass., or Washington, D.C.

No. MC 133161 (Sub-No. 5), filed August 18, 1971. Applicant: GRIESER TRUCKING CO., a corporation, Route 1, Box 152A, Archbold, OH 43502. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, implements, and parts*, (1) between the auction yard of Yoder & Frey, Inc., located near Archbold, Ohio, on the one hand, and, on the other, points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New Jersey, Maryland, Virginia, South Carolina, Delaware, Ohio, and the District of Columbia, and (2) from points in Alabama, Arizona, California, Colorado, Florida, Georgia, Idaho, Kansas, Louisiana, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming to the auction yard of Yoder & Frey, Inc., located near Archbold, Ohio, restricted to the transportation of traffic originating at and destined to the above-described points in (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 133436 (Sub-No. 10), filed August 18, 1971. Applicant: DUDDEN ELEVATOR, INC., 121 East Second Street, Ogallala, NE 69153. Applicant's representative: Richard A. Dudden, Post Office Box 60, Ogallala, NE 69153. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Inedible meat byproducts and inedible articles distributed by meat packinghouses, and articles dealt in by Wellens & Co., Inc.*, between points in Alabama, Alaska, California, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Idaho, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Caro-

lina, Tennessee, Utah, Vermont, Virginia, Washington, and West Virginia, under contract with Wellens & Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Lincoln, Nebr.

No. MC 133437 (Sub-No. 3), filed August 16, 1971. Applicant: DAVIS CARTAGE CO., a corporation, 1057 Findley, Saginaw, MI 48601. Applicant's representative: William B. Elmer, 23801 Gratiot Avenue, East Detroit, MI 48201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sugar, liquid sugar, corn syrup, dextrose and blends thereof, dried sugar beet pulp and sugar beet molasses, blended*, from Caro, Carrollton, Croswell, Sebewald, Saginaw, and Mt. Pleasant, Mich., to points in Illinois, Indiana, New York, Pennsylvania, Ohio, and Wisconsin, under contract with Michigan Sugar Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, or Detroit, Mich.

No. MC 133614 (Sub-No. 2), filed August 18, 1971. Applicant: PAPPAS TRUCKING, INC., Gering, Nebr. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Agricultural machinery and agricultural implements*, (b) *beach cleaners*, (c) *rock pickers*, and (d) *parts and attachments* for the commodities described in (a), (b), and (c), from the plantsite and storage facilities utilized by Lockwood Corp., at or near Gering, Nebr., to points in Colorado, Arizona, Montana, Utah, North Dakota, and Texas, and (2) *irrigation systems and parts, equipment, materials and supplies* used in irrigation systems, between Gering, Nebr., on the one hand, and, points in the United States (except Hawaii), on the other, under contract with Lockwood Corp., Gering, Nebr. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Lincoln, Nebr.

No. MC 133615 (Sub-No. 3), filed August 19, 1971. Applicant: RAYMOND L. NELSON AND PATRICK D. FITZMORRIS, a partnership, doing business as BRICK CARTAGE CO., 882 East 52d Place North, Tulsa, OK 74151. Applicant's representative: Clayte Blinon, c/o Rawlings, Sayer & Seurlock, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and concrete products*, between points in Arkansas, Kansas, Missouri, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 133870 (Sub-No. 1), filed August 16, 1971. Applicant: JOHN P.

