HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

EMERGENCY LIVESTOCK LOANS—USDA/FmHA improves existing procedures; effective 10-17-74... 37052

LINURON—EPA proposes tolerances for use in or on raw agricultural commodity asparagus; comments by 11-18-74 37068

SAVINGS AND LOAN ASSOCIATIONS—FHLBB proposal on third party transfer (comments by 11-20-74) and withdrawal of proposal on service corporation subsidiaries of subsidiary insured institutions (2 documents) 37073

FHLBB amendments relating to regulatory activities; effective 10-17 and 11-17-74... 37054

EFFLUENT LIMITATIONS—EPA proposal on petroleum refining point source category; comments by 11-18-74. 37069

NEW ANIMAL DRUGS—HEW/FDA approves use of monensin sodium at certain levels for premixes in broiler chicken feeds; effective 10-17-74... 37056

MEETINGS—

Presidential Clemency Board, 10-23 and 10-24-74... 37110

EPA: Lake Michigan Cooling Water Studies Panel, 10-31-74 37093

State Department: Study Group CMT of the U.S. National Committee for the International Radio Consultative Committee (CCIR) 10-31-74... 37076

Shipping Coordinating Committee, 11-12-74... 37076

AID: Advisory Committee on Voluntary Foreign Aid, 10-22-74 37076

FCC: Radio Technical Commission for Aeronautics, 11-20 and 11-21-74... 37098

HEW/NIH: Announcement of various committee meetings (19 documents) 37083-37087

FDA—Obstetrics and Gynecology Advisory Committee and the Panel on Review of Obstetrical and Gynecological Devices, 10-29 and 10-30-74... 37082

National Institute of Education: National Council on Educational Research, 10-17-74... 37083

PART II:

GUARANTEED STUDENT LOAN PROGRAM—HEW/ OE proposed participation requirements; comments by 12-2-74... 37153

PART III:

MILK ORDER—USDA/AMS proposal for Minneapolis-St. Paul, Minnesota and certain other marketing areas; hearing 11-11-74... 37163

(Continued Inside)
reminders

(The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

This list includes only rules that were published in the Federal Register after October 1, 1972.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Regulation</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOT/NHTSA</td>
<td>Motor vehicle safety standards; lamps reflective devices.</td>
<td>9-17-74</td>
</tr>
<tr>
<td>EPA</td>
<td>Implementation plans; New York state.</td>
<td>9-17-74</td>
</tr>
<tr>
<td>FTC</td>
<td>Amendments terminating confidentiality of registered identification numbers.</td>
<td>7-19-74</td>
</tr>
<tr>
<td>Interior/NPS</td>
<td>Special regulations, areas of national Park system; Yellowstone National Park.</td>
<td>9-17-74</td>
</tr>
<tr>
<td>USDA/AMS</td>
<td>Handling of fresh prunes grown in Washington and Umatilla, Oregon.</td>
<td>9-17-74</td>
</tr>
</tbody>
</table>

ATTENTION: Questions, corrections, or requests for information regarding the contents of this issue only may be made by dialing 202-523-5284. For information on obtaining extra copies, please call 202-523-5240.
FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
CONTENTS

Proposed Rules
Federal Savings and Loan System: Payments to third parties; authorization to use automated teller machines; service corporation subsidiaries of subsidiary insured institutions 37073

FEDERAL MARITIME COMMISSION

Notices
Agreements, etc.: Agromeer Lines and Taboga Enterprises Inc. 37099

Proposed Rules
Hearings, etc.: Rate increases; change in notice requirements for filing 37074

FEDERAL POWER COMMISSION

Proposed Rules
Emergencies; transmission to foreign country; Interconnection of facilities 37074

Rate increases; change in notice requirements for filing 37074

Notices
Sales of natural gas; just and reasonable rates 37099

Hearings, etc.: Alabama-Tennessee Natural Gas Co. 37099

Algonquin LNG, Inc. and Algonquin Transmission Co. 37100

Carolina Power and Light Co. 37100

Central Hudson Gas & Electric Corp et al. 37100

Central Vermont Public Service Co. 37100

Connecticut Light & Power Co. 37101

Consumers Power Co. (2 documents) 37101

Holyoke Water Power Co. and Holyoke Power & Electric Co. 37101

Iowa Public Service Co. 37102

Michigan Wisconsin Pipe Line Co. et al (2 documents) 37102, 37103

Midwestern Gas Transmission Co. 37103

Niagara Mohawk Power Corp. (2 documents) 37103, 37104

New York State Electric & Gas Corp 37104

Northern States Power Co. 37104

Skelly Oil Co. 37104

Southern California Edison Co. 37105

Southern Natural Gas Co. 37105

Sun Oil Co. 37105

Texas Gas Transmission Corp. 37106

Transcontinental Gas Pipe Line Co. 37106

Rockland Electric Co.; correction 37106

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

Notices
First annual report; availability 37092

FEDERAL RAILROAD ADMINISTRATION

Proposed Rules
Railroad freight car safety standards; modification 37067

FEDERAL RESERVE SYSTEM

Notices
Applications, etc.: Commerce Union Bank of Lawrence County 37108

First Moore Bancshares, Inc. 37107

Tennessee Valley Bancorp, Inc. 37108

Union Planters Corp. 37107

FISH AND WILDLIFE SERVICE

Rules
Feather import quotas; application fees; cancellation of superfluous requirement 37056

Proposed Rules
Hunting: Great Swamp National Wildlife Refuge, N.J. 37064

Notices
Snails, mussels, and crustaceans; review of status 37078

FOOD AND DRUG ADMINISTRATION

Rules
Animals drugs: Monensin sodium in broiler chicken feeds 37058

Vincofos; revocation 37057

Proposed Rules
Over-the-counter drugs: Topical antimicrobial products; extension of time 37066

Notices
Animal drugs: Combiestreps 37083

Vincofos 37083

Meetings:
Obstetrics and Gynecology Advisory Committee and the Panel on Review of Obstetrical and Gynecological Devices 37082

GENERAL SERVICES ADMINISTRATION

Rules
Federal property management regulations; implementation of national stock numbers 37059

Procurement:
Price negotiation policies and techniques; correction 37058

Stock items, contract quantities 37059

HAZARDOUS MATERIALS REGULATIONS BOARD

Rules
Fluoboric acid; designation as hazardous substance and packaging requirements 37061

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration; National Institute of Education; National Institutes of Health; Social and Rehabilitation Service.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Proposed Rules
Public housing; prototype cost limits; Oklahoma 37069

INDIAN AFFAIRS BUREAU

Proposed Rules
Menominee Tribe of Wisconsin; issuance and revision of final roll 37063

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau.

Notices
Statement of changes in financial interest 37079

English, John F. 37079

Irlarte, Modesto, Jr. 37079

Kline, John H. 37079

Rogers, Clifton F. 37079

Swanson, Stanley M. 37079

INTERSTATE COMMERCE COMMISSION

Rules
Car service orders: Atchison, Topeka & Santa Fe Railway Co. and Denver & Rio Grande Western Railroad Co.; correction 37062

Hearings, etc.:

Notices
Hearing assignments 37113

Motor carrier, broker, water carrier and freight forwarder applications 37126

Motor carriers:
Alternate route deviation notices 37144

Applications and certain other proceedings 37145

 Intrastate applications 37150

Irregular route property carriers; gateway elimination 37113

Temporary authority applications 37141

LAND MANAGEMENT BUREAU

Notices
Meetings:
Baker District Advisory Board 37076

Prineville District Advisory Board 37077

Withdrawal and reservation of lands, proposed, etc.: California 37077

Nevada 37077

MANAGEMENT AND BUDGET OFFICE

Notices
Clearance of reports; list of requests 37110

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notices
Meetings:
Space Program Advisory Council 37109

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Notices
Meetings:
Expansion Arts Advisory Panel 37109

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Notices
Motor vehicle safety standards: Motorcycle brake system 37089

NATIONAL INSTITUTE OF EDUCATION

Notices
Meeting: National Council on Educational Research; tentative agenda 37088
CONTENTS

NATIONAL INSTITUTES OF HEALTH

Notices
Cancer Review Committee for a Cancer Center Program; establishment 37085
Meetings:
Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases 37083
Breast Cancer Diagnosis Committee 37083
Breast Cancer Treatment Committee 37084
Cancer Control Advisory Committee 37084
Cancer Immunodiagnosis Committee 37084
Cancer Immunotherapy Committee 37084
Epilepsy Advisory Committee 37084
National Advisory Allergy and Infectious Diseases Council (2 documents) 37085
National Advisory Dental Research Council 37085
National Advisory General Medical Sciences Council 37085
National Advisory Neurological Diseases and Stroke Council 37086
National Cancer Advisory Board 37086
National Heart and Lung Advisory Council 37086
President's Cancer Panel 37087
Pulmonary Diseases Advisory Committee 37087
Virus Cancer Program Scientific Review Committees A and B (3 documents) 37087

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Notices
Marine mammal permit applications:
Quinlan Marine Attractions 37082
United Fishermen of Alaska 37081

PACKERS AND STOCKYARDS ADMINISTRATION

Notices
Mid Florida Livestock Market, Inc., Orlando, Fla., et al; depositing of stockyards 37080

PRESIDENTIAL CLEMENCY BOARD

Notices
Meetings 37110

RURAL ELECTRIFICATION ADMINISTRATION

Proposed Rules
Telephone facilities; requirements and procedure covering common control switching equipment purchase 37065

Notices
Loan guarantee, proposed:
Boone County Telephone Co., Little Rock, Ark. 37080
Citizens Telephone Co., Lexington, S.C. 37081

Environmental impact statements:
Colorado-Ute Electric Association, Inc. 37080

SECURITIES AND EXCHANGE COMMISSION

Notices
Hearings, etc.:
Allied Products Corp. 37110
Chicago Board Options Exchange, Inc. 37111
Connecticut Light and Power Co. 37111
Royal Airlines, Inc. 37112

Meetings:
Implementation of a Central Market System Advisory Committee 37113

SOCIAL AND REHABILITATION SERVICE

Notices
New York State plan; hearing 37068

SOIL CONSERVATION SERVICE

Notices
Environmental impact statements:
Upper Black Bear Creek Watershed, Okla. 37081
Upper Willamette RC&D Project, Ore. 37081

STATE DEPARTMENT

See also Agency for International Development.

Notices
Meetings:
Government Advisory Committee on International Book and Library Programs; cancellation 37076
Shipping Coordinating Committee 37076
U.S. National Committee for the International Radio Consultative Committee (CCIR) 37076

TRANSPORTATION DEPARTMENT


TREASURY DEPARTMENT

See Customs Service.
The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month. A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>213 (4 documents)</td>
<td>37051</td>
<td></td>
</tr>
<tr>
<td>7 CFR</td>
<td>154</td>
<td>37074</td>
</tr>
<tr>
<td>54</td>
<td>37062</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>37062</td>
<td></td>
</tr>
<tr>
<td>927</td>
<td>37053</td>
<td></td>
</tr>
<tr>
<td>1845</td>
<td>37053</td>
<td></td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1060</td>
<td>37164</td>
<td></td>
</tr>
<tr>
<td>1061</td>
<td>37164</td>
<td></td>
</tr>
<tr>
<td>1009</td>
<td>37164</td>
<td></td>
</tr>
<tr>
<td>1076</td>
<td>37164</td>
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<tr>
<td>1701</td>
<td>37065</td>
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<tr>
<td>307</td>
<td>37053</td>
<td></td>
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<tr>
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<td></td>
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<tr>
<td>355</td>
<td>37053</td>
<td></td>
</tr>
<tr>
<td>381</td>
<td>37053</td>
<td></td>
</tr>
<tr>
<td>10 CFR</td>
<td>25 CFR Proposed Rules:</td>
<td></td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>213</td>
<td>37072</td>
<td></td>
</tr>
<tr>
<td>12 CFR</td>
<td>24 CFR Proposed Rules:</td>
<td></td>
</tr>
<tr>
<td>584</td>
<td>37054</td>
<td></td>
</tr>
<tr>
<td>589</td>
<td>37054</td>
<td></td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>649</td>
<td>37073</td>
<td></td>
</tr>
<tr>
<td>381</td>
<td>37073</td>
<td></td>
</tr>
<tr>
<td>14 CFR</td>
<td>25 CFR Proposed Rules:</td>
<td></td>
</tr>
<tr>
<td>39 (2 documents)</td>
<td>37055</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>37055</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>37055</td>
<td></td>
</tr>
<tr>
<td>18 CFR Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>37051</td>
<td></td>
</tr>
<tr>
<td>19 CFR</td>
<td>134</td>
<td></td>
</tr>
<tr>
<td>111</td>
<td>37053</td>
<td></td>
</tr>
<tr>
<td>21 CFR Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>121</td>
<td>37057</td>
<td></td>
</tr>
<tr>
<td>135</td>
<td>37057</td>
<td></td>
</tr>
<tr>
<td>135e</td>
<td>37057</td>
<td></td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>333</td>
<td>37066</td>
<td></td>
</tr>
<tr>
<td>24 CFR Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>375</td>
<td>37066</td>
<td></td>
</tr>
<tr>
<td>25 CFR Proposed Rules:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>432</td>
<td>37065</td>
<td></td>
</tr>
</tbody>
</table>

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during October.

<table>
<thead>
<tr>
<th>3 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROCLAMATIONS:</td>
<td></td>
</tr>
<tr>
<td>4318</td>
<td>35315</td>
</tr>
<tr>
<td>4319</td>
<td>35317</td>
</tr>
<tr>
<td>4320</td>
<td>35799</td>
</tr>
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<td>4321</td>
<td>35781</td>
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<td>4322</td>
<td>36107</td>
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<td>36313</td>
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<td>36315</td>
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<td>4325</td>
<td>36561</td>
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<td>4326</td>
<td>36951</td>
</tr>
<tr>
<td>4327</td>
<td>36953</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7 CFR—Continued</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>240</td>
<td>35663</td>
</tr>
<tr>
<td>244</td>
<td>35569</td>
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<td>245</td>
<td>35947</td>
</tr>
<tr>
<td>249</td>
<td>36465</td>
</tr>
<tr>
<td>254</td>
<td>35999, 36597</td>
</tr>
<tr>
<td>301</td>
<td>36110, 36597</td>
</tr>
<tr>
<td>401</td>
<td>35683</td>
</tr>
<tr>
<td>420</td>
<td>36658</td>
</tr>
<tr>
<td>425</td>
<td>36654</td>
</tr>
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<td>429</td>
<td>36847</td>
</tr>
<tr>
<td>432</td>
<td>36958</td>
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<td>435</td>
<td>36958</td>
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<tr>
<td>437</td>
<td>36852</td>
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<tr>
<td>446</td>
<td>35649</td>
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<tr>
<td>508</td>
<td>35947, 36465</td>
</tr>
<tr>
<td>660</td>
<td>36595</td>
</tr>
<tr>
<td>915</td>
<td>36319</td>
</tr>
<tr>
<td>927</td>
<td>37032</td>
</tr>
<tr>
<td>966</td>
<td>36594</td>
</tr>
<tr>
<td>991</td>
<td>36656</td>
</tr>
<tr>
<td>1003</td>
<td>36599, 36984</td>
</tr>
<tr>
<td>1122</td>
<td>36110, 36111</td>
</tr>
<tr>
<td>1249</td>
<td>36110, 36111</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4 CFR—Continued</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>240</td>
<td>35663</td>
</tr>
<tr>
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<td>35999, 36597</td>
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<td>36110, 36597</td>
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<td>36599, 36984</td>
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<td>36110, 36111</td>
</tr>
<tr>
<td>1249</td>
<td>36110, 36111</td>
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</tbody>
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<table>
<thead>
<tr>
<th>10 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>35820, 35821</td>
</tr>
<tr>
<td>30</td>
<td>35871</td>
</tr>
<tr>
<td>31</td>
<td>35871</td>
</tr>
<tr>
<td>32</td>
<td>35871</td>
</tr>
<tr>
<td>34</td>
<td>36901, 36907</td>
</tr>
<tr>
<td>40</td>
<td>35871</td>
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<td>49</td>
<td>35871</td>
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</tr>
<tr>
<td>55</td>
<td>36005, 36007</td>
</tr>
<tr>
<td>70</td>
<td>36005, 36007</td>
</tr>
<tr>
<td>115</td>
<td>36871</td>
</tr>
<tr>
<td>150</td>
<td>36871</td>
</tr>
<tr>
<td>212</td>
<td>36872</td>
</tr>
<tr>
<td>217</td>
<td>36117</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXECUTIVE ORDERS:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct. 27, 1926 (revoked in part by EO 5435)</td>
<td>35707</td>
</tr>
<tr>
<td>11202 (revoked by EO 11813)</td>
<td>35317</td>
</tr>
<tr>
<td>11209 (amended by EO 11900)</td>
<td>35683</td>
</tr>
<tr>
<td>11413 (superseded by EO 5557)</td>
<td>35693</td>
</tr>
<tr>
<td>11414 (superseded by EO 11900)</td>
<td>36302</td>
</tr>
<tr>
<td>11474 (superseded by EO 11893)</td>
<td>36302</td>
</tr>
<tr>
<td>11475 (superseded by EO 11813)</td>
<td>36307</td>
</tr>
<tr>
<td>11524 (superseded by EO 11911)</td>
<td>36302</td>
</tr>
<tr>
<td>11525 (superseded by EO 11912)</td>
<td>36307</td>
</tr>
<tr>
<td>11576 (superseded by EO 11911)</td>
<td>36302</td>
</tr>
<tr>
<td>11577 (superseded by EO 11912)</td>
<td>36307</td>
</tr>
<tr>
<td>11612 (superseded by EO 11907)</td>
<td>35599</td>
</tr>
<tr>
<td>11637 (superseded by EO 11911)</td>
<td>36302</td>
</tr>
<tr>
<td>11638 (superseded by EO 11912)</td>
<td>36307</td>
</tr>
<tr>
<td>11639 (superseded by EO 11911)</td>
<td>36302</td>
</tr>
<tr>
<td>11692 (superseded by EO 11907)</td>
<td>36307</td>
</tr>
<tr>
<td>11729 (superseded by EO 11911)</td>
<td>36302</td>
</tr>
<tr>
<td>11740 (superseded by EO 11912)</td>
<td>36307</td>
</tr>
<tr>
<td>11792 (amended by EO 11808)</td>
<td>35563</td>
</tr>
<tr>
<td>11807</td>
<td>35559</td>
</tr>
<tr>
<td>11808</td>
<td>35553</td>
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<th>8 CFR</th>
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<tr>
<td>214</td>
<td>36833</td>
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<th>9 CFR</th>
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<tr>
<td>73</td>
<td>36319</td>
</tr>
<tr>
<td>97</td>
<td>36970, 36979</td>
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<td>301</td>
<td>36000</td>
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<td>302</td>
<td>37003</td>
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<td>37003</td>
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<td>381</td>
<td>36784, 36800, 37053</td>
</tr>
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<tr>
<th>PROPOSED RULES:</th>
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<td>36833</td>
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<tr>
<th>4 CFR—Continued</th>
<th>Page</th>
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<td>20</td>
<td>36820</td>
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<td>409</td>
<td>36878</td>
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<tr>
<th>5 CFR</th>
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<tr>
<td>213</td>
<td>35367, 35799, 36109, 36319, 37051</td>
</tr>
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<tr>
<th>7 CFR</th>
<th>Page</th>
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<tr>
<td>2</td>
<td>36465</td>
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<td>29</td>
<td>36957</td>
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<th>PROPOSED RULES:</th>
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<td>Ch. I</td>
<td>36599, 36954</td>
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<td>Ch. III</td>
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<td>Ch. IV</td>
<td>36599, 36954</td>
</tr>
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<td>Ch. V</td>
<td>36599, 36954</td>
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</table>

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
FEDERAL REGISTER

41 CFR—Continued

Proposed Rules:

101-32 ........................................ 30605

42 CFR

Proposed Rules:

72 ........................................ 35438

43 CFR

18 ........................................ 36114

Public Land Orders:

PLO 5434 .................................. 36346
PLO 5435 .................................. 36346
PLO 5436 .................................. 36346

Proposed Rules:

1780 ........................................ 35800
2800 ........................................ 35800
3100 ........................................ 36348

45 CFR

201 ........................................ 36114
248 ........................................ 36348
249 ........................................ 36348
280 ........................................ 35778, 36590
801 ........................................ 37056

46 CFR

73 ........................................ 35788
74 ........................................ 35788
77 ........................................ 35998
78 ........................................ 35998
160 ........................................ 35997

Proposed Rules:

42 ........................................ 35820

47 CFR

0 ........................................ 35367, 35666
2 ........................................ 35367
21 ........................................ 35367
73 ........................................ 35367
78 ........................................ 35367
81 ........................................ 35367

Proposed Rules:

15 ........................................ 35367
73, 35697, 36016, 36494, 37071
75 ........................................ 35367

49 CFR

Page

1 ........................................ 35367, 35666
172 ........................................ 37051
173 ........................................ 37051
571 ........................................ 36016
1033 .................................. 35367, 35367, 36114
1033 .................................. 35573, 35574, 35666, 35667, 35793, 35798, 37062
1047 ........................................ 35367
1115 .................................. 35365, 35367

Proposed Rules:

172 ........................................ 36596
173 ........................................ 36596
174 ........................................ 36596
175 ........................................ 36596
176 ........................................ 36596
215 ........................................ 37057
293 ........................................ 36593
571 ........................................ 35676, 36973
573 ........................................ 35666

50 CFR

15 ........................................ 35367, 35666
28 ........................................ 35367
32 ........................................ 35367
32 ........................................ 37064

Proposed Rules:

32 ........................................ 37064
245 ........................................ 35367

FEDERAL REGISTER PAGES AND DATES—OCTOBER.

<table>
<thead>
<tr>
<th>Pages</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>35316-35558</td>
<td>Oct. 1</td>
</tr>
<tr>
<td>35559-35646</td>
<td>2</td>
</tr>
<tr>
<td>35647-35778</td>
<td>3</td>
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<tr>
<td>35779-35998</td>
<td>4</td>
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<td>35999-36105</td>
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<td>36107-36312</td>
<td>8</td>
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<td>36313-36463</td>
<td>9</td>
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<td>36465-36560</td>
<td>10</td>
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<td>11</td>
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<td>15</td>
</tr>
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<td>36691-37049</td>
<td>16</td>
</tr>
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<td>37051-37179</td>
<td>17</td>
</tr>
</tbody>
</table>
PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3312 is amended to show that one additional position of Special Assistant (Field Representative) is re-established under Schedule C.

Effective October 17, 1974, § 213.3312 (a) (3) is amended as set out below.

§ 213.3312 Department of the Interior.

(a) Office of the Secretary.

(3) Six Special Assistants (Field Representatives).


United States Civil Service Commission.

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

[FR Doc.74-24362 Filed 10-16-74; 8:45 am]

PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3315 is amended to show that ten positions of Manpower Development Officer and Manpower Development Specialist in the Division of Indian Manpower Programs are excepted under Schedule A.

Effective October 17, 1974, § 213.3315 (d) (1) is added as set out below.

§ 213.3315 Department of Labor.

(d) Manpower Administration. (1) Not to exceed 10 positions of Manpower Development Officer and Manpower Development Specialist in the Division of Indian Manpower Programs when filled by the appointment of persons one-fourth or more Indian blood. These positions require direct contact with Indian tribes and communities in the development and administration of comprehensive manpower training and employment programs.


United States Civil Service Commission.

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

[FR Doc.74-24163 Filed 10-16-74; 8:45 am]

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that one additional position of Special Assistant (Field Representative) is re-established under Schedule C.

Effective October 17, 1974, § 213.3312 (a) (3) is amended as set out below.

§ 213.3312 Department of the Interior.

(a) Office of the Secretary.

(3) Six Special Assistants (Field Representatives).


United States Civil Service Commission.

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

[FR Doc.74-24362 Filed 10-16-74; 8:45 am]

PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3315 is amended to show that ten positions of Secretary to the Secretary of Labor is excepted under Schedule C.

Effective October 17, 1974, § 213.3315 (a) (27) is added as set out below.

§ 213.3315 Department of Labor.

(a) Office of the Secretary.

(27) Two Secretaries to the Secretary.


United States Civil Service Commission.

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

[FR Doc.74-24241 Filed 10-16-74; 8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[FR Doc.74-372 Filed 4-5-74; 8:45 am]

PART 111—CUSTOMHOUSE BROKERS

Review of Denial of a License

On April 5, 1974, a notice of proposed rulemaking was published in the Federal Register (39 FR 12356) which proposed to amend § 111.17 of the Customs Regulations (19 CFR 111.17). The proposed amendment provided that a request from an applicant for review by the Commissioner of Customs of a denial of a customhouse broker's license must be received by the Commissioner within 60 days of the denial, and a request for additional review by the Secretary of the Treasury must be received by the Secretary within 50 days of the Commissioner's affirmation of the denial.

After consideration of all comments received, it was decided that the time for filing a request for additional review by the Secretary of the Treasury of a decision of the Commissioner of Customs affirming the denial of the application for a customhouse broker's license should be extended from 30 days, as originally proposed, to 60 days, in order to conform this time period with the period prescribed for filing a request for review by the Commissioner of Customs.

Accordingly, § 111.17 of the Customs Regulations (19 CFR 111.17) is revised to read as follows:

111.17 Review of the denial of a license.

(a) By the Commissioner. Upon the denial of an application for a license, the applicant may file with the Commissioner of Customs, in writing, a request that further opportunity be given for the presentation of information or arguments in support of the application by personal appearance, or in writing, or both. This request must be received by the Commissioner within 60 days of the denial.

(b) By the Secretary. Upon the decision of the Commissioner affirming the denial of an application for a license, the applicant may file with the Secretary of the Treasury, in writing, a request for such additional review as the Secretary shall deem appropriate. This request must be received by the Secretary within 60 days of the Commissioner's affirmation of the denial of an application for a license.

(49 Stat. 1624, as amended; 10 U.S.C. 1624, 1621)

Effective date. This amendment shall become effective November 18, 1974.

[SEAL] VINCENT D. ACKER, Commissioner of Customs.

Approved: October 8, 1974.

DAVID R. MACDONALD, Assistant Secretary of the Treasury.

[FR Doc.74-24164 Filed 10-16-74; 8:45 am]
CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENT AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 927—BEURRE D'ANJOU, BEURRE BOLICHE, BEURRE BOLICHE D'ANJOU, BEURRE BOLICHE D'OR, BEURRE BOLICHE D'OR COMICE, BEURRE EASTER, AND BEURRE CLAIREGEO PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Expenses, Rate of Assessment, and Carryover of Unexpended Funds

This document authorizes §111,663 of Control Committee expense for the 1974-75 fiscal period of $0.015 per standard western pear box of pears, handled during such period, to be paid to the committee by each first handler as his pro rata share of such expenses. It also authorizes the carryover, as a committee reserve, of unexpended assessment for the fiscal period July 1, 1974, through June 30, 1975, to pay the committee's expenses. This action is under Marketing Order 927.

On September 12, 1974, notice of rulemaking was published in the Federal Register (39 FR 26714), regarding proposed expenses and the related rate of assessment for the fiscal period July 1, 1974, through June 30, 1975, and the carryover of unexpended 1973-74 assessment income, pursuant to the amended marketing agreement and Order No. 927 (7 CFR Part 927; 39 FR 26714), regulating the handling of Beurre D'Anjou, Beurre Bolic, Winter Nellis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California. This regulatory program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The notice afforded 19 days during which interested persons could submit written data, views, or arguments in connection with said proposal. None were received.

After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that: §927.214 be added as follows.

§927.214 Expenses, rate of assessment, and carryover of unexpended funds.

(a) Expenses. Expenses that are reasonable and necessary to be incurred by the Control Committee during the period July 1, 1974, through June 30, 1975, will amount to $111,663.

(b) Rate of assessment. The rate of assessment for said period, payable by each handler in accordance with §927.41, is fixed at $0.015 per standard western pear box of pears, or an equivalent quantity of pears in other containers or bulk.

(c) Reserve. Unexpended assessment funds in excess of expenses incurred during the fiscal period ended June 30, 1974, and prior years shall be carried over as a reserve in accordance with the applicable provisions of §927.42.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the Federal Register (5 U.S.C. 553) in that (1) shipments of fresh pears are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable pears handled during the aforesaid period; and (3) such period began on July 1, 1974, and the rate of assessment will automatically apply to all such pears beginning with each date.

SECRETARY OF AGRICULTURE,

Dated: October 11, 1974.

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

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER D—GUARANTEED LOANS

PART 1835—EMERGENCY LIVESTOCK LOANS

Miscellaneous Amendments:

Part 1835 of 7 CFR Chapter XVIII (39 FR 27688; 29581) is amended. The changes are as follows:

1. Section 1845.11 is amended to add new paragraphs (c) and (d) which authorize loan funds to be used for family living expenses and payment of annual installments on secured debts under certain conditions.

2. Section 1845.12(a) is revised to prohibit the use of loan funds for handling, processing, or marketing livestock products except under certain conditions in refinancing cases.

3. Section 1845.13 is amended to add new paragraphs (b) and (d) containing special provisions for refinancing debts, and for securing loans where split lines of credit will exist.

4. Section 1845.14(a) is revised to provide additional alternative methods of curing loans.

5. Section 1845.26 is revised to make minor editorial changes.

6. A new §1845.59 is added to require the lender or holder to make diligence and renewal reports to FmHA.

7. The footnote to the chart in §1845.30(a) is revised to make minor editorial changes.
In accordance with 5 USC 553 these amendments are not published for notice of proposed rule making inasmuch as: (1) The changes in §§ 1845.16 and 1845.14 reflect amendments made in re- sponse to public comments received from FmHA's publication in 39 FR 77685 dated July 31, 1974, (2) § 1845.29 requires lenders to make delinquency and renewal reports to FmHA, and (3) the remaining amendments only clarify existing agency procedures. Posting the effective date of these emergency program amendments until after receipt of comments would not be in the public interest. Therefore, these amendments are effective October 17, 1974.

The amendments are as follows:

1. Section 1845.11 is amended by adding paragraphs (r) and (s) to read as follows:

§ 1845.11 EL loan purposes.

(r) Payment of essential family living expenses.

(s) Payment of not more than 1 year's installment(s) (principal and interest).

2. Section 1845.12(i) is revised to read as follows:

§ 1845.12 Prohibited EL loan purposes.

(i) To purchase machinery or equipment, or for supplies or labor which will be used in the handling, processing, or marketing of livestock products such as milk, eggs, wool, and mohair. However, this does not prohibit refinancing debts which have already been created for these purposes when they are part of an "overall" livestock operation indebtedness being refinanced with an EL loan under the conditions set forth in § 1845.11 (c).

3. Section 1845.13 is amended by adding paragraphs (h) and (i) to read as follows:

§ 1845.13 EL loan limitations and special provisions.

(h) Refinancing debts. When loans have been closed and funds disbursed prior to application for a guaranteed EL loan, the refinancing criteria set forth in § 1845.11 (e) will apply:

(i) Split lines of credit. When a split line of credit is involved and there will be like security of the same lien rank for each loan, the EL loan must be ade- quately secured by liens on security property that is clearly identifiable in order to prevent co-mingling of security prop- erty. For example: Split lines of credit on livestock such as feeder cattle of the same breed and approximate age should be avoided.

4. Section 1845.14(d) is revised to read as follows:

§ 1845.14 EL rates, terms, and security.

(d) Security. The security must be adequate in the opinion of the lender and FmHA to assure repayment of the loan. In taking security, the following priorities will apply:

(1) First priority. Real estate if equity therein is adequate to secure the entire EL loan.

(2) Second priority. By the following means:

(A) A first lien on all property pur- chased with the EL loan.

(B) A lien of at least equal rank to any lien being fully refinanced with the EL loan will be taken on the same prop- erty. In other cases, the best lien obtainable will be taken on the property covered by the lien being partially refinanced.

(C) If no lien is taken under paragraph (2) (i) and (ii) of this section do not provide adequate security, additional real estate or other security, or a combination thereof, will be taken to adequately secure the EL loan.

See §§ 1845.14 and 1845.15 of Part 1841 for additional provisions regarding security. Also, see § 1845.16 regarding security requirements in cases involving split lines of credit.

5. Section 1845.26(c) is revised to read:

§ 1845.26 Conditions precedent to issuance of Contract of Guarantee.

(c) Favorable determination. If the County Committee makes an affirmative determination and FmHA makes a favorable determination and if loan guarantee obligation authority is available, it will issue a Certificate of Guarantee as au- thorized in § 1841.27. However, a Con- tract of Guarantee cannot be executed after July 25, 1975, or such extended period, not exceeding 6 months thereafter as may be authorized by the Secretary of Agriculture.

6. Section 1845.29 is added to read as follows:

§ 1845.29 Reports to FmHA.

(a) Delinquency reports. The Holder will report to the FmHA County Office immediately by letter or computer print- out any loan which is more than 90 days delinquent according to the terms specified in the promissory note or any au- thorized renewal thereof. The report will include the amount of such delinquency.

(b) Renewal reports. The Holder will notify the FmHA County Office and the FmHA Finance Office immediately by letter when a promissory note is re- newed under the authority set forth in § 1845.14(c). The following specific informa- tion is required: (1) Date of renewal, (2) number and amount of in- stallments, (3) final due date, and (4) interest rate.
It has been determined that in order to cover the increased costs of the services, the hourly fees charged in connection with the performance of the services must be increased as soon as practicable as provided herein. The need for the increase and the amount thereof are dependent upon facts within the knowledge of the Animal and Plant Health Inspection Service. Therefore, under 5 U.S.C. 553, it is found that notice and other public procedure with respect to these amendments are impracticable and unnecessary and good cause is found for making these amendments effective less than 50 days after publication in the Federal Register.

These amendments shall become effective October 17, 1974.

Done at Washington, D.C., on: October 11, 1974.

HENRY C. MUSSler,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 74-32501 Filed 10-13-74; 8:15 am]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER F—REGULATIONS FOR SAVINGS AND LOAN HOLDING COMPANIES

PART 593—BOARD RULINGS

Activities of Savings and Loan Holding Companies

SEPTEMBER 25, 1974.

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

1. Deemed approved, unless notification of withholding of approval is made by end of 30 days after receipt, all applications by subsidiary insured institutions to make certain loans to third parties under § 584.3(a)(4), and to amend Board Ruling § 589.3 (12 CFR 589.3) of the Regulations for Savings and Loan Holding Companies by adding a new paragraph (f)(2) thereto to clarify the Board's interpretation of the term "service corporation" as used in the Regulations for Savings and Loan Holding Companies. Accordingly, the Board hereby amends § 584.3 to read as set forth below, effective November 17, 1974, and the Board hereby amends § 589.3, effective October 17, 1974.

Section 584.3(a)(4) provides that a subsidiary insured institution of a savings and loan holding company may apply to the Corporation for written approval to make a loan to a third party on the security of property acquired from a wholly-owned service corporation of such subsidiary insured institution. Section 584.3(f) provides in part that copies of applications for such approval shall be filed with the Supervisory Agent of the district in which the principal office of the applicant is located. The Board has delegated authority to the Supervisory Agents to approve such loans.

The present amendment provides for a 30 calendar day period during which the Supervisory Agent must make a determination whether to approve the application. If the application is approved, the Supervisory Agent may so notify the applicant. If, however, the Supervisory Agent does not notify the applicant within the 30 calendar day period that the approval is being withheld, the application will be deemed to be approved. If approval is withheld, the Supervisory Agent is required to promptly submit the application to the Corporation for a decision. Only the Supervisory Agent's withholding of approval, and not the subsequent Corporation action, must occur during the 30 day period. The amendment further provides that the Supervisory Agent may request additional information after receipt of the application but need not consider material submitted in response to such request if received less than 5 calendar days before the end of the 30 calendar day period.

Board Ruling § 589.3(b) interprets the term "service corporation", as used in section 408 of the National Housing Act, as amended, and in the Holding Company Regulations, as a corporation of the type in which Federal associations may invest under § 545.1 of the Rules and Regulations for the Federal Savings and Loan System (12 CFR 545.1-1). This present amendment states in a new paragraph that the Ruling encompasses investment limits, service corporation debt limits, Board approval for non-approved activities, disposal of unauthorized investments and investment eligibility. Such amendment is intended simply to clarify the Ruling and to be certain that its effects are understood by holding companies.

Section 589.3(b) is revised as follows:

§ 589.3 Transactions with affiliates.

1. Filing of applications. (1) Applications for Corporation approval under paragraphs (a)(4) and (a)(6) of this section shall be in the form prescribed by § 584.10(c). Such applications shall be filed with the Corporation by transmitting the number of copies prescribed in the General Instructions of the forms to the Director, Holding Companies Section, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20255, and to the Supervisory Agent of the district in which the principal office of the applicant is located.

The application filed under paragraph (a)(4) of this section which fulfills all the filing requirements therein will be deemed to be approved if, by the close of 30 calendar days after the date of its receipt by the Supervisory Agent, such Supervisory Agent has not notified the applicant that approval has been withheld. If approval by the Supervisory Agent is withheld, the Supervisory Agent shall promptly cause the application to be submitted to the Corporation for its decision. The Supervisory Agent may request additional information after receipt of the application, but need not consider material submitted in response to such request if received less than 30 calendar days before the end of the 30 calendar day period.

2. Section 589.3 is amended by revising paragraphs (a)(4) and (a)(6) and by adding a new paragraph (f)(2) as follows:

§ 589.3 Interpretation of the term "service corporation"

(a) Paragraphs (d)(1) and (d)(4)(2) of section 408 of the National Housing Act, as amended, exclude "service corporations" from the prohibitions applicable to certain transactions between insured institution subsidiaries of savings and loan holding companies and other affiliates. The absence of a definition of a term or a definition of a term and the term "service corporation" has given rise to questions concerning the scope of these provisions.

(b) The Board, as the operating head of the Corporation, hereby determines, pursuant to section 408(b)(3) of the Act, that the term "service corporation", as used in said section 408 and this subchapter, refers to a corporation of the type in which Federal associations may invest under § 545.9 of the Rules and Regulations for the Federal Savings and Loan System (12 CFR 545.9-1).

(c) Subsidiary insured institutions may therefore invest in service corporations to the same extent, and subject to the same limitations, that Federal associations may invest in service corporations under § 545.9-1 of this chapter. Consequently, a service corporation which is an affiliate of a subsidiary insured institution must obtain...
PART 39—AIRWORTHINESS DIRECTIVE
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.

The DeHavilland has been reported of spanwise cracks in stabilized rear spars. Since this deficiency can exist or develop in similar type aircraft, an airworthiness directive is issued which will require an inspection and replacement where necessary of the subject spar.

In view of the foregoing and because the deficiency is one which affects air safety, notice and public procedure hereon are impractical 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 FR 16957) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

DeHavilland. Applies to DHC-6 airplanes Serial numbers 1 to 363 inclusive, excluding Serial Numbers 107, 168, 162, 184, 209, 383, 385, 390 and 391, certificated in all categories.

To detect cracks in the horizontal stabilizer rear spars, within the next 50 hours in service or 1 week, whichever occurs first, after the effective date of this AD, unless already accomplished, inspect visually using a magnification glass of at least 10 power an approved equivalent for cracks located along the radii at the junction of the rear spar webs with the top and bottom flange along Station 6703 to 6832 on the left and right hand horizontal stabilizers. If cracks are found, accomplish the following:

1. Alter the spar in accordance with paragraph 2 of Accomplishment Instructions of DeHavilland Service Bulletin No. 6046 dated June 28, 1974, or an approved equivalent before further flight, except that the airplane may be flown in accordance with FAR 21.497 to a base where the alteration can be performed.

2. Equivalent inspections or alterations must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

This amendment is effective October 25, 1974.

This amendment is made under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1554(a), 1421 and 1423), and section 6(o) of the Department of Transportation Act (49 U.S.C. 1656(a)).

Issued in Jamaica, N.Y., on October 9, 1974.

JAMES BIEFO,
Deputy Director,
Eastern Region.

[FR Doc.74-24091 Filed 10-4-74; 8:45 am]

PART 39—AIRWORTHINESS DIRECTIVE
Piper 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 Piper PA-23 type airplanes.

There have been reports of leaking heater fuel shut-off valves in the PA-23 type airplane. This deficiency had in one instance resulted in the packing nut loosening and backing off, allowing fuel to leak into the cockpit. Since the foregoing deficiency may exist or develop in similar type aircraft, an airworthiness directive is being issued which will require an inspection of the valve to ensure that it is properly fastened to preclude loss of the nut.

In view of the foregoing and because the deficiency is one which affects air safety, notice and public procedure hereon are impractical 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 FR 16957) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

Piper. Applies to Piper Models PA-23 and PA-25 with a Certificate of Conformity issued on or before May 21, 1974, PA-23-234, PA-23-235, PA-23-236, and PA-23-237 Serial Nos. 27-1 to 37-5493 incl. except the following:

Compliance required within 100 hours or ninety days after the effective date of this AD, whichever occurs first.

1. Inspect the heater fuel valve stem and cap nut from backing off and spill fuel, accomplish the following:

a. Replace the stem and cap nut on Values PA-23-234, 27-1 to 37-5493 except the following:

b. Inspect the stem and cap nut on Values PA-23-234, 27-1 to 37-5493 except the following:

This amendment is effective October 17, 1974.

This amendment is made under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1554(a), 1421 and 1423), and section 6(o) of the Department of Transportation Act (49 U.S.C. 1656(a)).

Issued in Jamaica, N.Y., on October 8, 1974.

JAMES BIEFO,
Deputy Director,
Eastern Region.

[FR Doc.74-24322 Filed 10-14-74; 8:45 am]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Allocation of Low Frequency Airway

On August 12, 1974, a Notice of Proposed Rule Making (NPRM) was published in the Federal Register (39 FR 27565) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign Blue Route from Hinchinbrook, Alaska, NDB to the Glacier, Alaska, NDB.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.M.T., January 2, 1975, as hereinafter set forth.

Section 75.100 (39 FR 659) is amended as follows:

1. In the heading of Jet Route No. 55 ("Jacksonville, Fla., to United States/Canada Border") is deleted.

2. In the text of Jet Route No. 55 "Sea Isle, N.J., 267° radial;" is deleted, and "Sea Isle, N.J., 253° radial;" is substituted therefor.

3. In the heading of Jet Route No. 80 ("Oakland, Calif., to Kennedy, N.Y.") is deleted.

4. In the text of Jet Route No. 80 all after "Belaire, Ohio;" is deleted, and "INT of the Belaire 090° and Robbinsville, N.J., 264° radial; Robbinsville; to Kennedy, N.Y.") is substituted therefor.

This amendment is made under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1484(a)) and sec. 6(a) of the Department of Transportation Act (49 U.S.C. 1865(c)).

Issued in Washington, D.C., on October 10, 1974.

Gordon E. Eutwin, Acting Chief, Airspace and Air Traffic Routes Division.

[FED Reg 74-24003 Filed 10-16-74;8:45 am]

[Appendix A; Appendix B to Part 801]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH POINTS

Alteration of Jet Routes

On July 8, 1974, a Notice of Proposed Rule Making (NPRM) was published in the Federal Register (39 FR 23412) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would realign J-55 between Flat Rock, Va., and Sea Isle, N.J., J-80 and J-110 between Belaire, Ohio, and Kennedy, N.Y., and J-55 between Huguenot, N.Y., and Buffalo, N.Y.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable; however, since publication of the notice, it has been determined that only the proposed alterations to J-55 and J-80 will be made at this time. The notice proposed that J-110 be realigned in part from Bellaire, Ohio, to the intersection of the Belaire 090° T (094° M) and Robbinsville, N.J., 264° T (274° M) radial; Robbinsville; to Kennedy, N.Y. As set out below to show, under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1484(a)) and sec. 6(a) of the Department of Transportation Act (49 U.S.C. 1865(c)).

Issued in Washington, D.C., on October 10, 1974.

Gordon E. Eutwin, Acting Chief, Airspace and Air Traffic Routes Division.

[FED Reg 74-24003 Filed 10-16-74;8:45 am]

Title 45—Public Welfare

CHAPTER VIII—UNITED STATES CIVIL SERVICE COMMISSION

PART 801—VOTING RIGHTS PROGRAM

[Appendix A to Part 801]

Title 50—Wildlife and Fisheries

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

SUBCHAPTER B—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH,

EDUCATION, AND WELFARE

SUBCHAPTER C—FOOD AND DRUG PRODUCTS

NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Molensin Sodium, Lincomycin, 3-Nitro-4-Chloro-Hydroxyphenylacetic Acid

The Commissioner of Food and Drugs has evaluated supplemental new animal

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
drug applications filed by Elanco Products Co., a Division of Eli Lilly & Co., Indianapolis, IN 46205 (49-462V), and The Upjohn Co., Kalamazoo, MI 49001 (92-426V, 92-422V) proposing safe and effective use of premixes containing a range of 90 to 110 grams of monensin sodium in broiler chicken feeds in combination with other medications. These supplemental applications are approved. The regulations are also amended in Part 153 to reflect the revision of the name of the sponsoring firm, Elanco Products Co.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(d), 21 Stat. 347; 21 U.S.C. 360b(d)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 125, 135, and 153 are amended as follows:

PART 125—FOOD ADDITIVES

1. In §125.262(a), by amending the text in Table I, under the fourth column for item 1.23 so that, as revised, item 1.23 reads as follows:

§125.262 [Amended]

(c)...

PART 135—NEW ANIMAL DRUGS

2. In §135.501(c), by revising the firm name and address for sponsor code No. 014, as follows:

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

(a)...

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

3. In §135c.50(d), by revising the text under the second column of the table for items 5 through 7, to read as follows:

§135c.50 Monensin; monensin sodium.

Table 1—5-1New 4-Hydroxyphenylbutyric Acid In Complete Chicken and Turkey Feed

<table>
<thead>
<tr>
<th>Principal Ingredient</th>
<th>Grams per ton Combined</th>
<th>Grams per ton</th>
<th>Limitations</th>
<th>Indications for use</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.23 Nitrated 4- Hydroxyphenylbutyric acid</td>
<td>15-45 Monensin</td>
<td>60-110 (as sodium)</td>
<td>2</td>
<td>For broiler breeder chickens; do not feed to laying chickens; feed containing at the rate of sodium monensin 4 days before slaughter; as code states of experimental medicated broiler feed containing sodium monensin had previously been fed; as code No. 007, §135c.50(d) of this chapter monensin sodium as provided by code No. 014, §135c.50(d) of this chapter monensin sodium as provided by code No. 014, §135c.50(d) of this chapter.</td>
</tr>
</tbody>
</table>

Effective date. This order shall be effective October 17, 1974.

Dated: October 8, 1974.

Fred J. Koenig, Acting Director, Bureau of Veterinary Medicine.
controlled conditions for high temperature incineration of organic chloride wastes.

Prior to December, 1973, Shell Chemical Company (the "Applicant") barged certain organic chloride constituents among other wastes from its Deer Park, Texas, manufacturing facility for disposal in designated areas of the Gulf of Mexico. Initially pursuant to the qualified approval of the U.S. Coast Guard and subsequently pursuant to permit and regulations of EPA, Applicant’s temporary or permanent permit expired in November, 1973, and has not, so far as the organic chloride constituents are concerned, been renewed by EPA pending the completion of detailed studies of the waste composition and continued investigation and alternative means of disposal. Since November, 1973, Applicant has stored its organic chloride wastes and is continuing to generate and store these wastes in above-ground tanks at its Deer Park facility. To date, Applicant has accumulated more than 38,000 tons of the organic chloride wastes and will continue to generate approximately 2,100 tons per month.

In July, 1974, Applicant contracted with OceanCombustion Service BY ("OCS"), a wholly owned subsidiary of Hanux Lines of the Netherlands, for the use of the sister vessel "Vulcanus." The "Vulcanus" was designed for high temperature, at-sea incineration of similar wastes from manufacturing operations in Europe and is equipped to load, carry and incinerate at sea the organic chloride wastes currently being stored by Applicant. As a result of long-standing consultations in Europe the "Vulcanus" is available for the disposal of Applicant's organic chloride wastes for a period limited to approximately 2 months and is not anticipated to be available again in the near future.

Applicant's contract with OCS provided that OCS carry out the incineration in accordance with all governmental or other compulsory regulations required for the safe and environmentally sound completion of the operation. OCS, with the assistance of a knowledgeable representative, the American Eagle Foundation, Inc., complied with all applicable international safety regulations and obtained, in addition, the necessary permits to continue with additional requirements imposed by the U.S. Coast Guard. With the assistance of the American Eagle Foundation, Inc., OCS also requested an opinion from EPA with respect to the applicability of the Ocean Dumping Act to ocean incineration of wastes. By memorandum dated January 23, 1974, EPA concluded, on the basis of facts then available to it, that the Ocean Dumping Act did not cover the proposed activity. In response to questions that have been raised concerning the January, 1974, memorandum by the National Wildlife Federation and others, and in view of certain new information which has come to its attention, EPA has modified the previous memorandum. EPA has concluded that in any case where it can reasonably be anticipated that incineration of wastes at sea will result in any such material, or emissions from the incineration, entering the ocean waters, such incineration will require a permit issued under the Ocean Dumping Act. This conclusion was reached shortly before the "Vulcanus" was scheduled to arrive at the Port of Houston to commence, at-sea incineration of the Applicant's organic chloride wastes.

The "Vulcanus" arrived at the Port of Houston on September 27, 1974. Required follow-up inspection by the Coast Guard is not anticipated to require longer than one day. Loading of the vessel would require no longer than 2 days after loading is authorized under permit.

A public hearing was held at the Shamrock Hilton Hotel, Castillon Room, Houston, Texas, on Friday, October 4, 1974, at 2 p.m., Houston time, with respect to Applicant's proposal to incinerate its organic chloride wastes at sea. Notice of the public hearing was published in the Federal Register, Office of Public Affairs, 401 M Street, SW, Washington, D.C., on September 27, 1974. The Report of the Presiding Officer contains findings and recommendations which have been adopted by the Administrator in his decision of October 10, 1974. Copies of this Report and the Administrator's decision are available from the Environmental Protection Agency, Office of Public Affairs, 401 M Street, SW, Washington, D.C. 20460.