WEYER AND CAROLINE WEYER, a partnership doing business as WEYER TRUCK SERVICE, Route No. 1, Brownsville, WI 53006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Quicklime, hydrated lime, lime products, and pallets and pallet material*, from points in Dodge, Fond du Lac and Brown Counties, Wis., to Proctor, Minn., and points in Ramsey, Washington, Anoka, Hennepin, Carver, Scott, and Dakota Counties, Minn.; (2) *lime and lime products*, from points in Dodge, Fond du Lac and Brown Counties, Wis., to Niagara, Wis., points in the Upper Peninsula of Michigan and those in that part of Illinois on and north of U.S. Highway 30; (3) *lime and lime products*, in bulk, from points in Dodge, Fond du Lac, and Brown Counties, Wis., to points in that part of Indiana on and north of U.S. Highway 30, and on and west of U.S. Highway 421; and (4) *return of pallets* from the destinations in (1), (2), and (3) above to the points of origin, under contract with The Western Lime & Cement Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 133876 (Sub-No. 3), filed August 18, 1971. Applicant: NORTH-WESTERN TRADING COMPANY, INC., Post Office Box 173, Milton-Freewater, OR 97862. Applicant's representative: Paul E. Hochelle, Suite 501, 1410 Southwest Morrison Street, Portland, OR 97205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs; canned or preserved fruits, vegetables and beverages*, other than frozen, in packages, from Stockton, San Jose, Hollister and San Francisco, Calif., to Walla Walla, Wash., under contract with Bur-Bee Co., Walla Walla, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Spokane, Wash.

No. MC 133947 (Sub-No. 2), filed August 18, 1971. Applicant: McCUE EXPRESS, INC., Rural Route No. 3, Box 391, Jeffersonville, IN 47130. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forgings, pipe fittings and tubing*, between Louisville, Ky., on the one hand, and, on the other, points in Pennsylvania, Illinois, New York, New Jersey, Ohio, Oklahoma, and Texas, restricted to traffic originating at or destined to the plant-site of Tube Turns, Division of Chemtron Corp. at Louisville, Ky. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Indianapolis, Ind.

No. MC 134060 (Sub-No. 6), filed August 18, 1971. Applicant: DAVINDER FREIGHTWAYS, LTD., 2739 James Street, Duncan, BC, Canada. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: (1) *General commodities* (excluding household goods), in cargo containers; and (2) *empty containers*, between points of entry on the United States-Canada boundary line at or near Blaine, Lynden, and Sumas, Wash., on the one hand, and, on the other, docks at Portland and Astoria, Oreg., and Seattle, Tacoma, Bellingham, Anacortes, Everett, Olympia, Longview, Kalama, Vancouver, Aberdeen, and Fort Angeles, Wash. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 134113 (Sub-No. 6), filed August 20, 1971. Applicant: HI-BALL TRUCKING, INC., Post Office Box 1117, 2348 Lockwood Road, Billings, MT 59103. Applicant's representative: Jerome Anderson, 100 Transwestern Building, 404 North 31st Street, Billings, MT 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products, lumber and lumber products*, between points in Arizona, Colorado, Idaho, Illinois, Iowa, Indiana, Kansas, Michigan, Missouri, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Spokane or Tacoma, Wash.

No. MC 134574 (Sub-No. 8), filed August 18, 1971. Applicant: FIGOL DISTRIBUTORS LIMITED, 11041 105 Avenue, Edmonton, AB, Canada. Applicant's representative: Eldon M. Johnson, 140 Montgomery Street, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and packinghouses products*, in vehicles equipped with mechanical refrigeration, from points along the United States-Canadian border in Idaho, Montana, and Washington, to points in Washington, Oregon, Montana, and Idaho, restricted to shipments having an origin in Alberta and Saskatchewan. **NOTE:** Applicant holds contract carrier authority under MC 124927 (Sub-No. 2), therefore dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 134599 (Sub-No. 24), filed August 17, 1971. Applicant: INTERSTATE CONTRACT CARRIER CORP., Post Office Box 748, Salt Lake City, UT 84110. Applicant's representatives: Duane W. Acklie and Richard Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Playground equipment,*

sandboxes, picnic tables, associated accessories, toys, games, outdoor laundry dryers and T-poles, bar stools and sleds, from the plantsite and storage facilities of Turco Manufacturing Co., a wholly owned subsidiary of Mattel, Inc., at Duquoin, Ill., to points in the United States (except Alaska and Hawaii), under contract with Turco Manufacturing, subsidiary of Mattel, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Washington, D.C.

No. MC 134599 (Sub-No. 26), filed August 23, 1971. Applicant: INTERSTATE CONTRACT CARRIER CORP., Post Office Box 748, Salt Lake City, UT 84110. Applicant's representatives: Duane W. Acklie and Richard Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Games and toys, and advertising and promotional matter* when moving at the same time and in the same vehicle with games and toys, from City of Industry and Compton, Calif., to points in Wisconsin, Michigan, Illinois, Indiana, Kentucky, Mississippi, and Louisiana, under a continuing contract with Mattel, Inc. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 134953 (Sub-No. 2), filed September 15, 1971. Applicant: W. A. JEAN, Box 602, 400 West Allison, Chandler, AZ 85224. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Styrofoam cups and plastic lids*, from the plantsite of Baron Container, located near Chandler, Ariz., to points in the United States (except Alaska and Hawaii), and *Styrofoam beads, plastic lids, plastic covering and commodities used in the manufacture, sale or distribution of styrofoam cups*, on return, under contract with Baron Container. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Phoenix or Chandler, Ariz.

No. MC 135153 (Sub-No. 11), filed August 20, 1971. Applicant: GREAT OVERLAND, INC., Fort Dodge Road, Dodge City, Kans. 67801. Applicant's representative: Harley E. Laughlin, Post Office Box 1417, Dodge City, KS 67801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Apple pomace* in vehicles equipped with mechanically refrigerated units, from North Rose, Lyons, Lyndonville, and Lockport, N.Y., and Fremont, Mich., to the plant or manufacturing facilities of Speas Co. at Kansas City, Mo., restricted to traffic originating at the above-named origin points and destined to the plant or manufacturing facilities of Speas Co. at Kansas City, Mo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 135300 (Sub-No. 1), filed August 20, 1971. Applicant: WALLY S. METREJEAN, JR., doing business as

ALEXANDRIA TRANSFER & STORAGE CO., 3230 Empire Drive, Alexandria, LA 71301. Applicant's representative: Wally S. Metrejean, Jr., Post Office Box 5307, Alexandria, LA 71301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods and personal effects*, (1) between Alexandria, La. and points in the Louisiana parishes of Avoyelles, Catahoula, Concordia, Evangeline, Grant, La Salle, Rapides, Acadia, Caldwell, East Feliciana, Franklin, Point Coupee, St. Landry, Tensas, West Feliciana, Winn, East Carroll, Madison, Morehouse, Richland, and West Carroll, and (2) between Alexandria, La., and points in Adams, Amite, Claiborne, Franklin, Jefferson and Wilkinson Counties, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Fort Worth, Tex.

No. MC 135307 (Sub-No. 1), filed September 6, 1971. Applicant: TROPICAL DISTRIBUTION INTERNATIONAL, INC., 1201 N. S. 45th Street, Oakland Park, FL 33308. Applicant's representative: Timothy R. Sweeney, 2021 Superior Building, Cleveland, OH 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicle parts, components, accessories and advertising material* for the same, between points in Dade, Broward, and Palm Beach Counties, Fla., on traffic having prior or subsequent out-of-State movement, under a continuing contract with General Motors Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., Cleveland, Ohio, or Flint, Mich.

No. MC 135541 (Sub-No. 1), filed August 18, 1971. Applicant: C. E. LORD, doing business as LORD'S AUTO SALES, 513 Urquhart Drive, Beach Island, SC 29841. Applicant's representative: John H. Lumpkin, Jr., 1250 South Carolina National Center, Columbia, S.C. 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles* for automobile dealers, between Clanton Auto Auction at Darlington, S.C., on the one hand, and, on the other, points in North Carolina, Virginia, Tennessee, Georgia, Florida, and Alabama. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at (1) Columbia, S.C., (2) Charlotte, N.C., or (3) Atlanta, Ga.