Pursuant to the decision of the Administrator a New Site for high-seas incineration is being designated by the Administrator by the promulgation of this notice in the Federal Register. The designation will take effect immediately on publication in accordance with 5 U.S.C. section 553 on the basis of the Administrator's determination that additional notice and comment are impracticable, unnecessary and contrary to the public interest because (a) the location and proposed use of the New Site are the result of a public Notice issued on Friday, September 27, 1974, and were considered at a public hearing held in Houston, Texas, on Friday, October 4, 1974, (b) high temperature ocean incineration under the controlled conditions of the EPA permit appears to be the least environmentally damaging disposal method presently available, (c) continued storage of the organic chloride wastes involves certain risks with respect to the corrosion of storage facilities or other ruptures in such facilities which would present dangers to the public health and welfare and to the environment, (d) the proposed ocean incineration will not be available, for a substantial period of time, if further delays are incurred, (e) the New Site is scheduled in order for monitoring detailed biological and chemical monitoring and other studies to be carried with respect to the incineration and (f) carrying out the incineration at an existing site would pose significantly more possibilities of interference with other shipping. The New Site is designated for use only by the permittee of such material, entering the ocean waters, such incineration will require a permit issued under the Ocean Dumping Act. This conclusion was reached shortly before the "Vulcanus" was scheduled to arrive at the Port of Houston to commence at-sea incineration of the Applicant's organic chloride wastes.

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RULING AND REGULATIONS

Number (NSN) based on Contract Finder File information provided by the buying activity. GSA Form 6594, Contract Requirements, will be used to reflect contract requirements forecasts only when special manual preparation is necessary. Under requirement contracts, a specified minimum quantity of the total requirements, which the Government agrees to purchase during the contract period may be indicated (see §5A-7.103-80), and maximum and minimum order quantities shall be stated in accordance with §§ 1-3.409(b)(1), 5A-72.105-20 and 5A-72.105-21.

(1) Advice to contractors of significant changes in Term Contract requirements forecasts. The Office of Supply Control (FX), which maintains current and future estimated demand data on stock items, will notify procuring activities of any significant changes (in excess of plus or minus 25 percent) in estimated future requirements. Where applicable, this advice will be furnished after 3 months and 6 months from the beginning date of a 1-year contract. This advisory notice is furnished exclusively for the contractor's information and is not to be considered a modification or a change in the basic obligations imposed upon either party to the contract.

(2) Upon receipt of the notification from FX in accordance with (1), above, procuring activities will advise the responsible Contracting Officer of the contract of changes to the provisions of the Scope of Contract clauses (§5A-7.103-82). In addition, two copies of the advisory notice to the contractor shall be furnished to the appropriate regional Quality Control Divisions.

(b) Definite quantity contracts. Estimates of quantities required for definite quantity contracts are provided in the Federal Item Management Division (FXF).

Effective date: This regulation is effective October 17, 1974.

Dated: October 2, 1974.

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

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

SUBCHAPTER E—SUPPLY AND PROCUREMENT


Subpart 101-26.2—Federal Requisitioning System

1. Section 101-26.203-1(b) is revised to read as follows:

§101-26.203-1 Forms prepared by ordering offices.

(b) * * *

(3) GSA Form 1348-M, Non-NSN Requisition (Manual), illustrated in the FEDSTRIP Operating Guide, will be used when ordering non-national stock numbered items which exceed the stock or part number field and/or require additional information (e.g., manufacturer, model, and description). Document Identifier (DD codes A05 or A06) will be used in these instances.

2. Section 101-26.203-2(b) is revised to read as follows:

§101-26.203-2 Forms furnished to ordering offices.

(b) * * *

(3) Supply/shipment status information will be provided by electrical transmission in machine-readable (card) format via the Defense Automatic Addressing System (DAAS), Dayton, Ohio, to all military and civil activities having capabilities to receive/transmit by electrical communications. Military and civil activities not having electrical transmission facilities will be furnished information on the status of requisitions and replies to followup inquiries by DAAS (via first class mail) on GSA Form 9779, Supply/ Shipment Status Information As Of, or DD Form 1348M, DOD Single Line Item Requisition System Document (Mechanical), as requested by the requester and status (A & S) code (cc 7) of the requisition.

Subpart 101-27.5—Procurement Sources Other Than GSA and the Department of Defense

1. Section 101-27.701(c) is revised to read as follows:

§101-27.701 Purchase of Blind-made, products and services from the blind and other severely handicapped persons.

(c) Products produced by workshops of the blind or other severely handicapped persons available from GSA supply distribution facilities are identified by national stock numbers on the procurement list identified in paragraph (b) of this section.

2. Section 101-27.702(c) is revised to read as follows:

§101-27.702 Purchase of products manufactured by the Federal Prison Industries, Inc.

(c) Prison-made products available from GSA supply distribution facilities are identified by national stock numbers in the product schedule referred to in (b), above.

Subpart 101-27.1—Stock Replenishment

1. Section 101-27.102-2 is revised to read as follows:

§101-27.102-2 Guidelines.

Guidelines for development of appropriate replenishment quantities for contractor-manufactured items are set forth in the GSA Handbook. The Economic Order Quantity Principle and Applications, issued by the Federal Supply Service, GSA. The handbook is listed in the GSA Supply Catalog and copies may be ordered in the same manner as other items in the catalog. In addition, the handbook is available to the public from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Subpart 101-27.3—Maximizing Use of Inventories

1. Section 101-27.303-2(b) is revised to read as follows:

§101-27.303-2 Redistirbution.

(b) Offer agency managed items to other agencies managing the same item. Reimbursement shall be arranged by the agencies effecting the inventory transfer. The responsibility of locating agencies or activities requiring these items shall rest with the agency holding the long supply. However, agencies may receive a list of Government activities using particular national stock numbers by writing to the General Services Administration (FXL), Washington, DC 20408.

PART 101-30—FEDERAL CATALOG SYSTEM

The table of contents for Part 101-30 is amended to delete §101-30.4902-2175 and to include the following new and revised entries:

101-30.101-10 National stock numbers

101-30.401-3 Federal Item logistics data record.


Subpart 101-30.1—General

1. Section 101-30.101-6 is revised to read as follows:

§101-30.101-6 Federal item identification.

"Federal item identification" means the approved item identification for the Item of supply, plus the national stock number.
number assigned to that item identification. It consists of four basic elements: the name of the item, the identifying characteristics, the Federal Supply Classification code, and the national item identification number.

2. Section 101-30.101-10 is added as follows:

§ 101-30.101-10 National stock number.

The “national stock number” (NSN) is the identifying number assigned to each item of supply. The NSN consists of the 4-digit Federal Supply Classification (FSC) code and the 9-digit national item identification number (NIIN). The written, printed, or typed NSN configuration is 1234-56-7890. The following terms are elements of the 12-digit national stock number:

(a) “Federal Supply Classification” (FSC) is a 4-digit number which groups similar type items into classes.

(b) “National Codification Bureau” (NCB) code is a 2-digit number designating the central cataloging office of the NATO or other friendly country which assigned the national item identification number (NIIN), and is used as the first two digits of the NIIN.

(c) “National Item Identification number” (NIIN) is a 9-digit number, composed of the NCB code number (2 digits) combined with 7 other nonsignificant digits.

Subpart 101-30.2—Cataloging Handbooks and Manuals

1. Section 101-30.201(b) (4) is revised to read as follows:

§ 101-30.201 General.

(4) Federal Item Name Directory (FINET) for Supply Cataloging (Cataloging Handbook 267).

2. Section 101-30.202(c) is revised to read as follows:


(c) Numbering. (1) Each item of supply identified in the Federal Catalog System, national stock numbers and Federal Item Identifications, with such additional descriptive detail as is required, shall be utilized in reports and listings of excess and surplus personal property. The assignment of national stock numbers and Federal Item Identifications shall not be required for items of personal property or other property which have not been identified in the Federal Catalog System.

§ 101-30.403-2 Management codes.

For internal use within an agency, alphabetic codes excluding letters “Z, O,” may be prefixed/suffixed to the national stock number as required for supply management operations as CM6559-99-125-6567 or 9539 109-153-1657CM. Numeric codes shall not be affixed immediately adjacent to or as a part of the national stock number nor shall codes be intermingled in the national stock number.

Subpart 101-30.3—Cataloging Items of Supply

Section 101-30.304 is revised to read as follows:

§ 101-30.304 Application of item entry control.

In addition to the reviews attendant to the process of item identification and assignment of national stock numbers, proposed new items will be subjected to a technical review to associate them with items available through the GSA supply system. Where a similar item is available through the GSA supply system, the agency will be informed of the national stock and number of source of supply and will be requested to use that item. If the requesting agency considers the technical differences such that the GSA item is unacceptable, a waiver shall be requested as required by § 101-26.100-2. The request for waiver shall reference the request for the item identification.

Subpart 101-30.4—Use of the Federal Cataloging System

1. Sections 101-30.401-2 and 101-30.403-3 are revised to read as follows:

§ 101-30.401-2 Data for civil agencies.

Catalog data will be furnished participating civil agencies by means of electronic accounting machine cards and/or DD Form 146, Federal Item Logistics Data Record.

§ 101-30.403-3 Federal item logistics data records.

On request, copies of Federal item logistics data records will be provided to agencies by GSA on a reimbursable basis when billed by GSA.

2. Section 101-30.403-4 is revised to read as follows:

§ 101-30.403-4 Reports of excess and surplus personal property.

For items of personal property which have been identified in the Federal Catalog System, national stock numbers and Federal Item Identifications, shall be utilized in reports and listings of excess and surplus personal property. The assignment of national stock numbers and Federal Item Identifications shall not be required for items of personal property or other property which have not been identified in the Federal Catalog System.

§ 101-30.403-2 Management codes.

For internal use within an agency, alphabetic codes excluding letters “Z, O,” may be prefixed/suffixed to the national stock number as required for supply management operations as CM6559-99-125-6567 or 9539 109-153-1657CM. Numeric codes shall not be affixed immediately adjacent to or as a part of the national stock number nor shall codes be intermingled in the national stock number.

Subpart 101-30.5—Maintenance of the Federal Cataloging System

1. Section 101-30.502(c) is revised to read as follows:

§ 101-30.502 Definitions.

(c) "Recorded data" means the data which are associated with a national stock number and are recorded on microfilm or magnetic computer tape at the Defense Logistics Services Center (DLSC), Battle Creek, MI 49015.

2. In § 101-30.503 paragraph (b) is deleted, and paragraph (c) is redesignated as (b) and revised; paragraph (d) is redesignated as paragraph (e) and revised to read as follows:

§ 101-30.503 Maintenance actions required.

(b) Agencies not having the capabilities cited in paragraph (a) of this section shall prepare GSA Form 1583, Request for Federal Cataloging/Supply Support Action, as instructed on the reverse of the form and forward the form to the General Services Administration (GSA), Washington, DC 02040, for the performance of all cataloging functions and the protection and transmission of data to DLSC when required.

(c) GSA will confer with civil agencies periodically to read and revise methods of submission according to their needs and capabilities.

3. Section 101-30.604 is revised to read as follows:

§ 101-30.604 Cataloging data from Defense Logistics Services Center (DLSC).

Upon receipt of cataloging data from civil agencies, DLSC will process the data and provide for its inclusion in the Federal Catalog System. Notification to the submitting agencies of the action taken by DLSC will be as required in the Federal Manual for Supply Cataloging (Cataloging Handbook 267). Agencies not having the capability to submit data, when required, shall prepare Form 146, Federal Item Logistics Data Record, and Form 635, Item Data Record, when applicable. These cards shall be sent to the submitting agency where the agency is designated as the direct data receiver by GSA. Otherwise DLSC will transmit the required information to GSA for forwarding to the submitting agency, when required.

Subpart 101-30.6—GSA Section of the Federal Supply Catalog

1. Section 101-30.603-2 is revised to read as follows:

§ 101-30.603-2 GSA Supply Catalog.

The GSA Supply Catalog, published annually and updated quarterly, is an illustrated publication which serves as the primary source for identifying items and services available through the following GSA supply sources:

(a) GSA supply distribution facilities;
(b) Federal Supply Schedule; and
(c) Term Contract Program.


RULES AND REGULATIONS

Subpart 101-30.49—Illustrations of Forms
§ 101-30.4902-1003 [Amended]

§ 101-30.4902-2175 [Deleted]
2. Section 101-30.4902-2175 is deleted.

Office of Opinions and Review, and the Chief, Office of Opinions and Review, in docket cases are now maintained in both the Minute and Rules Branch and in the Dockets Branch, under the Secretary, in the Office of Executive Director. An examination of the functions of the two Branches and the records they maintain, indicates that the docket file contains an entirely satisfactory record of these actions and that these record keeping functions of the Minute and Rules Branch should be eliminated.

2. We are therefore eliminating these functions of the Minute and Rules Branch and amending Subpart B of Part O of the Rules (Delegations of authority) to indicate that the docket file contains the official record of actions taken by the administrative law judges, the Chief, Administrative Law Judge, the Review Board, and the Chief, Office of Opinions and Review in docket cases.

3. This amendment is adopted by authority of sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and of § 0.331(d) of the Commission's rules and regulations. Because it pertains to the internal workings of the Commission, the prior notice and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) do not apply.

4. Accordingly, it is ordered, effective October 15, 1974, that Part O of the rules and regulations is amended as set forth below.

(See § 0.347, is revised, and §§ 0.357, 0.367, and 0.377 are added to read as follows:

§ 0.347 Record of actions taken.

The official record of all actions taken by the Chief, Office of Opinions and Review, pursuant to § 0.341, is contained in the original docket folder, which is maintained by the Secretary in the Dockets Branch.

§ 0.357 Record of actions taken.

The official record of all actions taken by the Chief, Office of Opinions and Review, pursuant to § 0.351 or § 0.355 is contained in the original docket folder, which is maintained by the Secretary in the Dockets Branch.

§ 0.377 Record of actions taken.

The official record of all actions taken by the Chief, Office of Opinions and Review, pursuant to § 0.371 is contained in the original docket folder, which is maintained by the Secretary in the Dockets Branch.

[FR Doc.74-24143 Filed 10-16-74;8:45 am]

Title 49—Transportation

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS REGULATIONS

PART 172—LIST OF HAZARDOUS MATERIALS SUBJECT TO PARTS 170—179 OF THIS SUBCHAPTER

PART 173—SHIPPIERS

Fluoboric Acid

Note.—This document is identical to FR Doc. 74-25563 published at 39 FR 35172, September 30, 1974, except for the effective date, issuance date, and signature.

On December 23, 1973, the Hazardous Materials Regulations Board ("the Board") published Amendments 172-22, 173-77, and 178-30 in Docket No. HM-57 (39 FR 35467) which identified specifically by name a number of corrosive materials that would have been shipped as "Corrosive liquids, n.o.s." or "Corrosive solids, n.o.s." pursuant to the amendment dated March 23, 1972 (37 FR 5949). In the amendments published on December 23, 1973, the Board required that fluoboric acid be packaged according to the requirements set forth in § 173.264(a).

Three petitions for reconsideration of this amendment have been received: Harlan Chemical Company, Allied Chemical Corporation, and the Harshaw Chemical Company. These companies

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FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

37061
advised the Board that the type of packaging in use at this time for this material was the packaging authorized in §173.245. Further, each petitioner reported very satisfactory experience when using certain packagings specifically in use.

One petitioner furnished detailed amplifying information on the hazards of certain concentrations of fluoboric acid, setting forth valid reasoning why these materials are significantly different than hydrofluoric acid which is covered by §173.264. This section of regulation is more stringent in its packing requirements and all petitioners argued that these restrictions were inordinate for the less hazardous material, fluoboric acid.

One petitioner based his petition on the fact that the proposed change in packaging, when published in the notice form, was overlooked and for that reason no comments were submitted. In the amendment, a change in format in presenting the new regulations resulted in bringing the matter to petitioner's attention.

The Board has reviewed these petitions, and on the basis of the facts presented and the arguments for reconsideration, agrees that the regulations for packaging of fluoboric acid are overly restrictive.

In consideration of the foregoing, 49 CFR Parts 172 and 173 are revised as follows:

§172.5 List of hazardous materials.
(a) Maximum quantity in one outside container by Artleo is: 1 gallon.

§173.264 Hydrofluoric acid; white acid. (a) Hydrofluoric acid and white acid (ammonium bifluoride and hydrochloric acid mixture), each must be packed in specification packaging as follows:

§173.283 Fluoboric acid. (a) Fluoboric acid exceeding 50 per cent concentration must be packed as prescribed in §173.264(a) for hydrofluoric acid.
(b) Fluoboric acid of 50 per cent concentration or less must be packed as follows:

(1) In specification packaging as prescribed in paragraph (a) of this section.
(2) In specification packaging as prescribed in §173.245(a) (12, (16), (18), (19), (21), (24), and (26)).

These amendments are effective October 10, 1974.

Transporation of Explosives Act (18 U.S.C. 853-865); sec. 6, Department of Transportation Act (49 U.S.C. 1665); Title VI; sec. 802(b) Federal Aviation Act of 1958 (49 U.S.C. 1451-1450, 1472(b), and 1655(c)).

Issued in Washington, D.C. on October 10, 1974.

John W. Lange, Board Member for the Federal Railroad Administration,

CHAPTER X—INTERSTATE COMMERCE COMMISSION
SUBCHAPTER A—GENERAL RULES AND REGULATIONS
[Rev. 8.6.11, No. 1197]
PART 1033—CAR SERVICE
Atchison, Topeka and Santa Fe Railway Co. and Denver & Rio Grande Western Railroad Co.

Correction
In FR Doc. 74-23172, appearing at page 30786 in the issue for Friday, October 4, 1974, the bracket heading should read as set forth above.
DEPARTMENT OF THE TREASURY

Customs Service

CAST OR MALLEABLE IRON PIPE FITTINGS

Withdrawal of Proposed Revocation of Exception From Country of Origin Marking Requirements

There was published in the Federal Register for March 7, 1973 (38 FR 6181), a notice that the United States Customs Service had under consideration a request to revoke the exception from country of origin marking for malleable and non-malleable cast iron pipe fittings which had previously been promulgated pursuant to 19 U.S.C. 1304(a)(3)(J), and § 134.33, Customs Regulations (19 CFR 134.33).

The American Pipe Fittings Association had submitted information and affidavits indicating that malleable and non-malleable cast iron pipe fittings were not imported in substantial quantities during that period, and the comments added little additional specific information regarding the quantity of malleable iron pipe fittings imported during the years 1936 through 1938.

There was published in the Federal Register for March 7, 1973 (38 FR 6181), a notice that the United States Customs Service had under consideration a request to revoke the exception from country of origin marking for malleable and non-malleable cast iron pipe fittings which had previously been promulgated pursuant to 19 U.S.C. 1304(a)(3)(J), and § 134.33, Customs Regulations (19 CFR 134.33).

The American Pipe Fittings Association had submitted information and affidavits indicating that malleable and non-malleable cast iron pipe fittings were imported in substantial quantities in the 5-year period preceding January 1, 1937, and, accordingly, should not have been included in the list of articles excepted from marking under 19 U.S.C. 1304(a)(3)(J).

The notice is hereby given that it is proposed to add a new Part 43k to Subchapter F, Chapter 3, of Title 19 of the Code of Federal Regulations. This addition is proposed pursuant to the authority contained in section 7 of the Act of December 22, 1973 (PL 93-197; 87 Stat. 773).

The purpose of the new Part 43k is to provide the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding these proposed regulations and are authorized to comment on or prior to the specified date.

Appended is a list ofapplications and deadlines for filing.
§ 43k.4 Basic membership roll.

All persons living on December 22, 1973, whose names appear on the final roll of the Menominee Tribe of Wisconsin prepared and approved pursuant to the Act of June 17, 1954 (68 Stat. 250), shall be members of the tribe.

§ 43k.5 Additions to the roll.

There shall be added to the final roll of the tribe the names of all persons living on December 22, 1973, who meet the following qualifications:

(a) They are descendants born after midnight, June 17, 1954, of a person or persons whose names appear on the final roll; and

(b) They possess at least 1/4 degree Menominee Indian blood; and

(c) They have filed an application for enrollment with the tribe in accordance with the procedures set forth in this part.

§ 43k.6 Removal of deceased persons from roll.

The names of any person who was not living on December 22, 1973, shall be stricken from the basic membership roll by the Staff upon receipt of a death certificate or other evidence of death acceptable to the Secretary.

§ 43k.7 Application forms.

(a) Application forms will be furnished by the Area Director, Committee or Staff or any other designated persons upon written or oral request. Each person furnishing application forms shall keep a record of the names of the individuals to whom applications are given, the control numbers of the forms, and the date furnished. Instructions for completing and filing applications shall be furnished with each form. The form shall indicate promptly the deadline for filing the application.

(b) Among other information, each application form shall contain:

(1) Certification as to whether the application is for a natural child or an adopted child of the parent through whose bloodline eligibility is claimed.

(2) If the application is filed by a sponsor, the name, address, and relationship of the sponsor to the applicant.

(3) A control number for the purpose of keeping a record of applications furnished interested individuals.

§ 43k.8 Filing of applications and deadline for filing.

(a) Any person other than those persons whose names appear on the Menominee final roll who desires to be enrolled and who believes he meets the requirements for enrollment must file, or have filed in his behalf, a completed application form with the Staff, within ninety (90) days from the date specified in the announcement.

(b) Applications for minors, mental incompetents or other persons in need of assistance, members of the armed services or other services of the U.S. Government must be filed within ninety (90) days from the date specified in the announcement by the parent, next of kin, recognized guardian, next friend or other person responsible for their care.

§ 43k.9 Burden of proof.

The burden of proof of eligibility is on the applicant. If the applicant's parents or other ancestors through whom the applicant claims enrollment rights are unknown to the Staff and cannot be identified in the records, the Staff may request the applicant to furnish such additional information and evidence as it may deem necessary to determine the applicant's eligibility for enrollment. Failure of the applicant to furnish sufficient information to establish eligibility may be deemed sufficient cause for rejection.

§ 43k.10 Enrollment staff.

The Committee shall employ either the Staff upon receipt of a death certificate or other evidence of death acceptable to the Secretary.

§ 43k.11 Tenure of enrollment staff.

The members of the Staff shall serve until such time as the final roll has been brought current but no later than the time that responsibility for the tribal roll is assumed by the tribal governing body.

§ 43k.12 Appeals.

Until such time as the tribe assumes responsibility for preparing the roll, appeals from rejected applications must be in writing and filed pursuant to Part 42 of this Chapter except that all appeals shall be determined by the Secretary within ninety (90) days after an appeal is initiated.

§ 43k.13 Decision of the Secretary on appeal.

The decision of the Secretary on an appeal shall be final and conclusive and written notice of the decision shall be given the applicant or sponsor. When so directed by the Secretary, the Commissioner shall cause to be entered on the roll the name of any person whose appeal has been sustained.

§ 43k.14 Current membership roll.

The membership roll of the tribe shall be kept current until such time as the tribe assumes responsibility for the roll by striking therefrom the names of persons who have relinquished in writing their membership in the tribe, the names of deceased persons upon receipt of a death certificate or other evidence of death acceptable to the Staff, and by adding therein the names of persons who meet the qualifications for membership in the tribe set forth in this part.

§ 43k.15 Preparation of roll.

The Staff shall prepare a minimum of five copies of the roll of those persons determined to be eligible for enrollment.

The roll shall contain for each person a roll number, name, address, sex, date of birth, degree of Menominee blood, total degree of Indian blood, and, in the remarks column, the final roll number, name and relationship of the ancestor or ancestors through whom eligibility was established.

§ 43k.16 Certification and approval of roll.

The roll shall be certified by the Staff and Committee and a statement shall be attached to the roll by the Staff and Committee certifying the to the best of their knowledge and belief, the roll contains only the names of those persons who were determined to meet the requirements for enrollment. The Secretary shall approve the roll.

§ 43k.17 Special instructions.

To facilitate the work of the Staff, the Commissioner may issue special instructions not inconsistent with the regulations in this Part 43k.

Jesse A. Zurz, Acting Deputy Commissioner of Indian Affairs.

[F.R. Doc. 75-5150 Filed 10-16-75; 8:45 a.m.]

Fich and Wildlife Service [50 C.F.R. Part 32]

HUNTING

Great Swamp National Wildlife Refuge, N.J.

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 16, 1929, as amended (45 Stat. 1222; U.S.C. 715), and the National Wildlife Refuge System Administration Act of 1966 (69 Stat. 257 as amended; 16 U.S.C. 668dd), it is delegated to the Director, Fish and Wildlife Service by chapter 2, part 212 of the Departmental Manual, it is proposed to open Great Swamp National Wildlife Refuge to white-tailed deer hunting.
DEPARTMENT OF AGRICULTURE
Rural Electrification Administration
[7 CFR Part 1701]
RE&A RURAL TELEPHONE FACILITIES
REA Requirements and Procedure Covering the Purchase of Common Control Switching Equipment

Notice is hereby given that, pursuant to the Rural Electrification Act as amended (7 U.S.C. 901 et seq.), RE&A proposes to issue a memorandum (File with RE&A Bulletin 344-1) to provide RE&A requirements and procedure for purchasing common control switching equipment with funds loaned by RE&A, the Rural Telephone Bank or by another lender with the loan guaranteed by RE&A. On issuance of the proposed memorandum, Appendix A to Part 1701 will be modified accordingly.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NEW JERSEY
GREAT SWAMP NATIONAL WILDLIFE REFUGE

Public hunting of deer of either sex with shotguns on the Great Swamp National Wildlife Refuge, New Jersey, is permitted, except on areas designated by signs as closed, during the period of December 10, 1974, and permits must be inclusive, and during the New Jersey special one-day either-sex deer season on December 18, 1974. The open deer hunting season is set forth in the Federal Register, 39 FR 18,220, and from the Regional Director, U.S. Fish and Wildlife Service, WW. McCormick Post Office and Courthouse, Boston, Massachusetts 02109. Hunting of deer with firearms shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

Deer of either sex may be taken throughout the period of the hunt on the refuge. Four hundred hunter permits will be randomly selected for the special hunt from applications for Great Swamp received by the New Jersey Division of Fish, Game and Shellfisheries. Only 150 hunters will be allowed to hunt on any given day during the hunting period. Special armbands and parking area permits will be issued and must be displayed as designated areas. Armbands and parking area permits will be surrendered prior to departure from the refuge. All deer taken must be checked out at the refuge check station. Vehicles are restricted to public roads and areas designated by parking permits.

All shotguns and loads used in the hunt must be certified by New Jersey Division of Fish, Game and Shellfisheries enforcement personnel prior to the hunt. Target practice or test firing is not permitted, and guns must be unloaded when in areas posted as "closed." Baiting or hunting with the aid of bait is prohibited.

Other than on the days of the hunt, entry is permitted only on approved Public Use Areas as designated by signs.

The provisions of this special regulation supersede any regulations of the Federal Government hunting on wildlife refuge areas generally, which are set forth in 50 CFR Part 32, and are effective through December 30, 1974.

LYNN A. GREENWALD,
Special Assistant to the Director,
U.S. Fish and Wildlife Service.

[FER Doc.74-52495 Filed 10-16-74;2:45 am]

DEPARTMENT OF AGRICULTURE
Rural Electrification Administration
[7 CFR Part 1701]

REA RURAL TELEPHONE FACILITIES
REA Requirements and Procedure Covering the Purchase of Common Control Switching Equipment

Notice is hereby given that, pursuant to the Rural Electrification Act as amended (7 U.S.C. 901 et seq.), RE&A proposes to issue a memorandum (File with RE&A Bulletin 344-1) to provide RE&A requirements and procedure for purchasing common control switching equipment with funds loaned by RE&A, the Rural Telephone Bank or by another lender with the loan guaranteed by RE&A. On issuance of the proposed memorandum, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the contents of the proposed memorandum may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before November 18, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations, Rural Electrification Administration, during regular business hours.

The text of the proposed memorandum is as follows:

FILE WITH RE&A BULLETIN 344-1
GUIDELINES FOR THE PURCHASE OF COMMON CONTROL SWITCHING EQUIPMENT

In general, the award of standard common control central office equipment under the RE&A policy will be on the competitive bid basis as outlined in II, A, 1 and 2 below. However, 100 percent Bank and guaranteed loan borrowers may elect to obtain this equipment under the negotiation basis as set forth in II, B, 2.

A. Plans and specifications for the procurement of common control central office equipment should be prepared on RE&A Form 524 Series, or Form 255 or 544 for a contract. Plans and specifications must be reviewed and approved by RE&A prior to the release of the contract for bid.

B. Since RE&A's prime objective is to furnish single-party service, it will be assumed that the new central office equipment will be a ragedly arranged. Occasionally, however, there may be certain local conditions which will require special arrangements.

C. When procuring foreign equipment under any of the plans listed under paragraph II, below, it will be necessary to obtain two or more domestic equipment proposals for comparable equipment for the purpose of making "Buy American" comparisons.

D. Common control systems are divided into two size categories, i.e., SUS (small ultimate size) where the ultimate size does not exceed 6000 lines, and (2) LUS (large ultimate size) where the ultimate size exceeds 6000 lines. Bulletin 344-1, "Use of Common Control Equipment," will list these categories under the appropriate size.

New common control installations may be approved:

1. For SUS common control equipment:
   (b) When the initial requirement of the new central office is 600 lines or more and the equipment can meet the particular features specified, or

   (2) Applications below 600 lines where complex switching and/or digit translation are required. No other features will justify complex switching and/or digit translation.

   On issuance of the proposed memorandum, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the contents of the proposed memorandum may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before November 18, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations, Rural Electrification Administration, during regular business hours.

The text of the proposed memorandum is as follows:

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GUIDELINES FOR THE PURCHASE OF COMMON CONTROL SWITCHING EQUIPMENT

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A. Plans and specifications for the procurement of common control central office equipment should be prepared on RE&A Form 524 Series, or Form 255 or 544 for a contract. Plans and specifications must be reviewed and approved by RE&A prior to the release of the contract for bid.

B. Since RE&A's prime objective is to furnish single-party service, it will be assumed that the new central office equipment will be a ragedally arranged. Occasionally, however, there may be certain local conditions which will require special arrangements.

C. When procuring foreign equipment under any of the plans listed under paragraph II, below, it will be necessary to obtain two or more domestic equipment proposals for comparable equipment for the purpose of making "Buy American" comparisons.

D. Common control systems are divided into two size categories, i.e., SUS (small ultimate size) where the ultimate size does not exceed 6000 lines, and (2) LUS (large ultimate size) where the ultimate size exceeds 6000 lines. Bulletin 344-1, "Use of Common Control Equipment," will list these categories under the appropriate size.

New common control installations may be approved:

1. For SUS common control equipment:
   (1) When the initial requirement of the new central office is 600 lines or more and
PROPOSED RULES

Quotations from more than one supplier should be obtained. It is recommended to utilize a procedure similar to that outlined in Paragraph II. A. 2 (Two-Step) be used with the stipulation that the award of the bid may be based upon factors other than low price.

III Additional information is acquired by FDA relative to features of the various types of common control equipment it will be distributed to FDA, borrowers and consulting engineers for assistance in evaluating the bids. This will include both engineering and cost aspects of the features.

Dated: October 10, 1974.

C. R. BALLARD, Assistant Administrator, Rural Electrification Administration.

[FR Doc. 74-24333 Filed 10-16-74; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
[21 CFR Part 333]

OVER-THE-COUNTER DRUGS

Proposal to Establish a Monograph for OTC Antimicrobial Topical Products; Extension of Time for Additional Comment

A notice of proposed rulemaking was published in the Federal Register of September 26, 1974 (39 FR 29305), in which the Commissioner of Food and Drugs issued the results of the OTC Antimicrobial I Advisory Review Panel and proposed to establish a monograph for OTC topical antimicrobial products. In the public interest, the Commissioner provided 60 days for comments and invited submission of such comments on or before November 12, 1974.

An additional 30 days were provided for additional comments replying to any comments so filed with such reply comments due on or before December 12, 1974.

The preamble of the proposal states that in accordance with § 301.10(a) (2) all data and information submitted for consideration by the Advisory Review Panel have been handed to confidentially by the Panel to the Commissioner of Food and Drug Administration, and that all such data and information shall be put on public display in the office of the Hearing Clerk, Food and Drug Administration, on or before October 15, 1974, except to the extent that the person submitting it demonstrates that it still falls within the confidentiality provisions of 18 U.S.C. 1905 or section 301(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(j)).

The Commissioner has received requests from two major manufacturers of OTC antimicrobial products and from two trade associations requesting additional time for comments on the proposal. 1. Comment was made that a substantial population in the field has questions regarding the proposed OTC topical antimicrobial products monograph because of the controversial conclusions and recommendations contained in the OTC Antimicrobial I Advisory Panel's Report on which this monograph is based. It was therefore requested that the time for comments be extended 60 days or until February 1, 1975.

The Commissioner concludes that the controversial nature of the report per se does not justify an extension of 60 days for comments. The controversial nature of any proposal is not necessarily related to the time needed to comment on it and no special showing was made.

2. Comment was made that both the OTC Antimicrobial I Advisory Review Panel's Report and the proposed OTC topical antimicrobial products monograph rely so extensively on data and information supplied to the Panel but not otherwise available that the development of detailed comments on the scientific basis for the Panel's conclusions can only be undertaken after interested parties have had a fair opportunity to review all the material which the Panel has had access. It was pointed out that some 128 different references to unpublished reports and data are made in the Panel's report and that reliance on unpublished material for some of its conclusions appear to be so extensive in certain areas that the Commissioner must presume any type of meaningful comment until this material can be obtained and evaluated. It was also pointed out that this data will not be on public view until October 15, 1974, thus allowing only 30 days for initial comment instead of 60 days. It was therefore requested that the time allowed for comments be extended the data submitted data are released for public view rather than on the date of publication in the Federal Register. Alternatively, initial comments on the presently nonpublic or unpublished material be accepted during the reply comment period.

The Commissioner agrees that more time for comment is necessary due to the heavy reliance upon unpublished data in this proposal. The Commissioner therefore concludes that for purposes of full public comment on this matter an extension of time is needed. 30 days is provided for the comment period, with 30 days for reply comments to follow as previously provided in the Office of Assistant Secretary.

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201, 502, 505, 701, 59 Stat. 1040-42 as amended; 5 U.S.C. 553, 554, 702, 703, 704) and under authority delegated to the Commissioner (21 CFR 2.120), interested persons are invited to submit their comments in writing (preferably in quintuplicate) regarding the proposal published in the Federal Register of September 13, 1974 (39 FR 29305) on or before December 12, 1974. Such comments should be addressed to the Hearing Clerk, Food and Drug Administration, Room 4-65, 5600 Fishers Lane, Rockville, MD 20852, and may be accompanied by a memorandum or brief in support thereof. Additional comments replying to any comments so filed may also be submitted on or before January 13, 1975. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: October 11, 1974.

SAM D. FEIN, Associate Commission for Compliance.

[FR Doc. 74-24310 Filed 10-16-74; 8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Chapter II—Office of Assistant Secretary for Housing Production and Mortgage Urban Development

LOW RENT PUBLIC HOUSING

Prototype Cost Limits for Public Housing

In the Federal Register issued for Friday, May 17, 1974, (39 FR 17768), Prototype per unit cost schedules were published pursuant to Section 156(c) of the U.S. Housing Act of 1937. Consideration of subsequent factual project cost data and other information received from the Oklahoma City Area Office indicates that the prototype costs published May 17, 1974 for Tulsa, Bartlesville, McAlester and Muskogee, Oklahoma should be revised.

Interested persons are invited to submit suggestions and data with respect to these proposed costs and all submissions received on or before November 13, 1974 will be considered before a final revision of the costs is adopted. Comments filed within that time will be without prejudice to the opportunity accorded all interested persons at any time to file information showing that a specific cost or costs may be inappropriate.

Written data, views or statements shall be filed with the Rural Development Office, Office of General Counsel, Department of Housing and Urban Development, 431 Seventh Street, SW, Washington, D.C. 20410. Copies of comments received will be available for examination during business hours at the above address.

Accordingly, it is proposed to amend 24 CFR Part 275 as follows:

1. On page 17719 and 17720 of the Federal Register dated May 17, 1974, delete the existing Prototype Per Unit Cost Schedules shown for Detached and Semi-Detached Units and Row Dwellings for Tulsa, Bartlesville, McAlester and Muskogee, Oklahoma and substitute in lieu thereof the revised prototype per unit costs shown on the table set forth hereinafter, entitled Prototype Per Unit Cost Schedule (Sec. 156(c)) Department of Housing and Urban Development, 43 U.S.C. 333(d).

SHELTON J. LUNAR, Assistant Secretary-Commissioner.
DEPARTMENT OF TRANSPORTATION
Federal Railroad Administration
[49 CFR Part 215]
[Docket RSFC-4, Notice 1]

SAFETY STANDARDS
Railroad Freight Car

The Federal Railroad Administration (FRA) is considering amendments to Part 215, Railroad Freight Car Safety Standards. The standards were initially issued by FRA on November 12, 1973 (38 FR 32224) and became effective on January 1, 1974. Amendments to these standards were published in the July 11 and July 26, 1974 issues of the Federal Register (39 FR 25496, 27139) and they became effective upon issuance.

Effective February 11, 1974, the Association of American Railroads (AAR) filed a petition requesting modification of § 215.99 of the FRA Railroad Freight Car Safety Standards (49 CFR § 215.99) to extend to 48 months the present 36-month maximum interval for lubrication of grease lubricated roller bearings with end caps that rotate. On July 8, 1974, Trailer Train Company joined AAR in petitioning for this rule change and endorsed the position taken in the AAR petition.

In its petition, AAR contends that this modification is justified by the determination of this section of over-lubrication and the proven ability of currently used greases and bearing components to provide safety, at a minimum, 48 months of service before lubrication. After carefully considering this matter, FRA proposes to amend § 215.99 (a) and (c) to extend the maximum allowable interval between lubrications from 36 months to 48 months, and to more precisely prescribe the manner in which these lubrications are to be accomplished.

FRA also proposes to amend § 215.9 by adding a paragraph (a) (3). This new paragraph would require a "bad order tag or card" to be affixed securely to each side of a railroad freight car which has any component described as defective in the FRA Freight Car Safety Standards, while it is being moved for repair under § 215.9(a). Use of a specific form for this purpose would not be required, provided the tag or card clearly contains the information prescribed in the new paragraph. Railroads would be allowed to continue use of their own forms such as Form FR 7039 or "CR" described in Rule 130, Field Manual of the Interchange Rules adopted by the AAR Mechanical Division, Operations and Maintenance Department, as described in the preceding column and effective January 1, 1974. Proposed subparagraph (3) also provides that the card may be only removed by a person designated by a railroad under § 215.15 who must sign it and write on the card the date, place and reason for its removal. A copy of each card attached to or removed from a car must be retained for 90 days and made available for inspection by FRA inspectors upon request.

In addition, § 215.7 would be amended by adding a new paragraph (b) to provide that a railroad which operates a defective freight car is deemed to know if or have notice that the car is defective if a tag or card bearing the words "bad order" or "home shop for repairs" is attached to the car.

Interested persons are invited to participate in this proceeding by submitting written data, views, or comments. Communications may be directed to the Office of the Chief Counsel, Federal Railroad Administration, 400 Seventh Street, NW., Washington, D.C. 20590. Communications received before December 4, 1974, will be considered by the Federal Railroad Administrator before final action is taken on the proposed amendments. Comments received after that date will be considered to the extent practicable. The proposals contained in this notice may be changed in light of the comments received. All comments received will be available for examination by interested persons during regular business hours in Room 5101, Nussill Building, 400 Seventh Street, NW., Washington, D.C. 20590.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

This notice is issued under the authority of section 302, 84 Stat. 971 (45 U.S.C. 423) and § 1.49(a) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(a)

In consideration of the foregoing, it is proposed to amend 49 CFR Part 215 as set forth below.

Issued in Washington, D.C., on October 11, 1974.

John W. Ingham, Administrator.

1. It is proposed to amend § 215.7 to read as follows:

§ 215.7 Responsibility for defective cars.
(a) Any railroad that knows, has notice, or should have known that a railroad freight car that it operates has any component which is described as defective in this part is responsible for compliance with this section. Subject to § 215.9, each railroad freight car which has a component described as defective in this part must be—
(1) Repaired; or
(2) Removed from service.
(b) For purposes of paragraph (a) of this section, a railroad is deemed to know if or have notice that a freight car it operates has a defective component if a card described in § 215.9(a) (3) is attached to the car.

2. It is proposed to amend § 215.9(a) to read as follows:

§ 215.9 Movement of defective cars for repair.
(a) Except as provided in paragraph (b) of this section, a railroad freight car which has any component described as defective in this part may be moved for repair only after—
(1) A person designated under § 215.15 determines—
(I) That it is safe to move the car; and
(II) The maximum speed and other restrictions necessary for safely conducting the movement;
(2) The person in charge of the train in which the car is to be moved is notified in writing and informs all other crew members of the presence of the defective car and the maximum speed and other restrictions determined under paragraph (a) (I) (II) of this section. A copy of the tag or card described in paragraph (a) (I) of this section may be used to provide written notification; and
(3) A tag or card bearing the words "bad order" or "home shop for repairs" and containing the following information, is securely attached to each side of the car—
(I) Reporting mark and car number;
(II) Name of inspecting railroad;
(III) Inspection location, date and time;
(IV) Nature of defect and movement restrictions;
(v) Destination for shopping or repair; and
(vi) Signature of a person designated under § 215.15.
PROPOSED RULES

This tag or card may only be removed from the car by a person designated under § 215.15. A record or copy of each card attached to or removed from a car must be retained for 90 days and, upon request, made available for inspection by FRA inspectors. Each card removed from a car must contain a notation stating the date, location, reason for its removal and the signature of the person that removed it from the car.

3. It is proposed to amend the chart in paragraph (a) and paragraph (c) of § 215.59 as follows:

§ 215.59 Roller bearings.

(a) * * *

<table>
<thead>
<tr>
<th>Lubricate bearing within the following number of months before car is oper.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of bearing</td>
</tr>
<tr>
<td>------------------------</td>
</tr>
<tr>
<td>OU lubricated; end caps do not rotate. All.</td>
</tr>
<tr>
<td>Grease lubricated; end caps do not rotate. All.</td>
</tr>
<tr>
<td>Grease lubricated; end caps rotate. 11 inches or less.</td>
</tr>
</tbody>
</table>

* * * * *

(c) In the case of a grease lubricated roller bearing, the lubrication must be performed as follows:

1. Immediately before the application of grease—

   (i) Clean the grease fitting to prevent road dirt and foreign material from being forced into the bearings; and

   (ii) Test the grease fitting to ensure it has not been damaged; and

2. Insert the amount of Grade B grease (Association of American Railroads Specification M-917-64) prescribed in the chart in paragraph (c), using a properly calibrated dispensing device which is equipped with a strainer and is checked monthly to accurately measure ounces of grease.

3. * * *

[FR Doc.74-24247 Filed 10-16-74;8:45 am]

ENVIRONMENTAL PROTECTION
AGENCY
[40 CFR Part 87]
[FRL 280-4]

CONTROL OF AIR POLLUTION FROM SUPERSONIC AIRCRAFT

Notices of Public Hearings

Section 521 of the Clean Air Act, as amended by Public Law 91-604, directs the Administrator of the Environmental Protection Agency to "establish standards applicable to emission of any air pollutant from any class or classes of aircraft, or any aircraft engine, which in his judgment cause or contribute to air pollution which endangers the public health or welfare." Such standards were proposed for supersonic aircraft in the issue of the Federal Register published on July 23, 1974, at page 26653.

Section 231 of the Act also provides that the Administrator shall hold public hearings with respect to the proposed emission standards. Notice is hereby given of a hearing concerning the proposed supersonic aircraft emission standards to be held at:

Fanueil Hall
Fanueil Hall Square
Boston, Massachusetts

on November 14 and 15, 1974, and

California State Building
217 West First Street
Sacramento, CA 95814, submitted a petition (FP 35137) proposing establishment of a tolerance for residues of the herbicide linuron [(3-[3,4-dichlorophenyl]-1-methoxy)-methyl] ether in or on the raw agricultural commodity asparagus at 0.25 parts per million.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. The pesticide is useful for the purpose for which the tolerance is proposed.

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry.

3. The proposed tolerance will protect the environment.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 154; 21 U.S.C. 346a(e)), it is proposed that § 180.184 be amended by revising the paragraph "0.25 part per million * * *" to read as follows:

§ 180.184 Linuron tolerances for residues.

0.25 part per million in or on asparagus, corn grain including popcorn, fresh corn including sweet corn (kernels plus cob with husk removed), cottonseed, and the hulls of barley, colza, rye, sorghum (milo), and wheat.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed in the petition may request, on or before November 18, 1974, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments with reference to this notice to the Federal Register section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 421 East Tower, 401 M Street SW., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Environmental Protection Agency and others interested in inspecting the documents. The comments must be received on or before November 18, 1974, and should bear a notation indicating the subject. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: October 5, 1974.
JOHN R. ELLISON, Jr.,
Director, Registration Division.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Start Mall, 401 M Street SW, Washington, D.C. A copy of preliminary draft contractor reports, the Development Document and economic study referred to hereunder, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA Information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before November 18, 1974, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21021).

Dated: October 8, 1974.

John Quailes,
Acting Administrator.

1. Section 419.12(b) is amended by revising paragraphs (1) and (2) to read as follows:

§ 419.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) * * *

(b) * * *

(1) Size Factor.

1,000 bbl of feedstock Size per stream day:

<table>
<thead>
<tr>
<th>Size factor</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2.49</td>
<td>0.62</td>
</tr>
<tr>
<td>2.5 to 4.49</td>
<td>0.67</td>
</tr>
<tr>
<td>4.5 to 6.49</td>
<td>0.69</td>
</tr>
<tr>
<td>6.5 to 8.49</td>
<td>0.80</td>
</tr>
<tr>
<td>8.5 to 10.49</td>
<td>1.07</td>
</tr>
<tr>
<td>10.5 to 12.49</td>
<td>1.27</td>
</tr>
<tr>
<td>12.5 to 14.49</td>
<td>1.57</td>
</tr>
<tr>
<td>15.0 or greater</td>
<td>2.07</td>
</tr>
</tbody>
</table>

(2) Process factor.

Process configuration:

<table>
<thead>
<tr>
<th>Process factor</th>
<th>Process factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2.49</td>
<td>0.62</td>
</tr>
<tr>
<td>2.5 to 4.49</td>
<td>0.67</td>
</tr>
<tr>
<td>4.5 to 6.49</td>
<td>0.69</td>
</tr>
<tr>
<td>6.5 to 8.49</td>
<td>0.80</td>
</tr>
<tr>
<td>8.5 to 10.49</td>
<td>1.07</td>
</tr>
<tr>
<td>10.5 to 12.49</td>
<td>1.27</td>
</tr>
<tr>
<td>12.5 to 14.49</td>
<td>1.57</td>
</tr>
<tr>
<td>15.0 or greater</td>
<td>2.07</td>
</tr>
</tbody>
</table>

2. Section 419.13(b) is amended by revising paragraphs (1) and (2) to read as follows:

§ 419.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) * * *

(1) Size Factor.

1,000 bbl of feedstock Size per stream day:

<table>
<thead>
<tr>
<th>Size factor</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2.49</td>
<td>1.02</td>
</tr>
<tr>
<td>2.5 to 4.49</td>
<td>1.05</td>
</tr>
<tr>
<td>4.5 to 6.49</td>
<td>1.16</td>
</tr>
<tr>
<td>6.5 to 9.49</td>
<td>1.22</td>
</tr>
<tr>
<td>9.5 to 12.49</td>
<td>1.25</td>
</tr>
<tr>
<td>12.5 to 15.49</td>
<td>1.38</td>
</tr>
<tr>
<td>15.0 or greater</td>
<td>1.50</td>
</tr>
</tbody>
</table>

(2) Process factor.

Process configuration:

<table>
<thead>
<tr>
<th>Process factor</th>
<th>Process factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2.49</td>
<td>0.62</td>
</tr>
<tr>
<td>2.5 to 4.49</td>
<td>0.67</td>
</tr>
<tr>
<td>4.5 to 6.49</td>
<td>0.80</td>
</tr>
<tr>
<td>6.5 to 8.49</td>
<td>0.85</td>
</tr>
<tr>
<td>8.5 to 10.49</td>
<td>1.07</td>
</tr>
<tr>
<td>10.5 to 12.49</td>
<td>1.27</td>
</tr>
<tr>
<td>12.5 to 14.49</td>
<td>1.57</td>
</tr>
<tr>
<td>15.0 or greater</td>
<td>2.07</td>
</tr>
</tbody>
</table>
### 4. Section 419.22(b) is amended by revising paragraphs (1) and (2) to read as follows:

§ 419.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(b) * * *

(1) Size Factor.

1,000 bbl of feedstock per stream:

<table>
<thead>
<tr>
<th>Size factor</th>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2.99</td>
<td>0.88</td>
</tr>
<tr>
<td>2.5 to 3.49</td>
<td>0.63</td>
</tr>
<tr>
<td>3.5 to 4.49</td>
<td>0.70</td>
</tr>
<tr>
<td>4.5 to 5.49</td>
<td>1.00</td>
</tr>
<tr>
<td>5.5 to 6.49</td>
<td>1.67</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
<td>1.00</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
<td>1.20</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
<td>1.20</td>
</tr>
<tr>
<td>9.5 or greater</td>
<td>1.89</td>
</tr>
</tbody>
</table>

(2) Process factor.

<table>
<thead>
<tr>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4.49</td>
</tr>
<tr>
<td>4.5 to 5.49</td>
</tr>
<tr>
<td>5.5 to 6.49</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
</tr>
<tr>
<td>9.5 or greater</td>
</tr>
</tbody>
</table>

5. Section 419.23(b) is amended by revising paragraphs (1) and (2) to read as follows:

§ 419.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(b) * * *

(1) Size Factor.

1,000 bbl of feedstock per stream:

<table>
<thead>
<tr>
<th>Size factor</th>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2.99</td>
<td>0.88</td>
</tr>
<tr>
<td>2.5 to 3.49</td>
<td>0.63</td>
</tr>
<tr>
<td>3.5 to 4.49</td>
<td>0.70</td>
</tr>
<tr>
<td>4.5 to 5.49</td>
<td>1.00</td>
</tr>
<tr>
<td>5.5 to 6.49</td>
<td>1.67</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
<td>1.00</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
<td>1.00</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
<td>1.20</td>
</tr>
<tr>
<td>9.5 or greater</td>
<td>1.89</td>
</tr>
</tbody>
</table>

(2) Process factor.

<table>
<thead>
<tr>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4.49</td>
</tr>
<tr>
<td>4.5 to 5.49</td>
</tr>
<tr>
<td>5.5 to 6.49</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
</tr>
<tr>
<td>9.5 or greater</td>
</tr>
</tbody>
</table>

6. Section 419.25(b) is amended by revising paragraphs (1) and (2) to read as follows:

§ 419.25 Standards of performance for new sources.

(b) * * *

(1) Size Factor.

1,000 bbl of feedstock per stream:

<table>
<thead>
<tr>
<th>Size factor</th>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2.99</td>
<td>0.91</td>
</tr>
<tr>
<td>2.5 to 4.49</td>
<td>0.63</td>
</tr>
<tr>
<td>4.5 to 6.49</td>
<td>0.70</td>
</tr>
<tr>
<td>6.5 to 8.49</td>
<td>1.00</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
<td>1.00</td>
</tr>
<tr>
<td>9.5 or greater</td>
<td>1.67</td>
</tr>
</tbody>
</table>

(2) Process factor.