No. MC 135553 (Sub-No. 4), filed August 19, 1971. Applicant: HENRY ANDERSEN, INC., 1618 College Avenue, Fredericksburg, VA 22401. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, DC 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209

and 766 (except commodities in bulk), from Dogue, Va., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Missouri, California, and the District of Columbia, and (2) *fresh and frozen pork, pork bellies and pork products*, from Detroit, Mich.; Sandusky and Greenfield, Ohio; Ottumwa and Sioux City, Iowa; Cudahy, Wis.; St. Louis, Mo.; Jersey City, N.J.; Philadelphia, Pa.; and Buffalo, N.Y., to Dogue, Va., under a continuing contract with White Packing Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135701 (Sub-No. 1), filed August 19, 1971. Applicant: MOTOR SERVICE COMPANY, INC., Route 3, Post Office Box 448, Coshocton, OH 43812. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, KY 42101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, dealt in by retail discount department stores, from the warehouse facilities of Cook United, Inc., Maple Heights and Twinsburg, Ohio, to points in the United States (except Alaska and Hawaii), under contract with Cook United, Inc. NOTE: Applicant holds common carrier authority under MC 117565 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland or Columbus, Ohio.

No. MC 135707 (Sub-No. 2), filed August 18, 1971. Applicant: DIETZ TRUCKING, INC., 166 39th Street, Pittsburgh, PA 15201. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated reinforcing steel*, from Port Vue, Pa., to points in West Virginia, under contract with Lind Steel and Supply Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 135744 (Sub-No. 2), filed August 18, 1971. Applicant: BARKO TRANSPORT INC., 3317 Eastcrest Road, Granger, UT 84120. Applicant's representative: H. E. Barker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, from points in Utah County, Utah, and Lincoln County, Wyo., to points in Bannock, Caribou, and Power Counties, Idaho. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought here. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Pocatello, Idaho.

No. MC 135748 (Sub-No. 2), filed August 20, 1971. Applicant: WILLIAM L. CORNELIUS AND ELLEEN S. CORNELIUS, a partnership, doing business as C & C TRUCK SERVICE, 5992 South St. Paul Way, Littleton, CO 80121. Applicant's representative: Marlon F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rags*, in bales only, between Denver, Colo., on the one hand, and, on the other, that portion of Texas lying on and west of U.S. Highway 87 from the Texas-New Mexico State line to San Angelo, Tex. on and west of U.S. Highway 277 from San Angelo to the Texas-Republic of Mexico border; that portion of California lying south of Interstate Highway 80 and Salt Lake City, Utah, under contract with Waste Materials, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 135819, filed July 7, 1971. Applicant: WILLIAM H. PHILLIPS AND WILLIAM I. PHILLIPS, a partnership, doing business as PHILLIPS & PHILLIPS TRUCKING COMPANY, Post Office Box 1304, Storm Lake, IA 50588. Applicant's representative: Joseph P. Summers, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay targets, chilled shot, and small arms ammunition, cartridges, wads and primers*, from Lonoke, Ark., Bridgeport, Conn., East Alton, Ill., Fort Wayne, Ind., Findlay, Ohio, and Ada, Okla., to points in Iowa, Minnesota, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 135863 (Sub-No. 1) (Correction), filed August 9, 1971, published in the FEDERAL REGISTER issue of September 30, 1971, and republished in part as corrected this issue. Applicant: BUTLER TRUCKING, INC., Route 2, Box 388, North Little Rock, AR 72118. Applicant's representative: L. C. Cybert, 206 Fifteen Fifteen Building, 1515 West Seventh Street, Little Rock, AR 72202. NOTE: The sole purpose of this partial republication is to reflect the correct Docket No. as MC 135863 (Sub-No. 1) in lieu of MC 135868 (Sub-No. 1) as erroneously shown in the previous publication. The rest of the application remains as previously published.

No. MC 135864 (Sub-No. 2), filed August 16, 1971. Applicant: D & L TOW SERVICE, INC., Route 3, Box 167, Los Lunas, NM 87301. Applicant's representative: Jerry E. Murphy, 708 La Vota NE., Albuquerque, NM 87108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Modular buildings and modular buildings in sections*, moving on trailers or on undercarriages, from Albuquerque, N. Mex., to points in Utah and Colorado and (2) *Return of undercarriages*, from points in Utah and Colorado to Albuquerque, N. Mex., under contract with Kenneth Mount & Associates, Inc.

NOTE: If a hearing is deemed applicable, applicant requests it be held at Albuquerque and Santa Fe, N. Mex.

No. MC 135889 (Sub-No. 1), filed August 16, 1971. Applicant: BOYD TANK LINES, INC., 10916 Clermont Avenue, Garrett Park, MD 20766. Applicant's representative: Walter T. Evans, 615 Perpetual Building, 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Heating oils, kerosene, and diesel fuel*, in bulk, in tank vehicles, from terminals off the Colonial pipeline at or near Manassas, Va., to the storage facilities of E. C. Keys & Son, Inc., at Silver Spring, Md., restricted to transportation service performed under a continuing contract or contracts with E. C. Keys & Son, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135892 (Sub-No. 2), filed August 18, 1971. Applicant: V. V. BUICE, INC., Post Office Box 689, Monroe, GA 30655. Applicant's representative: William Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, GA 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, cement asbestos pipe, fittings, compound, joint sealer, bonding cement, plastic siding and materials and supplies*, used in the installation of plastic and plastic materials, from the plantsite of Certain-Teed Products Corp., Social Circle, Ga., to points in Alabama, Florida, Kentucky, Mississippi, South Carolina, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 135901 (Sub-No. 1), filed August 18, 1971. Applicant: BERTSCH MOVING AND STORAGE CO., INC., Post Office Box 975, Eugene, OR 97401. Applicant's representative: David C. White, 2400 Southwest Fourth Avenue, Portland, OR 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Polk, Marion, Lincoln, Yamhill, Linn, Benton, Lane, and Douglas Counties, Oreg., restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the territory authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states no duplicate authority is being sought. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 135925 (Sub-No. 1), filed August 16, 1971. Applicant: COYOTE TRUCK LINE, INC., 1170 Dahlia Street, Denver, CO 80220. Applicant's representative: Bernard N. Robin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Furniture, crated and uncrated, store fixtures, laboratory equipment, lamps and accessories, carpets and padding*, from points in Buncumbe, Burke, Catawba, Davie, McDowell, Cleveland, and Gilford Counties, N.C., to points in Colorado, Nebraska, Kansas, Oklahoma, and Iowa, restricted to the transportation of traffic originating at said plantsites and storage facilities of Drexel Enterprises and destined to the named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 135925 (Sub-No. 2), filed August 18, 1971. Applicant: COYOTE TRUCK LINE, INC., 1170 Dahlia Street, Denver, CO 80220. Applicant's representative: Bernard N. Robin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture, crated and uncrated, store fixtures, laboratory equipment, lamps and accessories, carpets and padding*, from Buncumbe, Burke, Catawba, Davie, McDowell, Cleveland, and Gilford Counties, N.C., to points in Washington, Oregon, Idaho, Montana, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 135944, filed August 15, 1971. Applicant: AIR CARGO TRANSPORTERS, INC., 120 East Market Street, Room 803, Indianapolis, IN 46204. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those, which because of size or weight require the use of special equipment): (1) between Weir Cook Municipal Airport, at Indianapolis, Ind., on the one hand, and, on the other, points in Fountain, Owen, Parke, Putnam, Rush, Tipton, and Warren Counties, Ind., Livingston, Woodford, and Marshall Counties, Ill., restricted to the transportation of traffic having an immediately prior or subsequent movement by air; (2) between the Municipal Airport at Kansas City, Mo., on the one hand, and, on the other, points in Caldwell, Livingston, Linn, Macon, and Shelby Counties, Mo., restricted to the transportation of traffic having an immediately prior or subsequent movement by air; and (3) between points in Bartholomew, Boone, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Montgomery, and Shelby Counties, Ind., Champaign, Christian, De Witt, Douglas, Iroquois, Logan, Macon, McClean, Morgan, Sangamon, and Vermillion Counties, Ill., Johnson and Wyandotte Counties, Kans., Clay, Randolph, Jackson, Lincoln, and Platte Counties, Mo., restricted against service at Indianapolis, Ind., Danville, Decatur, Bloomington, and Springfield, Ill., and Kansas City, Mo., in the transportation of traffic having an immediately prior or subsequent movement by

air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 135976, filed August 18, 1971. Applicant: SUNOCO SERVICE OF GREENFIELD, INC., Rural Route No. 6, Box 178, Greenfield, IN 46140. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used tractors or used trailers*, to be used as replacements for wrecked or disabled tractors or trailers, in truckaway service, wrecked or disabled automobiles, trucks, tractors, trailers, and buses, in truckaway service and *parts, accessories, supplies materials and incidental equipment*, moving in wrecker equipment, between points in Hancock, Madison, Henry, Rush, Shelby, Johnson, Marion, and Hamilton Counties, Ind., on the one hand, and, on the other, points in Ohio, Michigan, Kentucky, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Columbus, Ohio.