<table>
<thead>
<tr>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 3.49</td>
</tr>
<tr>
<td>3.5 to 4.49</td>
</tr>
<tr>
<td>4.5 to 5.49</td>
</tr>
<tr>
<td>5.5 to 6.49</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
</tr>
<tr>
<td>9.5 or greater</td>
</tr>
</tbody>
</table>

7. Section 419.22(b) is amended by revising paragraphs (1) and (2) to read as follows:

§ 419.35 Standards of performance for new sources.

(b) * * *

(1) Size Factor.

1,000 bbl of feedstock per stream:

<table>
<thead>
<tr>
<th>Size factor</th>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4.49</td>
<td>0.63</td>
</tr>
<tr>
<td>4.5 to 5.49</td>
<td>0.63</td>
</tr>
<tr>
<td>5.5 to 6.49</td>
<td>0.63</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
<td>0.70</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
<td>1.00</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
<td>1.67</td>
</tr>
<tr>
<td>9.5 or greater</td>
<td>1.89</td>
</tr>
</tbody>
</table>

(2) Process factor.

<table>
<thead>
<tr>
<th>Process configuration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4.49</td>
</tr>
<tr>
<td>4.5 to 5.49</td>
</tr>
<tr>
<td>5.5 to 6.49</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
</tr>
<tr>
<td>9.5 or greater</td>
</tr>
</tbody>
</table>

10. Section 419.42(b) is amended by revising paragraphs (1) and (2) to read as follows:

§ 419.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology currently available.

(b) * * *

(1) Size Factor.
### PROPOSED RULES

<table>
<thead>
<tr>
<th>1,000 bbl of feedstock per stream day:</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 49.9</td>
<td>0.71</td>
</tr>
<tr>
<td>50.0 to 74.9</td>
<td>0.74</td>
</tr>
<tr>
<td>75.0 to 99.9</td>
<td>0.81</td>
</tr>
<tr>
<td>100.0 to 124.9</td>
<td>0.88</td>
</tr>
<tr>
<td>125.0 to 149.9</td>
<td>0.92</td>
</tr>
<tr>
<td>150.0 to 174.9</td>
<td>1.05</td>
</tr>
<tr>
<td>175.0 to 199.9</td>
<td>1.14</td>
</tr>
<tr>
<td>200.0 or greater</td>
<td>1.19</td>
</tr>
</tbody>
</table>

### (2) Process factor.

<table>
<thead>
<tr>
<th>Process configuration:</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 6.49</td>
<td>0.81</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
<td>0.88</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
<td>0.92</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
<td>0.97</td>
</tr>
<tr>
<td>9.5 to 9.99</td>
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<tr>
<td>10.0 to 10.49</td>
<td>1.03</td>
</tr>
<tr>
<td>10.5 to 10.99</td>
<td>1.07</td>
</tr>
<tr>
<td>11.0 to 11.49</td>
<td>1.10</td>
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<tr>
<td>11.5 to 11.99</td>
<td>1.13</td>
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<td>1.14</td>
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<tr>
<td>12.5 to 12.99</td>
<td>1.15</td>
</tr>
<tr>
<td>13.0 or greater</td>
<td>1.16</td>
</tr>
</tbody>
</table>

### 13. Section 419.53(b) is amended by revising paragraphs (1) and (2) to read as follows:

**§ 419.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

<table>
<thead>
<tr>
<th>1,000 bbl of feedstock per stream day:</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 124.9</td>
<td>0.73</td>
</tr>
<tr>
<td>125.0 to 149.9</td>
<td>0.81</td>
</tr>
<tr>
<td>150.0 to 174.9</td>
<td>0.83</td>
</tr>
<tr>
<td>175.0 to 199.9</td>
<td>0.85</td>
</tr>
<tr>
<td>200.0 or greater</td>
<td>0.87</td>
</tr>
</tbody>
</table>

### (2) Process factor.

**Process configuration:**

<table>
<thead>
<tr>
<th>Process factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 6.49</td>
</tr>
<tr>
<td>6.5 to 7.49</td>
</tr>
<tr>
<td>7.5 to 8.49</td>
</tr>
<tr>
<td>8.5 to 9.49</td>
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<tr>
<td>9.5 to 9.99</td>
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<tr>
<td>10.0 to 10.49</td>
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<tr>
<td>10.5 to 10.99</td>
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<tr>
<td>11.0 to 11.49</td>
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<tr>
<td>11.5 to 11.99</td>
</tr>
<tr>
<td>12.0 to 12.29</td>
</tr>
<tr>
<td>12.5 to 12.99</td>
</tr>
<tr>
<td>13.0 or greater</td>
</tr>
</tbody>
</table>

### 14. Section 419.53(b) is amended by revising paragraphs (1) and (2) to read as follows:

**§ 419.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

<table>
<thead>
<tr>
<th>1,000 bbl of feedstock per stream day:</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 124.9</td>
<td>0.73</td>
</tr>
<tr>
<td>125.0 to 149.9</td>
<td>0.81</td>
</tr>
<tr>
<td>150.0 to 174.9</td>
<td>0.83</td>
</tr>
<tr>
<td>175.0 to 199.9</td>
<td>0.85</td>
</tr>
<tr>
<td>200.0 or greater</td>
<td>0.87</td>
</tr>
</tbody>
</table>

### PROPOSED RULES

<table>
<thead>
<tr>
<th>1,000 bbl of feedstock per stream day:</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 49.9</td>
<td>0.71</td>
</tr>
<tr>
<td>50.0 to 74.9</td>
<td>0.74</td>
</tr>
<tr>
<td>75.0 to 99.9</td>
<td>0.81</td>
</tr>
<tr>
<td>100.0 to 124.9</td>
<td>0.88</td>
</tr>
<tr>
<td>125.0 to 149.9</td>
<td>0.92</td>
</tr>
<tr>
<td>150.0 to 174.9</td>
<td>1.05</td>
</tr>
<tr>
<td>175.0 to 199.9</td>
<td>1.14</td>
</tr>
<tr>
<td>200.0 or greater</td>
<td>1.19</td>
</tr>
</tbody>
</table>

### (2) Process factor.

**Process configuration:**

<table>
<thead>
<tr>
<th>Process factor</th>
</tr>
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<tbody>
<tr>
<td>Less than 6.49</td>
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<tr>
<td>6.5 to 7.49</td>
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<td>7.5 to 8.49</td>
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<tr>
<td>12.0 to 12.29</td>
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<tr>
<td>12.5 to 12.99</td>
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<tr>
<td>13.0 or greater</td>
</tr>
</tbody>
</table>

### 15. Section 419.55(b) is amended by revising paragraphs (1) and (2) to read as follows:

**§ 419.55 Standards of performance for new sources.**

<table>
<thead>
<tr>
<th>Process configuration:</th>
<th>Size factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 124.9</td>
<td>0.73</td>
</tr>
<tr>
<td>125.0 to 149.9</td>
<td>0.80</td>
</tr>
<tr>
<td>150.0 to 174.9</td>
<td>0.85</td>
</tr>
<tr>
<td>175.0 to 199.9</td>
<td>0.88</td>
</tr>
<tr>
<td>200.0 or greater</td>
<td>0.93</td>
</tr>
</tbody>
</table>

### (2) Process factor.

<table>
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<tr>
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<tr>
<td>10.0 to 10.49</td>
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<tr>
<td>11.0 to 11.49</td>
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<tr>
<td>11.5 to 11.99</td>
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<tr>
<td>12.0 to 12.29</td>
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<tr>
<td>12.5 to 12.99</td>
</tr>
<tr>
<td>13.0 or greater</td>
</tr>
</tbody>
</table>

### FEDERAL COMMUNICATIONS COMMISSION

### [47 CFR Part 73]

### [Docket No. 19692; FCC 74-1083]

### DAYTIME AM BROADCAST STATIONS

One Hour Advancement in Sign-On Time

In the matter of amendment of Part 73 of the Commission's rules to provide a one-hour advancement in the sign-on times of daytime AM broadcast stations to recoup the morning hour lost by the enactment of year-round Daylight Saving Time, Order rescinding FCC 73-1324 (28 FR 10777) and FCC 74-125 (39 FR 61461).

the nation to "standard" (non-advanced) time between October 27, 1974, and February 23, 1975. This legislation applies to all states and possessions except jurisdictions exempted from year-round daylight saving time (YRDST), either by virtue of local legislation or by virtue of a local transportation system, i.e., all or portions of Arizona, Hawaii, Idaho, Indiana, Kentucky, Michigan, Puerto Rico, the Virgin Islands, and American Samoa.

2. Absent further action by Congress, the nation will, effective the last Sunday of April, revert to the traditional "6" and "7" time provided for by the Uniform Time Act of 1966; i.e., the observation of "standard" time during the six months between the last Sunday of October and the last Sunday of April, and the observance of advanced time between the last Sunday of April and the last Sunday of October.

3. In the event that Congress will not act before the opening of the regular session on January 6, 1974, and the pre-sunrise operations of daytime stations now entitled to added daytime operating hours will suffer varying degrees of hardship. For this reason, we wish to implement an emergency authority granted by Congress under section 6 of Pub. L. 93-183 (YRDST) to make emergency adjustments in sign-on times and powers specified in their pre-sunrise service authorizations (PSA's).

4. In carrying out this mandate, we adopted a series of rulemaking proposals and interim orders designed to maximize the pre-sunrise operations of daytime stations without, at the same time, destroying fulltime service being conducted on the same channels. In general terms, the measures thus far taken provided a minimum of one hour of pre-sunrise service operation with a power of at least 50 watts, except where such operation is barred by international agreement. 

5. It is estimated that more than 1000 class III daytime stations and approximately 165 class II daytime stations have benefited from these changes. However, and as demonstrated by the experience acquired to date in this proceeding, the relief we were able to provide in this situation was not sufficient to prevent conflicts between daytime and fulltime stations sharing the same channels under nighttime skywave propagation conditions. In the majority of cases, daytime stations were simply "backed up" one hour with the powers specified in their pre-sunrise service authorizations (PSA's).

6. The legislative history of Pub. L. 93-183 (YRDST) makes clear that Congress intended our emergency authority to adjust the sign-on times and powers to be exercised only to compensate for the dislocations resulting from YRDST. It follows that if the two emergency pre-sunrise operating orders adopted herein are adopted in this proceeding are allowed to remain in force beyond the return to "standard" time on October 27 of this year, we would be exceeding the authority granted by Congress under section 6 of Pub. L. 93-183 and, in addition, would deprive affected fulltime stations of the rights to which they are entitled under section 161 of the Communications Act. It is therefore necessary that we rescind these emergency orders, effective with the return to "standard" time (2 a.m., October 27, 1974). The sign-on practices of all daytime stations will then be governed by their pre-sunrise powers, as prescribed by the terms of PSA's issued pursuant to § 73.99 of our rules.

7. Authority for the adoption of this order is contained in Pub. L. 93-493, Pub. L. 93-492, and sections 475 and 303(c) of the Communications Act of 1934, as amended. 

8. Accordingly, it is ordered, That effective 2 a.m., October 27, 1974, the order is hereby adopted December 18, 1973, and February 6, 1974, in this proceeding (FCC 73-1424, and FCC 74-146, respectively) are rescinded, and all affected stations shall revert to their licensed and authorized PSA modes of operation as provided in §§ 73.87 and 73.99 of the rules pending further order of the Commission.

9. Proposed Amendment, may make written comments on this proceeding was transmitted to August 5, 1974 (39 FR 23664, August 9, 1974). The comments of the Administrator of the Environmental Protection Agency, which were included with the initial notice, were published at a later date, and the time for filing written comments in this proceeding was extended to September 3, 1974 (39 FR 23665, August 23, 1974).

Inasmuch as the rulemaking proposes only minor changes in an existing regulation, public hearings were not scheduled because of the slight public impact these proposed minor changes would have. Nevertheless, a request for oral presentation of comments having been received, FEA has determined that a public hearing should be held. Therefore, public hearings in this proceeding regarding the Proposed Amendment to the Octane and Price Posting Rules will be held beginning at 9:30 a.m. on November 5, 1974, at the Federal Building, Room 3300, 12th and Pennsylvania Avenue, N.W., Washington, D.C., in order to receive comments from interested persons.

Any person who has an interest in the Proposed Amendment to the Octane and Price Posting Rules, or who is a representative of a group or class of persons which has an interest in the Proposed Amendment, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, Room 3300, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., 20461, and must be received before 4:30 p.m., e.d.t., October 29, 1974. Such a request may be hand delivered to Room 3300, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., between the hours of 8:00 a.m. and 8:00 p.m., Monday through Friday, October 28, 1974.

The Federal Energy Administration hereby gives notice that public hearings will be held on the proposed amendment to the Octane and Price Posting Regulation (40 CFR 212.129). Notice of the proposed rulemaking was issued on August 5, 1974 (39 FR 23664, August 9, 1974). The comments of the Administrator of the Environmental Protection Agency, which were included with the initial notice, were published at a later date, and the time for filing written comments in this proceeding was extended to September 3, 1974 (39 FR 23665, August 23, 1974).

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PROPOSED RULES

FEDERAL HOME LOAN BANK BOARD
[12 CFR Part 545] [No. 74-1051]

FEDERAL SAVINGS AND LOAN SYSTEM
Payments to Third Parties; Proposed Amendment

October 9, 1974.

The following summary of the amendments proposed by this resolution is provided for the reader’s convenience and is subject to the full explanation in the following preamble and to specific provisions of the regulation.

I. Existing regulations. Limits the authority of Federal associations to offer bill payment services primarily to the payment of “housing-related items”.

II. Proposed amendments: Remove the “housing-related items only” restriction.

III. Effect of proposed amendment: Enables Federal associations to offer a full range of bill payment services.

The Federal Home Loan Bank Board considers it desirable to propose to amend § 545.4-1 of the rules and regulations for the Federal Savings and Loan System (12 CFR § 545.4-1) by deleting the second sentence of § 545.4-1(a) (2) in order to expand the authority of Federal associations to offer “pro-type” funds transfer services as described below.

Section 545.4-1(a) (1) authorizes Federal associations to honor withdrawal requests “in the form of nontransferable orders or authorizations to the association for the payment of amounts in savings accounts to third parties periodically or otherwise.” The second sentence of § 545.4-1(a) (2) restricts this authority as follows:

A Federal association may accept orders or authorizations for payment by the accountholder directly to the financial institution or to an agent or a third party. In some countries, in which the payment orders are given by the accountholder directly to the financial institution in question.

The first sentence of § 545.4-1(a) (2) would continue to prohibit checking-account-like powers for Federal associations. That sentence provides that, “An accountholder shall not have a right to transmit or deliver any such order or authorization to a third party to whom a withdrawal is to be paid or transferred, and a Federal association shall not accept any such order or authorization which is received by it from or through such a third party.”

Accordingly, the Board hereby proposes to revise § 545.4-1(a) (2) to read as set forth below.

Interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 230 First Street, N.W., Washington, D.C. 20553, by November 20, 1974, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board.

§ 545.4-1 Payments to third parties by withdrawals or transfer of savings accounts; checks and money orders.

(a) Withdrawals and transfers.

(1) General. Savings accounts in a Federal association shall not be subject to check or to withdrawal or transfer on negotiable or transferable order or authorization to the association. However, withdrawal requests may be in the form of nontransferable orders or authorizations to the association for the payment of amounts in savings accounts to third parties periodically or otherwise. Any such order or authorization which may be honored as a withdrawal request for payment to a third party may, if so authorized by the third party, also be honored as a transfer to a savings account of such third party. The association may charge a fee for its services in making any payment or transfer pursuant to such a request.

(2) Restrictions. An accountholder shall not have a right to transmit or deliver any such order or authorization to a third party to whom a withdrawal is to be paid or transferred, and a Federal association shall not accept any such order or authorization which is received by it from or through such a third party.

By the Federal Home Loan Bank Board

[FR Doc.74-24191 Filed 10-16-74; 8:49 am]

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

FEDERAL HOME LOAN BANK BOARD

B. C. E. Montgomery, Jr.,
General Counsel.

Federal Energy Administration.

[FR Doc.74-24191 Filed 10-16-74; 8:49 am]

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

ROBERT E. MONTGOMERY, JR.
Assistant Secretary.

[FR Doc.74-24191 Filed 10-16-74; 8:49 am]
PROPOSED RULES

Upon consideration, notice is hereby given that the final date for submitting comments in the above matter is extended to and including October 23, 1974.

KENNETH F. FLINT,
Secretary.

[FR Doc. 74-2410 Filed 10-16-74; 8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Part 154]

RATE INCREASES

Proposed Change in Notice Requirements for Filing

October 9, 1974.

Notice is hereby given pursuant to the Administrative Procedure Act (APA), 5 U.S.C. 551 et seq. (1970), and sections 4 and 16 of the Natural Gas Act, that the Federal Power Commission proposes to amend §§ 154.38 and 154.63 of its regulations under the Natural Gas Act, Chapter 1, Title 18 of the Code of Federal Regulations, in the manner set forth below. The changes proposed herein would amend provisions in the regulations which require natural gas pipeline companies to file changes in wholesale rates for the purpose of tracking purchased gas costs and increases due to research and development expenditures 45 days prior to the proposed effective date of the filing. The proposed changes would also amend the provision in the regulations which provides a pipeline company a 15-day period to cure a deficiency in a general rate increase filing upon notification of such deficiency. If the pipeline files the proposed rate increase 45 days prior to its requested effective date.

We feel compelled to amend §§ 154.38 of the regulations in light of the District of Columbia Circuit Court of Appeals' decision in Indiana & Michigan Electric Company v. Federal Power Commission. In a challenge to the Commission's authority to require the preciding of certain cost of service data 60 days prior to the proposed effective date of a rate increase, the Court declared §§ 35.13(b)(4) and (i) of the regulations under the Federal Power Act to be invalid. The Court found that "the practical effect of the section is to impose a de facto 60 day notice requirement on utilities seeking to increase their rates." Because section 205(d) of the Federal Power Act, which provides for a 30 day notice period, created not only a "minimum notice period for the utility's customers and the Commission but also a maximum waiting period for the filing utility," the Court held that the Commission's 60 day filing requirement in § 35.13(b) of its regulations contravenes the terms of section 205(d) of the Federal Power Act.

The Court concluded that "[t]hirty days is the maximum a utility can be compelled to wait from the time it files its change to the time the changes take effect unless the Commission properly exercises its suspension powers." 1

Section 4(d) of the Natural Gas Act, 1 pursuant to which the regulations proposed to be amended were implemented, contains language virtually identical to that in section 205(d) of the Federal Power Act. Although a Court has upheld the Commission's authority under section 4(d) to require a notice period of longer than 30 days for a proposed increased rate filing, 2 we believe that the Indiana & Michigan decision under the facts presented in that case may be controlling. 3 We therefore are of the opinion that Indiana & Michigan compels us to amend the sections in the regulations Under the Natural Gas Act which presently require a notification period in excess of the 30 day period provided in section 4(d) of the Natural Gas Act.

We are cognizant that with respect to §§ 154.38(d) (4) (v) and 154.38(d) (5) (d) (e), which prohibit tracking of increased cost increases attributable to expenditures for research and development, that a 30 day notice period may not provide sufficient time for pipeline company customers to seek adjustment of their rates. Indeed this concern was a primary impetus for our substituting a 45 day notice period for PGA filings 4 rather than the 30 day notice period we originally suggested in our proposed rulemaking in Docket No. R-406. 5

Although we are aware of the difficulties to be borne by pipeline customers in their attempts to readjust their rates to

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1 Slip Opinion, p. 9.

2 Section 4(d) of the Natural Gas Act provides in part: "Unless the Commission otherwise ordres, no change shall be made by any natural gas company in any such rate, charge, classification, or service, or in any rates, regulations, or contract relating thereto, upon thirty days' notice to the Commission and to the public * * * in every instance where the Commission compels the company to file for an increase of rate, charge, classification, or service not required to be filed by reason of the natural gas company's failure to file a rate increase notice required by section 4(d) of the Natural Gas Act, if the Commission determines that the public interest requires such an increase and the Commission, by order, finds that the increase is just and reasonable." 15 U.S.C. 717d(a).

3 "Pipeline Oil Comp. v. Federal Power Commission, 483 F. 2d 899, 912 (6th Cir. 1973)."

4 Pipeline Oil may also be clearly distinguished from Indiana & Michigan since the notice requirements for rate increases filings involved in the case were part of a settlement proposal. Furthermore the Court pointed out that it refused to temper with the Commission's decision on the notice requirements since it was unable to state "to what extent the Commission might have altered or modified the effective date if it had disregarded all the provisions of the rate schedule." 899 F. 2d at 912.


reflect passed-on increased rates, we feel sufficiently constrained from providing for notice requirements in excess of the 30 day period provided in section 4(d) of the Natural Gas Act.

We believe that the Indiana & Michigan decision is broad enough to further cast doubt on our authority to require a 45-day notice period under § 154.63(a) (4) in order for a pipeline to be permitted a 15-day period to cure a deficiency upon notice of that deficiency. Moreover, it has become increasingly clear to us that the administrative difficulties inherent in that provision require the deletion of a curing period. Because a pipeline is often forced to make an in-depth analysis by the Commission staff to determine if a filing is deficient may take more than three weeks. If a company then does not file the material necessary to cure the deficiency until the 15th day of its curing period, the company then does not file the material necessary to cure the deficiency until the fifteenth day of its curing period, the Staff does not have adequate time to investigate whether the company's subsequent filing is sufficient before the increase goes into effect by operation of law. Because of the inability to insure the protection of the public interest in all cases and the doubt cast upon this section by Indiana & Michigan we propose therefore to also amend § 154.63.

The proposed amendment to §§ 154.38 and 154.63 of the Commission's regulations under the Natural Gas Act would be issued under the authority granted the Federal Power Commission by the Natural Gas Act, particularly sections 4 and 10 (52 Stat. 822, 850, 76 Stat. 72; 15 U.S.C. 717b, 717f).

Any interested person may submit to the Federal Power Commission, 825 North Capitol Street, NW, Washington, D.C. 20426, not later than November 1, 1974, data, views, comments, and suggestions, in writing, concerning the proposed rules and regulations, the rate computation which clearly show the derivation of the proposed rate adjustment. Each rate adjustment shall become effective as of the effective date on which any change in its existing rates is to become effective, a single tariff sheet, entitled Original PGA-1, which contains the information in the margins as set out and required in § 154.33(d) and which shows the following:

<table>
<thead>
<tr>
<th>Rate schedule</th>
<th>Basic tariff rate</th>
<th>Current adjustment</th>
<th>Cumulative adjustment</th>
<th>Rate after current adjustment</th>
</tr>
</thead>
</table>

1 The Basic Tariff Rate is the effective rate in force with the Commission after adjustments affected pursuant to a PGA change.

Simultaneously with the filing of the above described tariff sheet, the company shall furnish the Commission, jurisdictional customers, and interested State Commissions a report containing detailed computations which clearly show the derivation of the Current Adjustment to be applied to its existing rates. Exhibit A hereof details the information which is necessary for the Commission to verify the accuracy of the proposed adjustment. In the event the material submitted is deficient, the company will be notified of the deficiencies. No filing date will be assigned until the deficiencies are eliminated.

Accordingly, it is proposed to amend §§ 154.38 and 154.63 of the Commission's regulations under the Natural Gas Act, Chapter 1, Title 15 of the Code of Federal Regulations as follows:

Section 154.38(c)(4) will be revised to read as follows:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.

(4) Rejection for noncompliance. Where the data submitted in compliance with paragraph (b) of this section do not comply with the requirements of the rules and regulations, the rate filing is subject to rejection.

The Secretary shall cause prompt publication of this notice to be made in the Federal Register.

By the Commission.

Kenneth F. Plummer, Secretary.

[FR Doc. 74-9111 Filed 10-16-74; 8:45 am]
DEPARTMENT OF STATE

GOVERNMENT ADVISORY COMMITTEE ON INTERNATIONAL BOOK AND LIBRARY PROGRAMS

Notice of Cancelled Meeting

The meeting of the Government Advisory Committee on International Book and Library Programs scheduled for Thursday, October 24, 1974, at the Watergate Hotel (Continental Room), has been cancelled. It will be rescheduled.

Dated: October 10, 1974.

CAROL M. OWENS, Executive Secretary.

[FR Doc.74-24168 Filed 10-16-74;8:45 am]

[Public Notice CNL-176]

SHIPPING COORDINATING COMMITTEE

Notice of Meeting

A meeting of the Shipping Coordinating Committee will be held at 9:30 a.m. on Tuesday, November 12, 1974, in Room 7200, Coast Guard Headquarters, 500 Seventh Street, SW, Washington, D.C. The meeting will be open to the public.

The purpose of the meeting is to discuss preparations for the next meeting of the Marine Environment Protection Committee of IMCO (Intergovernmental Maritime Consultative Organization) scheduled to meet November 18-21, 1974.

Dated: October 8, 1974.

RICHARD K. BANK, Acting Chairman.
Shipping Coordinating Committee.

[FR Doc.74-25178 Filed 10-16-74;8:16 am]

[Public Notice CNL-173]

STUDY GROUP CMITTE OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE (CCIR)

Notice of Meeting

The Department of State announces that Study Group CMITTE of the U.S. National Committee for the International Radio Consultative Committee (CCIR) will meet on October 31, 1974 at 10 a.m. in Room 7128 of the ComStat Building, 950 L'Enfant Plaza, SW, Washington, D.C.

Study Group CMITTE deals with technical standards for telecommunications systems to permit the transmission of sound and television broadcasting programs over long distances. The main items of the agenda for the meeting on October 31 are:
3. Discussion of new work and new reports submitted during this interim period.

Members of the general public who desire to attend the meeting on October 31 will be admitted up to the limits of the capacity of the meeting room.

Dated: October 1, 1974.

GORDON L. HURRUTZ, Chairman.
U.S. CCIR National Committee.

[FR Doc.74-25094 Filed 10-16-74;8:45 am]

Agency for International Development

ADVISORY COMMITTEE ON VOLUNTARY FOREIGN AID

Notice of Meeting

Pursuant to Executive Order 11668 and the provisions of section 10(a), Pub. L. 92-463, Federal Advisory Committee Act, notice is hereby given of the Procedures Workshop to be jointly sponsored by A.I.D. and the Advisory Committee on Voluntary Foreign Aid, which will be held October 22, 1974; 9 a.m. to 5:15 p.m., at the National Academy of Sciences, Washington, D.C.

The purpose of this meeting will be to provide an exchange of information relevant to private and voluntary organizations on the formulation of proposals, A.I.D. grant review procedures, and grant award, management and administration.

This meeting is open to the public. Any interested person may participate, subject to Workshop procedures and pre-Workshop registration.

Dr. Jarold A. Kieffer will be the A.I.D. representative for the entire Workshop. Information concerning the meeting may be obtained from Ms. Judith W. Gilmore, Office of Private and Voluntary Cooperation, Agency for International Development, Washington, D.C. 20523, or by telephone at (202) 622-7666/7.

JAROLD A. KIEFFER, Assistant Administrator for Population and Humanitarian Assistance.

October 10, 1974.

[FR Doc.74-23461 Filed 10-16-74;8:42 am]

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 75-500]

FOREIGN CURRENCIES

Certification of Rates

OCTOBER 4, 1974.

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York.

The Federal Reserve Bank of New York, pursuant to section 232(a), Tariff Act of 1930, as amended (31 U.S.C. 772 (a)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 74-101 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

<table>
<thead>
<tr>
<th>Country</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia dollar</td>
<td>1.3075</td>
</tr>
<tr>
<td>Brazil</td>
<td>1.3066</td>
</tr>
<tr>
<td>Brazil</td>
<td>1.3069</td>
</tr>
<tr>
<td>Brazil</td>
<td>1.3100</td>
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<tr>
<td>Brazil</td>
<td>1.3100</td>
</tr>
<tr>
<td>Brazil</td>
<td>1.3109</td>
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<td>New Zealand dollar</td>
<td>0.2918</td>
</tr>
<tr>
<td>New Zealand dollar</td>
<td>0.3214</td>
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<td>New Zealand dollar</td>
<td>0.3219</td>
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<tr>
<td>New Zealand dollar</td>
<td>0.3260</td>
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<tr>
<td>New Zealand dollar</td>
<td>0.3269</td>
</tr>
<tr>
<td>New Zealand dollar</td>
<td>0.3270</td>
</tr>
</tbody>
</table>

[FR Doc.74-25163 Filed 10-16-74;8:15 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

BAKER DISTRICT ADVISORY BOARD

Notice of Meeting

Notice is hereby given that the Baker District Advisory Board will meet on November 7th and 8th, and on December 10th, 1974. The meeting on the 7th will be for the purpose of touring range improvement projects. The tour will originate in the parking lot of the Federal Building and will start at 8:30 a.m. Interested persons must furnish their own lunch and transportation.

The meetings on November 8 and December 10, 1974, will be held in the Conference Room, room 235, Federal Building, Baker, Oregon, commencing at 9 a.m. The Agenda for the meeting on the 8th will include considering applications and...
NOTICES

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

[FR Doc.74–24177 Filed 10–16–74; 8:45 am]

CALIFORNIA

Opening of Public Lands

October 8, 1974.

1. In exchanges of lands made under the provisions of section 8 of the Act of June 28, 1934 (43 Stat. 1272) as amended, (43 U.S.C. 315c), the following described lands have been reconveyed to the United States:

HUMBOLDT MEXICAN

(S 6501)

T 4 S., R. 1 E., Sec. 21, SW1/4 NW1/4; Sec. 26, SW1/4 NW1/4, SW1/4, SE1/4 SW1/4, SE1/4 SW1/4, SE1/4 SW1/4.

Sec. 34, NW1/4.

T 5 S., R. 1 E., Sec. 2, SW1/4 SE1/4.

Sec. 11, NW1/4 NE1/4.

In the areas described aggregate a total of 920.00 acres.

2. The above described lands are situated in the King Range Area and were acquired for the purpose of consolidating the public lands and providing for proper multiple use management of all available resources. The lands lie within the boundaries described in section 9 of Pub. L. 91–470 (84 Stat. 1057), an Act which provides for the establishment of the King Range National Conservation Area.

3. The United States does not have jurisdiction as to 50 percent of the minerals in the following described lands as the mineral rights were not reconveyed by exchange:

HUMBOLDT MEXICAN

T 4 S., R. 1 E., Sec. 34, SE1/4 NW1/4, NW1/4 SW1/4.

4. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands will at 10 a.m., on November 18, 1974, be open to the operation of the public land laws. All valid applications received at or prior to 10 a.m., November 18, 1974, shall be considered as simultaneously filed at that time. These applications described thereafter shall be considered in the order of filing.

5. Except as to the 50 percent mineral reservation described in paragraph 3 above, the lands will be open to location under the United States mining laws and to applications and offers under the mineral leasing laws at 10 a.m., on November 18, 1974; except the following lands which have always been subject to location under the mining laws and to application and offers under the mineral leasing laws:

HUMBOLDT MEXICAN

T 4 S., R. 1 E., Sec. 34, NW1/4 NW1/4, NW1/4 SW1/4.

Sec. 26, SE1/4 NW1/4, SE1/4 NW1/4, SE1/4 NW1/4.

Sec. 33, NW1/4.

Sec. 34, NW1/4 NW1/4.

Inquiries concerning the lands should be addressed to the Bureau of Land...
NOTICES


WALTER F. HOLMES,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74–24212 Filed 10–16–74; 8:45 am]

Fish and Wildlife Service

SNAILS, MUSSELS AND CRUSTACEANS

Endangered Species

The Endangered Species Act of 1973 (16 U.S.C. 1531–1543) authorizes and directs the Department of the Interior to determine which species of mollusks and crustaceans are “threatened species” or “endangered species” as defined by that Act, and to take whatever measures may be necessary to assure the survival of such threatened or endangered species. The Fish and Wildlife Service has evidence which indicates that the following 61 species and subspecies of mollusks and crustaceans may be threatened species or endangered species as defined by the Endangered Species Act of 1973, and is now initiating a thorough review of the status of each.

<table>
<thead>
<tr>
<th>California Snails</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Common Name</strong></td>
</tr>
<tr>
<td>Tater's Snail</td>
</tr>
<tr>
<td>Egg Snail</td>
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<tr>
<td>Allsop's Banded Snail</td>
</tr>
<tr>
<td>Dotted Peninsula Snail</td>
</tr>
<tr>
<td>Nighb's Piedmont Snail</td>
</tr>
<tr>
<td>Banded Dana Snail</td>
</tr>
<tr>
<td>Fraternal Snail</td>
</tr>
<tr>
<td>California Desert Snail</td>
</tr>
<tr>
<td>Tyson's Snail</td>
</tr>
<tr>
<td>Rocky Coast Snail</td>
</tr>
<tr>
<td>Indian Yeomile Snail</td>
</tr>
<tr>
<td>California Eastern River Snail</td>
</tr>
<tr>
<td>Kayak Indian Snail</td>
</tr>
<tr>
<td>California Banded Water Snail</td>
</tr>
<tr>
<td>Wheeler's Pearly Mussel</td>
</tr>
<tr>
<td>Blackwater Pearly Mussel</td>
</tr>
<tr>
<td>Domecray Pearly Mussel</td>
</tr>
<tr>
<td>Curtis' Pearly Mussel</td>
</tr>
<tr>
<td>Yellow-Bloom Pearly Mussel</td>
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<tr>
<td>Acon Pearly Mussel</td>
</tr>
<tr>
<td>Leverett's Pearly Mussel</td>
</tr>
<tr>
<td>Stampone's Pearly Mussel</td>
</tr>
<tr>
<td>Purple Cat's Paw Pearly Mussel</td>
</tr>
<tr>
<td>Green-Bloom Pearly Mussel</td>
</tr>
<tr>
<td>Turpin-Bloom Pearly Mussel</td>
</tr>
<tr>
<td>Fifty-Rayed Pigtoe Pearly</td>
</tr>
<tr>
<td>Flaming Pigtoe Pearly</td>
</tr>
<tr>
<td>Hugino's Eye Pearly Mussel</td>
</tr>
<tr>
<td>Neche Pearly Mussel</td>
</tr>
<tr>
<td>Scale Pearly Mussel</td>
</tr>
<tr>
<td>Gold Dust Pearly Mussel</td>
</tr>
<tr>
<td>Little-winged Pearly Mussel</td>
</tr>
<tr>
<td>White Worrylook Pearly Mussel</td>
</tr>
<tr>
<td>Green-spotted Pimplelook Pearly Mussel</td>
</tr>
<tr>
<td>Rose Pimplelook Pearly Mussel</td>
</tr>
<tr>
<td>Fat Pookabi Pearly Mussel</td>
</tr>
</tbody>
</table>
The purposes of this review is to determine whether any of the above listed mollusks and crustaceans should be classified as either endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531-1543).

One or more of these mollusks and crustaceans are found in each of the following States: California, Oklahoma, Virginia, Maryland, Tennessee, Missouri, Arkansas, Indiana, Illinois, Michigan, Ohio, Kentucky, West Virginia, Minnesota, Wisconsin, Kansas, Alabama, Pennsylvania, and the District of Columbia. Pursuant to section 4(b) of the Endangered Species Act of 1973, the Service has notified the Governors of these States, and the Mayor of the District of Columbia, of this review and requested them to provide any data they may have pertaining to the status of the species that are resident in their respective States.

All interested parties are hereby invited to submit any factual information which is germane to this review to: Director, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240. Data gathered as a result of this review, together with the evidence already available to the Service, will be analyzed to determine whether sufficient evidence is available to support further action. A copy or before January 16, 1974, will be available for receipt of data and comments.

LYNN A. GREENWALT,
Special Assistant to the Director,
Fish and Wildlife Service.
October 11, 1974.

[FR Doc.74-24169 Filed 10-16-74;8:45 am]

Office of the Secretary
CLIFTON F. ROGERS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 23, 1955, the following changes have taken place in my financial interests during the past six months:

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

This statement is made as of September 4, 1974.

JOHN F. ENGLISH

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 23, 1955, the following changes have taken place in my financial interests during the past six months:

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

This statement is made as of August 30, 1974.
Dated: August 30, 1974.

JOHN H. KLINE.
NOTICES

Boone County Telephone Co. Proposed Loan Guarantee

Under the authority of Public Law 92-463, notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $4,674,000 to Boone County Telephone Company, Little Rock, Arkansas. The loan funds will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. H. R. Wibourn, Jr., President, Boone County Telephone Company, P.O. Box 3177, Little Rock, Arkansas 72203.

To assure consideration, proposals must be submitted (within 30 days of the date of this notice) to Mr. H. R. Wibourn, Jr., the right is reserved to give such consideration and other disposition of all proposals received, as the Boone County Telephone Company and REA deem appropriate.

PROPOSED REA BULLETIN 332-23

Draft Environmental Impact Statement Notice is hereby given that the Rural Electrification Administration intends to prepare a draft environmental impact statement in accordance with section 102 (2) (C) of the National Environmental Policy Act of 1969 in connection with a loan application from Colorado-Ute Electric Association, Inc., P.O. Box 1149, Montrose, Colorado 81401. The statement will cover approximately 30 miles of new 330 kV transmission line from Boone, Pueblo County, Colorado, to Lamar, Prowers County, Colorado; approximately 3.5 miles of new double circuit 115 kV transmission line from Boone, Pueblo County, Colorado, to Becone Hill; Pueblo County, Colorado; approximately 13 miles of new 115 kV transmission line from Lamar, Prowers County, Colorado; to South Lamar, Prowers County, Colorado; a new 100 MVA, 230-115 kV substation at Boone; a new 100 MVA, 230-115 kV substation at Lamar; and a new 115 kV switching bay in the existing South Lamar Substation.

Federal Register, Vol. 39, No. 202—Thursday, October 17, 1974
NOTICES

C. R. BALLARD, Acting Administrator, Rural Electrification Administration.

[FR Doc.74-24223 Filed 10-16-74; 8:45 am]

CITIZENS TELEPHONE CO.

Proposed Loan Guarantee

Under the authority of Public Law 93-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in the proposed REA Bulletin 229-22, "Guarantee of Loans for Telephone Facilities," published in the Federal Register, September 16, 1974 (Vol. 39 No. 184, pages 33238-33239) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $7,885,000 to Citizens Telephone Company, Lexington, South Carolina.

The loan will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers. Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. LeRoy Darling, President, Citizens Telephone Company, P.O. Box 816, Lexington, South Carolina 29072.

To assure consideration, proposals must be submitted (within 30 days of the date of this notice) to Mr. LeRoy Darling. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as the Citizens Telephone Company and REA deem appropriate. Prospective lenders are advised that financing for this project is available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of the proposed REA Bulletin 229-22 and the applicable agency policies and procedures are available from the Director, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20235.

Dated at Washington, D.C., this 10th day of October, 1974.

C. R. BALLARD, Acting Administrator, Rural Electrification Administration.

[FR Doc.74-24224 Filed 10-16-74; 8:45 am]

Soil Conservation Service

ROWLAND RD&G MEASURE, UPPER BALLRDN, MEASURE, 33228-(3)

Notice of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and part 1500.5(e) of the Council on Environmental Quality Guidelines issued on August 1, 1973; and part 505.5(b)(3) of the Soil Conservation Service Guidelines (39 FR 15850, June 24, 1974; the Soil Conservation Service, U.S. Department of Agriculture), gives notice that an environmental statement is not being prepared for the project. As a result of these findings, Mr. Robert Strachan, District Conservationist, Soil Conservation Service, U.S.D.A., 1218 SW Washington Street, Portland, Oregon 97205, has determined that the preparation and review of an environmental statement is not needed for this project.

The proposed project concerns a plan for flood prevention. The planned works of improvement include conservation land treatment supplemented by improvement on 5.6 miles of existing channel which is largely manmade and has no flow for about five months each year. The environmental assessment file is available for inspection during regular working hours at the following location: Soil Conservation Service, U.S.D.A., 1218 SW Washington Street, Portland, Oregon 97205.

No administrative action in implementation of the proposal will be taken until 15 days after the date of this notice.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

UNITED FISHERMEN OF ALASKA

Receipt of Application

Notice is hereby given that the following applications have been received to take marine mammals incidental to the course of commercial fishing operations as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) and the regulations thereunder.

The United Fishermen of Alaska, Box 191, Juneau, Alaska 99801, has applied for a general permit, Category 5, "Ener-Balln Gear, Edition other than Tillerfin Tuna."

The United Fishermen of Alaska, Box 191, Juneau, Alaska 99801, has applied for a general permit, Category 4, "Statinary Gear." The United Fishermen of Alaska, Box 191, Juneau, Alaska 99801, has applied for a general permit, Category 5, "Other Gear."

Copies of the applications are available for review as follows: Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235 (telephone 202-343-8445); Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99801 (telephone 206-242-0150). Interested parties may...
submit written views on this application on or before November 18, 1974, to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235.

Dated: October 10, 1974.

ROBERT W. SOTOMAYOR,
National Marine Fisheries Service.

[FR Doc. 74-21103 Filed 10-16-74; 8:45 am]

QUINLAN MARINE ATTRACTIONS
Issuance of Permit
On April 3, 1974, notice was published in the Federal Register (39 FR 12142), that an application had been filed with the National Marine Fisheries Service by Quinlan Marine Attractions, Route 3, Lincolnton, North Carolina 28092, for a permit to take five Atlantic bottlenosed dolphins (Tursiops truncatus) for the purposes of public display.

Notice is hereby given that, on October 9, 1974, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit for the above mentioned taking to Quinlan Marine Attractions, subject to certain conditions set forth therein. The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and in the Office of the Regional Director, National Marine Fisheries Service, Southeast Region, Durval Building, 9460 Gandy Boulevard, St. Petersburg, Florida 33702.

Dated: October 9, 1974.

JOSEPH W. SLAVIN,
Acting Director, National Marine Fisheries Service.

[FR Doc. 74-21103 Filed 10-16-74; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Food and Drug Administration
OBSERVATORY AND GYNECOLOGY ADVISORY COMMITTEE AND PANEL ON REVIEW OF OBSTETRICAL AND GYNECOLOGICAL DEVICES
Notice of Meeting
Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App.), the Food and Drug Administration announces the following public advisory committee meeting and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act:

<table>
<thead>
<tr>
<th>Committee name</th>
<th>Date, time, place</th>
<th>Type of meeting and contact person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obstetrical and Gynecology Advisory Committee</td>
<td>October 29, 8:00 a.m. to 1:00 p.m., Federal Building, 9450 (Andy Boulevard, St. Petersburg, Florida 33702)</td>
<td>Dated: October 9, 1974.</td>
</tr>
<tr>
<td>Review of Obstetrical and Gynecological Devices</td>
<td>October 29, 8:00 a.m. to 1:00 p.m., Federal Building, 9450 (Andy Boulevard, St. Petersburg, Florida 33702)</td>
<td>Dated: October 9, 1974.</td>
</tr>
</tbody>
</table>

Purpose: Reviews and evaluates available data concerning the safety, effectiveness, and reliability of obstetrical and gynecological devices currently in use.

Agenda: Closed session: Preparation of a final report on the safety and effectiveness of IUD's in general and of the Dalkon Shield in particular. Open session: Discussion of professional and patient labeling for labeling for all IUD's and discussion of the proposed IUD studies.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing at least one week prior to a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public. The period for open discussion will be approximately between 1:00 p.m. and 2:00 p.m. of any meeting and during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore be free to engage in full and frank discussion. Members of committees have frequently agreed to receive and provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid discussion advocating regulatory action against a specific product. If the committee were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency’s regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission. A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written views on this application on or before November 18, 1974, to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235. Second, a portion of a committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore be
The Commissioner has been delegated the authority under section 10(a)(2) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), or matters that, if it were written, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: October 10, 1974.

A. M. Schimmer,
Commissioner of Foods and Drugs.

[FR Doc. 74-24109 Filed 10-10-74; 8:45 am]

功SIS 0024 NV; NADA 65-176V]

Pfizer, Inc.

Combistrep Withdrawal of Approval of New Animal Drug Application

In a notice published in the Federal Register of July 1, 1970 (35 FR 10698), the Commissioner of Foods and Drugs announced the conclusions of the Food and Drug Administration following evaluation of a report received from the National Academy of Sciences/National Research Council, Drug Efficacy Study Group on Combistrep solution (containing streptomycin sulfate and dihydrostreptomycin sulfate) marketed by Pfizer, Inc., New York, N.Y. 10017, under new animal drug application (NADA) No. 65-176V. In the notice, based upon the need for revised labeling and additional efficacy data, the product was evaluated as probably effective under specified conditions of use. Subsequently, the Commissioner also determined that data were not adequate to establish the absence of unsafe residues in edible products of food-producing animals administered the drug.

In response to his communications to the firm regarding the need for additional residue data, the Commissioner was advised by Pfizer, Inc., that it wished to withdraw the NADA because it does not desire to submit additional data on the safety and efficacy of the drug nor to continue marketing. The firm stated that it did not wish to avail itself of an opportunity for a hearing.

Based on the grounds set forth above, the Commissioner concludes that approval of the subject NADA should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 65-176V, including all amendments and supplements thereto, is hereby withdrawn effective October 17, 1974.


Sam D. Finn,
Associate Commissioner
for Compliance.

[FR Doc. 74-24105 Filed 10-10-74; 8:45 am]

[NADA No. 91-501YV]

shell Chemical Co.

Vinclofos: Notice of Withdrawal of Approval of New Animal Drug Application

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512 (b), 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner of Foods and Drugs (21 CFR 2.120), the following notice is issued:

New animal drug application (NADA) No. 91-501YV held by the Shell Chemical Co., a Division of Shell Oil Co., Agricultural Division, 2401 Crow Canyon Rd., San Ramon, CA 94583, provides for the use of vinclofos capsules for the removal and control of helminths in dogs. New evidence not available at the time the application was approved shows that the drug is not shown to be safe for use under the conditions of use upon the basis of which the application was approved. Information submitted in drug experience reports has shown an unexpected incidence of side effects and toxic reactions related to use of this drug.

As a result of the new evidence, the firm has discontinued sale of the drug and initiated its request that approval of the application be withdrawn and has waived the opportunity for a hearing.

An order revoking § 135c.126 (21 CFR 135c.126) which covers use of this subject drug is published elsewhere in this issue of the Federal Register.

Therefore, in accordance with § 135.28 (21 CFR 135.28), approval of NADA No. 91-501V, including all amendments and/or supplements thereto, is hereby withdrawn effective October 17, 1974.


Sam D. Finn,
Associate Commissioner
for Compliance.

[FR Doc. 74-24105 Filed 10-10-74; 8:45 am]

Breast Cancer Diagnosis Committee

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Breast Cancer Diagnosis Committee, National Cancer Institute, November 7, 1974, National Institutes of Health, Building 31, Conference Room 7. This meeting will be open to the public from 9 a.m. to 5 p.m. on October 24, and from 9 a.m. to 11 a.m. on October 25, to review and discuss activities and goals of the intramural program. Attendance by the public will be limited to space available. In accordance with the provisions set forth in section 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 11 a.m. to 5 p.m., time of adjournment, on October 23, 1974, for review, discussion and evaluation of individual projects conducted by the intramural scientific staff of the National Institute of Allergy and Infectious Diseases, including consideration of personal qualifications and performance; the competence of individual investigators and similar matters, the disclosure of which would constitute a clearly unwarranted invasion of privacy.

Dr. Robert L. Schreiber, Information Officer, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Building 31, Room 137, Bethesda, Md. 20014, telephone 452-2144, will provide summaries of the meeting and recorders of the Board members.

R. W. Luntz-Hawkes,
Secretary

[FR Doc. 74-24104 Filed 10-10-74; 6:45 am]

National Institutes of Health
BOARD OF SCIENTIFIC COUNSELORS, NATIONAL INSTTUTE OF ALLERGY AND INFECTION DISEASES

Notices

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases, October 24 and 25, 1974, National Institutes of Health, Building 31, Conference Room 2. This meeting will be open to the public from 9 a.m. to 5 p.m. on October 24, and from 9 a.m. to 11 a.m. on October 25, to review and discuss activities and goals of the intramural program. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(6) and 552(b)(10), this
NOTICES

5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on November 7, 1974 from 9:30 a.m. until adjournment at 5 p.m. for review of contract proposals. The contracts contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the contracts.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of the meetings and rosters of committee members.

Dr. Bernice T. Radovich, Executive Secretary, E
comm, Bethesda, Maryland 20014 (301/496-5708) will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: October 9, 1974.
R. W. LALOIN-HAYERS,
Deputy Director, NIH.

[FR Doc.74-24170 Filed 10-16-74;8:45 am]

CANCER CONTROL ADVISORY COMMITTEE
Notice of Meeting
Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cancer Control Advisory Committee, National Cancer Institute, November 6, 1974, National Institutes of Health, Building 31, Conference Room 3A16. This meeting will be open to the public on November 6, 1974, from 9 a.m. to 2 p.m., to discuss current and projected programs of the Division of Cancer Control and Rehabilitation. Attendance by the public will be limited to space available. In accordance with the provisions set forth in section 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, this meeting will be closed to the public on November 6, 1974, from 2 p.m. until adjournment for the review and discussion of the proposed 1976 budget.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708), will furnish summaries of meetings and rosters of committee members.

Dr. Veronica L. Conley, Executive Secretary, Blair Building, Room TA01, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5078), will furnish summaries of meetings and rosters of committee members.

Dr. Barbara J. Sanford, Executive Secretary, Clinical Center, Room 4B14, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1971), will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: October 9, 1974.
R. W. LALOIN-HAYERS,
Deputy Director, NIH.

[FR Doc.74-24170 Filed 10-16-74;8:45 am]

CANCER IMMUNOTHERAPY COMMITTEE
Notice of Meeting
Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Committee on Cancer Immunotherapy, National Cancer Institute, November 7, 1974, National Institutes of Health, Building 10, Room 4B14. This meeting will be open to the public on November 7, 1974, from 12:30 p.m. to 1 p.m. to discuss general business and plans for future meetings. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(6) and 552(b)(9), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on November 7, 1974, from 1 p.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708), will furnish summaries of meetings and rosters of committee members.

Dorothy Windhorst, M.D., Executive Secretary, Building 10, Room 4B17, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1701), will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: October 9, 1974.
R. W. LALOIN-HAYERS,
Deputy Director, NIH.

[FR Doc.74-24183 Filed 10-16-74;3:45 pm]
NOTICES

37085

CANCER REVIEW COMMITTEE FOR A CANCER CENTER PROGRAM

Notice of Establishment

The Director, National Institutes of Health, announces the establishment on September 30, 1974 of the advisory committee indicated below by the Director, National Cancer Program, National Cancer Institute under the authority of section 410 of the Public Health Service Act (42 U.S.C. 284d). Such advisory committee shall be governed by the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) and will be called the Neurologic Research Branch, C&BB, National Cancer Program, National Cancer Institute, for new construction to house the programs in cancer research and control, National Cancer Institute, Hanover, New Hampshire, for the Norris Cotton Cancer Center, Mr. Robert L. Schreiber, Director, National Cancer Institute. Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the advisory committee, National Institute of Neurological Diseases and Stroke, December 9, 1974, Room 2, Building 31, National Institutes of Health.

The entire meeting will be open to the public from 9 a.m. to 5 p.m. to discuss research progress and research plans related to the Institute's epilepsy program. Attendance by the public will be limited to space available.

Dr. J. Ellman Perry, Chief, Applied Neurophysiology Branch, NINDS (Building 38, Room 5D-101), National Institutes of Health, Bethesda, Md. 20014; telephone 301-496-6891; will provide summaries of the meeting, roster of the committee members, and substantive program information.

Date: October 9, 1974.

ROBERT S. STONE.

EPILEPSY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the advisory committee, National Institute of Neurological Diseases and Stroke, December 9, 1974, Room 2, Building 31, National Institutes of Health.

The entire meeting will be open to the public from 9 a.m. to 5 p.m. to discuss research progress and research plans related to the Institute's epilepsy program. Attendance by the public will be limited to space available.

Dr. J. Ellman Perry, Chief, Applied Neurophysiology Branch, NINDS (Building 38, Room 5D-101), National Institutes of Health, Bethesda, Md. 20014; telephone 301-496-6891; will provide summaries of the meeting, roster of the committee members, and substantive program information.

Date: October 9, 1974.

R. W. LAMONT-HAVENS, Deputy Director, National Institutes of Health.
NOTICE

NATIONAL ADVISORY NEUROLOGICAL DISEASES AND STROKE COUNCIL

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the NANDS Council Research Subcommittee, Neuroscience, to be held at 8:30 a.m. on Connecticut Room, Holiday Inn, 8120 Wisconsin Avenue, Bethesda, Maryland. The meeting will be open to the public from 8:30 a.m. to 10:30 a.m. on November 11, 1974, to discuss program planning and program accomplishments. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public from 1:30 p.m. on November 21, 1974, until 11 a.m. on November 22, 1974, and until 1:30 p.m. on November 22, 1974, until the conclusion of the meeting on November 22, 1974, for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

The Chief, Office of Scientific and Health Reports, Mrs. Ruth Dudley, Bldg. 31, Room 8A03, NIH, NINDS, Bethesda, Maryland, will furnish summaries of the meeting and rosters of committee members.

Dr. Richard A. Talma, Assistant Director, NCI, Building 31, Room 11A15, National Institutes of Health, Bethesda, Maryland 20014 (301) 496–5864 will provide summaries of the meetings, substantive program information, and rosters of Board members.

(Catalog of Federal Domestic Assistance Program No. 10.356, National Institutes of Health.)

Dated: October 9, 1974.

R. W. LAMONT-HAVIERS, M.D.,
Deputy Director,
National Institutes of Health.

[FR Doc. 74–24187 Filed 10–16–74; 8:45 am]

NATIONAL ADVISORY NEUROLOGICAL DISEASES AND STROKE COUNCIL

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Advisory Neurological Diseases and Stroke Council, National Institutes of Health, Building 23, and 23, 1974, at 9 a.m. in Building 31–C, Conference Room 9, NIH, Bethesda, Maryland. This meeting will be open to the public from 9 a.m. until 1:30 p.m. on November 21, 1974, and from 10:00 a.m. to 1:30 p.m. on November 22, 1974, to discuss program planning and program accomplishments. Attendance by the public will be limited to space available. In accordance with the provisions set forth in section 552(b)(4) and 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 19 from 9 a.m. to 5 p.m.; November 19 from 2 p.m. to 5 p.m.; and, on November 20 from 9 a.m. to adjournment. On November 18, reports will be presented on the National Prostatic Cancer Project, a planning project for pancreatic cancer; and, the status of the Frederick Cancer Research Center. On November 18, the International Cancer Research Data Bank and Cancerine Demonstration will be discussed, and on November 19, a report on detection of tumor virus information in human cancers will be presented. The Board Subcommittees will be open to the public on November 17 from 4 p.m. to 4:30 p.m. to discuss new policy considerations involving the National Cancer Program. Attendance by the public at these meetings will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the Board meeting will be closed to the public on November 19 from 9 a.m. to 12:30 p.m. and the Subcommittee meetings on November 17 from 4:30 p.m. to adjournment, for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Dr. Richard A. Talma, Assistant Director, NCI, Building 31, Room 11A15, National Institutes of Health, Bethesda, Maryland 20014 (301) 496–5864 will provide summaries of the meetings, substantive program information, and rosters of Board members.

(Catalog of Federal Domestic Assistance Program Nos. 13.312; 13.313; 13.319; 13.383, National Institutes of Health.)

Dated: October 9, 1974.

R. W. LAMONT-HAVIERS, M.D.,
Deputy Director,
National Institutes of Health.

[FR Doc. 74–24187 Filed 10–16–74; 8:45 am]

NATIONAL CANCER ADVISORY BOARD

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Cancer Advisory Board, National Cancer Advisory Board, National Institutes of Health, Building 23, and 23, 1974, at 9 a.m. in Building 31–C, Conference Room 9, NIH, Bethesda, Maryland. This meeting will be open to the public on November 14 from 9 a.m. to 5 p.m., and on November 15 from 9 a.m. to 10:30 a.m. to discuss program policies and issues, as well as the Council's annual report. Attendance by the public is limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 15 from 10:30 a.m. to recess, and on November 16 from 9 a.m. to adjournment for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. York Onnen, Information Officer, National Heart and Lung Institute, Building 31, Room 9A21, National Institutes of Health, Bethesda, Maryland 20014, phone (301) 496–3336, will provide summaries of the meetings, substantive program information, and rosters of Board members.

Mr. York Onnen, Information Officer, National Heart and Lung Institute, Building 31, Room 9A21, National Institutes of Health, Bethesda, Maryland 20014, phone (301) 496–3336, will provide summaries of the meetings, substantive program information, and rosters of Board members.

[FR Doc. 74–24187 Filed 10–16–74; 8:45 am]

NATIONAL HEART AND LUNG ADVISORY COUNCIL

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Heart and Lung Advisory Council, National Heart and Lung Institute, National Institutes of Health, Building 23, and 23, 1974, at 9 a.m. in Building 31–C, Conference Room 9, NIH, Bethesda, Maryland. This meeting will be open to the public on November 14 from 9 a.m. to 5 p.m., and on November 15 from 9 a.m. to 10:30 a.m. to discuss program policies and issues, as well as the Council's annual report. Attendance by the public is limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 15 from 10:30 a.m. to recess, and on November 16 from 9 a.m. to adjournment for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. York Onnen, Information Officer, National Heart and Lung Institute, Building 31, Room 9A21, National Institutes of Health, Bethesda, Maryland 20014, phone (301) 496–3336, will provide summaries of the meetings, substantive program information, and rosters of Board members.

Mr. York Onnen, Information Officer, National Heart and Lung Institute, Building 31, Room 9A21, National Institutes of Health, Bethesda, Maryland 20014, phone (301) 496–3336, will provide summaries of the meetings, substantive program information, and rosters of Board members.

[FR Doc. 74–24187 Filed 10–16–74; 8:45 am]
NOTICES

PRESIDENT’S CANCER PANEL

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the President’s Cancer Panel, National Institutes of Health, Bethesda, Maryland 20014, from 2 p.m. to 3 p.m. for a report from the Director, National Cancer Institute, and a report from the Chairman, President’s Cancer Panel. Attendance by the public will be limited to space available.

This meeting will be closed to the public on November 2, 1974, from 9 a.m. to 3 p.m. to discuss general activities and minutes of the previous meeting. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 2, 1974, from 2:30 p.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCL, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6927) will furnish summaries of the meeting and rosters of committee members.

Dated: October 9, 1974.

R. W. LAMONT-HAVERS,
Deputy Director,
National Institutes of Health.

[FR Doc.74–24180 Filed 10–16–74;8:45 am]

PULMONARY DISEASES ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Pulmonary Diseases Advisory Committee, National Heart and Lung Institute, November 2, 1974, at the Marriott Hotel (Chartres Room), New Orleans, Louisiana.

The entire meeting will be open to the public on November 2, 1974 from 8:30 a.m. until 6 p.m. to discuss the Division of Long Diseases programs relative to contracts, Specialized Centers of Research, and Pulmonary Academic Awards. Attendance by the public will be limited to space available.

Mr. York Onnen, Information Officer, National Heart and Lung Institute, Building 31, Room 5A21, National Institutes of Health, Bethesda, Maryland 20014, phone (301) 496–6236, will provide summaries of the meeting and rosters of the committee members. Dr. Malvina Schweizer, Executive Secretary of the Committee, Westwood Building, Room 6A16, National Institutes of Health, Bethesda, Maryland 20014, phone (301) 496–7206, will furnish substantive program information.

Dated: October 9, 1974.

R. W. LAMONT-HAVERS,
Deputy Director,
National Institutes of Health.

[FR Doc.74–24180 Filed 10–16–74;8:45 am]

VIRUS CANCER PROGRAM SCIENTIFIC REVIEW COMMITTEE A

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Virus Cancer Program Scientific Review Committee A, National Cancer Institute, Bethesda, Maryland 20014, on November 8, 1974, at Building 37, Room 1B04, National Institutes of Health, Bethesda, Maryland 20014.

This meeting will be open to the public on November 8, 1974, at 9 a.m. to discuss management practices. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 8, 1974, at 9:30 a.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCL, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6927) will furnish summaries of meetings and rosters of committee members.

Dated: October 8, 1974.

R. W. LAMONT-HAVERS,
Deputy Director,
National Institutes of Health.

[FR Doc.74–24183 Filed 10–16–74;8:45 am]

VIRUS CANCER PROGRAM SCIENTIFIC REVIEW COMMITTEE B

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Virus Cancer Program Scientific Review Committee B, National Cancer Institute, November 20, 1974, Building 37, Room 1A01, National Institutes of Health, Bethesda, Maryland 20014.

This meeting will be open to the public on November 20, 1974, from 1:30 p.m. to 2:30 p.m. to discuss the general activities and minutes of the previous meeting. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 20, 1974, from 2:30 p.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCL, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6927) will furnish substantive program information.

Dated: October 9, 1974.

R. W. LAMONT-HAVERS,
Deputy Director,
National Institutes of Health.
NOTICES

contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposal.

MRS. Maryjane S. Early, Committee Management Officer, NCI, Building 31, Room 3A18, National Institutes of Health, Bethesda, Maryland 20892 (301/496-7086) will furnish summaries of meetings and rosters of committee members.

Dr. Elke Jordan, Executive Secretary, Building 37, Room 1A01, National Institutes of Health, Bethesda, Maryland 20892 (301/496-6927) will furnish substantial program information.

(Catalog of Federal Domestic Assistance Program No. 13.385, National Institutes of Health.)

Dated: October 9, 1974.

R. W. Lazard-Hawes, Deputy Director, National Institutes of Health.

[FR Doc. 74-2418 Filed 10-16-74; 8:45 am]

NEW YORK STATE PLAN AMENDMENTS

Reconsideration and Decision Regarding Hearing

Please take notice that the Social and Rehabilitation Service, United States Department of Health, Education, and Welfare, having received, on September 5, 1974, a petition for reconsideration requesting a hearing pursuant to section 1116(a) (2) of the Social Security Act, 42 U.S.C. 1316(a) (2), and the implementing regulations appearing at 45 CFR 201.4, hereby notifies petitioner, the State of New York, of the institution of a reconsideration hearing pursuant to section 1116(a) (2) of the Social Security Act, 42 U.S.C. 1316(a) (2).

1. The hearing shall commence on Friday, December 6, 1974 at 10:00 a.m. in Room 150, 507 Constitution Ave., SW., Washington, D.C. or at such other time and place as may be fixed, pursuant to 45 CFR 201.23 (a) (1), by the presiding officer designated pursuant to 5 U.S.C. 5106 or 3344. The hearing shall continue from day to day thereafter until completed.

2. Pursuant to 45 CFR 201.13, the Administrator, Social and Rehabilitation Service, United States Department of Health, Education, and Welfare, has determined that the hearing shall be held at the location stated in paragraph 1, since all documentation pertaining to the New York State plan amendments involved in this hearing is presently located in Washington, D.C.

3. The issue to be considered in such hearing is whether the amendments submitted on December 30, 1971 by the State of New York to its State plans approved under Title IV and XVI of the Social Security Act, 42 U.S.C. 601 et seq. and 1381 et seq., conform to the statutory requirements for approval under such titles.

4. Pursuant to 45 CFR 213.1, a copy of this notice shall be published as soon as practicable in the Federal Register.

In witness whereof, the Social and Rehabilitation Service has caused this Notice to be issued at Washington, D.C. this 7th day of October, 1974.

GARY A. MASSAL,

[FR Doc. 74-2418 Filed 10-16-74; 8:45 am]

National Institute of Education

NATIONAL COUNCIL ON EDUCATIONAL RESEARCH

Meeting; Tentative Agenda

On October 7, 1974, at 39 FR 36036, it was announced that the next meeting of the National Council on Educational Research would take place on October 17 at Van Hise Hall, University of Wisconsin, Madison, Wisconsin and that the agenda would be announced as soon as available. The tentative agenda is as follows:

9:00:00 --- Convener
9:00-10:00: Director's Remarks
10:00-10:05: Approval of Minutes of July 12 meeting
10:05-10:10: Approval of Minutes of September 5 meeting
10:30-11:00: Report on FY 1975 Budget
11:00-12:00: Closed Session
1:00-3:00: Discussion Planning for Reauthorization Process
3:00:00: Adjourn

Normally the agenda for a Council meeting appears in the Federal Register well in advance of the meeting date; however, circumstances beyond the control of the Institute precluded any earlier preparation or announcement of the detailed agenda for this meeting.


EMERSON J. ELLIOTT,
Deputy Director.

[FR Doc. 74-2428 Filed 10-16-74; 11:58 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docekt No. ET-87-1]

CUSHMAN MOTORS

Petition for Temporary Exemption From Motor Vehicle Safety Standards

This notice grants the petition of Cushman Motors for an extension of its temporary exemption of its Hauster model from SS. of Motor Vehicle Safety Standard No. 122 (49 CFR 571.122), Motorcycle Brake Systems.

On August 14, 1974 (39 FR 20213) the NHTSA published notice of petition by Cushman, on grounds of substantial economic hardship, that its existing exemption from the stopping distance requirements of Standard No. 122 be extended until March 1, 1975, at a minimum, or until such time as its vehicle is no longer classified as a motorcycle, but any event not later than January 1, 1977. The notice referred to earlier notices (38 FR 14795, 38 FR 32963) on the original Cushman petition for further information on hardship and other factors.

No comments were received in response to the notice of August 14, 1974. No final action has been taken on the reinstatement of "motorcycle" proposed earlier this year (39 FR 15640) to become effective March 1, 1975, which would exclude the Cushman Hauster from its coverage.

The NHTSA has concluded that, given the low production of the Hauster (over 2,000 on-road vehicles annually), an extension of its temporary exemption from SS. of Standard No. 122 will not have a significant effect on traffic safety.

In view of the consideration of these factors, Cushman Motors is granted an extension of NHTSA Exemption No. 73-4, for its Hauster model from compliance with SS. of FMVSS No. 122, Motorcycle Brake System.

Issued on October 10, 1974.

JAMES B. GRISCOM,
Administrator.

[FR Doc. 74-2428 Filed 10-16-74; 11:58 am]

ATOMIC ENERGY COMMISSION

[Docekt No. 59-236]

SOUTH CAROLINA ELECTRIC AND GAS COMPANY

Proposed Issuance of Amendment to Construction Permit

The Atomic Energy Commission (the Commission) is considering issuance of an amendment to Construction Permit No. CEP-84 issued to South Carolina Electric and Gas Company which authorized construction of a pressurized water reactor designated as the Virgil C. Summer Nuclear Station, Unit 1 (the facility) located in Fairfield County, South Carolina.

The proposed amendment would reflect a change in ownership of the facility. As a result of the change, the South Carolina Public Service Authority would receive a one-third ownership interest in the facility. South Carolina Electric and Gas Company would retain sole responsibility for the overall technical direction in the licensing, design, etc.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
involved and other details of this pro-

D.C.,

been scheduled to be held commencing

1958,

provisions of the Federal Aviation Act of

1825 Connecticut Avenue, Washington,

in ,the above-entitled proceeding has

EVERGREEN HELICOPTERS,

sect, Directorate of Licensing-Regula-

able, may be obtained upon request ad-

the proposed amendment, when avail-

horst Street, Winnsboro, South

mission's Public Document Room,

mission's Safety Evaluation, dated Sep-

tember

5.

In accordance with

sion will issue a notice of hearing or an

For information concerning the Issues

For the Atomic Energy Commis-

ion has reviewed the

change in ownership and any person

whom interest may be affected by this

proceeding may file a petition for leave
to intervene. Requests for a hearing and

petitions to intervene shall be filed in

accordance with the Commission's "Rules
of Practice" in 10 CFR Part 2. If a re-

quest for a hearing or a petition for

leave to intervene is filed within the time

prescribed in this notice, the Commission

will issue a notice of hearing or an

appropriate order.

For further details with respect to this

action, see the application for amend-

ment dated May 17, 1974 and the Com-

mission's Safety Evaluation, dated Sep-

tember 5, 1974, both of which are avail-

able for public inspection at the Com-

mission's Public Document Room, 1717

H Street NW, Washington, D.C. and at

the Public Utility Library, Vanderbilt

Street, Winsboro, South Carolina.

A copy of the Safety Evaluation and the

proposed amendment, when available,

may be obtained upon request ad-

dressed to the U.S. Atomic Energy Com-

mission, Washington, D.C. 20545, Atten-

tion: Deputy Director for Reader Proj-

ects, Directorate of Licensing—Regula-

tion.

Dated at Bethesda, Maryland this 10th
day of October, 1974.

For the Atomic Energy Commission.

D. B. VASSALLO,

Chief, Light Water Reactors

Program 1, Directorate of

Licensing.

[FR Doc.74-24809 Filed 10-16-74; 8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 20471]

EVERGREEN HELICOPTERS, INC., ET AL.

Acquisition of Johnson Flying Service; 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 has been

scheduled to be held commencing on

October 30, 1974, at 10 a.m. (local

time) in Room 211, Universal Building,

1825 Connecticut Avenue, Washington,

D.C., before the undersigned Judge.

Pendings for appearing concerning the

issues involved and other details of this pro-

ceeding, 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 11,

1974.

[SEAL] FRANK M. WINKING,

Administrative Law Judge.

[FR Doc.74-25209 Filed 10-16-74; 8:45 am]

[Docket No. 22259; Order 74-10-GT]

ALASKA AIRLINES, INC.

Proposed Air Freight Rate Increase; Order of Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of October, 1974.

By tariff revisions filed September 13 and marked to become effective October 15, 1974, Alaska proposes the following increases in its bulk commodity rates:

1. All general and specific commodity rates in the Seattle-Anchorage, Seattle-Fairbanks, and Anchorage-Fairbanks markets by 6 percent;
2. All other rates to and from Fair-

banks by 5 percent.

In support of its proposal, Alaska as-

serts, inter alia, (1) that volume of air

freight shipped is only slightly ininci-

ent with respect to changes in rates and

charges, resulting in additional freight

revenues of only $19,000 in the forecast

year; and (2) that the additional rev-

nues will cover only a small portion of

the increased fuel costs that the carrier

has recently experienced.

To the extent that the proposed rates

apply between Seattle, on the one hand,

and Anchorage and Fairbanks on the

other, the Board finds that all of the general com-

modity rates as follows:

1. Under-100-pound rates by amounts

ranging from 1 to 10 percent; and

b. All other rates to and from Fair-

banks by 5 percent.

2. Increases on projects A, B, and C

3. Increases on projects D and E

4. Cancel numerous specific commod-

ity rates as follows:

a. Under-100-pound rates by amounts

ranging from 1 to 10 percent; and

b. All other rates to and from Fair-

banks by 5 percent.

3. Increases on projects D and E

4. Cancel numerous specific commod-

ity rates as follows:

a. Under-100-pound rates by amounts

ranging from 1 to 10 percent; and

b. All other rates to and from Fair-

banks by 5 percent.

Accordingly, pursuant to the Federal

Aviation Act of 1958, and particularly

sections 204(a), 403, 404, and 1002 thereto,

it is ordered that:

1. Pending hearing and decision by

the Board, the increased rates described

in Appendix A are suspended and their

use deferred to and including January 12,

1975 unless otherwise ordered by the

Board, and that no change be made therin
during the period of suspension except

by order or special permission of the

Board;
2. Copies of this order shall be filed

with the tariffs and served upon Alaska

Airlines, Inc.

This order will be published in the

FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,

Secretary.

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]

[Docket No. 22259; Order 74-10-GT]

BRANIFF AIRWAYS, INC.

Proposed Air Freight Rate Increase; Order of Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of October, 1974.

By tariff revisions filed September 13 and marked to become effective October 15, 1974, Braniff Airways, Inc. (Braniff), proposes to revise its domestic air freight rates as follows:

1. Increase its bulk minimum charges

per shipment from the current $16.60 to

the following levels:

Proposed

Segment

minimum

rates:

charge

1 to 1,999

10.00

1,001 to 1,999

10.60

2,001 to 1,000

13.00

2,001 to 1,000

14.00

2,001 and over

15.00

2. Increase all eastbound directional

general commodity rates as follows:

3. Increase all westbound rates

by amounts ranging from 1 to 10 percent;

4. Cancel numerous specific commod-

ity rates and increase remainder by 12

percent;

5. Cancel all local general commodity

250-pound and 500-pound weightbreaks

to/from Hawaii;

6. Increase all container rates by 12

percent;

7. Cancel:

a. Type A container rates where

freight service is no longer provided;

b. All Type B container rates.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
In support of its proposal, Braniff contends, inter alia, that (1) it has not increased the level of minimum charges in several years, despite the fact that costs of providing this service have been increasing; and (2) increases proposed are economically justified and are urgently needed to relieve an increasing cost burden; (3) based on 1974 data, the proposal recognizes that the levels of minimum charges are typically for the longer hauls that have been approved for other carriers and to compensate for substantial freight losses that have been partially attributed to these shipments, and even with these increases, revenues associated with these shipments will not be sufficient to offset costs; that short-haul markets are average of 81 percent of westbound rates, Eastern is increasing all rates at least 10 percent; that the proposed general commodity rates, Eastern feels at this time, that all rates should be at the level of the above increases, thereby simplifying the rate structure; that the present rates governing overall service are economically and the use of this service has declined over the past few years; and that Eastern estimates that this increase, resulting from the increase in fuel costs and the generally, will reduce its operating loss, but not eliminate it.

The proposed rates come within the scope of the Domestic Air Freight Rate Investigation, Docket 22859, and their lawfulness will be determined in that proceeding The issue now before the Board is whether to suspend the proposal or to permit it to become effective pending investigation.

The Board has reviewed these proposed rates and charges in the light of industry costs of carrying air freight (including adjustments to reflect recent fuel price increases, and finds the following proposed rates in general to be effective pending investigation:

1. Type D container rates with weights of haul of 760 miles and over:
   1.00 to 1,050 ---------------- No change
   1,051 to 1,500 -----------------$3.00
   1,501 to 1,900 -----------------$2.50
   1,901 and over -----------------$2.00

2. Increase all non-directional and westbound directional general commodity rates between 1 and 27 percent. Rates in some westbound markets exceeding 2,400 miles will be decreased to coincide with Eastern's rate scale;

3. Increase all eastbound directional rates, generally between 8 and 26 percent, and not to be less than 80 percent of the proposed westbound rate in the same market. Eastbound rates will not exceed the proposed westbound rate in the same market;

4. Cancel all specific commodity rates, regardless of direction, except for rates on uncremated human remains which are unchanged;

5. Reduce the exception rating applicable on human remains, currently 169 percent, to 135 percent of the applicable general commodity rate, which would result in no change in charges on such shipments;

6. Increase all import general commodity rates 10 percent; regardless of direction; and

7. Increase container rates and charges based upon the former domestic container formula, which utilized the applicable bulk rate level.

It is ordered That:
1. Pending hearing and decision by the Board, the rates and charges described in Appendix A are suspended and their use deferred to and including January 12, 1975, unless otherwise ordered by the Board, and that no change be made therein during the period of suspension except by order or special permission of the Board; and
2. Copies of this order shall be filed, with the tariffs and served upon Braniff Airways, Inc.

This order will be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL]

EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 74-7495 Filed 10-16-74; 8:45 am]

(Docket No. 22859; Order 74-10-65)

EASTERN AIR LINES, INC.

Proposed Air Freight Rate Increase; Order of Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of October, 1974.

By tarif revisions previously posted and issued and marked to become effective October 15, 1974, Eastern Airlines, Inc. (Eastern) proposes, inter alia, to revise its domestic air freight rates as follows:

1. Increase all minimum charges, currently $12.50 per shipment, as follows:

   Mileage:

   0 to 1,050 ---------------- No change
   1,051 to 1,500 -----------------$3.00
   1,501 to 1,900 -----------------$2.50
   1,901 and over -----------------$2.00

2. Increase all non-directional and westbound directional general commodity rates between 1 and 27 percent. Rates in some westbound markets exceeding 2,400 miles will be decreased to coincide with Eastern's rate scale;

3. Increase all eastbound directional rates, generally between 8 and 26 percent, and not to be less than 80 percent of the proposed westbound rate in the same market. Eastbound rates will not exceed the proposed westbound rate in the same market;

4. Cancel all specific commodity rates, regardless of direction, except for rates on uncremated human remains which are unchanged;

5. Reduce the exception rating applicable on human remains, currently 169 percent, to 135 percent of the applicable general commodity rate, which would result in no change in charges on such shipments;

6. Increase all import general commodity rates 10 percent; regardless of direction; and

7. Increase container rates and charges based upon the former domestic container formula, which utilized the applicable bulk rate level.

In support of its proposal, Eastern asserts, inter alia, that the increases for minimum charges are necessary to bring minimum rates into line with recognition of the increases for lower hauls that have been approved for other carriers and to compensate for substantial freight losses that have not been utilized the applicable bulk rate level.

In view of the foregoing and upon consideration of all other relevant factors, the Board finds that the proposal, to the extent it applies to such rates as set forth in detail in Appendix A, should be suspended. The remaining portions of the proposal, including the increased minimum charges per shipment, the reduced

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*In Order 74-7-120, dated July 15, 1974, the Board sets forth in some detail, the bases for use of the cost methodology in evaluation, i.e., (1) the increases final decision in the Domestic Air Freight Investigation. These bases are equally applicable here and need not be repeated.

+Appendix A is filed as part of the original document.

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NOTICES
proceeding. The Issue now before the Board is whether to suspend the proposed general commodity rates at the 100-pound weight-break in 44 markets to be excessive in relation to costs. These rates are all typically over 600 miles. In view of the foregoing and upon consideration of all other relevant factors, the Board finds that the proposal, to the extent it applies to such rates as set forth in detail in Appendix A, should be suspended. The remaining portions of the proposal, including the increased minimum charge per shipment, the reduced exception rating on human remains (which applied to the increased bulk general commodity rate, results in no increase in charges), and the remaining increased general and specific commodity rates, appear sufficiently related to costs that the Board will permit them to become effective.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof, it is ordered, That:
1. Pending hearing and decision by the Board, the increased rates and charges described in Appendix A are suspended and their use deferred to and including January 12, 1975, unless otherwise ordered by the Board, and that no change be made therein during the period of suspension, except by order or special permission of the Board; and
2. Copies of this order shall be filed with the tariffs and served upon Eastern Air Lines, Inc.

This order will be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, Secretary.

[F.R. Doc.74-24255 Filed 10-16-74; 8:45 am]

[Docket No. 29859; Order 74-10-68]

HUGHES AIRWEST
Proposed Freight Rate Increase; Order of Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of October, 1974.

By tariff revisions issued September 13 and marked to become effective October 13, 1974, Hughes Air Corp. d/b/a Hughes Airwest (Airwest) proposes to revise its bulk general and specific commodity air freight rates as follows:

1. Increase minimum charges per shipment from $10.00 to $12.00.
2. Increase all general and specific commodity rates by 7.5 percent; and
3. Since the exception rating for human remains from 200 percent to 210 percent, resulting in no increase in charges.

In support of its proposal, Airwest asserts, inter alia, that the purpose of this increase is to offset escalating costs of fuel, labor, and other items; that for the year ending June 30, 1974, it has a loss of $756,000 in air freight operations; that the proposed increase will approximate 11.5 percent of total air freight revenues and will result in an estimated increase in revenue of $417,000 annually; and that, even with the proposed increase, Airwest will have an estimated loss of $374,000 for the year ending September 30, 1975.

The proposed rates come within the scope of the Domestic Air Freight Rate Study, Docket 22859, and their lawfulness will be determined in that proceeding. The issue now before the Board is whether to suspend the proposal or to permit it to become effective pending investigation.

The Board has reviewed these proposed increases in the light of industry costs of carrying air freight (including a full return on investment) and including recent fuel price increases, and finds the proposed general commodity rates at the 100-pound weight-break in 44 markets to be excessive in relation to costs. These rates are all typically over 800 miles. In view of the foregoing and upon consideration of all other relevant factors, the Board finds that the proposal, to the extent it applies to such rates as set forth in detail in Appendix A should be suspended. The remaining portions of the proposal, including the increased minimum charge per shipment, the reduced exception rating on human remains (which applied to the increased bulk general commodity rate, results in no increase in charges), and the remaining increased general and specific commodity rates, appear sufficiently related to costs that the Board will permit them to become effective.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof, it is ordered, That:
1. Pending hearing and decision by the Board, the increased rates described in Appendix A are suspended and their use deferred to and including January 12, 1975, unless otherwise ordered by the Board, and that no change be made therein during the period of suspension, except by order or special permission of the Board; and
2. Copies of this order shall be filed with the tariff and served upon Hughes Air Corp. d/b/a Hughes Airwest.

This order will be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, Secretary.

[F.R. Doc.74-24207 Filed 10-16-74; 8:45 am]

[Docket No. 25952; Order 74-10-68]

SPEARAIR OY
Foreign Air Carrier Permit; Statement of Tentative Findings and Conclusions and Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of October, 1974.

Spearair OY, a Finnish corporation, has applied to the Board for a permit authorizing it to engage in various types of charter foreign air transportation. A hearing has been held on the application and on March 4, 1974, Administrative Law Judge Frank M. Whiting issued a decision recommending the grant of a permit. Exceptions were filed and upon the request of Spearair OY, Pan American World Airways, an intervenor in the case, and on March 28, 1974, Pan American and Spearair filed briefs to the Board.

It is ordered, That:
1. If timely and properly supported objections are filed, further consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;
2. If no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and
3. If objection is filed, the proceeding involving the application of Spearair OY for a foreign air carrier permit;
4. Any interested person having objection to the issuance of such an order shall file with the Board a statement of objections supported by evidence within twenty days of the date of service of this order.

This order will be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, Secretary.

[F.R. Doc.74-24209 Filed 10-16-74; 8:45 am]

37091

COMMISSION ON CIVIL RIGHTS

MAINE STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the Commission on Civil Rights, that the Commission will meet in Augusta, Maine, on Thursday, October 17, 1974.
the U.S. Commission on Civil Rights, that a Planning Meeting of the Michigan State Advisory Committee (SAC) to this Commission will convene at 7:30 p.m. on October 31, 1974, at the Brave New Building, 7100 E. 1000 S., Salt Lake City, Utah 84108. Persons wishing to attend this meeting should contact the Committee Chairman, or the New York Regional Office of the Commission, Room 1936, Federal Plaza, New York, New York 10007.

The purpose of this meeting shall be to begin plans for the release of the Maine Indian report. This meeting will be conducted pursuant to the rules and regulations of the Commission.


ISAAC T. CRESWELL, Jr., Advisory Committee Management Officer.

[FR Doc.74-24345 Filed 10-16-74;9:24 am]

MICHIGAN STATE ADVISORY COMMITTEE

Notice of Change

The location of the meeting of the Michigan State Advisory Committee to the U.S. Commission on Civil Rights, originally scheduled to be held on October 25, 1974, at The Buske Building, 163 Madison, Detroit, Michigan 48226, a notice of which was previously published on page 33294 in the Federal Register on Wednesday, October 2, 1974, (39 FR Doc. 74-23860), has been changed.

The meeting of the Michigan State Advisory Committee will be held on October 25, 1974, in the Seventh Floor Conference Room, Michigan State Plaza Building, 1300 West Six Street, Detroit, Michigan 48226.


ISAAC T. CRESWELL, Jr., Advisory Committee Management Officer.

[FR Doc.74-24345 Filed 10-16-74;9:24 am]

NEW HAMPSHIRE STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Hampshire State Advisory Committee (SAC) to this Commission will convene at 7 p.m. on October 29, 1974, at the New Hampshire Highway Motel, Concord, New Hampshire 03301.

Persons wishing to attend this meeting should contact the Committee Chairman or the Northeastern Regional Office of the Commission, Room 1238, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting shall be to (1) review status of the New Hampshire prison report and (2) discuss possible projects to be undertaken during FY 1976.

NOTICES

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., October 2, 1974.

ISAAC T. CRESWELL, Jr., Advisory Committee Management Officer.

[FR Doc.74-24345 Filed 10-16-74;9:24 am]

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

ANNUAL REPORT

Availability

Pursuant to the provisions of section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and Circular A-63, revised, of the Office of Management and Budget, notice is hereby given of the availability of the First Annual Report of the Federal Prevailing Rate Advisory Committee.

The Report summarizes the activities of the Committee in dealing with Federal prevailing rate pay systems and related matters, during the calendar year 1973.


The Report may be otherwise examined at the Office of the Chairman, Federal Prevailing Rate Advisory Committee, Room 5451, 1900 E Street, NW., Washington, D.C. 20415, between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday, legal holidays excluded.

DAVID T. ROADLEY, Chairman, Federal Prevailing Rate Advisory Committee.

OCTOBER 10, 1974.

[FR Doc.74-24164 Filed 10-16-74;8:48 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF JUSTICE

Notice of Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.29 of Civil Service Rule IX (5 CFR 9.29), the Civil Service Commission revokes the authority of the Office of Telecommunications Policy to fill by noncareer executive assignment in the excepted service the position of Assistant Director for Executive Direction and Administration.

Dated at Washington, D.C., October 2, 1974.

[FR Doc.74-24234 Filed 10-16-74;8:14 am]

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Dated To Be Considered in Support of Applications

On November 10, 1973, the Environmental Protection Agency (EPA) published in the Federal Register (38 FR 31882) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the Federal Register a notice containing the information shown below. The labeling furnished by the applicant will be available for review.
for determination the amount of reasonable

person who (a) is or has been an appli-

cation will be processed according

applications sub-

Claims will be accepted for possible

are asserted will be advised of the alter-

proceeds under 2(a) of interim policy.

File Symbol 7299-RE. The Brenco Corp.

Active Ingredients: Sodium Hypochlorite

dihydrato 49.1%. Method of Support: Applic-

Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 4459-GR. Chemco Com-

Active Ingredients: Sodium dichloro-

Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 3129-RE. Biotech Products

Cleaners F100. Active Ingredients: O-

Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 3121-BE. Biotech Products

INTERACTIVE DISINFECTANT SPRAY

Active Ingredients: O-Phenylenediamine

Support: Application proceeds under 2(a)

EPA File Symbol 3121-BE, Biotech Products

Corp., BIOTECH DISINFECTANT FOAM

CLEANERS F100. Active Ingredients: O-

Phenylenediamine 0.20%; O-Benzyl-

0.10%; Tetrasodium ethylenediamine
tetraacetate 1.90%. Method of Support:

Application proceeds under 2(a) of interim policy.

EPA File Symbol 3121-BE. Biotech Products

Corp., BIOTECH DISINFECTANT FOAM

CLEANERS F100. Active Ingredients: O-

Phenylenediamine 0.20%; O-Benzyl-

0.10%; Tetrasodium ethylenediamine
tetraacetate 1.90%. Method of Support:

Application proceeds under 2(a) of interim policy.

EPA File Symbol 3121-BE. Biotech Products

Corp., BIOTECH DISINFECTANT FOAM

CLEANERS F100. Active Ingredients: O-

Phenylenediamine 0.20%; O-Benzyl-

0.10%; Tetrasodium ethylenediamine
tetraacetate 1.90%. Method of Support:

Application proceeds under 2(a) of interim policy.
NOTICES

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

37094

on August 28, 1974, by the American Civil Liberties Union of Michigan, Lansing Branch. The American Civil Liberties Union of Michigan, Lansing Branch, filed its petition on August 28, 1974, and that petition was filed within 15 days after publication. Gross alleges that the weather report consists of the pre-recorded "forecast" material, as well as updated weather, temperature, barometer, dew point and relative humidity information. Moreover, Gross alleges that the weather report was broadcast live. ACLU argues that Gross misrepresented and concealed material facts, and that the burden of proof shall be upon Gross Telecasting, Inc. [FR Doc. 74-23434 Filed 10-10-74; 8:14 am]

Applications for Construction Permits


The Board has also before it: (a) comments, filed July 29, 1974, by Bold City; (b) opposition, filed August 1, 1974, by Mark L. Weddinger; and (d) a reply, filed August 13, 1974, by Bold City.

The Board also has before it: (a) comments, filed July 10, 1974, by the Board; (b) reply to Broadcaster's comments, filed July 29, 1974, by Bold City; (c) opposition, filed August 1, 1974, by Mark L. Weddinger; and (d) a reply, filed August 13, 1974, by Bold City.

The Board has before it: (a) comments, filed July 10, 1974, by the Board; (b) reply to Broadcaster's comments, filed July 29, 1974, by Bold City; (c) opposition, filed August 1, 1974, by Mark L. Weddinger; and (d) a reply, filed August 13, 1974, by Bold City.

The Board has before it: (a) comments, filed July 10, 1974, by the Board; (b) reply to Broadcaster's comments, filed July 29, 1974, by Bold City; (c) opposition, filed August 1, 1974, by Mark L. Weddinger; and (d) a reply, filed August 13, 1974, by Bold City.

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The Board has before it: (a) comments, filed July 10, 1974, by the Board; (b) reply to Broadcaster's comments, filed July 29, 1974, by Bold City; (c) opposition, filed August 1, 1974, by Mark L. Weddinger; and (d) a reply, filed August 13, 1974, by Bold City.
add issues concerning Wodlinger's financial qualifications and his efforts to ascertain community needs, as well as comparative programming issue. Bold City also seeks to determine whether Wodlinger disclosed all of the information required by the application in accordance with § 1.514(a) of the Commission's rules; whether Wodlinger has reasonable assurance that his proposed antenna site will be available to him, 4 and whether Wodlinger's proposed operation would provide optimum coverage within the 3.16 mw/m contour.

ASCERTAINMENT OF NEEDS ISSUE

2. Bold City asserts that Wodlinger's survey of "needs and interests" is defective in that the information submitted does not adequately describe the community; the data concerning interviews with community leaders does not indicate who conducted the interviews, whether memoranda or records were kept, or whether the persons interviewed represented minority groups; there is no indication that leaders of other communities within Wodlinger's proposed service area have been interviewed; the survey does not include representatives of several significant groups in the community; and the general public survey does not indicate that it was conducted by Wodlinger with his employees, prospective employees or a professional survey organization and does not show how "randomness" was achieved. Bold City also contends that the programming proposed by Wodlinger is not adequate to meet the needs disclosed by his survey. The Broadcast Bureau, in its comments, states that Wodlinger's survey is deficient in that it does not appear that all significant leaders were interviewed and, since the addresses of the persons interviewed are not given, it is impossible to determine whether leaders of other communities which Wodlinger undertakes to serve were consulted.

3. The Review Board will add the requested issues. We agree with the petitioners who has not provided sufficient information to establish compliance with the requirements of the Primer on Ascertaining Community Problems and Providing Applications. First, Wodlinger's application does not state which conducted the interviews with community leaders; it merely asserts that Wodlinger consulted with representatives of city government and the chamber of commerce to form a foundation for the interviews that follow. Nor does the ascertainment in Wodlinger's opposition to the motion to enlarge, that even a cursory reading of Exhibit 5 which discloses that Wodlinger conducted personal interviews covering a representative cross section of community leaders, establish that Wodlinger did in fact interview the community leaders. The above quoted language is too vague to establish that Wodlinger conducted the interviews; nor is it supported by an affirmative statement of the knowledge of the facts. In the absence of a definitive statement by the applicant, the Board is unable to determine who conducted the interviews. Questions and answers 11(b) and 12 of the Primer, supra, specify that only applicants, employees, prospective employees or a professional research or survey service may conduct this survey; from the information before us, it is impossible to determine from whom Wodlinger has met this requirement. We also note that Wodlinger did not specify the major communities within his service area which he did not choose to serve nor did he identify any community leaders from other communities within his service area as directed by question and answer 6 of the Primer. The related statement in his opposition pleading that he did not consult with leaders outside Jacksonville or in the situation to which he referred the interviews was unnecessary since it is not supported by an affirmative statement of the knowledge of the facts. Does not adequately explain his failure to provide the information in the first instance; nor does it, in the absence of further explanation, justify his failure to serve other communities within his service area. Wodlinger concedes that he neglected to identify the leaders of black people in his description of his programming which he considers to be "representative of the several black leaders who were contacted." Wodlinger did not identify any representatives of the Negro church leaders or other particular types of programs is necessarily to be preferred.

4. Bold City notes that Wodlinger proposes to devote only 5 percent of the broadcast week to news, public affairs and all other programming exclusive of entertainment and sports, while Bold City proposes to devote 20.93 percent of its broadcast week to those same categories of programs. Moreover, Bold City contends that since Commission rules prohibits the Board from acting pursuant to delegated authority on those uncontented applications which propose to devote less than 6 percent of the broadcast week to news, public affairs and all other except sports and entertainment, there is serious question whether the Wodlinger proposal meets the minimum criteria for operation in the public interest.

5. Bold City argues that Wodlinger's application does not comply with § 1.514 of the rules. In that it did not include a copy of the bank's commitment to lend it $150,000.00; nor did it contain copies of its leases on land and buildings as required in paragraph 6(a) of section 12.21 of FCC Form 301. Moreover, Bold City contends that Wodlinger's response to paragraph 15, page 5, section II of FCC Form 301 was incomplete since it disclosed only his interest in broadcast stations or applications he had an interest in. From 1970 to the date the application was filed, despite the fact that the instructions require a listing of all such interests without regard to date. To support this contention, Bold City refers to the application of Community Telecasting Corp., File No. BCPT 2329, Docket 12501, wherein Wodlinger disclosed that

By Order, FCC 74-518, released September 11, 1976, the Presiding Judge accepted an amendment to Wodlinger's application making various changes in his financial proposal, and additional documentation to establish the availability of his proposed programming, issue. Section 12.21 of these changes does not affect the petitioners' concedes in its reply pleading that Wodlinger is now financially qualified and that the site is available. Therefore, no further discussion of these requested issues is necessary.

he has had associations with many dif-
ferent broadcasting stations dating back to
1947. The Bureau supports addition of the
1.514 issue. Wodlinger, in opposition,
concedes his long and varied record of
broadcast interests, but contends that he
failed to provide the information because
he misconstrued the instructions as re-
quiring only disclosure of his current
holdings. He argues that he would have
no reason to withhold the information
since the additional broadcast experience
would have been to his advantage. Wod-
linger also contends that since the in-
formation was readily available to the
Commission and the parties in other
Commission records, no harm was done.

6. An issue to determine whether Wod-
linger omitted information in his
application. However, we find no
reason to withhold the information
since the additional broadcast experience
would have been to his advantage. Wed-
linger also contends that since the In-
formation was readily available to the
Commission and the parties in other
Commission records, no harm was done.

It is further ordered, that the bur-
doms of proceeding and proof under issue
a. To determine the efforts made by
Mark L. Wodlinger to ascertain the com-
munity needs and interests of the area
to be served and the means by which the
applicant proposes to meet these
needs and interests.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
rules, and, if so, the effect on his com-
parative qualifications to be a Commis-
sion licensee.

11. It is further ordered, that the bur-
doms of proceeding and proof under issue
a. To determine the efforts made by
Mark L. Wodlinger to ascertain the com-
munity needs and interests of the area
to be served and the means by which the
applicant proposes to meet these
needs and interests.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
rules, and, if so, the effect on his com-
parative qualifications to be a Commis-
sion licensee.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
rules, and, if so, the effect on his com-
parative qualifications to be a Commis-
sion licensee.

11. It is further ordered, that the bur-
doms of proceeding and proof under issue
a. To determine the efforts made by
Mark L. Wodlinger to ascertain the com-
munity needs and interests of the area
to be served and the means by which the
applicant proposes to meet these
needs and interests.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
rules, and, if so, the effect on his com-
parative qualifications to be a Commis-
sion licensee.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
rules, and, if so, the effect on his com-
parative qualifications to be a Commis-
sion licensee.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
rules, and, if so, the effect on his com-
parative qualifications to be a Commis-
sion licensee.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
rules, and, if so, the effect on his com-
parative qualifications to be a Commis-
sion licensee.

b. To determine whether Mark L. Wod-
linger omitted information in his ap-
lication regarding his past broadcast
interests in violation of the requirements
of Section 1.514 of the Commission's
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states, the term “maintenance personnel” has been retained in the new issue; in addition, it avers the word “charges” has been included to confirm the Commission’s interest in the other factors, at least on a comparative basis. Industrial, in its comments, declares that it understands the term “maintenance personnel” to refer to one subject and personnel, including maintenance personnel, as another. The Commission intended another result, Industrial says, the Board should clarify the “ground rules” as to evidence regarding ownership, management, operations, and facilities.

4. Replying to the Bureau, Mobilfone asserts that whether or not the Commission directly regulates rates, charges, etc., it is inclined to “correct” issue 1. Mobilfone maintains, it should at least clarify whether any evidence relevant to such factors as rates, etc., may be adduced under the existing issue. Mobilfone also declares, in reply to Industrial, that the proposed issue definitely would permit an inquiry into non-maintenance personnel in connection with the comparison of facilities.

5. The Review Board will not modify issue 1. Apparently, the omission of the words “rates,” etc., from the issue as presently framed did not result from an oversight or mistake, cf. Day-Nite Radio Message Service Corp., 28 FCC 2d 685, 19 RR 2d 680 (1972). Rather, from a desire to reflect the distinction between the Commission’s direct regulation of interstate common carriers and its indirect regulation of intrastate carriers as compared Sections 2 and 201 of the Communications Act; see also Public Notice, FCC Announces New Policy Regarding Filing of Mobile Tariffs, 1 FCC 2d 3 (1968). Accordingly, we will not restate the former language of the issue, as Mobilfone proposes. Nor will the Board grant the request of Mobilfone to consider the evidence that would be offered under the proposed issue “germane and even essential” to the resolution of existing issues 4 and 7. Industrial, in its comments, argues that the Board’s decision, supra, is irrelevant to the present proceeding, since it involved an existing carrier who was attempting to preserve its monopoly status against a newcomer. Here, Industrial declares, all three applicants are offering UHF service on a secondary basis only. Mobilfone also asserts that, for purposes of channel allocation, there is no significant difference between Industrial’s existing channel systems and no incompatibility between them. For these reasons, Mobilfone concludes, its request has failed to meet the test established in Empire Communications Co., 47 FCC 2d 329, 20 RR 2d 649 (1974), that “the need for the proposed service is not derived from the necessity of upgrading existing facilities.” 47 FCC 2d 331, 20 RR 2d at 652.

6. The Bureau opposes Mobilfone’s request on the ground that the evidence submitted in support of this issue is “a desirable study” to determine the need for Mobilfone’s proposed service. But Mobilfone’s proposed issue definitely would permit an inquiry into non-maintenance personnel in connection with the comparison of facilities.

7. The Review Board will not modify issue 2. The evidence submitted in support of this issue consists of evidence relevant to the present proceeding, since it involved an existing carrier who was attempting to preserve its monopoly status against a newcomer. Here, Industrial concludes, all three applicants are offering UHF service on a secondary basis only. Moreover, Industrial states, there is no significant difference between Industrial’s existing channel systems and no incompatibility between them. The Commission must have done this “on the basis of a reasoned rationale.” Industrial concludes; accordingly, the Bureau should reject Mobilfone’s proposed issue. But if such an issue is specified, Industrial adds, “due process requirements require that such an issue be directed against all three applicants.” In reply, Mobilfone first points out that neither Industrial nor the Bureau has contested any of its factual assertions about Industrial’s capacity. Moreover, Industrial declares, there simply is no question of due process involved here, for if there were, all basic issues, such as financial, technical, etc., would have to be specified against each applicant. Finally, Mobilfone asserts that Industrial’s traffic leading study (which was not available when the instant motion was filed) confirms its prior assertions and lends additional support to its request for an issue.

8. The Board has examined the instant proceeding as well as the documents referred to therein, including Industrial’s application, as amended to date, and its 1972 and 1973 Form L reports. From these it appears, as Mobilfone has alleged, that Industrial is currently utilizing one of its four UHF frequencies exclusively for paging, which is a secondary usage of the channel under § 21.501(c) of the Commission’s Rules; that the service proposed by Industrial is completely compatible with its existing service; and that, given Industrial’s need showing, the implementation of its proposal would do no more than restore the number of two-way units now “efficiently accommodated” by Industrial to the level of 1972. In our opinion, then, Mobilfone has raised a serious question as to whether grant of Industrial’s application for additional channel capacity is “sufficient to meet traffic needs for the reasonably foreseeable future.” Empire Communications Co., FCC 2d 830, 10 RR 2d 147 (1974). We will, therefore, add an appropriate issue against Industrial.

9. Accordingly, it is ordered, That the motion for new issues, filed July 23, 1974, by Mobilfone, Inc., is granted to the extent indicated herein and is denied in all other respects; and

10. It is further ordered, That the issues in this proceeding are enlarged to include the following issues:

To determine the nature and extent of services now rendered by Industrial Communications Systems, Inc., the capacity of its existing terminals or facilities, and the evidence submitted in support of the above-captioned issues (see note 3, supra) are not necessary in the public interest; convenience, and necessity.

NOTICES

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

37097
NOTICES

RETAIL DEALERS ADVISORY COMMITTEE

Notice of Charter Amendment

This notice is given to advise of a revision in the Charter of the Retail Dealers Advisory Committee (RTCA). The Charter was published in the August 21, 1974 issue of the Federal Register (39 FR 30198). The amendment will revise provisions of that Charter dealing with rotation of members (section B(4)). It has been concluded that such rotation procedures should be amended to allow for a smaller number of members to be rotated at a given time and a longer period of service from each member.