No. MC 135977, filed August 19, 1971. Applicant: TRAVEL SERVICES, INC., 416 West Walnut Street, Louisville, KY 40202. Applicant's representative: Robert W. Loser, II, 1001 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, repossessed, stolen, or abandoned passenger automobiles and trucks three-quarter ton or less*, in drive-away service in secondary movements, between Louisville, Ky., and points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 135979, filed August 18, 1971. Applicant: MARSHALL WOOD, Post Office Box 565, Russellville, AR 72801. Applicant's representative: R. Connor Wigbins, Jr., 100 North Main Building, Suite 909, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cooked or precooked poultry parts*, (2) *cooked or precooked, breaded, battered, and marinated poultry or poultry parts*, and (3) *poultry skins and fats, uncooked, cooked or precooked*, (a) between the plant and warehouse sites of McCormick Foods, Inc., located at or near Bedford, Va., on the one hand, and, on the other, points in New Jersey, New York, Pennsylvania, Michigan, Arkansas, Texas, California, Minnesota, Iowa, North Carolina, South Carolina, and Illinois, and (b) between the plant and warehouse sites of McCormick Foods, Inc., located at or near Bedford, Va., on the one hand, and, on the other, points in the United States (except Alaska, Hawaii, New Jersey, New York, Pennsylvania, Michigan, Arkansas, Texas, California, Minnesota, Iowa, North Carolina, South Carolina, and Illinois). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135980, filed August 13, 1971. Applicant: L. M. JAMISON, 3010 Clearbrook, Memphis, TN. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, Memphis, Tenn. 38128. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salvaged wearing apparel*, in bales or bags, from New York, N.Y., and its commercial zone as defined by the Commission and Hackensack, Elizabeth, and Kearney, N.J., to Brownsville, McAllen, Laredo, and El Paso, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y., or Houston, Tex.

No. MC 135981, filed August 23, 1971. Applicant: MODULAR HOMES TRANSPORTATION CO., a partnership, 707 South Washington, Kennewick, WA 99336. Applicant's representative: John B. Reed (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Modular and sectional buildings* which do not have undercarriages only, from points in Washington, Oregon, and Idaho, to points in California, Idaho, Nevada, Arizona, New Mexico, North Dakota, South Dakota, Colorado, Montana, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pasco, Spokane, or Seattle, Wash.

No. MC 135982, filed August 20, 1971. Applicant: S. L. HARRIS, doing business as P. B. I., Post Office Box 573, Tyler, TX 75701. Applicant's representative: William D. Lynch, Post Office Box 912, Austin, TX 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, other than those designed to be drawn by passenger automobiles, *trailer chassis*, *trailer bodies*, *cargo containers*, *truck bodies*, and *accessories, parts, and equipment* for the foregoing in or attached to the transported trailers, in initial movements, from points within the State of Texas to points in New Mexico, Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Ohio, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, South Carolina, North Carolina, Virginia, West Virginia, Indiana, Illinois, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, Maryland, Delaware, and Michigan; and (2) *used or traded-in trailers*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Fort Worth, or Houston, Tex.