No other changes are being made in the Charter.

The Office of Management and Budget has concurred in this revision.

Issued at Washington, D.C. on October 9, 1974.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

REVISED CHARTER

A. Establishment. The Administrator, Federal Energy Administration (FEA), having determined, after consultation with the Director, Office of Management and Budget, that the establishment of an advisory committee to provide FEA with technical and timely information on a wide range of business activities associated with the retailing of gasoline and diesel fuel, is in the public interest in connection with duties imposed on the FEA by law, hereby establishes the Retail Dealers Advisory Committee pursuant to the Federal Advisory Committee Act (Pub. L. 92-463).

B. Duties, functions, and administrative provisions. 1. Objectives and scope. The objectives of the Retail Dealers Advisory Committee are to advise the Administrator, FEA, with expert technical, and timely knowledge on a wide range of activities associated with the retail sale of gasoline/diesel fuel.

2. Committee tenure. In view of the goals and purposes of the Committee, it will be expected to continue for the duration of the FEA.

3. Official to whom committee reports. The Committee will report to the Administrator, FEA.

4. Committee membership. At the end of each anniversary year, approximately two to three members will be replaced with new members.

5. Support services. Necessary support for the Committee will be furnished by the Federal Energy Administration.

6. Committee tenure. In view of the goals of this Committee, it will be expected to continue for the duration of the FEA.

7. Estimated annual operating costs. The estimated annual operating costs for the Committee are $30,000 and involve approximately one-half man-years of staff support.

Dated: October 9, 1974.

JOHN C. SAWHILL,
Administrator.

WHOLESALE PETROLEUM ADVISORY COMMITTEE

Notice of Charter Amendment

This notice is given to advise of a revision in the Charter of the Wholesale Petroleum Advisory Committee. The Charter was published in the August 21, 1974 issue of the Federal Register (39 FR 30198). The amendment will revise provisions of that Charter dealing with rotation of members (section B(4)). It has been concluded that such rotation procedures should be amended to allow for a smaller number of members to be rotated at a given time and a longer period of service from each member.

No other changes are being made in the Charter.

The Office of Management and Budget has concurred in this revision.

Issued at Washington, D.C. on October 9, 1974.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

A. Establishment. The Administrator, Federal Energy Administration (FEA), having determined, after consultation with the Director, Office of Management and Budget, that the establishment of an advisory committee to provide FEA with advice concerning the wholesale trade of rolling heating oil, residual fuel, and gasoline is in the public interest in connection with duties imposed on the FEA by law, hereby establishes the Wholesale Petroleum Advisory Committee pursuant to the Federal Advisory Committee Act (Pub. L. 92-463).

B. Duties, functions, and administrative provisions. 1. Objectives and scope. The objectives of the Wholesale Petroleum Advisory Committee are to provide the Administrator, FEA, with expert technical, and timely knowledge concerning the wholesale trade of rolling heating oil, residual fuel, and gasoline.

Dated: October 9, 1974.

JOHN C. SAWHILL,
Administrator.

FEDERAL ENERGY ADMINISTRATION

CONSUMER ADVISORY COMMITTEE

Notice of Charter Amendment

This notice is given to advise of a change in the name of the Consumer Advisory Committee. The Charter of the Consumer Advisory Committee was published on August 21, 1971, (39 FR 30198-30199). The new name for this Committee will be the Consumer Affairs and Special Impact Advisory Committee.

The Charter published August 21, 1971, is hereby amended, effective immediately, to substitute "Consumer Affairs and Special Impact Advisory Committee" for "Consumer Advisory Committee" wherever the latter phrase appears. The Charter is not amended in any other respect.

Issued at Washington, D.C. on October 9, 1974.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] VINCENT J. MULLEN,
Secretary.

FEDERAL REGISTER, VOL 39, NO. 202—THURSDAY, OCTOBER 17, 1974
NOTICES

AGROMAR LINES AND TABOGA ENTERPRISES, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 816).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before November 6, 1974. Each person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Agreement No. 10144 establishes a rate agreement between the two above listed carriers governing the transportation of freight in the trade between Atlantic Colombian ports of Barranquilla, Cartagena, Santa Marta and Turbo; Yucatán ports of La Guaira, Puerto Cabello, Maracaibo, and ports in Puerto Rico and U.S. Virgin Islands.

Dated: October 11, 1974.

By order of the Federal Maritime Commission.
FRANCIS G. HURNEY, Secretary.

COMPANIA SUD AMERICANA DE VAPORES AND LYKES BROTHERS STEAMSHIP CO.

Notice of Agreement Filed, Extension

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 816).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before November 6, 1974. Each person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement filed by:
Lloyd Strickland, Vice President, Lykes Bros. Steamship Co., 290 Feddina Street, New Orleans, Louisiana 70130.

Agreement No. 9942-2, between the above named carriers, extends the effective period of the basic pooling agreement through December 31, 1975.

Dated: October 11, 1974.

By order of the Federal Maritime Commission.
FRANCIS G. HURNEY, Secretary.

FEDERAL POWER COMMISSION

NATURAL GAS SALES

Just and Reasonable National Rates Declaratory Order on Petition for Clarification

October 9, 1974.

In the matter of just and reasonable national rates for sales of natural gas from wells commenced on or after January 1, 1973, and new dedications of natural gas to interstate commerce on or after January 1, 1973.

The State Corporation Commission of the State of Kansas (Kansas) on August 29, 1974, filed a request for clarification of Opinion No. 699 concerning the right of producers making jurisdictional sales in Kansas covered by that opinion to adjust upward the national rate prescribed therein by the amount of the Kansas ad valorem tax.

Opinion No. 699 provides in Ordering paragraph A(3) (mimeo p. 141) that the national rate established there "shall be adjusted upward for all State or Federal production, severance, or similar taxes * * *". The question presented is whether the Kansas ad valorem tax is a similar tax within the meaning of the above provision. A number of other states also have an ad valorem tax, and our determination here will not be limited to the Kansas ad valorem tax, but will apply to ad valorem taxes in general.

As Kansas points out, the bulk of the Kansas ad valorem tax is based upon production factors, and, as such, is in fact, a severance or production tax merely bearing the title "ad valorem tax". The ad valorem tax in some other states is similar to a production or severance tax inasmuch as it is based on the amount of production and the revenues therefrom. Consequently, we conclude that it is proper under Opinion No. 699 for producers to adjust the national rate upward for a state ad valorem tax where such tax is based on production factors.

The Commission orders:

Under Ordering paragraph A(3) of Opinion No. 699, mimeo p. 141, if a state ad valorem tax is based on production factors it shall be deemed to be included as a "similar tax" as the phrase is used therein, and the producer may adjust the national rate upward for such tax.

By the Commission.

[SEAL]
KENNETH P. PEUSER, Secretary.

[FR Doc.74-24110 Filed 10-19-74;8:45 am]

ALABAMA-TENNESSEE NATURAL GAS CO.

Proposed FGA Rate Adjustment

Take notice that on August 30, 1974, Alabama-Tennessee Natural Gas Company (Alabama-Tennessee), P.O. Box
CAROLINA POWER AND LIGHT CO.

Order Granting Late Petition To Intervene

October 9, 1974.

On July 29, 1974, the City of Bennettsville, South Carolina (Bennettsville) filed a motion to intervene out of time in this proceeding and in Carolina Power and Light Company's wholesale rate increase proceeding in Docket No. E-8894. In its motion, Bennettsville adopted the protest and petition to intervene of Electric Cities of North Carolina in both dockets. By order issued August 26, 1974, Bennettsville was granted permission to intervene in Docket No. E-8894. We shall permit it to intervene in this proceeding also.

The Commission finds. Good cause exists to grant the above-mentioned petition to intervene in this proceeding.

The Commission orders. (A) The above-mentioned petitioner is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission. Provided, however, that the participation of such intervenor shall be limited to matters affecting the rights and interests specifically set forth in the petition to intervene. And provided further, that the admission of such intervenor shall not be construed as recognition that it might be aggrieved because of any order or orders issued by the Commission in this proceeding. (B) The late intervention granted herein shall not be the basis for delaying or deferring the procedural schedule hereinafter established for the orderly and expeditious disposition of this proceeding. (C) The Secretary shall cause prompt publication of this order in the Federal Register.

By the Commission.

KENNETH F. PLUMER, Secretary.

[FR Doc.74-24112 Filed 10-16-74; 8:46 am]

ALGONQUIN LNG, INC. AND ALGONQUIN GAS TRANSMISSION CO.

Extension of Time and Postponement of Hearing

October 9, 1974.

On October 3, 1974, Algonquin LNG, Inc. and Algonquin Gas Transmission Company filed a motion to extend the procedural dates fixed by order issued September 27, 1974, in the above-designated matter. The motion states that the parties to this proceeding have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

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<th>Date</th>
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<tr>
<td>October 3,</td>
<td>Algonquin LNG, Inc. and Algonquin Gas Transmission Company motion for extension of time filed.</td>
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<tr>
<td>September 27,</td>
<td>Order issued extending procedural dates.</td>
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Service of Evidence by the Companies and supporting intervenors, October 29, 1974.

KENNETH F. PLUMER, Secretary.

[FR Doc.74-24113 Filed 10-16-74; 8:46 am]

NOTICES

[Federal Register, Vol. 39, No. 202—Thursday, October 17, 1974]
further states that the proposed Rate R-3 filing involves three significant rate design changes: (1) the proposed rate is designed to track as closely as possible the actual costs, demand, and energy components of the cost of service; (2) the demand ratchet in the partial requirements rate is increased from 50 percent to 90 percent; and (3) a fuel clause is introduced.

Central Vermont states that copies of the filing have been mailed to each affected wholesale customer, to the Vermont Public Service Board, and to the New Hampshire Public Utilities Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 283 North Capitol Street NW., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 18, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are available for public inspection.

KENNETH F. PLYM, Secretary.

[FR Doc. 74-24118 Filed 10-16-74; 8:45 a.m.]

[DOCKET No. E-780]

CONSUMERS POWER CO.

Contract Amendment

October 9, 1974.

Take notice that Consumers Power Company, on September 30, 1974, tendered for filing a change in a Contract for Electric Service with the Edison Sault Electric Company (Consumers Power Company Rate Schedule FFC No. 14), as amended. The change, consisting of a letter from Consumers to Edison Sault dated February 19, 1973, has the effect of increasing Consumers Power Company’s capacity reservation under the terms of the contract from 7500 kVA to 18,500 kVA, effective January 1, 1973. The change has not affected the revenues collected from Edison Sault.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 283 North Capitol Street NW, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 18, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this application are available for public inspection.

KENNETH F. PLYM, Secretary.

[FR Doc. 74-24119 Filed 10-16-74; 8:45 a.m.]

[DOCKET No. E-892]

CONNECTICUT LIGHT AND POWER CO.

Filing of Fuel Adjustment Clause

October 8, 1974.

Take notice that on September 30, 1974, Connecticut Light and Power Company (CL&P) filed a revised fuel adjustment clause in response to the Commission’s Order issued August 30, 1974, in the above-captioned proceeding. The filing contains the following language:

"As an arbitrator in resolving any dispute arising therefrom, the Regulatory Authority shall have the power to determine, and order the party at fault to pay, the total amount of any overcollection or undercollection resulting from the dispute. If the Regulatory Authority determines that an overcollection has been made, the party at fault shall be ordered to pay the overcollection and any interest thereon to the party which was overcharged. If the Regulatory Authority determines that an undercollection has been made, the party at fault shall be ordered to pay the undercollection and any interest thereon to the party which was undercharged. The Regulatory Authority shall have the power to order the party at fault to pay for any loss, injury, or damage which may have resulted from the dispute. The party at fault shall be responsible for any legal fees, interest, or damages incurred by the other party in connection with the dispute. If the Regulatory Authority determines that an overcollection has been made, the party at fault shall be ordered to pay the overcollection and any interest thereon to the party which was overcharged. If the Regulatory Authority determines that an undercollection has been made, the party at fault shall be ordered to pay the undercollection and any interest thereon to the party which was undercharged. The Regulatory Authority shall have the power to order the party at fault to pay for any loss, injury, or damage which may have resulted from the dispute. The party at fault shall be responsible for any legal fees, interest, or damages incurred by the other party in connection with the dispute. If the Regulatory Authority determines that an overcollection has been made, the party at fault shall be ordered to pay the overcollection and any interest thereon to the party which was overcharged. If the Regulatory Authority determines that an undercollection has been made, the party at fault shall be ordered to pay the undercollection and any interest thereon to the party which was undercharged. The Regulatory Authority shall have the power to order the party at fault to pay for any loss, injury, or damage which may have resulted from the dispute. The party at fault shall be responsible for any legal fees, interest, or damages incurred by the other party in connection with the dispute."

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 283 North Capitol Street NW., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 18, 1974.

Connecticut Light and Power Company (CL&P) requests that the revised fuel adjustment clause be permitted to become effective September 30, 1974, the date the CL&P’s R-2 rate filing became effective, subject to refund.

CL&P states that copies of their filing have been sent to each of the parties listed on the Commission’s service list.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 283 North Capitol Street NW., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 23, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are available for public inspection.

KENNETH F. PLYM, Secretary.

[FR Doc. 74-24119 Filed 10-16-74; 8:45 a.m.]

[DOCKET No. E-780]

CONSUMERS POWER CO.

Changes in Rates and Charges Pursuant to Settlement

October 9, 1974.

Take notice that Consumers Power Company (Consumers) on September 30, 1974, tendered for filing contract amendments in compliance with the Commission’s order issued August 30, 1974, approving a rate settlement agreement in this proceeding, with Consumers’ wholesale customers. The wholesale customers include ten cities, two villages, two rural electric cooperatives and two privately owned electric utilities, all in the State of Michigan. The rate filing also includes a schedule setting forth the computations of refunds of charges to the wholesale customers in the amount of $1,334,53T.8 refunded on September 24, 1974, and $830.34 still owing to Edison Sault Electric Company.

Consumers states that a copy of the filing was mailed to each person listed on the Commission Secretary’s official service list in this proceeding, as well as to the City of Eaton Rapids, not a party to the proceeding, and also to the Michigan Public Service Commission. No proposal for publication in the Federal Register pursuant to § 35.8(a) of the Commission’s regulations under the Federal Power Act, was included in the filing.

Any person desiring to comment upon or to protest the subject rate filing should file such comment or protest with the Federal Power Commission, 283 North Capitol Street NW., Washington, D.C. 20426, in accordance with § 1.6 of the Commission’s rules of practice and procedure (18 CFR 1.6). All such comments or protests should be filed on or before October 18, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLYM, Secretary.

[FR Doc. 74-24117 Filed 10-16-74; 8:45 a.m.]

[DOCKET No. E-893]

HOLYOKE WATER POWER CO. AND HOLYOKE POWER AND ELECTRIC CO.

Order Granting in Part and Denying in Part Applications for Rehearing

October 9, 1974.

On September 9, 1974, the Municipal Electric Light Departments of the Town of South Hadley and the City of Chicopee, Massachusetts, tendered for filing an Application for Rehearing of the Commission’s order issued August 9, 1974, in the above-referenced dockets. On the same date the Holyoke Water Power Company (HWP) tendered for filing its application for rehearing of the same order. In said order, the Commission rejected a proposed rate increase applicable to South Hadley because HWP did not give proper notice to South Hadley pursuant to the contract governing service between South Hadley and the Holyoke Power and Electric Company (HPEC); however, the Commission accepted the proposed increase applicable to Chicopee and instituted a section 206 investigation to determine whether the proposed increase was just and reasonable.

South Hadley seeks rehearing on the following grounds: (1) the South Hadley contract does not permit a section 206 proceeding because the contractual language requires the regulatory agency to act "as an arbitrator" in resolving any request for a readjustment of the price or terms of the contract; (2) the state regulatory agency (and its successor) was not bound by the applicable state law.

HPEC is a wholly owned subsidiary of HWP.
but instead, was bound by the contractual language in the South Hadley contract that required the agency to act as an arbitrator in resolving contractual disputes; and (3) nothing in the Federal Power Act would appear to preclude the Commission from fulfilling the role of dispute resolution which the contract was correct and that a finding of exigency was necessary to nullify the following contractual language:

the Commission's Order of August 9, 1974, rather than May 28, 1974. Comments will be considered by the Commission in determining the appropriate action to be taken.

The Commission orders. (A) South Hadley's application for rehearing filed September 8, 1974, is hereby granted.

The application for rehearing filed by Chicopee and HWP are hereby denied.

(2) The Secretary shall cause prompt publication of this order in the Federal Register.

By the Commission.

[SEAL]

KIMBERLY F. PAULING,
Secretary.

[FR Doc. 74-24120 Filed 10-18-74; 8:35 am]

IOWA PUBLIC SERVICE CO.

Filing of Settlement Agreement

October 8, 1974.

Take notice that on September 23, 1974, Iowa Public Service Company (IPSC) tendered for filing a settlement agreement between (1) IPSC, (2) ten municipalities, one private company and one cooperative.

The Settlement Agreement provides for a total annual increase of $200,500 instead of the $203,208 proposed by IPSC. The agreement also provides for a 6.1 percent rate of return and for the effective date of the rates to be on November 28, 1974, rather than May 28, 1974.

(3) The Commission's Interpretation reforms the contract because it gives the Company an open-ended, unilateral right to file a rate increase at any time after the negotiation period terminates.

The Company did provide Chicopee with notice of its intent to file a rate increase in a letter dated September 24, 1973, which notice was tendered within the correct time span delineated in the Chicopee contract. However, Chicopee argues that the two week negotiation period would be rendered meaningless if the Company is not required to supply additional data concerning the details of any rate increase. We disagree with Chicopee's argument that the failure of the Company to provide detailed data concerning any proposed rate increase necessarily nullifies the following contract language:

HWP seeks rehearing on the following grounds: (1) The Commission failed to consider that South Hadley by its course of conduct had agreed to an extension of the contractual filing requirement and that said conduct constituted waiver of the contractual filing provision; (2) the Commission misinterpreted the meaning of the term "exigency" as used in the South Hadley contract; and (3) the Commission failed to recognize that the language in section 10 of the South Hadley contract under section 205 rather than section 305 of the Act. Upon reconsideration and further review of South Hadley's contract we conclude that the contractual language stating that the Company must file a rate increase if it foresees today's federal regulatory scheme.

the customers are the towns of Anthon, Aplington, Auburn, Denver, Dunkerton, Fonda, Hudson, Livermore, Pocahontas, and Potsdam, the following:

The Natural Gas Act granting a certificate of public convenience and necessity authorizing Petitioner, among other things, to develop


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FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

NOTICES
and operate the Winfield Underground Storage Field (Winfield) in central Michigan by authorizing Petitioner to increase the reservoir pressure limitation to wellhead pressure in said field from 680 psig to 735 psig, all as more fully set forth in the petition to amend, which is on file with the Commission and open to public inspection.

Petitioner states that operating experience gained since projections as to the average maximum stabilized Pfsh in wellhead pressure were made in 1969 indicates that it will be necessary to elevate progressively said pressure to 735 psig in order to attain the maximum storage capacity at Winfield. Petitioner further states that such pressure elevation will accelerate the displacement of water in the reservoir, thereby increasing the capability of the reservoir to store the ultimate projected volume of 9 million Mcf of working storage gas at an earlier date than would be possible if the existing pressure limitation were retained.

Petitioner asserts that the increase in gradient will not impair the integrity of the reservoir and states that all of the wells and related piping facilities have been designed to withstand the higher pressure limitation.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 31, 1974, 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.  

KENNETH F. PLUNKETT,  
Secretary.  
[FR Doc.74-24122 Filed 10-16-74;8:45 am]

[DOCKET NO. CPT-147]  
MICHIGAN WISCONSIN PIPE LINE CO., ET AL.  
Petition To Amend  
OCTOBER 8, 1974.

Take notice that on September 27, 1974, Michigan Wisconsin Pipe Line Company (Mich Wise), One Woodward Avenue, Detroit, Michigan 48226, Trunkline Gas Company (Trunkline), P.O. Box 1642, Houston, Texas 77001, and Panhandle Eastern Pipe Line Company (Panhandle), P.O. Box 1349, Kansas City, Missouri 64141 thereinafter jointly referred to as Petitioners, filed in Docket No. CPT-147 a petition to amend the order of the Commission, as amended, issued in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing an extension of time for the previously authorized transportation and deferred exchange of gas and an increase in pressure collected by Trunkline and Panhandle for Mich Wise. Petitioners request that the Commission authorize Mich Wise to deliver Exchange Gas to Trunkline during the period November 14, 1972, to October 31, 1973, and Trunkline and Panhandle to transport and deliver, on a best-efforts basis, Transportation Gas for Mich Wise's account to Mich Wise's market area during the same period at a charge of 13.5 cents per Mcf. By order issued July 25, 1973, the Commission approved a new point for delivery of gas to Mich Wise. On January 4, 1974, the Commission approved an extension up to and including October 31, 1974, and increase of the volumes of gas exchanged to 8 million Mcf.

Petitioners state, that by amendment dated as of September 26, 1974, they have agreed to extend the period for transportation of gas for Mich Wise, and have agreed to a decrease in the existing depreciation rate for Mich Wise's market area from 15 cents per Mcf to 13.5 cents per Mcf.

The September 26, 1974, amendment states that Mich Wise desires to extend the period for transportation of gas and that Trunkline is in curtailment and may have need for additional volumes of Exchange Gas.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 31, 1974, 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 must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUNKETT,  
Secretary.  
[FR Doc.74-24124 Filed 10-16-74;8:45 am]

[DOCKET NO. II-0034]  
NIAGARA MOHAWK POWER CORP.  
Notice of Tariff Change  
OCTOBER 8, 1974.

Take notice that Niagara Mohawk Power Corporation, on September 23, 1974, tendered for filing proposed changes in its FPC Electric Service Tariff, No. 73. The proposed change is the cancellation of a firm power agreement between Niagara Mohawk Power Corporation and Consolidated Edison Company of New York, Inc. for the sale of
NOTICES

NIAGARA MOHAWK POWER CORP.
Notice of Cancellation

OCTOBER 9, 1974.

Take notice that Niagara Mohawk Power Corporation, on September 23, 1974, tendered for filing proposed changes in its FPC Electric Service Tariff, No. 23. The proposed changes are the cancellation of the transmission agreement between Niagara Mohawk Power Corporation and Consolidated Edison Company of New York, Inc. for the transmission of electric energy associated with 200 MW of firm power purchased by Consolidated Edison Company of New York, Inc. from Rochester Gas and Electric Corporation.

The transmission agreement between Niagara Mohawk Power Corporation and Consolidated Edison Company of New York, Inc. was effective on April 28, 1974, and terminates on October 20, 1974.

Copies of the filing were served upon Consolidated Edison Company of New York, Inc.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 285 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 17, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and available for public inspection.

KENNETH F. PETERS, Secretary.

[FR Doc. 74-24125 Filed 10-16-74; 8:45 am]

NIAGARA MOHAWK POWER CORP.

NEW YORK STATE ELECTRIC AND GAS
Proposed Cancellation of Electric Rate Schedule

OCTOBER 9, 1974.

Take notice that on September 27, 1974, New York State Electric and Gas Corporation (New York) tendered for filing a petition for the cancellation of FPC Rate Schedule No. 61. The petition is hereby filed on or before October 18, 1974, and terminates on October 17, 1974.

The subject rate schedule is an agreement dated March 7, 1974 providing for short-term firm power sales to Central Hudson Gas and Electric Corporation; the effective commencement date being April 23, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 285 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 17, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and available for public inspection.

KENNETH F. PETERS, Secretary.

[FR Doc. 74-24126 Filed 10-16-74; 8:45 am]

ROCKLAND ELECTRIC CO.

Order Accepting for Filing and Suspending Proposed Rate Increase, Rejecting Proposed Fuel Adjustment Clause, Establishing Procedures and Granting Intercourse; Correction

September 30, 1974.


KENNETH F. PETERS, Secretary.

[FR Doc. 74-24125 Filed 10-16-74; 8:45 am]

NORTHERN STATES POWER CO.
Mid-Continent Area Power Pool Agreement

OCTOBER 9, 1974.

Take notice that on September 26, 1974, Northern States Power Company (Northern States) tendered for filing an Agreement to become effective November 1, 1974.

The Agreement provides for a schedule of stepped rates in Service Schedule B, Seasonal Participation Power Interchange Service and Service Schedule I, Short-Term Power Interchange Service. Northern States requests November 1, 1974 as the effective date of the stepped rates contained in Service Schedule B and I for the period November 1, 1974, and thereafter.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 285 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§1.8 and 1.10 of the Commission’s rules of practice and procedure. All such petitions or protests should be filed on or before October 18, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and available for public inspection.

KENNETH F. PETERS, Secretary.

[FR Doc. 74-24126 Filed 10-16-74; 8:45 am]

SKELLY OIL CO.

Notice of Application

OCTOBER 9, 1974.

Take notice that on September 26, 1974, Skelly Oil Company (Applicant), P.O. Box 1650, Tulsa, Oklahoma 74102, filed in Docket No. CT76-101 an application pursuant to section 7(a) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas in interstate commerce to Transwestern Pipeline Company (Transwestern) from Applicant’s 300 percent interest in the Campbell Lea, South Xermit Field, Winkler County, Texas, pursuant to the terms of a gas purchase agreement, dated September 5, 1974, between Applicant and Transwestern, all as more fully set forth in Application Docket No. CT75-803, Filed on November 26, 1974. Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 285 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 18, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and available for public inspection...

[FR Doc. 74-24127 Filed 10-16-74; 8:45 am]

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
forth in the application, which is on file with the Commission and open to public inspection.

Applicant states that the Texas Railroad Commission has rescinded the Campbell "A" Well No. 6 as a gas well, that Applicant's contract with the purchaser, Texaco Inc., covered only the gas well and did not cover gas well gas, and that Texaco Inc. has advised Applicant that it is unable to take gas from the Campbell "A" Well No. 6. Applicant further states that it filed on April 1, 1974, an application for partial abandonment of gas sales from the Campbell "A" Well No. 6, but that on September 18, 1974, in Docket No. CP74-581, the Commission held in interstate commerce except pursuant to the provisions of §§ 157.29 and 157.30, all gas-well gas and the type of certificate sought. Applicant therefore requests authorization to sell gas from the Campbell "A" Well No. 6 at 49,910 Btu per Mcf at 14.95 psia, including all adjustments and tax reimbursements, plus any tax increases after the contract date, subject to downward but not upward adjustment. Estimated sales volumes are 60,000 Mcf per month. Applicant's understanding of the Commission's rules and regulations, (18 CFR 2.68, 2.70, 157.32 and 157.29), within the meaning of § 2.56(h) of the Commission's general policy and interpretations (18 CFR 2.56(h)), promulgated by the order accompanying Opinion No. 699, is issued on June 21, 1974 (61 FPC 6431).

Any person desiring to be heard or to make any protest with reference to said application should on or before October 1, 1974, file with the Federal Power Commission 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 and 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 thereon must file a petition to intervene in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 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 must file a petition to intervene. Copies of this notice are on file with the Commission and are available for public inspection.

KENNETH F. FLAMM,
Secretary.
[FED Doc.74-24130 Filed 10-10-74;8:45 am]

[DOCKET No. E-9038]

SOUTHERN CALIFORNIA EDISON CO.
Filing of Increased Rate and Petition for Waiver of Notice Requirements

October 8, 1974.

Take notice that on September 26, 1974, Southern California Edison Company (Edison) pursuant to § 2.55 of the regulations under the Federal Power Act, made a filing with the Commission extending its Power Supply Agreement with Sierra Pacific Power Company (Sierra), Rate Schedule FFC No. 49 terminating by its own terms on September 30, 1974, for a two month period until December 1, 1974, but substituting for the rates charged thereunder its resale rate R-2, presently in effect for Edison's other large resale customers. Edison asserts such rate would increase the level of charges above those provided in the original agreement by about 144 percent. Edison proposes such increased rate to become effective no later than October 1, 1974, and includes in such filing, a petition for waiver of any notice requirements and requests minimum suspension as required to permit such an effective date.

Any person desiring to be heard or to protest said filing of increased rate and petition for waiver should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol STREET, NW, Washington, D.C. 20426, in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 and 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 thereon must file a petition to intervene in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before October 18, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this notice are on file with the Commission and are available for public inspection.

KENNETH F. FLAMM,
Secretary.
[FED Doc.74-24131 Filed 10-10-74;8:45 am]

[SOUTHERN NATURAL GAS CO.
Order Accepting for Filing and Making Subject to Refund Proposed Change in Rates

October 9, 1974.

Southern Natural Gas Company (Southern), on August 27, 1974, tendered for filing proposed changes in its FCC Tariff No. 1, Docket No. RP72-91, all of which are subject to subparagraph (a) of sentence (2) of Paragraph (4) of Article III of the Stipulation and Agreement approved by Commission order of July 22, 1974. Southern states that this filing is pursuant to Article III of the Stipulation and Agreement approved by Commission order of July 22, 1974.

This filing reflects a net decrease of $10.04 per thousand cubic feet on the level currently reflected in its rates. This decrease in the advance payment level provides for a reduction in jurisdictional rates of $1.27 per thousand cubic feet. Notice of this filing was issued on September 9, 1974, with protests and petitions to intervene due on or before September 28, 1974. The Commission has presently included in the record at Docket No. r-9038, comments on September 17 stating that the advance payments reflected in this filing have not been calculated consistent and appropriate in that it was not shown that the producers will make these expenditures within a reasonable time. Southern believes that the advances would be included in Southern's rate base, in accordance with the policy set out in Order No. 458 and the order denying rehearing of that order. The Commission believes that these advances be made subject to refund and the matter set for hearing.

Our review of the filing indicates that it reflects an agreement of 1/2 interest in an advance payment agreement pursuant to paragraph (5) of Article III of the Stipulation and Agreement approved in this docket. We believe that this part of the filing is appropriate in accordance with Article III, paragraph (5) of Southern's Stipulation and Agreement. The filing also reflects the proposed inclusion in Southern's rate base of additional advance payments in excess of the advance payment amount included in its rate base. Pursuant to Paragraph (1) of Article III, such increases may not exceed 10 percent of Southern's rate base. We believe that these additional advances have not been shown to be reasonable and appropriate, as they may be in excess of costs for exploration, development, and production incurred by the producers who receive the advances within a reasonable time from the date such advances would be included in Southern's rate base. In accordance with the intent of Paragraph (1) of Article III, we shall accept Southern's tariff sheet for filing and permit it to become effective, subject to refund, pending hearing and decision on the lawfulness, reasonableness, and appropriateness of the inclusion of the additional advance

1Thirteenth Revised Sheet No. 4A.
NOTICES

[Doc. No. CIT75-199]

SUN OIL CO.

Notice of Application

September 10, 1974.

Take notice that on September 26, 1974, Southern Oil Company, P.O. Box 2880, Dallas, Texas 75221, filed in Docket No. CIT75-199 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce by Southern to United Gas Pipe Line Company from the North Bayou Fer Blanc Field, Lafourche Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The Commission finds: (1) Good cause exists to accept and approve that part of Southern's filing which reflects the assignment of a 1/2 interest in an advance payment agreement to Southern since it is in accordance with paragraph (5) of Article III of Southern's Stipulation and Agreement.

(2) It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that the portion of Southern's filing reflecting additional advance payments be made subject to refund, pursuant to paragraph (1) of Article III of Southern's Stipulation and Agreement, pending hearing and decision as to the lawfulness, reasonableness, and appropriateness of the inclusion of these advance payments in Southern's rate base.

3.5(d)), § 2.59

Judge to be designated shall be filed on or before February 18, 1975, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.W., Washington, D.C. 20426, concerning the lawfulness of the rates and charges contained in Southern's August 27, 1974 filing.

Southern's proposed rate change is accepted for filing and will be permitted to become effective October 11, 1974, subject to refund pending a determination of the lawfulness of the additional advance payments included in Southern's filing in the proceeding established in accordance with paragraph (A) above.

On or before December 19, 1974, Southern shall file its direct testimony and exhibits. On or before January 28, 1975, the Commission Staff shall file its prepared testimony and exhibits. Any intervenor's direct testimony and exhibits shall be filed on or before February 25, 1975, and any rebuttal testimony and exhibits shall be filed on or before February 25, 1975.

A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall conduct this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

Any filing contained herein shall be construed as limiting the rights of the parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

The Secretary shall cause the publication of this order in the Federal Register.

By the Commission.

[SEAL]

KENNETH P. FLUMB, Secretary.

[FR Doc.74-24133 Filed 10-16-74; 8:45 am]
Secretary's Notice of October 3 provided that answers to Brooklyn Union's motion were to be filed no later than October 15.

Numerous parties have filed responses. With two exceptions, all express either support for the Brooklyn Union motion or no objection to it. They argue generally that an extension is needed because time that would otherwise have been spent in brief preparation has been devoted to settlement negotiations, and further that the current briefing schedule conflicts with the deadlines for comments on the settlement proposal.

The Staff states that one aspect of the extension is the Philadelphia Gas Works, which argues principally that, prior to consideration of a settlement, it would have to have briefs before us that reflect the long hearings that have been held. However, if we are permitted by the Court of Appeals for the District of Columbia to act upon the interim settlement, as explained in our October 4 Notice of the filing of the settlement, it is extremely unlikely that we could do so prior to November 1, on which date briefs would be due under Brooklyn Union's proposed timetable. Thus, initial briefs would be before us much sooner. On the other hand, even the existing briefing schedule would not allow a reasonable interval for submission of comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a non-operating company with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of bank holding company stock (deposits of $116.9 million), the larger of two banks in Moore, is the 37th largest of 35 banking organizations in the relevant banking market, controlling less than 0.1 percent of the total commercial bank deposits in the United States.

Initial briefs would be due under the briefing dates as proposed to be extended as we are under the existing schedule.

The Staff reminds us that the Philadelphia Gas Works, which argues principally that, prior to consideration of a settlement, it would have to have briefs before us that reflect the long hearings that have been held. However, if we are permitted by the Court of Appeals for the District of Columbia to act upon the interim settlement, as explained in our October 4 Notice of the filing of the settlement, it is extremely unlikely that we could do so prior to November 1, on which date briefs would be due under Brooklyn Union's proposed timetable. Thus, initial briefs would be before us much sooner. On the other hand, even the existing briefing schedule would not allow a reasonable interval for submission of comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a non-operating company with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of bank holding company stock (deposits of $116.9 million), the larger of two banks in Moore, is the 37th largest of 35 banking organizations in the relevant banking market, controlling less than 0.1 percent of the total commercial bank deposits therein.

All banking data are as of December 31, 1973, because the Applicant is a non-operating company and the purpose of the proposed transaction herein is to effect a transfer of the ownership of Bank from individuals to a corporation owned by the same individuals with no change in the Board's present management or operation, consummation of the proposal herein would not eliminate existing or potential competition nor have an adverse effect on other area banks.

The financial condition, managerial resources and future prospects of Applicant, which are dependent upon those same factors in Bank, are considered to be generally satisfactory. From the facts of record, it appears that Applicant would be able to finance the debt incurred in acquiring Bank without placing an undue strain on Bank's resources. Accordingly, banking factors are consistent with approval of the application. Although the Board will have no immediate change in or increase in the services offered by Bank as a result of the shifting of Bank's ownership to a corporation, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors, effective October 8, 1974.

The Commission orders. The briefing dates established by the order issued September 13, 1974, in this proceeding are modified, so that initial briefs will be filed no later than November 1, 1974, and reply briefs no later than November 25, 1974.

By the Commission.

[SEAL] KENNETH F. PLUMA, Secretary.

[FEDERAL REG. 36:3024 Filed 10-10-74; 8:40 am]

FEDERAL RESERVE SYSTEM
FIRST MOORE BANCSHARES, INC.
Order Approving Formation of Bank Holding Company

First Moore Bancshares, Inc., Moore, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)) to form a bank holding company through acquisition of 80 percent or more of the voting shares of the First National Bank of Moore, Oklahoma, Ouldham and Bank.

Notice of the application, afforded an opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a non-operating company with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of bank holding company stock (deposits of $116.9 million), the larger of two banks in Moore, is the 37th largest of 35 banking organizations in the relevant banking market, controlling less than 0.1 percent of the total commercial bank deposits therein.

All banking data are as of December 31, 1973, because the Applicant is a non-operating company and the purpose of the proposed transaction herein is to effect a transfer of the ownership of Bank from individuals to a corporation owned by the same individuals with no change in the Board's present management or operation, consummation of the proposal herein would not eliminate existing or potential competition nor have an adverse effect on other area banks.

The financial condition, managerial resources and future prospects of Applicant, which are dependent upon those same factors in Bank, are considered to be generally satisfactory. From the facts of record, it appears that Applicant would be able to finance the debt incurred in acquiring Bank without placing an undue strain on Bank's resources. Accordingly, banking factors are consistent with approval of the application. Although the Board will have no immediate change in or increase in the services offered by Bank as a result of the shifting of Bank's ownership to a corporation, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors, effective October 8, 1974.

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

[FEDERAL REG. 36:3024 Filed 10-10-74; 8:40 am]

UNION PLANTERS CORP.
Order Approving Acquisition of Planters Life Insurance Company by Bank Holding Company

Union Planters Corporation, Memphis, Tennessee, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of Planters Life Insurance Company ("PLIC"). PLIC, a company to be organized de novo to engage in the writing of policies of credit life and credit accident and health insurance in connection with extensions of credit by Applicant's subsidiaries. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(10)).

Notice of the application, afforded an opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 28570). The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant controls one bank, Union Planters National Bank of Memphis, with deposits of approximately $977 million, representing about 8.3 percent of the total deposits in commercial banks in Tennessee. Company will be organized under Arizona law as a full reserve life insurance company. Since Company will be qualified to underwrite insurance directly only in Arizona, its activities will...
be limited to acting as reinsurer of credit life and credit accident and health insurance policies made available in connection with extensions of credit by Applicant's subsidiary in Tennessee. Such insurance would be indirectly underwritten by an insurer qualified to underwrite in Tennessee and would thereafter be assigned or ceded to Company under a reinsurance agreement.

Credit life and credit accident and health insurance is generally made available by banks and other lenders and is designed to insure payment of a loan in the event of death or disability of a borrower. In connection with the addition of the underwriting of such insurance to the list of permissible activities for bank holding companies, the Board has stated:

"To insure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected in the public interest, the Board will only approve applications in which an applicant demonstrates that approval will benefit the consumer or result in other public benefits. Nothing more would be required as a projected reduction in rates or increase in policy benefits due to bank holding company performance of this service."

Applicant has stated that it will provide credit life insurance at rates that are about 7 percent below those presently being charged. Applicant's holding company system and credit accident and health insurance at rates 5 percent below its prevailing rates. The Board believes that such a reduction in the price of credit life and credit accident and health insurance is a consideration favorable to the public interest. The Board concludes, therefore, that such public benefits in the absence of any evidence in the record indicating the presence of any adverse statutory factors, provides support for approval of the application.

Based on the foregoing, and other considerations reflected in the record, the Board has determined, in accordance with the provisions of section 8(c) (8), that consummation of this proposal can reasonably be expected to produce benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to conditions set forth in § 225.A(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of Applicant's holding company and its subsidiaries as the Board finds necessary to insure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of St. Louis pursuant to delegated authority.

By order of the Board of Governors, effective October 8, 1974.

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

[FR Doc.74-24102 Filed 10-16-74; 8:45 am]

TENNESSEE VALLEY BANCORP, INC.
Order Approving Acquisitions of Banks

Tennessee Valley Bancorp, Inc., Nashville, Tennessee, a bank holding company with deposits in the State, has applied for authority to acquire in one or more stages the following bank holding companies:

- Commercial Union Bank of Lawrence County, Lawrenceburg, Tennessee.
- Commerce Union Bank of Rutherford County, Murfreesboro, Tennessee.
- Commerce Union Bank of Sumner County, Gallatin, Tennessee.

"Gallatin Bank" is commonly referred to as "Banks".

The Board has determined, in accord with section 6(b) of the Act, that the proposed acquisitions are in the public interest and that the applications should be approved.

NOTICES

* The Nashville banking market is approximated by controlling 27 banks. Applicant is the second largest banking organization in the Nashville banking market, controlling approximately 27 percent of the total deposits in commercial banks in the market. The Murfreesboro branch of Nashville Bank, which will become Gallatin Bank, controls deposits of almost $39 million, representing 71 percent of the total deposits in commercial banks in the market. The Murfreesboro branch of Nashville Bank, which will become Gallatin Bank, controls deposits of almost $31 million, representing 71 percent of the total deposits in commercial banks in the market.

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NOTICES

months after that date, and (c) Commerce Union Bank of Sumner County, Gallatin, Tennessee; Commerce Union Bank of Lawrence County, Lawrenceburg, Tennessee; and Commerce Union Bank of Rutherford County, Murfreesboro, Tennessee, shall be opened for business not later than six months after effective date of this Order. Each of the periods described in (b) and (c) may be extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors, effective October 7, 1974.

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

[FR Doc.74-24312 Filed 10-16-74; 8:45 am]

COMMERCIAL UNION BANK OF LAWRENCE COUNTY ET AL

Order Approving Acquisitions of Assets and Assumptions of Liabilities Under Bank Merger Act

Commerce Union Bank of Lawrence County, Lawrenceburg, Tennessee; Commerce Union Bank of Rutherford County, Murfreesboro Tennessee; and Commerce Union Bank of Sumner County, Gallatin, Tennessee (collectively referred to as " Banks"), proposed State member banks of the Federal Reserve System, have applied in separate applications for the Bank Merger Act (12 U.S.C. 1829(c)) for the Board's prior approval to acquire the assets and assume the liabilities of three existing branches of Commerce Union Bank, Nashville, Tennessee ("Nashville Bank"), located in the respective above-mentioned cities.

As required by the Act, notice of the proposed merger, in form approved by the Board, has been published and the Board has requested reports on competitive factors from the Attorney General, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation. The Board has considered all relevant material contained in the record in the light of the factors set forth in the Act.

3. On the basis of the record, the applications are approved for the Board, subject to the conditions set forth in the Board's Order of this date relating to the applications of Tennessee Valley Bancorp, Inc., Nashville, Tennessee, to acquire the three branches of Commerce Union Bank of Sumner County, Gallatin, Tennessee; Commerce Union Bank of Lawrence County, Lawrenceburg, Tennessee; and Commerce Union Bank of Rutherford County, Murfreesboro, Tennessee, all proposed new banks. The transactions shall not be consummated (a) before the thirtieth calendar day following the date of this Order or (b) after the date of this Order, and (c) Commerce Union Bank of Lawrence County, Lawrenceburg, Tennessee; Commerce Union Bank of Rutherford County, Murfreesboro, Tennessee; Commerce Union Bank of Sumner County, Gallatin, Tennessee; and Commerce Union Bank of Lawrence County, Lawrenceburg, Tennessee, shall be opened for business not later than six months after effective date of this Order. Each of the periods described in (b) and (c) may be extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors, effective October 7, 1974.

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

[FR Doc.74-24312 Filed 10-16-74; 8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 74-07]

NASA SPACE PROGRAM ADVISORY COUNCIL (SPAC) AD HOC SUBCOMMITTEE ON SCIENTIST-ASTRONAUTS

Meeting

The SPAC Ad Hoc Subcommittee on Scientist-Astronauts of NASA will meet on November 4, 1974 in Room 5026, Federal Office Building 6, 400 Maryland Avenue SW., Washington, D.C. Members of the public will be admitted to the open portions of the meeting beginning at 1:30 p.m. on a first-come, first-served basis, up to the seating capacity of the room, which is about 40 persons, including Sub-committee members and other participants. Visitors will be requested to sign a visitor's register.

The SPAC Ad Hoc Subcommittee on Scientist-Astronauts, which serves in an advisory capacity only, was established to review the scientist-astronaut program of Apollo and Skylab and to study alternative approaches to the effective participation of scientists as on-board specialists in future Space Shuttle operations. The Chairman pro tem is Dr. Frederick Seitz; total membership of the Subcommittee is eight. The following list sets forth the approved agenda and schedule for the meeting. For further information, contact the Executive Secretary, Mr. Nathaniel B. Cohen, Area Code 202, 1551-5110.

Item, time, and topic

1. 1:30 p.m. Introduction and background. The purpose and objectives of the study to be conducted will be described to the members of the subcommittee.

2. 1:45 p.m. Apollo/Skylab scientist-astronaut program. The scientist-astronaut program describes for the Apollo and Skylab programs will be described. Included will be discussions of purpose, selection of candidates, training, utilization in the programs, and results.

4. 2:30 p.m. Utilization of scientists in the Space Shuttle. The professional roles of scientists as flight crew members in the Space Shuttle program will be described, as will be their responsibilities to both the science communities and the mission operations communities.

5. 4:30 p.m. Executive session. This discussion will attempt to relate shuttle science needs to both the past scientist-astronaut selection and alternative concepts for the shuttle. These discussions will require frequent references to and comments on the professional qualifications of the individuals involved. Discussions of these matters in a public setting would destroy the privacy of these individuals and hence the session will be closed pursuant to 5 U.S.C. 552(b) (6).

A portion of this meeting will be open to the public on October 29 from 1:30-5:30 p.m. and on October 30 from 1:30-5:30 p.m. on a space available basis. For further information, contact the Executive Secretary, Mr. Nathaniel B. Cohen, Area Code 202, 1551-5110.

NOTICES 37109

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
NOTICES

DEPARTMENT OF LABOR

EXTENSIONS
DEPARTMENT OF COMMERCE

PHILIP D. LARSEN, Budget and Management Officer.

PRESIDENTIAL CLEMENCY BOARD
NOTICE OF MEETINGS
October 14, 1974.

Notice is hereby given, pursuant to the provisions of the Federal Clemency Act of 1972, that meetings of the President's Clemency Board will be held on October 23-24, 1974, at 9 am in Room 459, Old Executive Office Building, Washington, D.C.

These meetings will not be open to the public since (1) the Board will discuss matters related solely to its internal personnel and practices under 5 U.S.C. 552-(b)(2) and (2) will examine personnel and similar files, disclosure of which would constitute an unwarranted invasion of privacy under (b)(6) of the same section.

A waiver of the 15-day notice provision has been granted by the Director, Office of Management and Budget, under OMB Circular No. A-62, as revised, pertaining to the Federal Advisory Committee Act of 1972. This waiver is required for the Board to give immediate consideration to those recently furloughed from prison under Executive Order 11803.

CHARLES E. GODSELL, Chairman.

SEcurities and EXCHANGE COMMISSION
[File Nos. 2-28831, 22-4941]
ALLIED PRODUCTS CORP.
Notice of Application and Opportunity for Hearing
October 9, 1974.
Notice is hereby given that Allied Products Corporation (the "Company") has filed an application under clause (ii) of section 310(b) (1) of the Trust Indenture Act of 1939 (the "Act") for a finding that the trusteeship of Continental Illinois National Bank and Trust Company of Chicago ("Continental"), under the Act, is not so likely to involve a material conflict of interest as to make it necessary for the public interest or for the protection of investors to disqualify Continental from acting as Trustee under such Indenture.

Section 310(b) of the Act provides in part that if a trustee under an Indenture qualified under the Act has or shall acquire an interest which appears to raise no significant issue, and is to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS
DEPARTMENT OF COMMERCE

INVESTIGATION OUTLINE—Mortality Study Form Questionnaire, Form NIA—D-1, Annual, Evinger (395-3648), Professional dance companies.

ENVIronmental PROTECTION AGENCY
Application for Registration of Economic Fossils, Form 8570 series, Occasional, Loverty (395-3772), Feste Firms.

DEPARTMENT OF HEALTH, Education, and Welfare
Health Services Information, Development of State Agency Certification Processes, Form HSA 3QA 0913, Single time, Caywood (395-3443), State survey agency directors.

REVISIONS
DEPARTMENT OF DEFENSE
Departmental: ROTO Four-Year Scholarship Application, Form DD 1953, Occasional, Lowery (395-3772), High School student.

DEPARTMENT OF HEALTH, Education, and Welfare
Health Resources Administration: 1976 Health Interview Survey Questionnaire, Form HSRHCS 1003, Occasional, Roll (395-4697), Fichal (395-3898), 50 percent of households representing civilian non-institutional population of U.S.
Company is required to make semi-annual rental payments to the 1974 Indenture, as rent due to the City under the lease agreement. In amounts sufficient to pay the principal, interest and semi-annual rental payment. The Company is also required to pay the annual fees and expenses of the 1974 Indenture trustee. The lease agreement provides that the obligations of the Company are "absolute and unconditional, * * * until such time as the principal of, and interest and premium, if any, on the 1974 Bonds shall have been fully paid or provision for the payment thereof shall have been made in accordance with the (1974) Indenture * * *".

(3) The Company does not guarantee payment of the 1974 Bonds, nor be a party to the 1974 Indenture and technically, is not an obligor on or the issuer of the 1974 Bonds. However, because payment of the 1974 Bonds depends upon the Company’s timely payment of rent under the lease agreement, because default under the lease agreement constitutes a default under the 1974 Indenture, and because the 1974 Bonds will be marketed largely on the basis of the Company’s strength, the Company may be deemed to be an obligor on the 1974 Bonds and the 1974 Bonds may be deemed to be securities of the Company.

(4) The 1974 Indenture was qualified under the Trust Indenture Act as No. 22-4941. The 1968 Indenture was qualified under the Trust Indenture Act by the provisions permitted by the proviso of section 3(b) (1) of the Trust Indenture Act. The 1974 Indenture will not be qualified under the Trust Indenture Act because of the exception contained in section 304(a) (4) of the Act. The 1974 Indenture contains no provision concerning the nature of his interest, the reasons for such request, and the nature of fact or law raised by the application which he desires to controvert, or he may request that he be notified if the Commission desires to controvert, or he may request that he be notified if the Commission desires to controvert, or he may request that he be notified if the Commission desires to controvert, or he may request that he be notified if the Commission desires to controvert. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549.

Notice is hereby given that the 1968 Indenture and the 1974 Indenture are wholly unsecured, although the 1974 Bonds are secured by the equipment which is owned by the Company and leased by the Company, and each such obligation ranks equally with the other. The Company is not in default under the 1968 Indenture.

(6) The terms of the Indentures differ in respect of amounts, dates, interest rates, redemption prices, sinking fund and default provision and in certain other respects, including conflicts of interest. The primary differences between the 1968 and 1974 Indentures with respect to default provisions are:

(a) An event of default under the 1974 Indenture includes an event of default under the lease agreement which in turn includes failure of the Company to observe or perform covenants relating specifically to completion and use of or manner of dealing with the leased equipment; whereas under the 1968 Indenture there is an event of default immediately upon non-payment of interest on the Bonds and upon non-payment of interest of any part thereof at the time payable thereon.

(b) Failure of the Company to discharge or perform its obligation to pay interest or principal on the Bonds constitutes an event of default under the 1968 Indenture but constitutes an event of default only in the payment of such interest or principal at the time payable thereon under the 1974 Indenture but not upon non-payment of interest or principal when due.

(c) The 1974 Indenture requires payment of interest on March 1 and September 1. The 1968 Indenture requires payment of interest on March 1 and September 1 and June 1 and December 1.

(d) The 1974 Indenture required payment of the 1974 Bonds on the date of each such obligation ranks equally with other obligations. The primary differences between the Indenture and the 1968 Indenture are:

The obligations of the Company under the 1968 Indenture, and under the 1974 Indenture, are "absolute and unconditional, * * * until such time as the principal of, and interest and premium, if any, on the 1974 Bonds shall have been fully paid or provision for the payment thereof shall have been made in accordance with the (1974) Indenture * * *".

Notice is hereby given that The Connecticut Light and Power Company has filed with the Commission an application pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9(a) and 10 of the Act as applicable to the following proposed transaction. All interested persons are invited to submit their views and comments on the proposed amendments to CBOE’s plan either before or after it has become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10-54. The proposed amendments are, and all such comments will be available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1101 L Street, NW., Washington, D.C.

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]

NOTICES

October 9, 1974.

[FR Doc.74-24201 Filed 10-16-74; 8:45 am]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

[FR Doc.74-24201 Filed 10-16-74; 8:45 am]

Non-Disapproval of Amendments to Option Plan

Notice is hereby given that on September 26, 1974, the Commission considered and did not disapprove proposed amendments to the Option Plan of the Chicago Board Options Exchange, Inc. (CBOE) pursuant to Rule 9b-1 (17 CFR 240.9b-1). The CBOE had proposed an amendment to Interpretation 6.5.01(b) under CBOE’s Rule 6.5 and a new Interpretation to Rule 6.1. These proposed changes were originally published at 39 FEDERAL REGISTER 70939, October 7, 1974.

CBOE’s proposed Rule 6.1 provides that the Board shall determine by resolution the hours during which transactions may be made on the Exchange. The CBOE’s Board has previously established the hours of 9 a.m. to 2:30 p.m. (Chicago Time) as the hours for such transactions. These hours were adopted because of the close connection of the value of options traded on the primary exchange. The New York Stock Exchange has determined to extend its hours of trading effective October 1, 1974. In order to conform CBOE’s trading hours to the extended hours of the New York Stock Exchange, it is necessary for the CBOE’s Board to take action.

Proposed Interpretation 6.1 would state the Board’s determination that CBOE trading hours would in the future conform to those of the primary exchange listing the stocks underlying CBOE options. And, in this connection, Interpretation 6.2.01(b), which provides for a closing rotation to commence at 2:30 p.m. (Chicago Time), should be amended to provide such rotation at the close of trading.

All interested persons are invited to submit their views and comments on the proposed amendments to CBOE’s plan either before or after it has become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. Reference should be made to file number 10-54. The proposed amendments are, and all such comments will be available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1101 L Street, NW., Washington, D.C.

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]

[FR Doc.74-24201 Filed 10-16-74; 8:45 am]

NOTICES

October 9, 1974.

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]

NOTICES

October 9, 1974.

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]

NOTICES

October 9, 1974.

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]

NOTICES

October 9, 1974.

[FR Doc.74-24203 Filed 10-16-74; 8:45 am]
New Bedford Gas and Edison Light Company, Massachusetts, on which Edison is presently operating another nuclear generating unit known as Pilgrim Unit No. 2, to be constructed on approximately 3 acres (the "Unit #2 Site") of the 517 acres of land (the "Pilgrim Site") in Plymouth, Massachusetts, on which Edison is presently constructing a 4.63 percent interest, and the remaining 8.61 percent interest as tenant in common for the construction, operation, or maintenance of Unit #2. CL&P has an estimated cost, including associated facilities, including purchasing and maintaining the nuclear fuel at appropriate levels. After Unit #2 goes into operation, CL&P and each other Owner will own and have available to it that amount of the generating capability and electric output of the Unit #2 corresponding to its ownership percentage. All costs and expenses, direct and indirect, in connection with Unit #2 will be shared by the Owners in proportion to their ownership percentages; except that the cost of capital, including an allowance for funds used during construction, depreciation or amortization, and certain taxes will be borne by each Owner. The Owners will reimburse Edison for all costs incurred by it in carrying out its functions under the Agreement.

The fees and expenses to be incurred by CL&P in connection with the transaction are estimated at $5,000,000, including legal fees of $4,500. It is stated that no State commission and no Federal commission that has jurisdiction over the proposed transaction is located more than 100 miles from the point of mailing. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. or as it may be amended, may be granted by the Commission a Notification on Form 1-A and an Offering Circular on April 10, 1971, concerning an offering of 500,000 shares of its common stock at $1 per share for an aggregate offering price of $500,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933 pursuant to the provisions of section 3(b) thereof and regulation A thereunder. McColl Securities, Inc. ("McColl"), a registered broker-dealer having its principal place of business in Las Vegas, Nevada, was named as underwriter of the proposed offering.

**Notice**

**Federal Register, Vol. 39, No. 202—Thursday, October 17, 1974**
suspending the exemption of Royal Airline, Inc. under Regulation A, the Commission finds that it is in the public interest and for the protection of investors that the exemption of Royal Airline, Inc. under Regulation A be permanently suspended.

It is ordered, Pursuant to rule 261 of the general rules and regulations under the Securities Act of 1933, that the exemption of Royal Airline, Inc. under Regulation A be, and if hereby is, permanently suspended.

By the Commission.

[SEAL] GEORGE A. PITTSMANIONS, Secretary.

[FR Doc. 74-24220 Filed 10-16-74; 8:45 am]

ADVISORY COMMITTEE ON THE IMPLEMENTATION OF A CENTRAL MARKET SYSTEM

Notice of Meeting and Agenda

This is to give notice, pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I 10(a), that the Securities and Exchange Commission Advisory Committee on the Implementation of a Central Market System will conduct open meetings October 21, 1974, beginning at 1:30 p.m., and November 1, 1974, beginning at 10:00 a.m., at 500 North Capitol Street, Washington, D.C., in Room 766.

The summarized agenda for the meeting is as follows:

I. Final review of document on "Basic Characteristics and Principles of the Central Market System."

II. Discussion of possible rules applicable to specialists and market-makers in the Central Market System.

A. Capital requirements.
B. Obligations to provide market continuity.
C. Preference for public orders.
D. Dealing with "Institutional Customers" (NYSE Rule 115, Amex Rule 180).
E. Treatment of limit orders.
F. Affirmative obligations.

Further information may be obtained by writing Andrew F. Steffan, Director, Office of Policy Planning, Securities and Exchange Commission, Washington, D.C. 20549.

GEORGE A. PITTSMANN
Advisory Committee Management Officer.

October 10, 1974.

[FR Doc. 74-24218 Filed 10-16-74; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 611]

ASSIGNMENT OF HEARINGS

October 11, 1974.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This describes the disposition of active assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No further amendments may be entertained after October 17, 1974.

MC 10553 Sub 57, Overnite Transportation Co., now assigned November 18, 1974, at Lexington, Ky., will be held at the Campbell House Inn, 1376 Harrodsburg Rd., Lexington, Ky. [FR Doc. 74-24205]

MC 63817, Pappas and Delft Cartage, Inc., Dallas, Texas, now assigned November 10, 1974, will be held in Room F-2220, 26 Federal Plaza, New York, N.Y. [FR Doc. 74-24209]

NO. MC 29886 (Sub E15), filed May 22, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample St., South Bend, Indiana 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Package cargo, from points in New York to points in New Jersey, Delaware, Pennsylvania, Maryland, Ohio, Michigan, Wisconsin, Minnesota, North Dakota, and the District of Columbia; and (2) exhaust systems, from points in New Jersey to points in New York, Delaware, Pennsylvania, Maryland, Ohio, Michigan, Virginia, West Virginia, North Carolina, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Portland, Maine, in (1); and Auburn or Brookline, Massachusetts, in (2). No. [FR Doc. 74-24229 Filed 10-16-74; 8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

November 11, 1974.

The following letter-notices of proposals to eliminate gateways for the purposes herein stated are hereby eliminated:

MC 139917, Pappas and Delft Cartage, Inc., Dallas, Texas, now assigned October 21, 1974, at Columbus, Ohio, cancels application.


[SEAL] ROBERT L. OSWALD, Secretary.

[FR Doc. 74-24229 Filed 10-16-74; 8:45 am]

NOTICES 37113

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
to Onslow Bay. The purpose of this filing is to eliminate the gateway of Petersburg, Va.

No. MC 73688 (Sub E2), filed May 14, 1974. Applicant: SOUTHERN TRUCKING CO., INC., P.O. Box 7128, Memphis, Tenn. 38107. Applicant's representative: Fred F. Bradley, Frankfort, Kentucky 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Structural steel, steel piping, iron and steel wire, nails, and pipe, and cutwork and fabricated metal pipe, contractors' equipment, and roofing material which are iron, steel, or steel products, between points in Tennessee, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateway of Geismar, La.

No. MC 107403 (Sub-No. E561), filed May 29, 1974. Applicant: MATLACK, TRANSPORT CO., INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sulphur acid and phosphate fertilizer solutions, in bulk, in tank vehicles, from the plant site of Freeport Chemical to near Uncle Sam, La., to points in Maine, Massachusetts, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of Baton Rouge, La., Greensboro, N.C., and Elizabeth and Newark, N.J.

No. MC 107403 (Sub-No. E563), filed May 29, 1974. Applicant: MATLACK, TRANSPORT CO., INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sulphur acid and phosphate fertilizer solutions, in bulk, in tank vehicles, from the plant site of Freeport Chemical, near Uncle Sam, La., to points in Maine, Massachusetts, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of Baton Rouge, La., Greensboro, N.C., and Elizabeth and Newark, N.J.

No. MC 107403 (Sub-No. E565), filed May 29, 1974. Applicant: MATLACK, TRANSPORT CO., INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Benzene, toluene, xylene, and naphtha, in bulk, in tank vehicles, from Chalmette, La., to points in Michigan. The purpose of this filing is to eliminate the gateways of Baton Rouge, La., and the plant site of the B. F. Goodrich Company, in Milan Township (Allen County, Ind.)

No. MC 107403 (Sub-No. E567), filed May 29, 1974. Applicant: MATLACK, TRANSPORT CO., INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Benzene, toluene, xylene, and naphtha, in liquid form only, in bulk, in tank vehicles, from Chalmette, La., to points in Kansas. The purpose of this filing is to eliminate the gateways of the plant sites of Allied Chemicals Corporation in Baton Rouge, La.

No. MC 107403 (Sub-No. E569), filed May 29, 1974. Applicant: MATLACK, TRANSPORT CO., INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Benzene, Toluene, Xylene, and Naphtha (in liquid form only, in bulk, in tank vehicles), from Chalmette, La., to points in Arizona and New Mexico. The purpose of this filing is to eliminate the gateway of Galmar, La.

No. MC 107403 (Sub-No. E561), filed May 29, 1974. Applicant: MATLACK, TRANSPORT CO., INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sulphur acid and phosphate fertilizer solutions, in bulk, in tank vehicles, from the plant site of Freeport Chemical, near Uncle Sam, La., to points in Colorado, Illinois, Indiana, Mississippi, North Carolina, South Carolina, Utah, Wisconsin, and Wyoming. The purpose of this filing is to eliminate the gateway of Baton Rouge, La.
NOTICES

No. MC 107515 (Sub-No. E184), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga., 30295. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga., 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, and meat by-products, as described in Section A of Appendix I to the report in Descriptions in Motor Carrier Certificates, 31 M.C.C. 209, in vehicles equipped with mechanical refrigeration, from Bristol, Tenn., to points in Iowa, Indiana, Missouri, Wisconsin, Minnesota, and that part of Michigan on and north of a line beginning at the Michigan-Ohio State line, thence along U.S. Highway 27 to junction Michigan Highway 21, thence along Michigan Highway 21 to the International Boundary line between the United States and Canada. The purpose of this filing is to eliminate the gateway of the plant site of Food Specialties of Kentucky, Division of Oscar Ewing, Inc., in Jefferson County, Ky.

No. MC 107515 (Sub-No. E185), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga., 30295. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga., 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Non-dairy food dressing, non-dairy cream substitute, and cocoa mix, from Jonesboro, Arkansas, to points in Florida. The purpose of this filing is to eliminate the gateway of Richmond, Va.

No. MC 107515 (Sub-No. E186), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga., 30295. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga., 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen pizza pies, frozen puree, and dairy products, in vehicles equipped with mechanical refrigeration, from Baltimore, Md., to points in Oklahoma, Arkansas, and Texas, restricted to transportation in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateway of (1) Rich- mond, Va., and (2) Florence, Ala.

No. MC 107515 (Sub-No. E189), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga., 30295. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga., 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen pizza pies, frozen puree, and dairy products, in vehicles equipped with mechanical refrigeration, from Baltimore, Md., to points in Oklahoma, Arkansas, and Texas, restricted to transportation in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateway of (1) Rich- mond, Va., and (2) Florence, Ala.

No. MC 107515 (Sub-No. E190), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga., 30295. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga., 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen pizza pies, frozen puree, and dairy products, in vehicles equipped with mechanical refrigeration, from Baltimore, Md., to points in Oklahoma, Arkansas, and Texas, restricted to transportation in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateway of (1) Rich- mond, Va., and (2) Florence, Ala.

No. MC 107515 (Sub-No. E193), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga., 30295. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga., 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen pizza pies, frozen puree, and dairy products, in vehicles equipped with mechanical refrigeration, from Baltimore, Md., to points in Oklahoma, Arkansas, and Texas, restricted to transportation in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateway of (1) Rich- mond, Va., and (2) Florence, Ala.

No. MC 107515 (Sub-No. E199), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga., 30295. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga., 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen pizza pies, frozen puree, and dairy products, in vehicles equipped with mechanical refrigeration, from Baltimore, Md., to points in Oklahoma, Arkansas, and Texas, restricted to transportation in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateway of (1) Rich- mond, Va., and (2) Florence, Ala.
NOTICES

邢台, Illinois State line, thence along Missouri Nevada, that part of Missouri on and irregular routes, transporting: 30326.
308,
375, 3379
24 to junction U.S. Highway 60, thence along Missouri-Oklahoma State line. The purpose of this filing is to eliminate the gateways of Richmond, Va., and (2) Gainesville, Ga.

No. MC 107515 (Sub-No. E193), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant’s representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Baltimore, Md., to points in Nevada, that part of Missouri on and south of a line beginning at the Missouri-Illinois State line, thence along Missouri Highway 34 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Missouri-Oklahoma State line. The purpose of this filing is to eliminate the gateways of Richmont, Va., (1) Gainesville, Ga.

No. MC 107515 (Sub-No. E247), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant’s representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Unfrozen meat and meat products (except commodities in bulk, in tank vehicles), from Sidney, Neb., to the District of Columbia, Philadelphia, Chester, and Levittown, Pa., and to points in that part of Virginia on and east of U.S. Highway 29, that part of Maryland on and south of U.S. Highway 301, that part of Delaware on and south of U.S. Highway 40, that part of Rhode Island on and south of U.S. Highway 6, that part of New Jersey on and south of a line beginning at the Delaware River, thence along New Jersey Highway 70 to junction New Jersey Highway 88, thence along New Jersey Highway 88 to the Atlantic Ocean, that part of Connecticut on and east of a line beginning at the Long Island Sound, thence along Connecticut Highway 156 to the Connecticut Turnpike, thence along the Connecticut Turnpike to Junction Connecticut Highway 52, thence along Connecticut Highway 52 to the Connecticut-Massachusetts State line, and that part of Massachusetts on and south of a line beginning at the Massachusetts-New York Island State line, thence along Interstate Highway 95 to junction Massachusetts Highway 123, thence along Massachusetts Turnpike to junction on unnumbered Massachusetts Road, thence along the unnumbered Massachusetts Road to Fall River, Massachusetts.

The purpose of this filing is to eliminate the gateway of Fall River, Massachusetts.

No. MC 107515 (Sub-No. E248), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant’s representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, Meats, meats products, and meats by-products, from the plant site of Oscar Mayer & Co., Inc., at Beardstown, Ill., to that part of Virginia on and east of a line beginning at the North Carolina-Virginia State line, restricted against the transportation of shipments destined to points in Florida. The purpose of this filing is to eliminate the gateway of Nashville, Tenn.

The purpose of this filing is to eliminate the gateway of Gainesville, Ga.

No. MC 107515 (Sub-No. E250), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant’s representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meats products, and meats by-products from the plant site of Standard Foods, Inc., at or near Clinton, Iowa, to points in that part of Mississippi on and south of a line beginning at the Mississippi-Alabama State line, thence along U.S. Highway 64 to junction Interstate Highway 64, thence along Interstate Highway 64 to junction Mississippi Highway 33 to junction Mississippi Highway 24, thence along Mississippi Highway 24 to junction Mississippi Highway 33, thence along Mississippi Highway 33 to junction Louisiana Highway 19, thence along Louisiana Highway 19 to junction Louisiana Highway 18, thence along U.S. Highway 70 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 68, thence along U.S. Highway 68 to the International Boundary line between the United States and Mexico. The purpose of this filing is to eliminate the gateways of Gainesville, Ga.


The purpose of this filing is to eliminate the gateway of Gainesville, Ga.
Interstate 90 to its junction withAlternate U.S. Highway 14, thence along Alternate U.S. Highway 14 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to the Simms-Colorado State line. The purpose of this filing is to eliminate the gateway of points in Pueblo, Colo.

No. MC 108499 (Sub-No. E169), filed May 24, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Mullendick (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen vegetables, frozen fruits, and frozen berries, in vehicles equipped with mechanical refrigeration, from the plantsite and storage facilities utilized by American Beef Packers, Inc., in Pottawattamie County, Iowa, to points in New Mexico, Arizona, that part of California and Nevada-Utah that part of Colorado on, north, and east of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 70 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 93, thence along U.S. Highway 93 to Junction Colorado Highway 13, thence along Colorado State Highway 13 to the Colorado-Wyoming State line. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 110098 (Sub-No. E72), filed May 19, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. W. Cothren (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, and meat by-products, 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 765 (except hides and commodities in bulk), in vehicles equipped with mechanical refrigeration, from points in Denver County, Colorado, to points in Arizona, Nevada, Montana, Wyoming, that part of Arizona on and south of a line beginning at the New Mexico-Arizona State line, thence along U.S. Highway 70 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Arizona-Nevada State line, and that part of Colorado on, north, and east of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 50 to Junction U.S. Highway 285, thence along U.S. Highway 285 to Junction U.S. Highway 74, thence along U.S. Highway 74 to Junction Colorado Highway 13, thence along Colorado State Highway 13 to the Colorado-Wyoming State line. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 110098 (Sub-No. E70), filed May 9, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. W. Cothren (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, and meat by-products, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 272, 273, and 766, and frozen foods, all in vehicles equipped with mechanical refrigeration, from points in Dona Ana County, New Mexico, to points in California, Oregon, Washington, Nevada, Montana, Wyoming, and that part of Colorado on and north of U.S. Highway 50. The purpose of this filing is to eliminate the gateway of El Paso, Texas.

No. MC 110093 (Sub-No. E73), filed May 19, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. W. Cothren (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, and meat by-products, as described in Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 272, 273, and 766, and frozen foods, all in vehicles equipped with mechanical refrigeration, from points in Quay, Curry, and Chaves Counties, New Mexico, to points in California, Oregon, Washington, Nevada, Montana, Wyoming, that part of Arizona on and south of a line beginning at the New Mexico-Arizona State line, thence along U.S. Highway 70 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Arizona-Nevada State line, and that part of Colorado on, north, and east of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 50 to junction U.S. Highway 285, thence along U.S. Highway 285 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction Colorado Highway 13, thence along Colorado State Highway 13 to the Colorado-Wyoming State line. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 110093 (Sub-No. E71), filed May 19, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. W. Cothren (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, and meat by-products, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 272, 273, and 766, and frozen foods, all in vehicles equipped with mechanical refrigeration, from points in Quay, Union, Curry, and Chaves Counties, New Mexico, to points in Arizona, California, Oregon, Washington, and Nevada. The purpose of this filing is to eliminate the gateway of Farrell or Glennio, Texas.

No. MC 110093 (Sub-No. E74), filed May 19, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. W. Cothren (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, and meat by-products, as described in Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 272, 273, and 766, and frozen foods, all in vehicles equipped with mechanical refrigeration, from points in Quay, Curry, and Chaves Counties, New Mexico, to points in California, Oregon, Washington, Nevada, Montana, Wyoming, that part of Arizona on and south of a line beginning at the New Mexico-Arizona State line, thence along U.S. Highway 70 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Arizona-Nevada State line, and that part of Colorado on, north, and east of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 50 to junction U.S. Highway 285, thence along U.S. Highway 285 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction Colorado Highway 13, thence along Colorado State Highway 13 to the Colorado-Wyoming State line. The purpose of this filing is to eliminate the gateway of points in Texas.
and Roosevelt Counties, N. Mex., to points in Montana, Wyoming, and Colorado, restricted against the transportation of traffic from points in Quay County, New Mexico to points in LaFollette and Montezuma Counties, Colo. The purpose of this filing is to eliminate the gateway of Farwell and Dalhart, Tex.

No. MC 110420 (Sub-No. B282), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 110525 (Sub-No. E1265), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such coal tar products as are dry chemicals, in bulk, in tank vehicles, from points in Jefferson County, Ky., to points in Kentucky (except points in Aroostook County, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of Lima, Pa., Newark, N.J., and Springfield, Mass.

No. MC 110525 (Sub-No. E1269), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dry chemicals (except calcium chloride), in bulk, in tank vehicles, from Solvay, N.Y., to points in Missouri. The purpose of this filing is to eliminate the gateway of South Fayette Township, Allegheny County, Pa.

No. MC 110625 (Sub-No. E1270), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum products (except liquid wax and commodities requiring attached heater equipment), in tank vehicles, from the District of Columbia and points in Maryland (Pittsburgh, Pa.), to points in North Carolina, South Carolina, and Georgia. The purpose of this filing is to eliminate the gateways of South Fayette Township, Allegheny County, Pa.

No. MC 110625 (Sub-No. E1271), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid chemicals and coal tar products, in bulk, in tank vehicles, from points in Jefferson County, Ky., (1) to Philadelphia, Pa., New York, N.Y., and points in New England, and (2) to points in Connecticut, Massachusetts, and Rhode Island (Lima, Pa., and Newark, N.J.). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110625 (Sub-No. E1275), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid chemicals and coal tar products, in bulk, in tank vehicles, from points in Jefferson County, Ky., to points in Kentucky (except points in Aroostook County, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of Lima, Pa., Newark, N.J., and Springfield, Mass.

No. MC 110525 (Sub-No. E1281), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid chemicals, in bulk, in tank vehicles, from Chicago Heights, Ill., (1) to points in Maine, New Hampshire, and Vermont (Syracuse, N.Y.), (2) to points in Massachusetts, Connecticut, and Rhode Island (Morristown, N.J.), and the District of Columbia and points in Maryland (Pittsburgh, Pa.), (4) to points in North Carolina, South Carolina, and Georgia. The purpose of this filing is to eliminate the gateways of South Fayette Township, Allegheny County, Pa.

No. MC 110525 (Sub-No. E1286), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such coal tar products as are dry chemicals, in bulk, in tank vehicles, from points in Jefferson County, Ky., (1) to Philadelphia, Pa., New York, N.Y., and points in New England, and (2) to points in Connecticut, Massachusetts, and Rhode Island (Lima, Pa., and Newark, N.J.). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110625 (Sub-No. E1281), filed June 4, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fish oils, sea animal oils, and vegetable oils, in bulk, in tank vehicles, from points in Connecticut, Massachusetts, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of South Fayette Township, Allegheny County, Pa.
inc. to eliminate the gateways indicated by asterisks above.

No. MC 110686 (Sub-No. E1), (Correction), filed May 9, 1974, published in the FEDERAL REGISTER September 5, 1974. Applicant: MCCORMICK DRAY LINE, INC., Avis, Pa. Applicant's representative: William O. Turney, 2001 Mass. Ave. NW, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: * * * (6) Machinery and machine parts, from points in that part of New Jersey north of a line beginning at the New Jersey-Pennsylvania State line, thence along Interstate Highway 80 to junction Garden State Parkway, thence along the Garden State Parkway to junction New Jersey Highway 6, thence along New Jersey Highway 6 to the Hudson River, thence into New York in the vicinity of and south of U.S. Highway 6 and on and west of U.S. Highway 220 (Munsey, Pa.). The purpose of this filing is to eliminate the gateway indicated by asterisks above. The purpose of this partial correction is to reflect the destination territory. The remainder of the letter-portions remains as previously published.

No. MC 110761, E1, filed June 4, 1974. Applicant: CARROLL TRANSPORT, INC., 110 Allegheny Bldg., Adams Street, Pittsburgh, Penn. 15233. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Denver, Colo. 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles and iron and steel scrap, between points in Marshall, Ohio, and Marshall Counties, West Virginia, on the one hand, and, on the other, Lancaster, Rochester, and Buffalo, New York. The purpose of this filing is to eliminate the gateway of Canton Township (Washington County), Penn.

No. MC 110761, E3, filed June 4, 1974. Applicant: CARROLL TRANSPORT, INC., 110 Allegheny Bldg., Adams Street, Pittsburgh, Penn. 15233. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Penn. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles and iron and steel scrap, between points in Weirton, Ohio, and points in Brooke, Ohio, and Marshall Counties, West Virginia, on the one hand, and, on the other, Lancaster, Rochester, and Buffalo, New York. The purpose of this filing is to eliminate the gateway of Canton Township (Washington County), Penn.

No. MC 110761, E4, filed June 4, 1974. Applicant: CARROLL TRANSPORT, INC., 110 Allegheny Bldg., Adams Street, Pittsburgh, Penn. 15233. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Penn. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, (1) from points in that portion of California on and north of a line beginning at Los Angeles and extending along Interstate Highway 405 to junction California Highway 14 to junction U.S. Highway 395, thence along U.S. Highway 395 to the Nevada-California State line to points in that portion of Arkansas on and east of a line beginning at the Arkansas-Missouri State line and extending along U.S. Highway 63 to junction Interstate Highway 55, thence along Interstate Highway 55 to the Mississippi-Illinois State line, and points in that portion of Missouri on, east, and north of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 20 to junction Interstate Highway 80 to junction Interstate Highway 5. The purpose of this filing is to eliminate the gateway of Canton Township (Washington County), Penn.

No. MC 115826 (Sub-No. E4), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER August 22, 1974. Applicant: W. J. DIGBY, INC., P.O. Box 5088, Denver, Colo. 80217. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen, fresh, and cured meats and frozen meat products, from Denver, Colo., to points in that part of Oregon on and west of a line beginning at the California-Oregon State line and extending along U.S. Highway 97 to Eend, thence along U.S. Highway 20 to junction Interstate Highway 5 and extending along Interstate Highway 5 to the Oregon-Washington State line, and points in that part of Washington on and west of a line beginning at the Washington-Oregon State line and extending along Interstate Highway 5 to Olympia, thence along U.S. Highway 101 to Maryland and the Puget Sound. The purpose of this filing is to eliminate the gateway of Alturas, Calif. The purpose of this correction is to correctly describe the destination territory.

No. MC 115826 (Sub-No. E13), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER August 22, 1974. Applicant: W. J. DIGBY, INC., P.O. Box 5088, Denver, Colo. 80217. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen, fresh, and cured meats, and frozen meat products, from the plant site of Minden Beef Company at or near Minden, Nev., to points in that part of Oregon on and west of a line beginning at the California-Oregon State line and extending along U.S. Highway 97 to junction U.S. Highway 197, thence along U.S. Highway 197 to the Oregon-Washington State line. The purpose of this filing is to eliminate the gateway of Alturas, Calif. The purpose of this correction is to clarify route descriptions.
fresh, and cured meats, and frozen meat products, including producer-owned Beef Packers Company near Garden City, Kans., to points in that part of Oregon on and west of a line beginning at the California-Oregon State line, extending along U.S. Highway 395 to Burns, thence along U.S. Highway 20 to Bend, thence along U.S. Highway 97 to the Oregon-Washington State line, and points in that part of Washington on and west of a line beginning at the Oregon-Washington State line extending along the eastern boundaries of Skamania, Lewis, and Pierce Counties to the intersection of Washington Highway 410, thence along Washington Highway 410 to junction Washington Highway 419, thence along Interstate Highway 5 to junction Interstate Highway 405, thence along Interstate Highway 405, thence along Interstate Highway 5 to junction U.S. Highway 212, thence along U.S. Highway 212 to the Montana-Wyoming State line, thence along the Montana-Wyoming State line to the North Dakota-Montana State line, thence along the Montana-North Dakota State line and extending along Interstate Highway 20 to junction Interstate Highway 59 to junction U.S. Highway 49, thence along U.S. Highway 49 to the Gulf of Mexico; and (3) between points in Minnesota on and west of a line beginning at the Minnesota-Towa State line and extending along U.S. Highway 71 to junction U.S. Highway 5, thence along U.S. Highway 5 to junction U.S. Highway 92, thence along Interstate Highway 92 to junction U.S. Highway 59 to the U.S.-Canada International Boundary line, on the one hand, and, on the other, points in Minnesota on and west of a line beginning at the Minnesota-Towa State line and extending along U.S. Highway 71 to junction U.S. Highway 5, thence along U.S. Highway 5 to junction U.S. Highway 92, thence along Interstate Highway 92 to junction U.S. Highway 59 to the U.S.-Canada International Boundary line, on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateways of points in Arizona, and Birmingham, Ala., and points within 15 miles thereof.

No. MC 116073 (Sub-No. E4), filed June 4, 1974. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., P.O. Box 919, Moorhead, Minn. 56560. Applicant's representative: W. J. DIGBY, INC., P.O. Box 5086, Denver, Colo. 80222. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen fruits and vegetables, from Browndsville and Harlingen, Tex., to points in Oregon (except points in those portions of Malheur and Harvey Counties south of U.S. Highway 20), points in Washington (except points in those portions of Malheur and Harvey Counties south of U.S. Highway 20) to the Minnesota-South Dakota State line, thence along Interstate Highway 90 to Junction Interstate Highway 94, thence along Interstate Highway 94 to the Mississippi-Louisiana State line; and points in Arkansas, and Birmingham, Ala., and points within 15 miles thereof.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
Ark. sought to operate as a common carrier, by motor vehicle, over irregular routes, two trailer homes, in secondary movements, in truckway service, (1) between the points on the one hand, and on the other, points in Florida and Georgia, and (2) between points in Minnesota, on the one hand, and, on the other, Binghamton, Ala., and points within those states thereof. The purpose of this filing is to eliminate the gateways of points in Arkansas and Binghamton, Ala., and points within 15 miles thereof (1) and points in Arkansas in (2).

No. MC 116073 (Sub-No. E9), filed June 4, 1974. Applicant: CARL SUBLER TRUCKING, INC., PO. Box 919, Moorhead, Minn. Applicant's representative: David L. Wanner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared and preserved meats, meat products, and meat by-products and articles distributed by meat packhouses, 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 768, in containers, restricted to commodities fit for human consumption from the plant site and warehouses of America Beef, Inc., at or near Fort Morgan, Colo., to points in Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, Philadelphia, Pa., and New York, N.Y. The purpose of this filing is to eliminate the gateway of points in California.

No. MC 116072 (Sub-No. E9), filed June 4, 1974. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., P.O. Box 919, Moorhead, Minn. Applicant's representative: David L. Wanner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Used Mobile homes, in secondary movements, in truckway service, between Sidney, Nebr., and points in Nebraska within 50 miles of Sidney, on the one hand, and, on the other, points in Montana. The purpose of this filing is to eliminate the gateway of points in Wyoming.

No. MC 116763 (Sub-No. E29), filed May 22, 1974. Applicant: CARL SUBLER TRUCKING, INC., PO. Box 919, Moorhead, Minn. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Building materials and building supplies (except lumber, plywood, veneer, forest products, and paper products), restricted to commodities fit for human consumption, from Sterling, Colo., to points in Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, Philadelphia, Pa., and New York, N.Y. The purpose of this filing is to eliminate the gateway of points in Arkansas.

No. MC 117119 (Sub-No. E169), filed June 5, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. McLean (same as above). Applicant's representative: David L. Wanner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared and preserved meats, meat products, and meat by-products and articles distributed by meat packhouses, 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 768, in containers, restricted to commodities fit for human consumption, from Sterling, Colo., to points in Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, Philadelphia, Pa., and New York, N.Y. The purpose of this filing is to eliminate the gateway of points in Arkansas.

No. MC 117119 (Sub-No. E170), filed June 5, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. McLean (same as above). Applicant's representative: David L. Wanner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared and preserved meats, meat products, and meat by-products and articles distributed by meat packhouses, 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 768, in containers, restricted to commodities fit for human consumption, from Sterling, Colo., to points in Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, Philadelphia, Pa., and New York, N.Y. The purpose of this filing is to eliminate the gateway of points in Arkansas.

No. MC 117119 (Sub-No. E171), filed June 5, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. McLean (same as above). Applicant's representative: David L. Wanner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared and preserved meats, meat products, and meat by-products and articles distributed by meat packhouses, 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 768, in containers, restricted to commodities fit for human consumption, from Sterling, Colo., to points in Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, Philadelphia, Pa., and New York, N.Y. The purpose of this filing is to eliminate the gateway of points in Arkansas.

No. MC 117119 (Sub-No. E173), filed June 5, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. McLean (same as above). Applicant's representative: David L. Wanner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared and preserved meats, meat products, and meat by-products and articles distributed by meat packhouses, 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 768, in containers, restricted to commodities fit for human consumption, from Sterling, Colo., to points in Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, Philadelphia, Pa., and New York, N.Y. The purpose of this filing is to eliminate the gateway of points in Arkansas.

No. MC 117119 (Sub-No. E174), filed June 5, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. McLean (same as above). Applicant's representative: David L. Wanner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared and preserved meats, meat products, and meat by-products and articles distributed by meat packhouses, 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 768, in containers, restricted to commodities fit for human consumption, from Sterling, Colo., to points in Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, Philadelphia, Pa., and New York, N.Y. The purpose of this filing is to eliminate the gateway of points in Arkansas.
Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cardboard products, from Newark, Ohio, to points in Minnesota. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind.

No. MC 119531 (Sub-No. E284), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paper containers, from Lebanon, Pa., to points in New Jersey. The purpose of this filing is to eliminate the gateway of the plant site of Continental Can Company at Worthington, Ohio.

No. MC 119531 (Sub-No. E281), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Glass containers, from Lapel, Ind., to points in Indiana. The purpose of this filing is to eliminate the gateway of the plant site of Liquid Box Corporation or the plant site of Continental Can Company at Worthington, Ohio.

No. MC 119531 (Sub-No. E280), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fiberboard containers, from Bradford, Pa., to points in Wisconsin and Iowa. The purpose of this filing is to eliminate the gateway of Addison, Ill.

No. MC 119531 (Sub-No. E281), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cardboard products, from Bradford, Pa., to points in Minnesota. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Fremont Container Company at Fremont, Ohio.

No. MC 119531 (Sub-No. E282), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fibre drums, from Louisville, Ky., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Anderson, Ind.

No. MC 119531 (Sub-No. E283), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cardboard products, from Newark, Ohio, to points in Minnesota. The purpose of this filing is to eliminate the gateway of Anderson, Ind.

No. MC 119531 (Sub-No. E284), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paper containers, from Lebanon, Pa., to points in New Jersey. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 119531 (Sub-No. E285), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fiberglass containers, from Piqua, Ohio, to points in Missouri. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind.

No. MC 119531 (Sub-No. E286), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Packer stalks, from the plant of Midland Glass Company, Inc., at or near Terre Haute, Ind., to points in New Jersey, New York, and Pennsylvania. The purpose of this filing is to eliminate the gateway of the gateway of Warren, Ill.

No. MC 119531 (Sub-No. E287), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fiberglass containers, from Piqua, Ohio, to points in Missouri. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind.

No. MC 119531 (Sub-No. E288), filed May 22, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fiberglass containers, from Piqua, Ohio, to points in Minnesota. The purpose of this filing is to eliminate the gateway of Wisconsin. The purpose of this filing is to eliminate the gateway of Anderson, Ind.

No. MC 123407 (Sub-No. E165), filed June 17, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing and roofing materials (except iron and steel and commodities in bulk) and materials used in the installation thereof from the plant site of Johnsville Products Corporation at Whiting, Ind., to points in that part of Arkansas bounded by a line beginning at the Missouri-Arkansas State line, thence along U.S. Highway 67 to junction U.S. Highway 270, thence along U.S. Highway 270 to the junction of U.S. Highway 79 and Arkansas, Tennessee State line. The purpose of this filing is to eliminate the gateway of the plant site of Johnsville Products Corporation at East St. Louis, Ill.

No. MC 123407 (Sub-No. E166), filed July 16, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Precast concrete structures used as a building material from Hammond, Ind., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Warren, Ill.
NOTICES

37123

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

No. MC 123407 (Sub-No. E107), filed July 18, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Particleboard, from the plant site of Plywood Panels, Inc., at or near New Orleans, La., to points in South Carolina, North Carolina, Virginia, West Virginia, Kentucky, Indiana, Illinois, Kansas, Nebraska, Iowa, South Dakota, Wisconsin, Minnesota, North Dakota, the Upper Peninsula of Michigan, and Arkansas (except points in Colombia, Lafayette, Miller, and Little River Counties). The purpose of this filing is to eliminate the gateway of the plant site of Georgia-Pacific Corporation at Taylorsville, Miss.

No. MC 123407 (Sub-No. E108), filed July 18, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Precast concrete structures used in prefabricated buildings from Hammond, Ind., to points in Montana and Wyoming (except Carbon, Albany, Platte, Goshen, and Laramie Counties). The purpose of this filing is to eliminate the gateway of points in Warren, Ill., and Litchfield, Minn.

No. MC 123407 (Sub-No. E109), filed July 18, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Precast concrete structures used as a building material from Warren, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Delaware, Maryland, Virginia, West Virginia, Kentucky, Tennessee, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Hammond, Ind.

No. MC 123407 (Sub-No. E10), filed May 29, 1974. Applicant: SCHWEMAN TRUCKING CO., 611 South 28 Street, Milwaukee, Wis. 53206. Applicant's representative: Richard H. Prevete (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Asphalt, prefabricated buildings from Hammond, Ind., to the Gateway of Hammond, Ind., as defined by the Commission, to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of points in Indiana south of U.S. Highway 40.

No. MC 123407 (Sub-No. E04), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th Street, P.O. Box 81489, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between Washington, D.C., and points in Montana south of U.S. Highway 287; to the Commission, between points in Montana south of U.S. Highway 287 and points in Idaho south of U.S. Highway 20. The purpose of this filing is to eliminate the gateway of points in Idaho south of U.S. Highway 20.

No. MC 123407 (Sub-No. E05), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th Street, P.O. Box 81489, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Montana south of U.S. Highway 287 and points in Idaho south of U.S. Highway 20. The purpose of this filing is to eliminate the gateway of points in Idaho south of U.S. Highway 20.
vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E71), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 82066, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E72), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 82066, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E73), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 82066, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E74), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 82066, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E75), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 82066, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E76), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 82066, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.
INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Tennessee (except points in Shelby, Tipson, Haywood, and Fayette Counties) on the one hand, and, on the other, points in Wyoming on and south of a line from the Nebraska-Wyoming State line along U.S. Highway 20 to the junction of U.S. Highway 20 and the Idaho-Wyoming State line. The purpose of this filing is to eliminate the gateways of points in Indiana south of U.S. Highway 40.

No. MC 128741 (Sub-No. E79), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Wyoming, on the one hand, and, on the other, points in Michigan, on and west of the Memorial Peninsula of Michigan (except points in Presque Isle, Cheboygan, and Emmet Counties) on the one hand, and, on the other, points in Wyoming on and south of a line from the Nebraska-Wyoming State line along U.S. Highway 20 to the junction of U.S. Highway 20 and the Idaho-Wyoming State line. The purpose of this filing is to eliminate the gateways of points in Indiana south of U.S. Highway 40.

No. MC 128741 (Sub-No. E80), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Tennessee on and east of a line from the Mississippi-Fence Post along Tennessee State Line 22 to the junction of U.S. Highway 64, thence along U.S. Highway 64 to the junction of Tennessee State Line 22, thence along Tennessee State Line 22 to the junction of U.S. Highway 79, thence along U.S. Highway 79 to the junction of Tennessee State Line 22, thence along Tennessee State Line 22 to the junction of Kentucky-Tennessee State Line on the one hand, and, on the other, points in Rock, Nobles, Jackson, Cottonwood, Redwood, Lyon, Murray, Pipestone, and Lincoln Counties, Minn. The purpose of this filing is to eliminate the gateway of points in Indiana south of U.S. Highway 40.

No. MC 128741 (Sub-No. E81), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Wyoming, on the one hand, and, on the other, points in Iowa on and south of U.S. Highway 20. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E82), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Wyoming, on the one hand, and, on the other, points in South Dakota on and east of U.S. Highway 20. Thence along Nebraska Highway 287 to the junction of U.S. Highway 287, thence along U.S. Highway 287 to the junction of U.S. Highway 26, thence along U.S. Highway 26 to the Idaho-Wyoming State line. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E83), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in South Dakota on and east of U.S. Highway 287, thence along Nebraska Highway 287 to the junction of U.S. Highway 287, thence along U.S. Highway 287 to the junction of U.S. Highway 26, and, on the other, points in South Dakota on and east of U.S. Highway 26. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E84), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in South Dakota on and east of U.S. Highway 26, thence along U.S. Highway 26 to the Idaho-Wyoming State line. The purpose of this filing is to eliminate the gateway of Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E85), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in South Dakota on and east of U.S. Highway 26, and, on the other, points in South Dakota on and east of the Missouri River. The purpose of this filing is to eliminate the gateway of points in Indiana south of U.S. Highway 40 and Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E86), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in South Dakota on and east of U.S. Highway 26, and, on the other, points in South Dakota on and east of the Missouri River. The purpose of this filing is to eliminate the gateway of points in Indiana south of U.S. Highway 40 and Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E87), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in South Dakota on and east of U.S. Highway 26, thence along Nebraska Highway 287 to the junction of U.S. Highway 287, thence along U.S. Highway 287 to the junction of U.S. Highway 26, and, on the other, points in South Dakota on and east of U.S. Highway 26. The purpose of this filing is to eliminate the gateway of points in Indiana south of U.S. Highway 40 and Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E88), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in South Dakota on and east of U.S. Highway 26, thence along Nebraska Highway 287 to the junction of U.S. Highway 287, thence along U.S. Highway 287 to the junction of U.S. Highway 26, and, on the other, points in South Dakota on and east of U.S. Highway 26. The purpose of this filing is to eliminate the gateway of points in Indiana south of U.S. Highway 40 and Arnold, Nebr., and points within 40 miles thereof.

No. MC 128741 (Sub-No. E89), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in South Dakota on and east of U.S. Highway 26, thence along Nebraska Highway 287 to the junction of U.S. Highway 287, thence along U.S. Highway 287 to the junction of U.S. Highway 26, and, on the other, points in South Dakota on and east of U.S. Highway 26. The purpose of this filing is to eliminate the gateway of points in Indiana south of U.S. Highway 40 and Arnold, Nebr., and points within 40 miles thereof.
transporting: Household goods, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in Oklahoma, on the one hand, and, on the other, points in New Mexico, on the one hand, and, on the other, points in Georgia, seeks to establish Atlanta, Ga., as an alternate point of junction to Johnsonville and Savannah, Ga. (2) Between central states that there will be gateways at Athens, Atlanta, Athens, Ga., and Sanford, Fayetteville, New Bern, and Wilmington, N.C. Applicant states that the purpose of (2) above is to eliminate the gateways of Chicago and Peoria, Ill., and points in Ohio, on the one hand, and, on the other, points in South Carolina, Atlanta, Ga., and Sanford, Fayetteville, and Laurinburg, N.C. Applicant states that the purpose of (2) above is to eliminate the gateway of Oklahoma City, Okla., on the one hand, and, on the other, Davenport, Iowa. The purpose of this filing is to eliminate all gateways of points in Greene County, Mo., and points in Canadian County, Okla.

No. MC 128741 (Sub-No. E90), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th Street, P.O. Box 51849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in New Mexico, on the one hand, and, on the other, Kecskemét, Iowa. The purpose of this filing is to eliminate all gateways of points in Jasper County, Mo., and points in Canadian County, Mo., and points in Canadian County, Okla.

No. MC 128741 (Sub-No. E90), filed June 4, 1974. Applicant: AMERICAN TRANS-CONTINENTAL VAN LINES, INC., P.O. Box 80266, Lincoln, Nebr. 68501. Applicant's representative: A. J. Swanson, 521 South 14th Street, P.O. Box 51849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Nebraska, on the one hand, and, on the other, Davenport, Iowa. The purpose of this filing is to eliminate all gateways of points in Jasper County, Mo., and points in Canadian County, Mo., and points in Canadian County, Okla.

By the Commission.

Robert L. Osvald, Secretary.

Motor Carrier, Broker, Water Carrier and Freight Forwarder Applications

October 11, 1974.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1974, it is stated that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.2471 of the Commission's general rules of practice (49 CFR, as amended), published in the Federal Register of April 28, 1966, effective April 29, 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 the publication of the application 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 proposed route-the by joiner, interline, or other means-by which protestant would use such authority to provide all or part of the service, and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protest not in accordance 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, who shall serve a reply, 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 with the proceeding, (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 31, 1966, which modification will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.


[Notice No. 82]
NOTICES

37127

South Carolina within 30 miles of Laurens-
burg, N.C., and York, S.C., and shall serve Alberton, Hartwell, Savannah, and Toccoa, Ga.

Note.—Applicant intends to tack the au-
thority sought to operate in parts (1) and (2) above with regular authority held in Georgia and North Carolina at the Georgia and North Carolina points named therein in order to provide service between Chicago and Fort Lauderdale, Fla.; points in Ohio; and Buffalo, N.Y., on the one hand, and, and on the other, all points authorized to be served in Georgia and North Carolina. Applicant intends to tack the authority sought in part (4) above, with all regular route authority held in Georgia and North Carolina at the Georgia and North Carolina points named therein in order to provide through service between New York City, N.Y., and points in New Jersey, Maine, New Hampshire, Mary-
land, Virginia, and the District of Columbia to all points authorized to be served in Georg-
i and North Carolina. Applicant intends to tack the authority sought in (5) above with all regular route authority held in Georgia and North Carolina at the Georgia and North Carolina points named therein in order to provide through service between points in South Carolina, on the one hand, and, on the other, all points authorized to be served in Georgia and North Carolina. Common com-
modities (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 plant and warehouse facilities of Walker Manufacturing Company at or near Winfield, Cotton Mills, at or near Aliceville, Ala., and the plantsites and warehouses of Winfield Cotton Mills at or near Winfield, Ala., and the plants and warehouses of Fayette Cotton Mills at or near Fayette, Ala., and serving points in Mon-
tona County, Miss., and the plantsites and ware-
houses of Tishomingo, Tippah, Panola, Prentiss, Lafayette, Union, Itawamba, Pontotoc, Lee, Chicot, Monroe, Clay, Lowndes, Noxubee, Winfield, Oktibbeha, and Webster Counties, Miss., and Coosa and Clay Counties, Ala., as off-route points.

Note.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Neb.

No. MC 2229 (Sub-No. 180), filed Septem-
ber 9, 1974. Applicant: RED BALL MOTOR FREIGHT, INC., 5177 Irving Blvd., P.O. Box 47407, Dallas, Texas, 75247. Applicant's representative: Gary L. Johnson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commod-
ities (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 plant and warehouse facilities of Western Kraft Division, Williamette Industries, Inc., located at or near Campti, Quitzal-
teches Parish, La., as an off-route point for operating convenience only, in connection with applicant's regular route operations as authorized in MC 2229 (Sub-No. 119).

Note.—If a hearing is deemed necessary, applicant requests it be held at either Dallas, Tex., or Portland, Ore.

No. MC 1053 (Sub-No. 55) (Amend-
ment), filed December 3, 1973, published in the Federal Register Issue of April 11, 1974, and republished, as amended this issue. Applicant: FLOYD & BEASLEY TRANSFER COMPANY, INC., P.O. Drawer 8, Eymar, Ala., 35543. Applicant's representative: Maurice P. High, 5001 Frank Nelson Building, Birmingham, Ala. 35293. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commod-
ities (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 the off-route points of Bir-
mingham, Ala., the plant and warehouses of Winfield Cotton Mills at or near Winfield, Ala., and the plantsites and warehouses of Fayette Cotton Mills at or near Fayette, Ala.; and (b) from Fell City over U.S. Highway 78 to Tupelo, Miss., thence over U.S. Highway 45 to Corinth, Miss., and return over the same route; serving the off-route points of Bil-
mington, Ala., the plantsites and warehouses of Winfield Cotton Mills at or near Winfield, Ala., and the plantsites and warehouses of Fayette Cotton Mills at or near Fayette, Ala., and serving points in Mon-
tona County, Miss., and the plantsites and ware-
houses of Tishomingo, Tippah, Panola, Prentiss, Lafayette, Union, Itawamba, Pontotoc, Lee, Chicot, Monroe, Clay, Lowndes, Noxubee, Winfield, Oktibbeha, and Webster Counties, Miss., and Coosa and Clay Counties, Ala., as off-route points.

Note.—If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Corinth, Miss.: (a) From Fell City over U.S. Highway 31 to junction Alabama Highway 67, thence over Alabama Highway 67 to junction Alternate U.S. Highway 72, thence over Alternate U.S. Highway 72 to junction U.S. Highway 78 at or near Tuscaloosa, Ala., thence over U.S. Highway 78 to Corinth, Miss., and return over the same route, serving the off-route points of Bil-
mington, Ala., the plantsites and warehouses of Winfield Cotton Mills at or near Winfield, Ala., and the plantsites and warehouses of Fayette Cotton Mills at or near Fayette, Ala., and serving points in Mon-
tona County, Miss., and the plantsites and ware-
houses of Tishomingo, Tippah, Panola, Prentiss, Lafayette, Union, Itawamba, Pontotoc, Lee, Chicot, Monroe, Clay, Lowndes, Noxubee, Winfield, Oktibbeha, and Webster Counties, Miss., and Coosa and Clay Counties, Ala., as off-route points; and (b) from Corinth, Miss., and return over the same route as an alternate route for operating convenience only.