No. MC 135984, filed August 18, 1971. Applicant: ROBERT C. HILTZ, INC., 236 Main Street, Gloucester, MA 09130. Applicant's representative: John F. Curley, 15 Court Square, Boston, MA 02108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Retail store merchandise* in retail delivery only, from the retail stores of Sears Roebuck and Co. located at Danvers and Peabody, Mass., to points in Cheshire, Hillsboro, Merrimack, Rockingham, and Strafford Coun-

ties, N.H., under contract with Sears Roebuck and Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 135988, filed August 24, 1971. Applicant: BOB'S TOWING SERVICE, INC., 9424 Avenue D, Brooklyn, NY 11236. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, NY 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, stolen, repossessed and abandoned motor vehicles and replacement motor vehicles therefor*, by use of wrecker equipment, between points in the New York, N.Y., commercial zone, as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of section 203(b) (8) of the Interstate Commerce Act (the exempt zone), on the one hand, and, on the other, points in New Jersey, Pennsylvania, Connecticut, and Boston, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 135993, filed August 18, 1971. Applicant: K&T AIR FREIGHT, INC., 27844 Gratiot Avenue, Roseville, MI 48066. Applicant's representative: William B. Elmer, 23801 Gratiot Avenue, East Detroit, MI 48021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except class A and B explosives, household goods and commodities in bulk), between points in Macomb County, Mich., on the one hand, and, on the other, the Detroit Metropolitan Airport at Romulus, Mich., and Willow Run Airport, at or near Ypsilanti, Mich., restricted to shipments having an immediately prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 135995, filed August 18, 1971. Applicant: MICHAEL J. QUINN, doing business as QUINN'S CARTAGE, 3731 South Damen Avenue, Chicago, IL 60609. Applicant's representative: Anthony T. Thomas, 1811 West 21st Street, Chicago, IL 60608. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal hardware and parts*, heat or oil treated, annealed, brazed or welded, or which require heat or oil treating, annealing, brazing or welding, between the plant-sites of Hi-Temp, Inc., and its subsidiaries at Northlake and Melrose Park, Ill., on the one hand, and, on the other, La Porte, Ind., under contract with Hi-Temp, Inc., and its subsidiaries. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 135997, filed August 24, 1971. Applicant: TEXAS TANK LEASING, INC., Route 10, 501 North, Houston, TX 77040. Applicant's representative: William D. Lynch, 1005 Nueces, Austin, TX 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass*

fbre reinforced plastics; storage vessels and attachments thereto when moving with the vessel, *vessel parts, and pipe*, from points within Texas, Oklahoma, Louisiana, Kansas, Missouri, Arkansas, Mississippi, Alabama, Tennessee, Florida, and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston or Fort Worth, Tex.

No. MC 136007, filed August 18, 1971. Applicant: EDWARD BORKOWSKI, doing business as BORKOWSKI TOWING, Post Office Box 868, 4010 Seventh Street, Winona, MN 55987. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled motor vehicles and replacement vehicles* for wrecked and disabled motor vehicles, between Fillmore, Houston, Olmstead, Wabasha, and Winona Counties, Minn., on the one hand, and, on the other, points in Illinois, Iowa, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Winona or Minneapolis, Minn.

MOTOR CARRIER OF PASSENGERS

No. MC 134170 (Sub-No. 3), filed July 23, 1971. Applicant: WAUKEGAN NORTH CHICAGO TRANSIT COMPANY, a corporation, 1400 10th Street, Waukegan, IL 60085. Applicant's representative: Donald S. Mullins, 4704 West Irving Park Road, Chicago, IL 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicles with passengers, between Great Lakes Naval Training Center, Great Lakes, Ill., and Milwaukee, Wis., over the following routes: Proposed Route No. 1: Commencing at Great Lakes Naval Training Center, Great Lakes, Ill., West over Illinois Highway 137 (Buckley Road) to U.S. Highway 41, thence north over U.S. Highway 41 to Interstate Highway I94, thence north over Interstate Highway I94 to College Avenue (also known as County Route ZZ), Milwaukee, Wis., thence east over College Avenue (County Road ZZ), to Wisconsin Highway 38, thence north over Wisconsin Highway 38 to General William Mitchell Field (Milwaukee County Airport), thence North from General William Mitchell Field over Wisconsin Highway 38 to Howard Avenue, thence west over Howard Avenue to Interstate Highway I94, thence north over Interstate Highway I94 to Interstate Highway I794, thence east over Interstate Highway I794 to Plankinton Avenue exist to Clybourn Street, thence west over Clybourn Street to Third Street, thence north over Third Street to a stop between Wisconsin Avenue and Mason Street, thence north from said stop over Third Street to Mason Street, thence east over Mason Street to Second Street, thence south over Second Street to Clybourn Street, and return by Clybourn Street in the reverse direction over the