Note.—If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Corinth, Miss.: From the junction of U.S. Highways 78 and 78 at or near Guin, Ala., over U.S. Highway 78 to the junction of U.S. Highways 78 and 78 at or near Nettleton, Miss., thence over U.S. Highway 45 to Corinth, Miss., and return over the same route as an alternate route for operating convenience only.

Note.—If a hearing is deemed necessary, applicant requests it be held at either Dallas, Tex., or Portland, Ore.

No. MC 1641 (Sub-No. 103), filed Sep-
tember 9, 1974. Applicant: FEAKE TRUCK LINES, INC., 112 North State, Norton, Kansas 67654. Applicant's representative: Frances M. Taylor, 313 South Main Street, Commerce, Lake, N.Y. 12416. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commod-
ities (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 plant and warehouse facilities of Walker Manufacturing Company, at or near Seward, Neb., as an off-route point in connection with carrier's authorized regular route operations.

Note.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Neb.

No. MC 598 (Sub-No. 25), filed Sep-
tember 16, 1974. Applicant: IDEAL TRUCK LINES, INC., 912 North State, Norton, Kansas 67554. Applicant's representative: Richard B. Parker (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Soybean meal, soybean mill run, and soy-
bean hulls, dry, in bags or bulk, from the plant and warehouse facilities of Farmland Industries, Inc., located at or near Sergeant Bluff, Iowa, to points in Illinois, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, Wyoming, and those requiring special equipment, serving the off-route points 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 plant and warehouse facilities of Western Kraft Division, Williamette Industries, Inc., located at or near Campti, Quitzal-
same route; (4) Between Pell City, Ala., and Meridan, Miss.: From Pell City over U.S. Highway 231 to Rockford, Ala., thence over Alabama Highway 28 to Selma, Ala., thence over U.S. Highway 80 to Meridian, Miss., serving all intermediate points in Alabama, and serving those off-route points south of U.S. Highway 80 in Mississippi located on or within 2 miles of either U.S. Highway 80 or U.S. Highway 90.

(b) Service between points in Mississippi located on or within 2 miles of U.S. Highway 80 between Clinton, Miss., and Meridian, Miss., including Clinton and Meridian and points within their respective commercial zones; or on or within 2 miles of U.S. Highway 49 between Jackson, Miss., and Hattiesburg, Miss., and their respective commercial zones; on or within 2 miles of U.S. Highway 11 between Hattiesburg, Miss., and Meridian, Miss., including Hattiesburg and Meridian, and their respective commercial zones; on or within 2 miles of U.S. Highway 98 between Hattiesburg, Miss., and the Alabama-Mississippi State line, including Hattiesburg and Meridian, and their respective commercial zone; on or within 2 miles of U.S. Highway 45 between Meridian, Miss., and the Alabama-Mississippi State line, including Meridian and its commercial zone; and points in Wayne, Greene, Perry, George, Stone, Harrison, and Jackson Counties, Miss., on the one hand, and, on the other, the Atlantic, Ga., and points within 16 miles of Atlanta, Ga., Birmingham, Ala., and its commercial zone; and points in Alabama located on and south of U.S. Highway 88 (except service will be provided at points on U.S. Highway 88 between Selma, Ala., and the Alabama-Mississippi State line, including Selma and its commercial zone); and (c) Service between that part of Alabama and north of a line beginning at Birmingham (except Birmingham and its commercial zone) and extending along U.S. Highway 11 and/or Interstate Highway 65 between Montgomery and Dothan, thence along U.S. Highway 80 to the Alabama-Mississippi State line, and on and west of U.S. Highway 31 and/or Interstate Highways 65 between Helena and the Alabama-Tennessee State line (except Birmingham and its commercial zone), on the one hand, and, on the other, the Atlantic, Ga., and those requiring special equipment, as described in this application (except service will be rendered to and from the post offices, warehouses and storage facilities of the Fayette Cotton Mills located at or near Fayette, Ala., and the Winfield Cotton Mills located at or near Winfield, Ala., as requested in Part (1) (a)).

Note.—The purpose of this regulation is to amend applicant's request for authorization to operate as a common carrier, by motor vehicle, over regular routes, transporting: (1) 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), (2) Between Ottumwa, Iowa, and the junction of U.S. Highways 6 and 63; From Calhoun, Iowa, over U.S. Highway 63 to Junction U.S. Highway 6, serving the junction of U.S. Highways 63 and 6 for purposes of joint only; (3) Between Oskaloosa, Iowa, and the junction of U.S. Highways 34 and Interstate Highway 29 for purposes of joint only; (4) Between Oskaloosa, Iowa, and Des Moines, Iowa; From Oskaloosa, Iowa, over Iowa Highway 103 to Des Moines, serving Des Moines, Iowa, for the purpose of joint only; (5) Between Oskaloosa, Iowa and Junction of Interstate Highway 80 and U.S. Highway 63; From Calhoun, Iowa, over U.S. Highway 63 to Junction Interstate Highway 80, serving the junction of U.S. Highways 63 and 6 for purposes of joint only; (6) Between Des Moines, Iowa, and the junction of Iowa Highway 92 and U.S. Highway 276; From Des Moines, Iowa, over Iowa Highway 92 to Junction U.S. Highway 276, serving the junction of Iowa Highway 92 and U.S. Highway 276 for the purpose of joint; (1) through (6) inclusive, as alternate routes for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points.

Note.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis.

No. MC 22254 (Sub-No. 78), filed September 18, 1974. Applicant: TRANS- SHORE TRANSPORT, INC., 12301 West Freeway, P.O. Box 12608, Fort Worth, Tex. 76116. Applicant's representative: Hayes H. Thomas, 618 Per- petual Building, 111 W. North St., Washing- ton, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastics, uncrated, from points in Northumberland County, Va., to points in the United States (except Alaska and Hawaii).

Note.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis., or Washington, D.C.

No. MC 22312 (Sub-No. 6). filed September 8, 1974. Applicant: WEST SHORE TRANSPORT, INC., 215 Marble Street, Hammond, Ind. 46340. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indian- apolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from the plantate and warehouse facilities of Roll Coater, Inc., at or near Kingsbury, Menasha, Wis., over the Wisconsin Highway 29 to junction U.S. Highway 45, thence over U.S. Highway 45 to Waukesha, Wis., and, return over the same route, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, serving no intermediate points, but serving the terminal points for the purpose of joint only.

Note.—If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis.

No. MC 22254 (Sub-No. 78). filed September 18, 1974. Applicant: TRANS- SHORE TRANSPORT, INC., 12301 West Freeway, P.O. Box 12608, Fort Worth, Tex. 76116. Applicant's representative: Hayes H. Thomas, 618 Per- petual Building, 111 W. North St., Washing- ton, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastics, uncrated, from points in Northumberland County, Va., to points in the United States (except Alaska and Hawaii).

No. MC 22312 (Sub-No. 6). filed September 8, 1974. Applicant: WEST SHORE TRANSPORT, INC., 215 Marble Street, Hammond, Ind. 46340. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indian- apolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from the plantate and warehouse facilities of Roll Coater, Inc., at or near Kingsbury, Menasha, Wis., over the Wisconsin Highway 29 to junction U.S. Highway 45, thence over U.S. Highway 45 to Waukesha, Wis., and, return over the same route, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, serving no intermediate points.

Note.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis., or Washington, D.C.

No. MC 22312 (Sub-No. 6). filed September 8, 1974. Applicant: WEST SHORE TRANSPORT, INC., 215 Marble Street, Hammond, Ind. 46340. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indian- apolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from the plantate and warehouse facilities of Roll Coater, Inc., at or near Kingsbury, Menasha, Wis., over the Wisconsin Highway 29 to junction U.S. Highway 45, thence over U.S. Highway 45 to Waukesha, Wis., and, return over the same route, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, serving no intermediate points.

Note.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis., or Washington, D.C.

No. MC 22345 (Sub-No. 62). filed September 9, 1974. Applicant: WEST SHORE TRANSPORT, INC., 215 Marble Street, Hammond, Ind. 46340. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indian- apolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from the plantate and warehouse facilities of Roll Coater, Inc., at or near Kingsbury, Menasha, Wis., over the Wisconsin Highway 29 to junction U.S. Highway 45, thence over U.S. Highway 45 to Waukesha, Wis., and, return over the same route, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, serving no intermediate points.

Note.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis., or Washington, D.C.

No. MC 22345 (Sub-No. 62). filed September 9, 1974. Applicant: WEST SHORE TRANSPORT, INC., 215 Marble Street, Hammond, Ind. 46340. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indian- apolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from the plantate and warehouse facilities of Roll Coater, Inc., at or near Kingsbury, Menasha, Wis., over the Wisconsin Highway 29 to junction U.S. Highway 45, thence over U.S. Highway 45 to Waukesha, Wis., and, return over the same route, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, serving no intermediate points.

Note.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis., or Washington, D.C.

No. MC 22345 (Sub-No. 62). filed September 9, 1974. Applicant: WEST SHORE TRANSPORT, INC., 215 Marble Street, Hammond, Ind. 46340. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indian- apolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from the plantate and warehouse facilities of Roll Coater, Inc., at or near Kingsbury, Menasha, Wis., over the Wisconsin Highway 29 to junction U.S. Highway 45, thence over U.S. Highway 45 to Waukesha, Wis., and, return over the same route, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, serving no intermediate points.

Note.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis., or Washington, D.C.
NOTICES

Federal Register, Vol. 39, No. 202—Thursday, October 17, 1974

Highway 70 through Camden, N.J., to the New Jersey-New York State Boundary line (except Point Pleasant, Bay Head and Lakewood, N.J., and points in Monmouth County, N.J., on and east of U.S. Highway 70 to the ocean, except for special equipment), between the Township of Southampton, N.J., and Camden, N.J., on the one hand, and, on the other, points in that part of Hamilton County, Iowa, on and north of New Jersey Highway 70.

Note—Applicant proposes to tack at or any combination of (1), (2), and (3) above with one another to provide the following service: Part I combined with Part II, (4) at Southport, N.J., to provide service between Somerset, Hunterdon, Middlesex, Monmouth, Mercer, and Ocean Counties, N.J., on the one hand, and, on the other, points in New Jersey on and south of a line beginning at the New Jersey-New York State Boundary line and extending along U.S. Highway 9 to intersection U.S. Highway 9, thence along New Jersey Highway 70 through Camden, N.J., to the New Jersey-Pennsylvania State Boundary line (except Pt. Pleasant, Bay Head, and Lakewood, N.J., and points in Monmouth County, N.J.), to provide service between points in Southampton Township, N.J., to provide service between points in Somerset, Hunterdon, Middlesex, Monmouth, Mercer, and Ocean Counties, N.J., on the one hand, and, on the other, points north of New Jersey Highway 70; Part II combined with Part III, tack at Southampton, N.J., to provide service between points in New Jersey on and south of a line beginning at the New Jersey-New York State Boundary line and extending along U.S. Highway 9 to intersection U.S. Highway 9, thence along U.S. Highway 9 to intersection with New Jersey Highway 70, thence to Camden, N.J., to the New Jersey-Pennsylvania State Boundary line (except Pt. Pleasant, Bay Head, and Lakewood, N.J., and points in Monmouth County, N.J.), on the one hand, and, on the other, points on Brunswick County, N.J., on north of New Jersey Highway 70. Common control was approved by the Commission.

Note—Applicant requests it be held at Chicago, Ill.

No. MC 36589 (Sub-No. 5), filed September 19, 1974. Applicant: WELLS FARGO & CO., incorporated in California, doing business as WELLS FARGO & CO., a Partnership, R.F.D. #1, Homer, Ill. 61846. Applicant's representative: Nolan C. Craver, Jr., 210 North Broadway, Urbana, Ill. 61801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Coin, currency, negotiable and non-negotiable securities, bonds, and other valuables, between Huntington, W. Va., on the one hand, and, on the other, points in Boyd County, Ky.

Note—Common control may be involved.

If a hearing is deemed necessary, the applicant requests it be held at Huntington, W. Va., or Washington, D.C.

No. MC 29886 (Sub-No. 310), filed September 23, 1974. Applicant: DALLAS & MARITIME TRANSPORT CORPORATION, 4001 Ninth Street, P.O. Box 4313, Atlanta, Ga. 30302. Applicant's representative: Charles F. Houston, 4019 Ninth Street, P.O. Box 4313, Atlanta, Ga. 30302. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Motor vehicles and motor vehicle chassis, in initial movements, in driveaway and truckaway service, and bodies, cabs and parts of and accessories for such vehicles, from Hamilton County, Iowa, serving no intermediate points, as an alternate route for operating convenience only; from Mandeville over U.S. Highway 51 to junction U.S. Highway 55, thence over U.S. Highway 52 to Dixons, and return over the same route.

No. MC 30844 (Sub-No. 497), Correction, filed March 31, 1974, published in the Federal Register, Issue of April 25, 1974, and republished as corrected, this issue. Applicant: KROBLIN REFRIGERATED EXPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Paul Rhodes, 1069 Defensive Circle, Bloomington, Ill. 61701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such articles, as are dealt in by carriers for hire, except for such articles as Class A and Class B explosives, household goods as defined by the Commission; commodities in bulk, and commodities requiring special equipment), (1) Between Mendota and Dixon, Ill., serving no intermediate points, as an alternate route for operating convenience only; from Mandeville over U.S. Highway 51 to junction U.S. Highway 55, thence over U.S. Highway 52 to Dixons, and return over the same route.

Note—Common control may be involved.

If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 30837 (Sub-No. 465), filed September 23, 1974. Applicant: KENOSHER AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Charles Pieroni, 2500 West Sample Street, South Bend, Ind. 46627. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Motor vehicles and motor vehicle chassis, in initial movements, in driveaway and truckaway service, and bodies, cabs and parts of and accessories for such vehicles, from the plant site of International Harvester Company, in San Leandro, Calif., to points in the United States (except Alaska and Hawaii).

Note—Common control may be involved.

If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 31389 (Sub-No. 187), filed September 20, 1974. Applicant: DOHN TRUCKING COMPANY, a Corporation, P.O. Box 2317, Saginaw, Mich. 48601. Applicant's representative: David F. Eshelman (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, household goods as defined by the Commission; commodities in bulk, and commodities requiring special equipment), (1) Between Mendota and Dixon, Ill., serving no intermediate points, as an alternate route for operating convenience only; from Mandeville over U.S. Highway 51 to junction U.S. Highway 55, thence over U.S. Highway 52 to Dixons, and return over the same route.

Note—Common control may be involved.

If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 35807 (Sub-No. 50), filed September 19, 1974. Applicant: WELLS FARGO & CO., incorporated in California, doing business as WELLS FARGO & CO., a Partnership, R.F.D. #1, Homer, Ill. 61846. Applicant's representative: Nolan C. Craver, Jr., 210 North Broadway, Urbana, Ill. 61801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Coin, currency, negotiable and non-negotiable securities, bonds, and other valuables, between Huntington, W. Va., on the one hand, and, on the other, points in Boyd County, Ky.

Note—Common control may be involved.

If a hearing is deemed necessary, the applicant requests it be held at Huntington, W. Va., or Washington, D.C.

No. MC 35897 (Sub-No. 5), filed September 19, 1974. Applicant: HARRY J. PATTON AND CARLOS E. BREWER, doing business as PATTON TRUCKING COMPANY, a Partnership, R.F.D. #1, Homer, Ill. 61846. Applicant's representative: Nolan C. Craver, Jr., 210 North Broadway, Urbana, Ill. 61801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Agricultural chemicals, in containers, from Omaha, Neb., to points in Illinois; (2) building brick, from Cayuga, Montgomery, and Brandon, Miss., to Champaign County, Ill.; (3) building brick, from points in Missouri, to points in Illinois; and (4) sand and gravel, in bags and bulk, from points in Missouri, to points in Illinois.

Note—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 43421 (Sub-No. 52) (Correction), filed August 19, 1974, and published in the Federal Register, Issue of September 26, 1974, and republished as corrected this issue. Applicant: DOHN TRUCKING COMPANY, a Corporation, 4019 Ninth Street, P.O. Box 1237, Rock Island, Ill. 61201. Applicant's representative: Edward G. Bazeian, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over regular...
routes, transporting: General commodities (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between Quincy, Ill., and St. Louis, Mo.: From Quincy over Illinois Highway 57 to Junction Illinois Highway 96, thence over Illinois Highway 96 to Junction U.S. Highway 54, thence over U.S. Highway 54 to Junction Missouri Highway 79, thence over Missouri Highway 79 to Junction Interstate Highway 70, thence over Interstate Highway 70 to St. Louis, Mo., and return over the same route, as an alternate route for operating convenience only in connection with carrier's regular route operations.

Note.—The purpose of this republication is to delete the conversion note. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Ill.

No. MC 48956 (Sub-No. 11), filed September 29, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: M. DuJardin, P.O. Box 2258, Green Bay, Wis. 54306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Metal containers, container ends, container accessories, and materials and supplies used in the manufacture and distribution of metal containers and/or container accessories (except commodities in bulk or those which because of size or weight require the use of special equipment), from points in the States, including Hawaii, but excluding Alaska; and (2) materials and supplies, used in the manufacture and distribution of plastic products (except commodities in bulk), from points in the United States, including Hawaii, but excluding Alaska; and (3) materials and supplies, used in the manufacture and distribution of paper products (except commodities in bulk), from points in the States, including Hawaii, but excluding Alaska.

Note.—If a hearing is deemed necessary, applicant requests it be held at Green Bay, Wisconsin.

No. MC 51146 (Sub-No. 397), filed September 12, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: M. DuJardin, P.O. Box 2258, Green Bay, Wis. 54306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Metal containers, container ends, container accessories, and materials and supplies used in the manufacture and distribution of metal containers and/or container accessories (except commodities in bulk or those which because of size or weight require the use of special equipment), from points in the States, including Hawaii, but excluding Alaska; and (2) materials and supplies, used in the manufacture and distribution of plastic products (except commodities in bulk), from points in the States, including Hawaii, but excluding Alaska; and (3) materials and supplies, used in the manufacture and distribution of paper products (except commodities in bulk), from points in the States, including Hawaii, but excluding Alaska.

Note.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 52627 (Sub-No. 722), filed September 16, 1974. Applicant: ARCO AUTO CARRIERS, INC., 3140 West 75th Street, Chicago, Ill. 60620. Applicant's representative: M. J. Zaner (same address as applicant). 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), between Chicago, Ill., and return over the same route; as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, between Chattanooga, Tennessee, and Knoxville, Tenn.

Note.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 52658 (Sub-No. 136), filed September 17, 1974. Applicant: THE MASON AND DIXON LINES, INCORPORATED, Eastman Road, P.O. Box 900, Kingsport, Tenn. 37662. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20005. 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 which because of size or weight require the use of special equipment), between Morgantown, West Virginia, and return over the same route; as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, between Chattanooga, Tennessee, and Knoxville, Tenn.

Note.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 53985 (Sub-No. 100) (Correction), filed July 15, 1974, and published in the Federal Register issue of August 29, 1974, and published as corrected in this issue. Applicant: GRAVES TRUCK LINE, INC., 2139 S. Ohio Blvd., Salina, Kan. 67401. Applicant's representative: Edith B. Gruber, 2003 City National Bank Tower, Oklahoma City, Okla. 73102. 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 which because of size or weight require the use of special equipment), between Morgantown, West Virginia, and return over the same route; as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, between Chattanooga, Tennessee, and Knoxville, Tenn.

Note.—Common control was approved in MC-F-6097. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 61484 (Sub-No. 18), filed September 12, 1974. Applicant: BUSH MOTOR FREIGHT, INC., P.O. Box 931, Lenoir, N.C. 28645. Applicant's representative: Donald E. Carswell, 619 Fortunetown Bldg., 1111 E. Street, NW, Washington, D.C. 20004. 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), between Charleston, West Virginia, and return over the same route; as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, between Chattanooga, Tennessee, and Knoxville, Tenn.

Note.—Common control was approved in MC-F-6097. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.
points in North Carolina located on a line drawn along U.S. Highway 231 from Beaufort to Blowing Rock, N.C., thence over U.S. Highway 321 to Hickory, N.C., thence over U.S. Highway 70 to Conover, N.C., thence over U.S. Highway 321 to North Wilkesboro, and thence over North Carolina Highway 16 to Charlotte, N.C., on the one hand, and, on the other, points in Virginia (except from Richmond, Roanoke, and Norfolk, Va.), Maryland (except from Baltimore), Pennsylvania (except from Philadelphia), Delaware, New Jersey, the District of Columbia (with certain cities excepted southbound), via Lenoir, N.C., the radial base or gateway point.

Note—Applicant is presently required to perform operations between its regular routes on the one hand, and, on the other, points in Pennsylvania, Maryland, Delaware, New Jersey, Virginia, New York Commercial Zone, and the District of Columbia (with certain cities excepted southbound), via Lenoir, N.C., the radial base or gateway point. Applicant states that the authority requested herein is a detailed description of the points that applicant is authorized to serve on its regular routes and would authorize transportation of traffic between these regular route points on the one hand, and, on the other, points in territories, without being required to observe the existing radial base, or gateway point of Lenoir, N.C. Common control may be exercised in this zone.

No. MC 66650 (Sub-No. 10), filed September 20, 1974. Applicant: STUART M. SMITH, INC., 3511 E. North Avenue, Baltimore, Md. 21213. Applicant's representative: Walter T. Evans, 7401 Wisconsin Avenue, Washington, D.C. 20012. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Baking products, non-frozen, from the facilities of Tasty Cake, Inc., Division of Tasty Baking Company, Philadelphia, Pa., to East Hartford and Norwich, Conn.; Boston, Mass.; Richmond and Norfolk, Va.; (2) peanut butter, from the facilities of Pruden Peanut Butter Company, located at Suffolk, Va., to the facilities of Tasty Cake, Inc., Division of Tasty Baking Company, Philadelphia, Pa.; (3) empty carriers, for bakery products from the facilities of Virginia Folding Box Company, Richmond, Va., to the facilities of Tasty Cake, Inc., Division of Tasty Baking Company, Philadelphia, Pa.

Note.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 68333 (Sub-No. 110), filed September 19, 1974. Applicant: ASSOCIATED TRUCK LINES, INC., Vandenberg Center, Grand Rapids, Mich. 49502. Applicant's representative: Harry A. Vest (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, as applicant); transportation of traffic between Charleston, S.C., on the one hand, and, on the other, points in Alabama, Georgia, Illinois, Indiana, Kentucky, Michigan, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia, restricted to traffic having a prior or subsequent movement by water; and (2) empty bulk cargo containers, between points named in (1) above, and only in connection with traffic moving under (1) above.

No. MC 72165 (Sub-No. 333), filed September 20, 1974. Applicant: EAGLE MOTOR LINES, INC., 830 North 23rd St., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Particulate, from points in Caldwell County, N.C., to points in the United States (except Alaska and Hawaii).

Note.—If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 65621 (Sub-No. 9), filed September 18, 1974. Applicant: VANN EXPRESS, INC., 620 Line Street, Attalla, Ala. 35954. Applicant's representative: Guy H. Postell, Suite 713, 336 Peachtree Road NE, Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Merchandise, equipment, and supplies, sold, used, or distributed by a manufacturer of commodities in bulk, and clothing patterns, from Attalla, Ala., to points in Colbert, Cullman, Fayette, Franklin, Lamar, Lauderdale, Lawrence, Limestone, Marion, Morgan, and Walker Counties, Ala.; and (2) from Birmingham, Ala., to points in Tuscaloosa County, Ala.

Note.—If a hearing is deemed necessary, the applicant requests it be held at Attalla, Ala.

No. MC 85376 (Sub-No. 158), filed September 23, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Andrew R. Clark, 1609 First National Bank Bldg, Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Commodity, milk, and equipment, used in the manufacture, sales, and distribution of metal buildings and metal building parts and sections, from points in Alabama, Arkansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, and Wisconsin, to points in Birmingham, Ala., and Houston, Tex.

Note.—Dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106398 (Sub-No. 313), filed September 19, 1974. Applicant: NATIONAL TRAILER CONVOY, INC., P.O. Box 3329, Tulsa, Okla. 74103. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Metals, equipment, and supplies used in the manufacture, sales, and distribution of metal buildings and metal building parts and sections, from points in Alabama, Arkansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, and Wisconsin, to Dallas, Tex., and (B) add part (2) above. Common control may be exercised.

Note.—If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 106398 (Sub-No. 718), filed September 19, 1974. Applicant: NATIONAL TRAILER CONVOY, INC., P.O. Box 3329, Tulsa, Okla. 74103. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Materials, equipment, and supplies, used in the manufacture, sales, and distribution of metal buildings and metal building parts and sections, from points in Alabama, Arkansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, and Wisconsin, to Dallas, Tex., and (B) add part (2) above. Common control may be exercised.

Note.—Dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.
Randall Tye, Igan, parts and sections, from points held goods as defined town Street, P.O. the applicant requests it be held at Los Alaska and Hawaii.

Vehicle, over irregular routes, transporting: Environmental equipment, including incinerators, drying ovens, separators, air conditioning, and heating accessories thereof, from the plantate of A & A Associates, Inc., at South Gate, Calif., to points in the United States (except Alaska and Hawaii).

If a hearing is deemed necessary, the applicant requests it be held at Los Angeles or San Francisco, Calif.

Applicant: TOPEKA FAB LIGHTING, INC., 617 Waughtown Street, P.O. Box 213, Winston-Salem, N.C. 27102. Applicant's representative: David J. Eshelman (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, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Jef fery Energy Center at Fowlstown County, Kans., as an off-route point in connection with applicant's authorized regular route operations between Topola, Kans., and Manhattan, Kans.

Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Kan., or Washington, D.C.

No. MC 107295 (Sub-No. 739), filed September 18, 1974. Applicant: MACL-STEPHSON & ASSOCIATES, Inc., 100 South Main Street, Farmer City, Ill. 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: Sheet metal products and materials and supplies used in the installation thereof, from Peoria, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Mis souri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin.

If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

P. O. Box 196, Atlanta, Ga. 30301. Applicant's representative: W. Randall Tye, 1500 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Duct systems, from the plantate of Semco Manufacturing, Inc., at or near Roanoke, Va., to points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending eastwardly over Irregular routes, transporting: Air coolers, from Phoenix, Ariz., to points in Idaho, Oklahoma, Kansas, Nebraska, Wyoming, and Washington.

The Commission, commodites In the United States except Alabama and Hawaii.

If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paneling, from Grand Rapids, Mich., to points in the United States (except Alaska and Hawaii).

If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

Applicant's representative: W. W. Waugh (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sheet metal products and materials and supplies used in the installation thereof, from Peoria, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin.

If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

Applicant: PREPAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 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: General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between New Orleans, La., and points within the commercial zone, on the one hand, and, on the other, points on a line and within an area bounded by a line beginning on the Gulf of Mexico at Grand Isle, La., and proceeding northerly over Louisiana Highway 1 to Baton Rouge, La., thence northerly over U.S. Highway 61 to Natchez, Miss., thence
cruising over U.S. Highway 44 to Waynes- 
more, Miss., thence southeasterly over U.S. 
Highway 45 to Mobile, Ala., thence southeasterly over Interstate Highway 10 to 
Biloxi, Miss., thence westerly fol- 
lowing the Gulf of Mexico to the point of 
begning, restricted against the 
transportation of shipments which 
weigh more than 200 pounds in the ag- 
gregate from one consignor to one con- 
signee at any one location on any given 
day, and further restricted against the 
transportation of any single package or 
article which exceeds 108 inches in length 
and girth combined.

Note—Common control was approved 
in MC-P-3158. If a hearing is deemed neces- 
sary, applicant requests it be held at New Orleans, La.

No. MC 107515 (Sub-No. 956), filed 
September 16, 1974. Applicant: RE- 
FRIGERATED TRANSPORT CO., INC., 
P.O. Box 308, Forest Park, Ga. 30092. 
Applicant's representative: Alan E. 
Serby, 3379 Peachtree Road NE, Suite 
375, Atlanta, Ga. 30328. Authority sought 
to operate as a common carrier, by motor 
vehicle, over irregular routes, transport- 
ing: Chemicals and chemical 
compounds, constituting in vitro diag- 
nostic reagents, and products for human 
use—Common advertising and promo- 
tional materials, in vehicles equipped 
with mechanical refrigeration, from 
Atlanta, Ga. or Washington, D.C., thence 
over Interstate Highway 29 at or near 
Gainesville, Va., thence over Interstate 
Highway 66 at or near Gainsville, 
Ga., and storage facilities utilized—by 
Ore-Ida Foods, Inc. at Ontario, Oreg., and 
Burley, Boise, Nampa, Buehning, and 
Wapato, Wash. thence westerly fol- 
lowing the Interstate Highway System in 
Washington, Idaho, Oregon, and 
California to the state line of 
Pllio-Ida Foods, Inc., at or near 
Green- 

city, Hart, Holland, and Lake Odessa, 
Mich., to Connecticut, Delaware, Ken- 
tucky, Maine, Maryland, Massachusetts, 
New Hampshire, New Jersey, New York, 
Ohio, Pennsylvania, Vermont, Virginia, 
West Virginia, Iowa, Kansas, 

No. MC 108708 (Sub-No. 59), filed 
September 17, 1974. Applicant: INDIAN 
RIVER TRANSPORT CO., Inc., doing 
business as INDIAN RIVER TRANSPORT, 
INC., P.O. Box 966, Okeechobee, Fla. 
33472. Applicant's representative: B. Ham- 
kenhe (same address as applicant). 
Authority sought to operate as a common 
carrier, by motor vehicle, over irregular 
routes, transporting: Chemicals 
and chemical compounds, constituting in vitro diag- 
nostic reagents, and products for human 
use—Common advertising and promo- 
tional materials, in vehicles equipped 
with mechanical refrigeration, from 
Atlanta, Ga. or Washington, D.C., thence 
over Interstate Highway 29 at or near 
Gainesville, Va., thence over Interstate 
Highway 66 at or near Gainsville, 
Ga., and storage facilities utilized—by 
Ore-Ida Foods, Inc. at Ontario, Oreg., and 
Burley, Boise, Nampa, Buehning, and 
Wapato, Wash. thence westerly fol- 
lowing the Interstate Highway System in 
Washington, Idaho, Oregon, and 
California to the state line of 
Pllio-Ida Foods, Inc., at or near 
Green- 

city, Hart, Holland, and Lake Odessa, 
Mich., to Connecticut, Delaware, Ken- 
tucky, Maine, Maryland, Massachusetts, 
New Hampshire, New Jersey, New York, 
Ohio, Pennsylvania, Vermont, Virginia, 
West Virginia, Iowa, Kansas, 

No. MC 107507 (Sub-No. 408), filed 
September 23, 1974. Applicant: FROZEN 
FOOD EXPRESS, INC., 318 Cadiz 
Street, P.O. Box 8348, Dallas, Tex. 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: Chemicals and chemical 
compounds, constituting in vitro diag- 
nostic reagents, and products for human 
use—Common advertising and promo- 
tional materials, in vehicles equipped 
with mechanical refrigeration, from 
Dallas, Tex., to points in California, 
Louisiana, North Dakota, South Dakota, Wisconsin, and Texas.

Note—If a hearing is deemed 
necessary, the applicant requests it be held at Wash- 
ington, D.C.

No. MC 108460 (Sub-No. 50), filed 
September 12, 1974. Applicant: PETRO- 
GAS CARRIERS COMPANY, a Cor- 
poration, 5104 West 14th Street, P.O. 
Box 765, Sioux Falls, S. Dak. 57101. 
Applicant's representative: Gary Mund- 
henke (same address as applicant). 
Authority sought to operate as a common 
carrier, by motor vehicle, over irregular 
routes, transporting: Soybean meal, soy- 
bean meal (unwashed), soybean meal (unwashed), dry, 
in bags or bulk, from the plantsite of 
Farmland Industries, Inc., at or near 
Sioux Falls, S. Dak., to points in 
Illinois, Minnesota, Missouri, Nebraska, 
North Dakota, South Dakota, Wisconsin, 
Wyoming, and Kansas.

Note—If a hearing is deemed necessary, 
applicant requests it be held at Sioux 
Falls, S. Dak.; Omaha, Neb.; or Sioux City, Iowa.

No. MC 106825 (Sub-No. 28), filed 
May 17, 1974. Applicant: HYMAN 
FREIGHTWAYS, INC., 3300 Harbor 
Lane, Plymouth (Minneapolis), Minn. 
Applicant's representative: Stanley C. Olsen, Jr., 1000 First National 
Bank Building, Minneapolis, Minn. 
55402. Authority sought to operate as a 
common carrier, by motor vehicle, over 
irregular routes, transporting: Display 
fireworks (Class B Explosive), between 
Yankton, S. Dak., and all points appli- 
cant is presently authorized to serve un- 
der its authority in MC 106535 and sub- 
sequent authority in Iowa, Minnesota, 
points in South Dakota, and U.S. High- 
way 211; points in Iowa located in the 
Davenport, Iowa-Rock Island, and Mo- 
ilis, Ill., Commercial Zone; Superior, 
S. Dak., to all points in Iowa, Minn., 
Wisconsin, and Michigan; and South 
Bend, Ind., to all points in Michigan.

Note—If a hearing is deemed necessary, 
applicant requests it be held at Minneapolis, Minn.

No. MC 106932 (Sub-No. 64), filed 
September 12, 1974. Applicant: OVERnite TRANSPORTATION COMPANY, a 
Corporation, P.O. Box 1216, 1109 Com- 
panies Building, Richmond, Va. 23224. 
Applicant's representative: Eugene T. Lip- 
fert, Suite 1100, 1600 L Street NW., 
Washington, D.C. 20036. 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 de- 
defined by the Commission, commodities 
in bulk, and those requiring special 
equipment), between Lexington, Va., and 
the District of Columbia; from Lex- 
ington, Va., over U.S. Highway 11 to 
Junction Interstate Highway 61, thence 
over Interstate Highway 61 to Junction 
Interstate Highway 66 at or near Stamat- 
Son, Va., thence over Interstate Highway 
66 to Junction U.S. Highway 29 at or 
near Gainsville, Va., thence over U.S. 
Highway 29 to Junction Interstate 
Highway 66 at or near Gainsville, 
Ga., thence over Interstate Highway 66 to the 
District of Columbia, as an alter- 
nate route for operating convenience 
only, in connection with carrier's reg- 
ular route operations, serving no inter- 
mediate points.

Note—If a hearing is deemed necessary, 
applicant requests it be held at Washington, D.C.

No. MC 110420 (Sub-No. 729), filed 
September 16, 1974. Applicant: QUALI- 
TY CARRIERS, INC., P.O. Box 188, Pleasant 
Falls, Wis. 53158. Applicant's repre- 
sentative: David A. Peterson (same ad- 
dress as applicant). Authority sought 
to operate as a common carrier, by motor 
vehicle, over irregular routes, transpor- 
ting: Products of soybeans, and mater- 
ials, supplies, and ingredients used in the 
processing thereof, in bulk, in tank or hop- 
per-type vehicles, between the plant 
and/or warehouse facilities of Krause 
Millng Company located at or near 
Logansport, Ind., on the one hand, and, 
and on the other, points in the United States 
(except Alaska and Hawaii).

Note—Common control may be involved. 
If a hearing is deemed necessary, applicant 
requests it be held at Chicago, Ill. 

No. MC 110420 (Sub-No. 729), filed 
September 16, 1974. Applicant: QUALI- 
TY CARRIERS, INC., P.O. Box 188, Pleasant 
Falls, Wis. 53158. Applicant's
representative: E. Stephen Heisley, 666 11th Street NW, Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals (except anhydrous ammonia, aqua ammonia and liquid fertilizer), in bulk, in tank vehicles, from the plantsite of Monsanto Company, at or near Muscatine, Iowa, to points in the United States (except Alaska and Hawaii, and points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone).

NOTE—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No: MC 110525 (Sub-No. 1111), filed September 16, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant’s representative: Thomas J. O’Brien (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Liquid chemicals, in bulk, in tank vehicles, from LeMoyne, Ala., to points in Illinois, Indiana, Michigan, Ohio, and West Virginia; and (2) liquid chemicals, in bulk, in tank vehicles, from the ports of entry on the International Boundary between the United States and Canada located on the St. Lawrence River, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Ohio, Rhode Island, restricted to traffic having a prior movement in foreign commerce originating at Ontario, Canada.

NOTE—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No: MC 110525 (Sub-No. 1112), filed September 16, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant’s representative: Thomas J. O’Brien (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals (except anhydrous ammonia, aqua ammonia and liquid fertilizer), in bulk, from the plantsite of Monsanto Company at or near Muscatine, Iowa, to points in the St. Louis, Mo., East St. Louis, Ill., Commercial Zone (except Alabama, Arkansas, Georgia, Oklahoma, and Tennessee; and those requiring special equipment), in bulk, in tank vehicles, from Louisville, Ky., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Missouri, Ohio, Oklahoma, Tennessee.

NOTE—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No: MC 112622 (Sub-No. 348), filed September 16, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant’s representative: William W. Frick (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Diary products, from Valley City, Ill., to points in California.

NOTE—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No: MC 112622 (Sub-No. 349), filed September 17, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant’s representative: William W. Frick (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen meat, from Gulfport, Miss., to points in Alabama, Florida, Georgia, Illinois, Indiana, Louisiana, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, and Kentucky; (2) chemicals, in bulk, in tank vehicles, from Louisville, Ky., to points in California; and (3) bituminous materials, in bulk, in tank vehicles, from Louisville, Ky., to points in Indiana.

NOTE—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Schenectady, N.Y.

No: MC 112713 (Sub-No. 170), filed September 17, 1974. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kan. 66207. Applicant’s representative: David B. Schneider (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (Sub-No. 348), filed September 16, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant’s representative: William W. Frick (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (Sub-No. 348), filed September 17, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant’s representative: William W. Frick (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Carpeting, floor coverings and carpet padding, and material, in bulk, in tank vehicles, from the installation thereof, from Pawhuska, Okla., to points in Arkansas, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Texas, Wisconsin, and Georgia.
NOTICE

If a hearing is deemed necessary, applicant requests it be held at: Columbus, Ohio, Chicago, Ill., or Denver, Colo.

NO. MC 113678 (Sub-No. 561), filed September 9, 1974. Applicant: CURTIS INC., 4810 Fontaine Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods (except commodities in bulk), from and to points in the above named destination states.

NO. MC 113678 (Sub-No. 562), filed September 9, 1974. Applicant: CURTIS INC., 4810 Fontaine Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods (except commodities in bulk), from and to points in the above named destination states.

NO. MC 113678 (Sub-No. 563), filed September 9, 1974. Applicant: CURTIS INC., 4810 Fontaine Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods (except commodities in bulk), from and to points in the above named destination states.

NO. MC 113678 (Sub-No. 564), filed September 9, 1974. Applicant: CURTIS INC., 4810 Fontaine Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods (except commodities in bulk), from and to points in the above named destination states.

NO. MC 113678 (Sub-No. 565), filed September 9, 1974. Applicant: CURTIS INC., 4810 Fontaine Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods (except commodities in bulk), from and to points in the above named destination states.

NO. MC 113678 (Sub-No. 566), filed September 9, 1974. Applicant: CURTIS INC., 4810 Fontaine Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods (except commodities in bulk), from and to points in the United States (except Alaska and Hawaii).

NO. 202—THURSDAY, OCTOBER 17, 1974

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

NO. MC 113678 (Sub-No. 567), filed September 9, 1974. Applicant: CURTIS INC., 4810 Fontaine Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods (except commodities in bulk), from and to points in the above named destination states.

NOTICES

37185
NOTICES

53406. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Metal building materials, from Omaha, Nebr., to New Orleans, La., points in Texas, New Mexico, Arizona, California, Colorado, Utah, Nevada, Washington, Oregon, Idaho, Montana, Alaska, and British Columbia, restricted to traffic originating at the plant site of Under Construction, Inc., at or near Cactus, Tex., to points in Texas, New Mexico, Arizona, California, Colorado, Utah, Nevada, Washington, Oregon, Idaho, Montana, Alaska, and British Columbia, restricted to shipments having a certain destination.

No. MC 114273 (Sub-No. 220), filed September 20, 1974. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., P.O. Box 68, Cedar Rapids, Iowa 52405. Applicant’s representative: D. E. Koch, 215 Commerce Bldg., 2720 First Avenue NE, P.O. Box 1643, Cedar Rapids, Iowa 52406. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Steel tape, NOX package gummed paper other than cloth lined, and aluminum foil to points in Illinois, Missouri, Kansas, Nebraska, Colorado, and Iowa.

Note.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114284 (Sub-No. 63), filed September 20, 1974. Applicant: FORD TRUCKING COMPANY, Inc., 3215 Commerce Bldg., Atlanta, Ga. 30308. Applicant’s representative: John J. Lopresti, 641 Harrison Street, Suite 600, New York, N.Y. 10013. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat by-products, and articles distributed by meat packing-houses, as described in Sections A and C of Appendix I to the report in Descriptions and Carrier Certificates, at M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities of Intermeat, Inc., at or near Cactus (Moore County), Tex., to points in Texas, Oklahoma, Arkansas, Louisiana, New Mexico, Colorado, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, and Illinois, restricted to traffic originating at the above named destinations, designated to the above named destinations.

Note.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo., or on consolidated record with other similar applications.

No. MC 116073 (Sub-No. 508), filed September 22, 1974. Applicant: BARNETT MOBILE HOME TRANSPORT, INC., 1001 Main Avenue, P.O. Box 219, Moorhead, Minn. 56560. Applicant’s representative: Robert G. Tresser, 1819 4th Avenue South, Moorhead, Minn. 56560. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Trailers, designed to be drawn by passenger automobiles, in initial movements, from the plant site of DeRose Industries, Inc., at or near Owatonna, Minn., to points in Iowa, North Dakota, South Dakota, Wisconsin, and Nebraska; and (2) (a) trailers, designed to be drawn by passenger automobiles, on regular movements; and (b) buildings, complete or in sections, transported on wheeled undercarriages, from the plantsite of Marshfield Homes, Inc., at or near Chillicothe, Mo., to points in Iowa, Illinois, Arkansas, Kansas, Nebraska, Oklahoma, Tennessee, and Kentucky.

Note.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or on consolidated record with other similar applications.

No. MC 117940 (Sub-No. 148), filed September 3, 1974. Applicant: NATION-WIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant’s representative: Donald L. Sera, Suite 503, Univa Bldg., 7100 West Center Road, Omaha, Neb. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Materials, supplies, equipment, and accessories used in the manufactory, assembly and outfitting of boats except complete or bulk-built, from points in Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Texas, Virginia and Wisconsin, to points in Blue Earth, Chicago, Clay, and Kanabec Counties, Minn.

Note.—Applicant holds contract carrier authority in MC 114769 Sub 1 and other subs, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117940 (Sub-No. 151), filed September 20, 1974. Applicant: NATION-WIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant’s representative: Donald L. Sera, Suite 503, Univa Bldg., 7100 West Center Road, Omaha, Neb. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Banana and agricultural commodities, exempt from economic regulation, under Section 307 (b) of the Act when transported in mixed loads with bananas, from Charleston, S.C., and New Orleans, La., to points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to the transportation of traffic having an immediate prior move by water.

Note.—Applicant holds contract carrier authority in MC 114769 Sub 1, and subs therefor, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass., or Minneapolis, Minn.

No. MC 118899 (Sub-No. 118), filed September 10, 1974. Applicant: CONTAINER TRANSIT, INC., 6223 South 9th Street, Milwaukee, Wis. 53221. Applicant’s representative: Robert H. LeVay, 1621 Shields Avenue, Chicago Heights, Ill. 60411. Applicant’s representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastic containers, caps, covers, and closures, from Cinncinati, Ohio, to points in Illinois.

Note.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118944 (Sub-No. 6), filed September 20, 1974. Applicant: JOYCE TRUCKING COMPANY, Inc., 1621 Shields Avenue, Chicago Heights, Ill. 60411. Applicant’s representative: David A. Petersen (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is dealt in by wholesale and retail grocery and food busineses (except in bulk), from Galesburg, Ill., to points in Ohio.

Note.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119787 (Sub-No. 321), filed September 16, 1974. Applicant: BEAVER TRANSPORT CO., Inc., P.O. Box 186, Pleasant Prairie, Wis. 53155. Applicant’s representative: David A. Petersen (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is dealt in by wholesale and retail grocery and food businesses (except in bulk), from Galesburg, Ill., to points in Ohio.

Note.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119789 (Sub-No. 220), filed September 19, 1974. Applicant: CARA-Rect Refrigerated CARGO, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant’s representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) New furniture, in cartons, from points in Henry County, Iowa, to points in Wisconsin.

Note.—If a hearing is deemed necessary, applicant requests it be held at Martzvillle, Va., or Washington, D.C.

No. MC 119782 (Sub-No. 447), filed September 16, 1974. Applicant: CHICAGO SOUTHERN TRANSPORT CORPORATION, Inc., P.O. Box 280, Pleasant Prairie, Wis. 53155. Applicant’s representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Banana and agricultural commodities, exempt from economic regulation, under Section 307 (b) of the Act when transported in mixed loads with bananas, from Charleston, S.C., and New Orleans, La., to points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to the transportation of traffic having an immediate prior move by water.

Note.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.
NOTICES

3187

commodities exempt from economic reg-

ulation under section 203(b)(6) of the Act,

is a hearing is deemed necessary, applicant requests it be held at either Tatl-

No. MC 129171 (Sub-No. 12), filed September 17, 1974. Applicant: ARTHUR

Sheehy, INC., R.D. #2, Dallas, Pa. 18615. Applicant’s representative: Ken- 

neth R. Davis, 999 Umberview, Taylor, Pa. 15517. Authority sought to operate as a 

common carrier, by motor vehicle, over irregular routes, transporting: Candy and 

confectionery, and related advertising matter, from Reading, Pa., to Phoenix, Ariz., and points in 

Washington, Oregon, California, Utah, and Colorado.

No. MC 129555 (Sub-No. 8), filed September 19, 1974. Applicant: CAR- 

PETTA TRUCKING, INC., P.O. Box 887, Maywood, N.J. 07607. Applicant’s repre- 

sentative: Charles J. Williams, 41 Lin- 

colin Park, Phoenix, Ariz. 85012. Authority sought to operate as a contract carrier, by 

motor vehicle, over irregular routes, transporting: Flat glass, from Charleston, W. Va., to points in 

Arkansas, California, Colorado, Florida, Illinois, Iowa, Kansas, Michi- 

gan, Minnesota, Missouri, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New 

York, Ohio, Oklahoma, Oregon, Pennsyl- 
vania, Tennessee, Texas, Utah, Washington, and Wisconsin, under a continu- 

ing contract, or contracts with Marvel Lamp Company, at Mullins, S.C.

No. MC 129458 (Sub-No. 8), filed September 19, 1974. Applicant: SAWC- 
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ER TRANSPORT COMPANY, a Corporation, P.O. Box 3128, Irving, Tex. 75061. Applicant’s 

representative: William D. Panansky, 443 Congress St., Portland, Maine 04111. Authority sought to operate as a 

common carrier, by motor vehicle, over irregular routes; transporting: Fencing, (1) from points of entry on the International Boundary line between the United States and Canada at or near Courtenay, Colville, and Sumas, Wash., on the one hand, and, on the other, points in Oregon and Washington.

No. MC 132478 (Sub-No. 14), filed August 27, 1974. Applicant: HEARIN 

TRANSPORTATION, INC., 8563 SW Beaverton- Hillsdale Highway, Portland, Oreg. 97225. Applicant’s representative: Nick L. Goyak, 404 Oregon National Building, 610 SW Alder, Portland, Oreg. 97205. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes; transporting: (1) Pro- 

toiled or finished paneling and plywood 

materials, from the plantsite of D.G. 

Shelter Products located at or near Jack- 

sonville, Fla.; Marion, Va.; and Harrisburg and Beaverton, Oreg., under a continuing contract or contracts with E.G. Shelter Products.

No. MC 133816 (Sub-No. 7), filed September 7, 1974. Applicant: E. K. & 

I. WHOLESALE CO, a Corporation, P.O. Box 222, Lowell, Oreg. 97352. Applicant’s 

representative: Howard E. Speer, 635 E. 

Park Street, Eugene, Oreg. 97401. Authority sought to operate as a common 

carrier, by motor vehicle, over irregular 

routes, transporting: (1) Gypsum, pum- 

sium board, sheetrock, and products and 

nominally classified in the last column of the application of the above commodities, from points in Clark County, Nev., to points in Oregon; (2) building stone, from points in Oregon; (3) hardwood and particle 

board, and commodity particleboard, from points in Oregon, to points in 

Arizona.

No. MC 134600 (Sub-No. 12) (Correction), filed August 9, 1974, and pub- 

lished in Federal Register, issue of September 12, 1974, and republished as cor- 

rected this issue. Applicant: DAVINDER 

FREIGHTWAYS LTD., Duncan Financial Centre, Duncan, British Columbia, Canada. Applicant’s representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a common 

carrier, by motor vehicle, over irregular routes, transporting: Lumber and lumber products and particleboard, between points of entry on the International Boundary line between the United States and Canada at or near Watertown, Md., and Sumas, Wash., on the one hand, and, on the other, points in Oregon and Washington.

No. MC 134408 (Sub-No. 9), filed August 29, 1974. Applicant: SARCE- 

FIELD TRANSFER, LTD., Box 84, Simonds Road, Hartland, New Bruns- 

wick, Canada. Applicant’s representa- 

live: William D. Finnace, 443 Congress Street, Portland, Maine 04111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes; transporting: Fencing, (1) from points of entry on the International Boundary line between the United States and Canada at or near Steilacoom, Taylor, and Sarnia, Ont., and Sumas, Wash., on the one hand, and, on the other, points in Oregon and Washington.

No. MC 124511 (Sub-No. 20), filed August 13, 1974, Applicant: JOHN F. 

OLIVER, E. Highway 84, P.O. Box 223, Mexico, Mo. 65565. Applicant’s repre- 

sentative: Ernest A. Brooks II, 1301 

Amelia St., St. Louis, Mo. 63101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Glass, from one point to another in the United States (except Alaska and Hawaii).

No. MC 124511 (Sub-No. 20), filed September 19, 1974. Applicant: JOHN F. 

OLIVER, E. Highway 84, P.O. Box 223, Mexico, Mo. 65565. Applicant’s repre- 

sentative: Ernest A. Brooks II, 1301 

Amelia St., St. Louis, Mo. 63101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Glass, from one point to another in the United States (except Alaska and Hawaii).

No. MC 124687 (Sub-No. 9), filed September 19, 1974. Applicant: SHELTON 

TRUCKING SERVICE, INC., Route 1, Box 230, Altus, Okla. 73521. Applicant’s 

representative: Sol H. Proctor, 1107 

Blackstone Building, Jacksonville, Fla. 32206. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wood 

residuals, wood chips, pallets, pallet 

parts, sawdust, shavings, bark, and 

wood waste material, between points in 

Florida, and Georgia.