same route, serving no intermediate points between Great Lakes Naval Training Center, Great Lakes, Ill., and Milwaukee, Wis., and (2) Commencing at Great Lakes Naval Training Center, Great Lakes, Ill., west over Illinois Highway 137 (Buckley Road) to U.S. Highway 41, thence north over U.S. Highway 41 to Interstate Highway 194 thence north over Interstate Highway 194 to Milwaukee, Wis., and continuing north over Interstate Highway 194 to Interstate Highway I794, thence east over Interstate Highway I794 to Plankinton Avenue Exit to Clybourn Street, thence west over Clybourn Street to Third Street, thence north over Third Street to a stop between Wisconsin Avenue and Mason Street, thence north (from said stop) over Third Street to Mason Street, thence east over Mason Street to Second Street, thence south over Second Street to Clybourn Street, and return by Clybourn Street in the reverse direction over the same route, serving no intermediate points between Great Lakes Naval Training Center, Great Lakes, Ill., and Milwaukee, Wis.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130156, filed August 20, 1971. Applicant: WEGIEL TRAVEL SERVICE, INC., 1985 Main Street, Springfield, MA 01103. Applicant's representative: Peter Roth, 83 State Street, Springfield, MA

01103. For a license (BMC 5) to engage in operations as a broker at Springfield, Mass., in arranging for transportation by motor vehicle, in interstate or foreign commerce of passengers and their baggage, both as individuals and in groups, in special and charter operations, between points in the United States, including Alaska and Hawaii.

No. MC 130155, filed August 18, 1971. Applicant: UNIVERSAL TRAVEL, INC., 310 Skyway Building, St. Paul, Minn. 55101. Applicant's representative: Sidney S. Feinberg, 33 South Fifth Street, Minneapolis, MN 55402. For a license (BMC 5) to engage in operations as a broker at St. Paul, Minn., in arranging for transportation in interstate or foreign commerce of groups of passengers and their baggage, beginning and ending at Minneapolis and St. Paul, Minn., and extending to points in the United States, including Alaska (but excluding Hawaii).

APPLICATION FOR FREIGHT FORWARDER

No. FF-369 (Sub-No. 1) (Karevan, Inc., Freight Forwarder Application) (2) filed September 13, 1971. Applicant: KAREVAN, INC., Post Office Box 9240, Queen Anne Station, Seattle, WA 98109. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, DC 20006. Authority sought under section 410, part IV of the Interstate Commerce Act, for a permit authorizing applicant to continue operations as a freight forwarder in interstate

or foreign commerce in the forwarding of (a) used household goods, (b) used automobiles, and (c) unaccompanied baggage, between points in the United States, including Hawaii but excluding Alaska, restricted to the transportation of export and import traffic.

APPLICATION FOR WATER CARRIER

No. W-1262 (Foretich Marine Contracting Co., Inc., Exemption and Contract Carrier Application) Filed September 17, 1971. Applicant: FORETICH MARINE CONTRACTING CO., INC., 2612 Joan Avenue, Gulfport, MS. Applicant's representative: John A. Crawford, Suite 700 Petroleum Building, Post Office Box 22567, Jackson, MS 39205. By application filed September 17, 1971, applicant seeks a permit to operate as a contract carrier, in interstate or foreign commerce, in the transportation of: Prefabricated homes, completely set up less roof and furniture, by water on a specially constructed barge, (1) from Mobile, Ala., to Diamondhead Corp. construction project at or near Bay St. Louis, Hancock County, Miss.; and (2) from Mobile, Ala., to Diamondhead Corp. construction project at or near Houston, Harris County, Tex.

By the Commission.

[SEAL] ROBERT L. OSWALD, Secretary.

[FR Doc.71-14646 Filed 10-6-71;8:45 am]

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