No. MC 124887 (Sub-No. 9), filed September 19, 1974. Applicant: SHELTON 

TRUCKING SERVICE, INC., Route 1, Box 230, Altus, Okla. 73521. Applicant’s 

representative: Sol H. Proctor, 1107 

Blackstone Building, Jacksonville, Fla. 32206. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wood 

residuals, wood chips, pallets, pallet 

parts, sawdust, shavings, bark, and 

wood waste material, between points in 

Florida, and Georgia.
over irregular routes, transporting: Air ducts, fittings, sound attenuators, materials, and components, uncrated (except for special equipment) from the plant site of Samco Manufacturing, Inc., at or near Salisbury, Md., to points in the United States (except Alaska and Hawaii).

Note.—Applicant holds contract carrier authority in MC 139359 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Ft. Worth or San Antonio, Tex.

No. MC 138528 (Sub-No. 9), filed August 29, 1974. Applicant: CHARLES R. BENDER, INC., 1414 Honor Court, Springfield, Mo., 65804. Applicant’s representative: Larry D. Knox, 9th Floor, Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: 

1. Air conditioning and refrigeration equipment, parts and accessories, 
2. Air conditioning and refrigeration equipment, 
3. Chemicals for the treatment of water, 
4. Electrical equipment, 
5. Metal components, 
6. Glassware, 
7. Household goods, 
8. Unaccompanied household goods, 
9. Lumber and wood products, 
10. Office furniture, 
11. Plumbing fixtures, 
12. Radiators, 
13. Carpets, 
14. Motor vehicle parts, 
15. Motor vehicles, 
16. Heavy equipment, 
17. Furniture, 
18. General merchandise, 
19. Food products, 
20. Livestock, 
21. Livestock feed, 
22. Seed, 
23. Fresh produce, 
24. Building materials, 
25. Wood and lumber, 
26. Stone, gravel, sand, and allied commodities, 
27. Coal, 
28. Oil and gas. 

Note.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Fort Worth, Tex.

No. MC 139017 (Sub-No. 1), filed August 30, 1974, published in the Federal Register, issue of September 11, 1974. Applicant: HENDRICKSON, Inc., 5101 South Wabash Avenue, Chicago, Ill., 60615. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: 

1. Household goods, 
2. Unaccompanied household goods, 
3. Livestock, 
4. Livestock feed, 
5. Seed, 
6. Fresh produce, 
7. Building materials, 
8. Stone, gravel, sand, and allied commodities, 
9. Coal, 
10. Oil and gas. 

Note.—The purpose of this republication is to indicate the correct docket number assigned to this proceeding as MC 139017 (Sub-No. 1), in lieu of MC 139017 (Sub-No. 1), as previously published. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 139335 (Sub-No. 2) (Correction), filed August 22, 1974, published in the Federal Register, issue of September 19, 1974, and republicated as corrected, this issue. Applicant: SOUTH-EASTERN WAREHOUSING AND DISTRIBUTION CORPORATION, West End Industrial Park, P.O. Box 1193, Johnson City, Tenn., 37601. Applicant’s representative: Robert L. Baker, 168 Hamilton Bank Bldg., Nashville, Tenn., 37210. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: 

1. General commodities (except articles of unusual value), 
2. Explosives in bulk, classes A and B, 
3. Lumber and wood products, 
4. Chemicals, 
5. Building materials. 

Note.—The purpose of this republication is to add the above restriction which was previously omitted. If a hearing is deemed necessary, the applicant requests it be held at Johnson City, Tenn., or Washington, D.C.

No. MC 139302 (Sub-No. 2), filed September 19, 1974. Applicant: LAMBERT TRANSFER CO., INC., Raceland Road, Beckley, W. Va., 25801. Applicant’s representative: John M. Richardson, 2530 Pulman Avenue, Huntington, W. Va., 25701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: 

1. Used household goods and unaccompanied baggage, 
2. Food products, 
3. Seed, 
4. Building materials, 
5. Stone, gravel, sand, and allied commodities, 
6. Coal, 
7. Oil and gas. 

Note.—The purpose of this republication is to add the above restriction which was previously omitted. If a hearing is deemed necessary, the applicant requests it be held at Petersburg, Va., or Winchester, Va.
NOTICES

37139

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974

representative: Peter L. Murray, 30 Exon Drive, Dallas, Texas 75229. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Meat, 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, in tank vehicles), from points in the following states: A. Accessory facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Alabama, Arizona, California, Colorado, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Massachussets, Maryland, Michigan, Mississippi, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Washington, Wisconsin, and destined to the named points.

Note.—If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 139999 (Sub-No. 2), filed July 5, 1974. Applicant: JIM AND BOB STENCIL, doing business as STENCIL TRUCKING, P.O. Box 352, Minnesota Lake, Minn. 56068. Applicant's representative: P. E. Kroeger, 1745 University Avenue, St. Paul, Minn. 55104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Materials and supplies used in the construction and building of custom homes and garages and parts, floor coverings, appliances, and accessories, installed at the time of construction, therefor (except commodities in bulk, in tank vehicles), from Minnesota Lake, Minn., to points in Colorado, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming: (2) Crushed automobile bodies, junk motors and other scrap metals, ferrous and non-ferrous scrap metals, from points in Iowa and destined to locations in Iowa.

Note.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 139994 (Sub-No. 3), filed September 19, 1974. Applicant: M. E. TRANSFER & STORAGE, INC., 200 West Broadway, P.O. Box 1055, Moses Lake, Wash. 98837. Applicant's representative: Jack E. Davis, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Used household goods, restricted to the transportation of shipments having a prior or subsequent movement, in containers, by the parties authorized and further restricted to the performance of pickup and delivery service in connection with the installation, shipping, unpacking, uncrating, and decontamination of such shipments, between points in Oregon, Alaska, Washington, Idaho, California, and Arizona: (6) of the Interstate Commerce Act in mixed loads, in temperature controlled equipment, from points in the Los Angeles Harbor Commercial Zone, California, to Sparks and Reno, Nev.

Note.—If a hearing is deemed necessary, applicant requests it be held at either Carson City or Reno, Nev.

No. MC 140001 (Sub-No. 2), filed September 17, 1974. Applicant: TRANSPORTATION SERVICES, INC., 1285 Glendale Road, Sparks, Nev. 89431. Applicant's representative: Daniel W. Baker, 100 Pine Street, San Francisco, Calif. 94111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bananas, and agricultural commodities, exempt from regulation under Section 203(b) of the Interstate Commerce Act in mixed loads, in temperature controlled equipment, from points in the Los Angeles Harbor Commercial Zone, California, to Sparks and Reno, Nev.

Note.—If a hearing is deemed necessary, applicant requests it be held at either Carson City or Reno, Nev.

No. MC 140027 (Sub-No. 1), filed September 9, 1974. Applicant: TRI-STATE TRUCKING SERVICE, INC., 453 Shaker Road, Akron, Ohio 44320. Applicant's representative: Hella H. Hoffman (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Wine, from Chicago, Ill., Brooklyn, New York City, and Savannah, Ga., and destined to points on Long Island, N.Y., to Portland, Ore., under continuing contract or contracts with Spear Beverage Company and Al C. Giusti Wine Co.

Note.—If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.
NOTICES

No. MC 140052, filed August 20, 1974. Applicant: MARIAN KOWAL, doing business as MURRAYS HORSE VAN SERVICE, Box 65, Airdrie, Alberta, Canada. Applicant's representative: Marian Kowal (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Race horses, and feed, stable equipment, and supplies used in the care of race horses, persons, equipment of traders and attendants, and livestock tack, in the same vehicle with horses, between points of entry on the International Boundary line between the United States and Canada, at or near Sweetgrass, Mont., on the one hand, and, on the other, Phoenix, Ariz.

Note:—If a hearing is deemed necessary, the applicant requests it be held at Billings, Mont, or Phoenix, Ariz.

No. MC 140143, filed August 9, 1974. Applicant: JOE A. GIBSON, Newkirk, Okla. 74647. Applicant's representative: Tony McDaniel, 453 North Main Street, Bix, Okla. 74930. Applicant's representative: T. E. McDaniel (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Gypsum meal, linseed cake and meal, soybean meal and pellets, cottonseed cake and meal, fertilizer, lumber, paper and partially printed paper, bound and unbound, and printing orders, instructions, and materials, between Lancaster, Pa., and Roosevelt Field, on the one hand, and, on the other, in Oklahoma, Texas, and Louisiana, under a continuing contract or contracts with McDaniel Grain Company of Geuda Springs, Kans.

Note:—If a hearing is deemed necessary, the applicant requests it be held at either Wichita, Kan., or Oklahoma City or Tulsa, Okla.

No. MC 140148 (Sub-No. 1), filed September 20, 1974. Applicant: CITY AND LOOP EXPRESS, INC., 453 North Main Street, Chicago, III. 60602. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Race horses, and feed, stable equipment, and supplies used in the care of race horses, persons, equipment of traders and attendants, and livestock tack, in the same vehicle with horses, between the plant site and storage facilities of McDaniel Grain Company at Geuda Springs (Sumner County), Kans., on the one hand, and, on the other, points in Oklahoma, Texas, and Louisiana, under a continuing contract or contracts with McDaniel Grain Company of Geuda Springs, Kans.

Note:—If a hearing is deemed necessary, the applicant requests it be held at either Wichita, Kan., or Kansas City, Mo.

No. MC 140216 (Sub-No. 2), filed September 19, 1974. Applicant: JOHN E. WAY, JR., 205 East King Street, Lancaster, Pa. 17603. Applicant's representative: P. M. Ximenes, 1400 West Third Street, Harrisburg, Pa. 17105. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Printed matter (except those of unusual value, classified by the Commission) and paper and partially printed paper, bound and unbound, and printing orders, instructions, and materials, between Lancaster, Pa., on the one hand, and, on the other, points in the New York Commercial Zone, restricted to expedited pickups and expeditor deliveries to and from colleges, universities, and other educational institutions with service to be operated only at school vacation breaks, weekends and other periods involving heavy movement of students between their homes and schools.

Note:—If a hearing is deemed necessary, the applicant requests it be held at either Harrisburg, Pa., or Washington, D.C.

PASSENGER APPLICANTS

No. MC 1515 (Sub-No. 196) (Correction), filed July 26, 1974, published in the Federal Register of September 12, 1974, and republished as corrected this date on the following pages: FEDERAL REGISTER, INC., Greyhound Tower, Phoenix, Ariz. 85017. Applicant's representative: Anthony P. Carr, 1400 West Third Street, Cleveland, Ohio 44113. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage, and express and newspapers in the same vehicle with passengers: (1) Between New York, N.Y., and the Newark-Jersey City Interchange of the New Jersey Turnpike (Interchange 15): From New York, N.Y., over Interstate Highway 95 to the junction of the New Jersey Turnpike (also Interstate Highway 95), thence over the New Jersey Turnpike, both the eastern and western leg of the New Jersey Turnpike, to the Newark-Jersey City Interchange (Interchange 15), and return over the same route, serving all intermediate points; (2) Between the junction of Interstate Highway 95 and Interstate Highway 80 (Interchange 68 of 8-90) and the Junction of Interstate 80 and New Jersey Highway 17 (Interchange 61 of 8-90): From the junction of Interstate Highway 80 and New Jersey Highway 80, travel over Interstate Highway 80 to the junction of New Jersey Highway 17 and return over the same route, serving all intermediate points. Restrictions: No passengers shall be transported between points on the routes authorized above, on the one hand, and, on the other, points in the State of New Jersey on the routes described and applicant's present routes.

No. MC 140149 (Sub-No. 43), filed September 9, 1974. Applicant: TRAILWAYS OF NEW ENGLAND, INC., 1200 Eye Street, NW., Washington, D.C. 20005. Applicant's representative: E. Wilson and Lawrence E. Lindemann, Suite 1033, Pennsylvania Bldg., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, and express and newspapers, in the same vehicle with passengers: (1) Between New York, N.Y., and the Newark-Jersey City Interchange of the New Jersey Turnpike (Interchange 15): From New York, N.Y., over Interstate Highway 80 to the junction of the New Jersey Turnpike (also Interstate Highway 80), thence over the New Jersey Turnpike, both the eastern and western leg of the New Jersey Turnpike, to the Newark-Jersey City Interchange (Interchange 15), and return over the same route, serving all intermediate points; (2) Between the junction of Interstate Highway 80 and Interstate Highway 95 (Interchange 68 of 8-90) and the Junction of Interstate Highway 80 and New Jersey Highway 17 (Interchange 61 of 8-90): From the junction of Interstate Highway 80 and New Jersey Highway 80, travel over Interstate Highway 80 to the junction of New Jersey Highway 17 and return over the same route, serving all intermediate points. Restrictions: No passengers shall be transported between points on the routes authorized above, on the one hand, and, on the other, points in the State of New Jersey on the routes described and applicant's present routes.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
No. MC 132665, filed August 30, 1974. Applicant: PERSONNEL COMMUNICATIONS, INC., 8 Cloverleaf Road, Lebanon, Mass. 01453. Applicant's representative: Richard E. Mike, 15 Columbus Square, Boston, Mass. 02108. Authority sought to engage in operation, in interstate or foreign commerce, as a broker at Lebanon, Mass., to solicit or offer to sell the transportation of groups of passengers and their baggage in special and charter operations, by motor coach carriers, between Lebanon and the District of Columbia, and extending to points in Oregon, Idaho, and Alaska.

Notice.—Applicant has filed this application pursuant to Section 210a of the Interstate Commerce Act, as amended, and as in effect on July 1, 1965, and as amended and extended by the Interstate Commerce Act of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the Federal Office of the Interstate Commerce Commission, 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 11722 (Sub-No. 40TA), filed October 1, 1974. Applicant: BRADY HAULING SERVICE, INC., P.O. Box 655, Zillah, Wash. 98953. Applicant's representative: Douglas A. Wilson, 303 East D Street, Yakima, Wash. 98901. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Empty containers and parts thereof, except as because of size or weight of more than 100 pounds per unit, requires special handling or the use of special equipment, between points in Washington, Oregon, and Idaho, for 15 days, Supporting shippers: Continental Can Company, Inc., 10200 N. Lombard, Portland, Ore. 97230; Utah-Idaho Sugar Company, P.O. Box 970, Moses Lake, Wash.; and Utah-Idaho Sugar Company, P.O. Box 752, Toppenish, Wash. 98948. Send protests to: Joseph B. Telchert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Ore. 97204.

No. MC 19157 (Sub-No. 19TA), filed October 2, 1974. Applicant: MCCORMICK INDEPENDENT TRUCKING, INC., R.D. 3, Box 4, Campbell Road, Scenecady, N.Y. 12305. Applicant's representative: Anthony C. Tant, 1114 E. Street, NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Radioactive waste material (except in bulk), in tank vehicles, from points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Wisconsin, and the District of Columbia, to burial facility near Morristown, Ky., and (2) Empty radioactive material shipping containers, from the destination points described in (1) above, to points in the origin territory specified in (1) above, for 180 days. Supporting shippers: (1) Atoz, Inc., 5 Westchester Plaza, Elmsford, N.Y. 10523, and (2) U.S. Nuclear Clear & Development Corp., 9190 Red Branch Road, Columbus, Md. 21245. Send protests to: Robert A. Radler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 New Federal Building, Albany, N.Y. 12207.

No. MC 27058 (Sub-No. 25TA), filed September 30, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as application). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from the plants and warehouse facilities utilized by Michigan Lloyd J. Harris Pie Co., at or near Saugatuck and Holland, Mich., to points in Alabama, Arizona, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee, Texas, and West Virginia, for 180 days. Supporting shipper: Michigan Lloyd J. Harris Pie Company, 350 Culver Street, Saugatuck, Mich. 49453. Send protests to: Joseph B. Telchert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Palm Coast II Building, Suite 208, 5255 NW., 87th Ave, Miami, Fla. 33166.
NOTICES

No. MC 26396 (Sub-No. 125TA), filed September 26, 1974. Applicant: FAB TRANSIT CO., a Corporation, 109 South Main Street, Farmer City, Ill. 61842. Applicant's representative: D. J. Zehr (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities in bulk, except livestock, for 180 days. Supporting shipper: J. A. Appelwick (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Burial vaults, from points in Allen County, Ohio, to points in Pennsylvania, Virginia, West Virginia, Maryland, Indiana, Kentucky, North Carolina, South Carolina, Connecticut, Rhode Island, Maine, Massachusetts, New Hampshire, New Jersey, Michigan, and Illinois, for 180 days. Supporting shipper: Herbert C. Zink, Traffic Manager, Duve Precast Concrete Products, Inc., P.O. Box 1277, Col- kosh, Wis. 54931. Send protests to: Harold J. Lott, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 5418, Springfield, Ill. 62705.

No. MC 114632 (Sub-No. 78 TA), filed September 30, 1974. Applicant: APPLE LINES, INC., 218 SW Second Street, Madison, S. Dak. 57042. Applicant's representative: Robert A. Appelwick (same address as applicant). 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 Carriers Certificates, 61 M.C.C. 209 and 765 (except hides and commodities in bulk), from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Iowa, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Ohio, Nebraska, South Dakota, South Carolina, and Wisconsin, restricted to traffic originating at and destined to named points, for 180 days. Supporting shipper: Iowa Beef Packers, Inc., 180 Dexter St. West, Cheepeasea, Va. 23324. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26899, Raleigh, N.C. 27611.

No. MC 47039 (Sub-No. 20TA), filed September 26, 1974. Applicant: ROCKY MOUNTAIN TRANSPORT COMPANY, 1428 W. 9th Street, Kansas City, Mo. 64105. Applicant's representative: Floyd E. Gehrt, 400 Crotts, P.O. Box 5186, Topeka, Kans. 66605. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, except those of unusual value, and except livestock, high explosives, HRO (when transported and not in containers), and those injurious or contaminating to otherJading, serving the construction site and plant of The Jeffery Energy Center located 61/2 miles North and 21/2 miles West of St. Marys, Kans. (Buttawatomie County), as an off route point in connection with carrier's presently authorized regular route operation, for 180 days. Supporting shipper: The Kansas Power and Light Company, Engineer Production Manager, KPL Building, Topeka, Kans. 66613. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Office Building, 119 Walnut Street, Kansas City, Mo. 64106.

No. MC 107295 (Sub-No. 745 TA), filed September 30, 1974. Applicant: PRE-
NOTICES

No. MC 127042 (Sub-No. 151 TA), filed October 1, 1974. Applicant: HAGEN, INC., 3323 Highway 75 North, P.O. Box 96, Lees Station, Sioux City, Iowa. Applicant's representative: Edward A. O'Donnell (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat by-products, and articles distributed by meat packing houses, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.R. 209 and 765 (except hides and commodities in bulk), from the plant and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to Amarillo, Tex.; and points in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming, restricted to traffic originating at and destined to named points, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., P.O. Box 515, Dakota City, Neb. 68731. Send protests to: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620 Union Pacific Plaza, 110 North 14th Street, Omaha, Neb. 68102.

No. MC 13585 (Sub-No. 57A), filed September 9, 1974. Applicant: MEAT DISPATCH, INC., 2105 17th Street East, Palmetto, Fla. 33561. Applicant's representative: S. Michael Richard, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Malt beverages, as offered for sale by the following: Charles E. Creager, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Malt beverages, from Peoria, Ill., and its commercial zones, to Martinsburg, W. Va., for 180 days. Supporting shipper: J. W. Wingerter & Winston Wallace, Jr., doing business as J. W. Wingerter & Wallace, Jr., doing business as W & W Sales, 261 South 26th Street, Scranton, Pa., 18503. Authority sought to operate as a motor carrier, by motor vehicle, over irregular routes, transporting: Glass containers and pallets and reverse direction, for 180 days. Supporting shipper: Rochester Beer & Beverage Corp., 1215 Mt. Read Blvd, Rochester, N.Y. 14609. Send protests to: District Supervisor Joseph B. Telcher, Interstate Commerce Commission, Bureau of Operations, Palm Coast II Building, Suite 208, 5255 NW 87th Avenue, Miami, Fla. 33166.

No. MC 132003 (Sub-No. WTA), filed September 27, 1974. Applicant: JIMMY T. WOOD, P.O. Box 248, Ripley, Tenn. 38063. Applicant's representative: Thomas A. Stroud, 2008 Clark Tower, Fort Worth, Texas 76102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Brick, between the facilities of General Shale Products Corporation at or near Cortova, Tenn., on the one hand, and, on the other, points in Arkansas, Kentucky, and Missouri, for 180 days. Supporting shipper: General Shale Products Corp., P.O. Box 3647, CRS, Johnson City, Tenn. 37604. Send protests to: District Supervisor Floyd A. Johnson, Interstate Commerce Commission, Bureau of Operations, 455 Federal Office Building, 167 Main Street, Memphis, Tenn. 38103.

No. MC 134454 (Sub-No. GTA), filed September 20, 1974. Applicant: PRACE DELIVERY SERVICE, INC., P.O. Box 825, 367 W. Second Street, Dayton, Ohio 45401. Applicant's representative: Ralph S. Hagedorn (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Propane gas and derivatives, under a continuing contract or contracts with Price Brothers Company, from plant site of Price Brothers Company in Dulwich County, N.Y., to the Louisville, Ky., Commercial Zone, for 180 days. Supporting shipper: Price Brothers Company, 367 West Second Street, Dayton, Ohio 45401. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 550 Main Street, Cincinnati, Ohio 45202.


No. MC 138000 (Sub-No. 13TA), filed October 3, 1974. Applicant: ARTHUR H. FULTON, P.O. Box 86, Stephens City, Virginia 22655. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Malt Beverages, from Peoria, Ill., and its commercial zone and Houston County, Ga., to Harrisburg, and Winchester, Va., and from Peoria, Ill., and its commercial zone, to Martinsburg, W. Va., for 180 days. Supporting shipper: J. W. Wingerter & Winston Wallace, Jr., doing business as J. W. Wingerter & Wallace, Jr., doing business as W & W Sales, 261 South 26th Street, Scranton, Pa., 18503. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Commissary supplies, from Commissary Warehouse, Duluth, Minn., to Antigo AFS and other AFS, for 180 days. Supporting shipper: Air Force, Base Procurement Office, 4787 AB Og (LCP), USAF, Duluth, Minn. 55812. Applicant's representative: Ed Wilson, Base Procurement, 4787 AB Og (LCP), USAF, Duluth, Minn. 55812. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Motor Vehicle, over irregular routes, transporting: Commissary supplies, from Commissary Warehouse, Duluth, Minn., to Antigo AFS and other AFS, for 180 days. Supporting shipper: Air Force, Base Procurement Office, 4787 AB Og (LCP), USAF, Duluth, Minn. 55812. Applicant's representative: Ed Wilson, Base Procurement, 4787 AB Og (LCP), USAF, Duluth, Minn. 55812. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Scrap metals, from the plant sites of National Can Corp, Edinboro and PIascato, N.J.; Long Island City and Massape, FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before November 18, 1974.

Motor Carriers of Passengers

No. MC 1515 (Deviation No. 681) (Can- cels Deviation No. 4603, GREYHOUND LINES, INC. (Eastern Division), P.O. Box 6903, 1400 W. Third Street, Cleveland, Ohio 44101, filed October 4, 1974. Applicant proposes to operate as a common carrier, by motor vehicles, passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 57 to Marion, Ill., with the following access routes: (1) From Harvey, Ill., over 147th Street (also known as Sibley Blvd.), to junction Interstate Highway 57, (2) From Harvey, Ill., over Interstate Highway 57 to junction Interstate Highway 57, (3) From junction Interstate Highway 57 to junction Interstate Highway 57, (4) From Chicago Heights, Ill., over U.S. Highway 39 to junction Interstate Highway 57, (5) From Peotone, Ill., over unnumbered highway to junction Interstate Highway 57, (6) From Manteno, Ill., over unnumbered highway to junction Interstate Highway 57, (7) From Kankakee, Ill., over U.S. Highway 54 to junction Interstate Highway 57 north of Bradley, Ill., (8) From Kankakee, Ill., over U.S. Highway 45 to junction Interstate Highway 57 two miles south of Kankakee, Ill., (9) From Gilman, Ill., over U.S. Highway 54 to junction Interstate Highway 57, (10) From Onarga, Ill., over Illinois Highway 54 to junction Interstate Highway 57, (11) From Paxton, Ill., over Illinois Highway 24 to junction Interstate Highway 57, (12) From Champaign, Ill., over Illinois Highway 150 to junction Interstate Highway 57 west of Rantoul, Ill., (13) From Rantoul, Ill., over U.S. Highway 136 to junction Interstate Highway 57 west of Rantoul, Ill., (14) From Champaign, Ill., over Interstate Highway 74 north of Champaign, Ill., thence over Interstate Highway 74 to the interchange of Interstate Highways 74 and 57 northwest of Champaign, Ill., (15) From Champaign, Ill., over access road to Interstate Highway 74 west of Champaign, Ill., thence over Interstate Highway 74 to junction Interstate Highway 57, (16) From Urbana, Ill., over Lincoln Avenue to junction Interstate Highway 74, thence over Interstate Highway 74 to junction Interstate Highway 57, (17) From Champaign, Ill., over access road to Interstate Highway 74 west of Champaign, Ill., (18) From Tuscola, Ill., over U.S. Highway 54 to junction Interstate Highway 57, (19) From Mattoon, Ill., over Illinois Highway 15 to junction Interstate Highway 57, (20) From Mattoon, Ill., over Interstate Highway 45 to junction Interstate Highway 57 south of Mattoon, Ill., (21) From Effingham, Ill., over U.S. Highway 45 to junction Interstate Highway 57 north of Effingham, Ill., (22) From Effingham, Ill., over access road to junction Interstate Highway 57 west of Effingham, Ill., (23) From the junction of unnumbered highway and Illinois Highway 37 two miles south of Watson, Ill., over unnumbered highway to junction Interstate Highway 57, (24) From Farina, Ill., over Illinois Highway 185 to junction Interstate Highway 57, (25) From Salem, Ill., over U.S. Highway 50 to junction Interstate Highway 57, (26) From Mt. Vernon, Ill., over U.S. Highway 460 to junction Interstate Highway 57.


Motor Carriers of Passengers


No. MC 1515 (Sub-No. 120TA), which was published in the FEDERAL REGISTER in error. The rest of the application will remain the same.

By the Commission.

[SEAL] ROBERT L. OSWALD, Secretary.

[FR Doc.74-24233 Filed 10-16-74;8:45 am]

[Notice No. 18]

Motor Carrier Alternate Route Deviation Notices

October 11, 1974.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before November 18, 1974.

Motor Carriers of Property

No. MC 1515 (Deviation No. 681) (Can- cels Deviation No. 4603, GREYHOUND LINES, INC. (Eastern Division), P.O. Box 6903, 1400 W. Third Street, Cleveland, Ohio 44101, filed October 4, 1974. Applicant proposes to operate as a common carrier, by motor vehicles, passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 57 to Marion, Ill., with the following access routes: (1) From Harvey, Ill., over 147th Street (also known as Sibley Blvd.), to junction Interstate Highway 57, (2) From Harvey, Ill., over Interstate Highway 57 to junction Interstate Highway 57, (3) From junction Interstate Highway 57 to junction Interstate Highway 57, (4) From Chicago Heights, Ill., over U.S. Highway 39 to junction Interstate Highway 57, (5) From Peotone, Ill., over unnumbered highway to junction Interstate Highway 57, (6) From Manteno, Ill., over unnumbered highway to junction Interstate Highway 57, (7) From Kankakee, Ill., over U.S. Highway 54 to junction Interstate Highway 57 north of Bradley, Ill., (8) From Kankakee, Ill., over U.S. Highway 45 to junction Interstate Highway 57 two miles south of Kankakee, Ill., (9) From Gilman, Ill., over U.S. Highway 54 to junction Interstate Highway 57, (10) From Onarga, Ill., over Illinois Highway 54 to junction Interstate Highway 57, (11) From Paxton, Ill., over Illinois Highway 24 to junction Interstate Highway 57 west of Rantoul, Ill., (12) From Rantoul, Ill., over U.S. Highway 136 to junction Interstate Highway 57 west of Rantoul, Ill., (13) From Rantoul, Ill., over Illinois Highway 15 to junction Interstate Highway 57, (14) From Champaign, Ill., over Interstate Highway 74 north of Champaign, Ill., thence over Interstate Highway 74 to the interchange of Interstate Highways 74 and 57 northwest of Champaign, Ill., (15) From Champaign, Ill., over access road to Interstate Highway 74 west of Champaign, Ill., thence over Interstate Highway 74 to junction Interstate Highway 57, (16) From Urbana, Ill., over Lincoln Avenue to junction Interstate Highway 74, thence over Interstate Highway 74 to junction Interstate Highway 57, (17) From Champaign, Ill., over access road to Interstate Highway 74 west of Champaign, Ill., (18) From Tuscola, Ill., over U.S. Highway 54 to junction Interstate Highway 57, (19) From Mat- toon, Ill., over Illinois Highway 15 to junction Interstate Highway 57, (20) From Mattoon, Ill., over Interstate Highway 45 to junction Interstate Highway 57 south of Mattoon, Ill., (21) From Effingham, Ill., over U.S. Highway 45 to junction Interstate Highway 57 north of Effingham, Ill., (22) From Effingham, Ill., over access road to junction Interstate Highway 57 west of Effingham, Ill., (23) From the junction of unnumbered highway and Illinois Highway 37 two miles south of Watson, Ill., over unnumbered highway to junction Interstate Highway 57, (24) From Farina, Ill., over Illinois Highway 185 to junction Interstate Highway 57, (25) From Salem, Ill., over U.S. Highway 50 to junction Interstate Highway 57, (26) From Mt. Vernon, Ill., over U.S. Highway 460 to junction Interstate Highway 57.

No. MC 79113 (Deviation No. 1), WIL- LARD GRAVES TRANSPORT SERVICE, INC., Route 1, Deerfield, IL 60015, filed September 23, 1974. Carrier's Representative: Richard Piepgras, P.O. Box 80012, St. Paul, Minn. 55108. Carrier proposes to operate as a common carrier, by
motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From junction U.S. Highways 10 and 61 near Hastings, Minn., over U.S. Highway 20 to Winona, Minn., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From junction U.S. Highways 10 and 61 near Hastings, Minn., over U.S. Highway 20 to Mondovi, Wis., thence over Wisconsin Highway 77 to junction Wisconsin Highway 80, thence over U.S. Highway 20 to Bluff Siding, Wis., thence across the Mississippi River to Winona, Minn., and return over the same route.

No. MC 106943 (Deviation No. 38), EASTERN EXPRESS, INC., 1450 Wabash Ave., Terre Haute, Ind., 47808, filed October 2, 1974. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Goodland, Kans., over Kansas Highway 27 to junction U.S. Highway 56 near Wheeler, Kans., thence over U.S. Highway 38 to Denver, Colo., and return over the same route. Notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Goodland, Kans., over U.S. Highway 24 to Limon, Colo., thence over U.S. Highway 40 to Denver, Colo., and return over the same route.

No. MC 109538 (Deviation No. 8), CHIPPEWA MOTOR FREIGHT, INC., P.O. Box 269, Eau Claire, Wis. 54701, filed September 11, 1974. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (1) From St. Paul, Minn., over city streets to Minnesota Highway 58, thence over Minnesota Highway 58 to junction U.S. Highway 55, thence over U.S. Highway 55 to Rochester, Minn., thence over U.S. Highway 83 to Wor- loo, Iowa, thence over U.S. Highway 218 to Cedar Rapids, Iowa, thence over Interstate Highway 80 to Davenport, Iowa, thence over city streets to Moline, Ill., (2) From St. Paul, Minn, over city streets to Minneapolis Highway 55, thence over Interstate Highway 35W, thence over Interstate Highway 35W to junction Interstate Highway 35, thence over Interstate Highway 35 to Owatonna, Minn., thence over U.S. Highway 218 to Cedar Rapids, Iowa, thence over Interstate Highway 380 to Iowa City, Iowa, thence over Interstate Highway 80 to Davenport, Iowa, thence over city streets to Moline, Ill., and (3) From St. Paul, Minn., over city streets to Minneapolis Highway 55, thence over Minnesota Highway 58 to junction U.S. Highway 52, thence over U.S. Highway 52 to Dubuque, Iowa, and return over the same routes for operating convent-
interest may file an appropriate petition for intervention of other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.


No. — The purpose of this corrected republication is to add the destination states of Missouri, Nebraska, New Mexico, and North Carolina.

No. MC 134681 (Sub-No. 1) (Republication), filed January 11, 1974, and published in the Federal Register issue of February 22, 1974, and republished this issue. Applicant: VULCRAFT CARRIER CORPORATION, 4425 Randolph Road, Charlotte, N.C. 28211. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 85328, Lincoln, Neb. 68501. An Order of the Commission, Operating Rights Board, dated September 12, 1974, and served October 3, 1974, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) "Iron and steel articles as described or comprised in the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 767, from St. Joe, Ind., to points in St. Joe, Ind., and to points in Ohio, Pennsylvania, New York, Michigan, Illinois, Indiana, Kentucky, West Virginia, and Wisconsin, and (3) of such materials, supplies, and equipment as are dealt in or utilized in the manufacture of commodities described in (1) above (except commodities in bulk), from Ridgefield Park, N.J., to points in Suffolk County, N.Y.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to change the requested authority from common carrier to contract carrier operations, and to modify the territorial and commodity descriptions. It is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party is entitled to file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 11111 (Sub-No. 1) (Corrected republication), filed April 17, 1973, and published in the Federal Register issue of August 18, 1973, and served August 27, 1974, and republished in part, as corrected this issue. Applicant: JONES TRUCK LINES, INC., 510 East Emma Avenue, Highland Park, N.C. 28211. Applicant's representative: James B. Blair, 11 Holcomb Street, Springdale, Ark. 72764. An Initial Decision of the Commission, Administrative Law Judge Francis A. Welch, served July 16, 1974, became the Order of the Commission by notice dated August 15, 1974, and served August 27, 1974, and finds, as pertinent, that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a common carrier, by motor vehicle, over irregular routes, of (2) "Plastic pipe and fittings, from Silbona Springs, Ark., to points in Alabama, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, and Wisconsin.

No. — The purpose of this corrected republication is to add the destination states of Missouri, Nebraska, New Mexico, and North Carolina.

No. MC 125723 (Sub-No. 2) (Republication), filed November 26, 1973, and published in the Federal Register issue of January 10, 1974, and republished this issue. Applicant: ALBERT BEECHER, Box 307, McLaughlin, S. Dak. 57263. Applicant's representative: Albert Beecher (same address as applicant). An Order of the Commission, Operating Rights Board, dated September 12, 1974, and served October 4, 1974, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (3) "Metal and plastic containers, from Homerville, Ga., to points in Florida, with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner seeks to modify the certificate to read: "Metal and plastic containers, from Homerville, Ga., to points in Florida, with no transportation for compensation on return except as otherwise authorized." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition on or before November 10, 1974.
NOTICES

37147

filed September 27, 1974. Petitioner: ELECTRIC TRANSIT, INC., 429 Mission St., San Francisco, Calif. 94105. Petitioner’s representative: John Paul Fischer, 140 Montgomery Street, San Francisco, Calif. 94104. Petitioner holds a brokerage license in No. MC 130133, issued November 13, 1972, to engage in operations, in interstate commerce, between New York, N.Y., and other points in New York, N.Y.; Florida, Georgia, Illinois, Indiana, Kentucky, Massachusetts, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, using electric lamps, (a) from Ewing Township, Mercer County, N.J., to the site of Westinghouse Corporation’s warehouse, Philadelphia, Pa., with no transportation for compensation or return expected; (b) from the site of the Westinghouse Corporation’s warehouse, Philadelphia, Pa., to points in Hudson, Union, Essex, Morris, Middlesex, and Mercer Counties, N.J., and (c) returned shipments of electric lamps, from points in Hudson, Union, Essex, Morris, Middlesex, and Mercer Counties, N.J., to the site of the Westinghouse Corporation’s warehouse, Philadelphia, Pa., with no transportation for compensation or return expected.

No. MC 138154 (Sub-No. 1) (Notice of filing of petition for modification of permit), filed September 27, 1974. Petitioner: T.L.T. FEDERAL COMPANY, INC., 4792 Fifth Avenue Ext., New York, N.Y. 10001. Petitioner’s representative: John Paul Fischer, 140 Montgomery Street, San Francisco, Calif. 94104. Petitioner holds a brokerage certificate in No. MC 138154, issued September 20, 1974, authorizing transportation, as pertinent, over irregular routes, of (1) general commodities, except those of unusual value, Classes A and B explosives, livestock, furniture, merchandise, and equipment used in the manufacture, installation, and repair of property or passengers under sections 1501 et seq. of the Interstate Commerce Act, or (2) in the alternative, amend its territorial description in (1) and (2) above to read: “between New York, N.Y., Commercial Zone as defined in Commercial Zones and terminal areas, under a continuing contract or contract, or (b) ‘exempt’ zone), and those points in New Jersey, within 5 miles of New York, N.Y., and (c) of any municipality in New Jersey any part of which is within 5 miles of New York, N.Y.” instead of New York, N.Y. The commodity descriptions and territorial description in section 1501 et seq. of the Interstate Commerce Act, and the same. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before November 18, 1974.

No. MC 134419 (Notice of filing of petition for modification of permit), filed September 29, 1974. Petitioner: "M.T. COMPANY, INC., 4792 Fifth Avenue Ext., Youngstown, Ohio 44505. Petitioner’s representative: Paul F. Beery, Ninth Floor, 8 East Broad Street, Columbus, Ohio 43215. Petitioner presently holds a motor contract carrier permit in No. MC 134419, issued October 12, 1971, authorizing transportation, as pertinent, over irregular routes, of electric transformers and transformer parts, materials, equipment, and supplies used in the production, distribution, or sale of electric transformers (except commodities in bulk), between Warren, Ohio, and, on the other, points in Florida, Georgia, Illinois, Indiana, Kentucky, Massachusetts, Mississippi, North Carolina, Ohio, Pennsylvania, and Tennessee under a continuing contract, or contracts, with Standard Transformer Co., a division of American Cyanamid & Machine Co. By the instant petition, petitioner seeks to amend the permit to read: "Electric transformers and transformer parts, materials, equipment, and supplies used in the production, distribution, or sale of electric transformers (except commodities in bulk), between Warren, Ohio, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, using electric lamps, (a) to sell or offer to sell the transportation of passengers and their baggage, in round-trip, special and charter operations, by motor vehicle, beginning and ending at points in California, and extending to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. By the instant petition, petitioner seeks to engage in operations as a broker at Concord, Fremont, Fresno, Hayward, Los Angeles, Palo Alto, Redwood City, Sacramento, San Diego, San Mateo, Santa Rosa, Stockton, Vallejo, Santa Ana, Corona, Riverside, San Bernardino, and Long Beach, Calif., as well as San Francisco, Oakland, and San Jose, Calif. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before November 18, 1974.

The following applications are governed by Special Rule 240 of the Interstate Commerce Commission, or (b) ‘exempt’ zone), and those points in New Jersey, within 5 miles of New York, N.Y., and (c) of any municipality in New Jersey any part of which is within 5 miles of New York, N.Y.” instead of New York, N.Y. The commodity descriptions and territorial description in section 1501 et seq. of the Interstate Commerce Act, and the same. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before November 18, 1974.

Applications Under Sections 5 and 210a(b)

The following applications are governed by the Interstate Commerce Commission’s Special Rule 240. Any interested person seeks to engage in operations as a common carrier under a continuing contract, or contract, with Standard Transformer Co., a division of American Cyanamid & Machine Co. By the instant petition, petitioner seeks to amend the permit to read: "Electric transformers and transformer parts, materials, equipment, and supplies used in the production, distribution, or sale of electric transformers (except commodities in bulk), between Warren, Ohio, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, using electric lamps, (a) to sell or offer to sell the transportation of passengers and their baggage, in round-trip, special and charter operations, by motor vehicle, beginning and ending at points in California, and extending to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. By the instant petition, petitioner seeks to engage in operations as a broker at Concord, Fremont, Fresno, Hayward, Los Angeles, Palo Alto, Redwood City, Sacramento, San Diego, San Mateo, Santa Rosa, Stockton, Vallejo, Santa Ana, Corona, Riverside, San Bernardino, and Long Beach, Calif., as well as San Francisco, Oakland, and San Jose, Calif. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before November 18, 1974.

Motor Carriers of Property

Applications for Certificates or Permits which are to be processed concurrently with applications under Section 5 governed by special rule 240 to the extent applicable.

No. MC 4105 (Sub-No. 515) filed September 26, 1974. Applicant: DEALERS TRANSIT, INC., 2200 E. 170th St., P.O. Box 361, Lansing, Ill. 60438. Applicant’s representative: Robert E. Joyner, 2008 Clark Tower, 5100 Foplar.
NOTICES

Avenue, Memphis, Tenn. 38137. Authority sought to operate as a common carrier, by motor vehicle, over regular routes in the following States: Arkansas, Delaware, Florida, Georgia, South Dakota, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. After the authority sought herein is authorized and the transaction consummated, vendee herein intends to operate as a contract carrier directly related to the Section 210a(b). Operating rights sought to be transferred: Foodstuffs, produce, vehicles, and pecan. Application for acquisition of the operating rights of Central Coast Truck Service, INC., P.O. Box AD, Watsonville, CA 95076, and for acquisition by CLARENCE L. WERNER, all of Maywood, CA 92150, of control of such rights through the purchase of the remaining interest of the vendee. Applicant seeks to convert irregular routes, from points in California, to points in Arizona, with restriction.}

No. MC-F-123111 (Supplemental) (STEVENS VAN LINES, INC., vendee and merger—HAMLIN MOVING & STORAGE, INC.), published in the May 8, 1974, issue of the Federal Register, on pages 16591 and 16592. Under the proposed transaction, vendee proposes to acquire vendor's present authority at a point in Michigan (gateway) to perform through service to the transportation of household goods between points in Alabama, Arkansas, Delaware, Florida, Georgia, Pennsylvania, Virginia, West Virginia, and other points in the United States. Application for acquisition of the operating rights of Central Coast Truck Service, INC., P.O. Box AD, Watsonville, CA 95076, of Garland National Transports Company, INC., 3500 Fruitland Ave., Maywood, CA 90270, and for acquisition by JOHN H. SPEAR, 603 Cliff Dr., Aptos, CA 95003, ROLAND R. SCHMITZ, 344 Kingsbury Dr., Aptos, CA 95025, and JOHN P. MONTEIRO, 2000 Cox Rd., Aptos, CA 95003, of control of Garland National Transports Company, INC., through the acquisition by Central Coast Truck Service, INC. Appellants' attorney: Michael P. Groom, 777 First St., Suite 500, San Jose, CA 95112. Operating rights sought to be transferred: General commodities, except among others, dangerous explosives, household goods and commodities in bulk, as a common carrier over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in the United States. Application has not been filed for temporary authority under section 210a(b).
through the purchase. Applicants' attorney: James W. Patterson, 2107 The Fidelity Bldg., Philadelphia, PA 19109.

Operating rights sought to be transferred: The purchase of merchandise, equipment and supplies as are sold, used or distributed by a manufacturer of cosmetics, as a common carrier over irregular routes, from the plant site and storage facilities of Avon Products, Inc., at Na- var, Del., to points in Delaware, points in Adams, Berks, Bucks, Carbon, Chester, Cumberland, Delaware, Dauphin, Frank- lin, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monto, Montgomery, Northampton, Philip and delphia, Perry, Schuylkill, and York Counties, Pa., and points in Atlantic, Burlington, Camden, Cape May, Cumberland, Dorchester, Mercer, Middlesex, Monmouth, Ocean, and Salem Counties, N.J., with restriction. Vendas holds no authority from this Commission. However, it is affiliated with (1) BOSS-LINCO LINES, Inc., Suite 450, Genesea Bldg., 1 W. Genesea St., Buffalo, NY 14240; (2) FLEET CAR- RIER CORPORATION, 366 S. Blvd, East Pontiac, MI 48058; and (3) UNITED MOTOR FREIGHT, INC., P.O. Box 147, Pontiac, MI 48066, which are authorized to operate as common carriers in (1) Delaware, Maryland, New Jersey, New York, Pennsylvania, Vir- ginia, and the District of Columbia, in all of the States in the United States (except Alaska and Hawaii); and (2) Michigan. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12330. Authority sought for purchase by DIEZ-MOTOR LINES, Inc., P.O. Drawer 1427, Hickory, NC 28601, of a portion of the operating rights of FOOLE TRUCK LNE, INC., P.O. Drawer 500, Evergreen, AL 36401, and for acquisition by MILFORD LEE DIEZ, also of Hickory, NC 28601, of control of such rights through the purchase. Applicants' attorney: Robert E. Tate, P.O. Drawer 500, Evergreen, AL 36401. Operating rights sought to be transferred: New furniture, as described in Appendix II to the report in Descrip- tions in Motor Carrier Certificates, 61 M.C.C. 395, as a common carrier over irregular routes, from Prisco City, Mo., to points in the United States (except Alabama, Alaska, and Hawaii); new furniture, from Montgomery, Ala., to Martinezville, Va. Vendas is authorized to operate as a common carrier in all of the States in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12331. Authority sought for purchase by AERO TRUCKING, INC., P.O. Box 908, Monroeville, PA 15146, of a portion of the operating rights of MILLER'S MOTOR FREIGHT, INC., 1660 Zinn's Quarry Rd., York, PA 17405, and for acquisition by EDWARD CORK, also of York, PA 17405, of control of such rights through the purchase. Applicants' attorney: Jack M. George, 2627 Johnston Rd., Columbus, OH 43220, and JAMES N. GEORGE, 402 Harrison Ave., San An- tonio, TX 78209, of control of such rights through the purchase. Applicants' attorney: A. Charles Tell, Suite 1500, 100 E. Broad St., Columbus, OH 43215, for acquisition by EDWARD CORK, also of York, PA 17405. Each carrier will continue to be oper- ated as a common carrier in all of the States in the United States except Alaska and Hawaii. Application has been filed for temporary authority under section 210a(b).

NOTICE
Robert W. Blanchette, Richard C. Bond and John H. McArthur, trustees of the property of Penn Central Trans- portation Company, debtor, 6 Penn Center Plaza, Philadelphia, Pennsylvania 19104, represented by Mr. Robert H. Bierma, General Attorney, Penn Central Transportation Company, Room 333 Union Station, 516 W. Jackson Blvd., Chicago, Illinois 60606, hereby gives notice that on September 25, 1974, it filed an application, assigned Finance Docket No. 27752, to the Interstate Commerce Commission at Washington, D.C. An application assigned Fi- nance Docket 27728 under section 5(2) of the Interstate Commerce Act for authority to own and control more than one regulated common carrier. Any person who wishes to submit any representations in this matter should advise the Commission, with an original and six copies; and send a copy to: Samuel W. Witwer, Jr., Suite 1620, 141 West Jackson Boulevard, Chicago, Illinois 60604.

Trans-Action Associates, Incorporated hereby gives notice that on the 5th day of September 1974, it filed with the Interstate Commerce Commission at Washington, D.C. an application assigned Fi- nance Docket 27729 under section 5(2) of the Interstate Commerce Act for authority to own and control more than one regulated common carrier. Any person who wishes to submit any representations in this matter should advise the Commission, with an original and six copies; and send a copy to: Samuel W. Witwer, Jr., Suite 1620, 141 West Jackson Boulevard, Chicago, Illinois 60604.
In the opinion of Applicant, the Commission's action requested for approval of the trackage rights and construction of the connecting tracks will be a major Federal action, will not have any significant Impact and will not adversely affect the quality of the human environment. In accordance with the Commission's regulations (49 CFR 1100.25) in Ex Parte No. 55 (Sub-No. 4), Implementation—Notice of Environmental Policy Act, 1969, 340 ICC 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in 40 CFR 1.245 (Sub-No. 4), supra Part (b) (1)-(5), 340 ICC 431, 461. The protest submitted shall be filed with the Commission no later than 30 days from the date of first publication in the Federal Register.

By the Commission.

[ Seal ]
Robert L. Oswald, Secretary.

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

October 11, 1974.

The following applications for motor carrier authority to operate in intrastate commerce seek concurrent motor carrier authority in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by special rule 1.245 of the Commission's rules of practice, published in the Federal Register, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 55110 (amendment), filed September 13, 1974. Applicant: BOB'S DELIVERY SERVICE, INC., 150 S. Ninth Avenue, City of Industry, Calif. 91744. Applicant's representative: Donald Murothien, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Calif. 90212. Certificate of public convenience and necessity sought to operate a freight service between the Los Angeles Basin Territory and San Diego Territory. (2) All points and places within the San Diego Territory as described in Note B; (3) All points and places intermediate between the Los Angeles Basin Territory and San Diego Territory via State Highway 1 to Capistrano Beach, thence Interstate Highway 6 and the route of the off-route point of Camp Pendleton; (4) All points and places described in paragraphs (1), (2) and (3), on the other hand; (5) All points and places in paragraphs (1), (2), and (3); (6) All points and places described in paragraphs (1), (2), and (3), on the other hand. Service to, from, or between points located laterally from the trackage rights and construction of the off-route point of Camp Pendleton, via any or all available roads, highways or streets. Service between points within the Los Angeles Basin Territory and San Diego Territory may be performed via any and all available streets and highways. Service between points in the Los Angeles Basin Territory, on the one hand, and San Diego, on the other hand, may be performed via U.S. Highway 395 as an alternate route for transporting purposes only and without service to any points located on and along said highway. Applicant shall not transport any shipments of: (1) Used household goods and personal effects not packed in accordance with the crated property requirements set forth in Item 5 of Minimum Rate Tariff 4-B; (2) Automobiles, trucks, and buses, via: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailer combinations; (3) Livestock: horses, mules, bulls, calves, cattle, cows, dairy cattle, ewes, oxen, pigs, sheep, hogs, piggies, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags, or swine; (4) Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment; (5) Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers, or any combination of cartage; (6) Commodities when transported in bulk in dump trucks or in hopper-type trucks; (7) Commodities when transported in motor vehicles equipped for mechanical mixing in transit; and (8) Logs.

Note: A: Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point of intersection of the San Diego County-San Bernardino County line; thence northerly along said county line for approximately two miles west of Chatsworth; thence westerly along State Highway 118 to Sepulveda Boulevard; thence northeasterly along Sepulveda Boulevard to Chatsworth Drive; thence northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate
boundary of the City of San Fernando to Macay Avenue; northeastward along Macay and its prolongation to the Los Angeles National Forest and San Bernardino National Forest Boundary; southeasterly along the Angeles National Forest and San Bernardino National Forest Boundary; southeasterly along Mill Creek Road to Bryant Street; southeasterly along Bryant Street to and including the unincorporated community of Yucaipa; westerly along Yucaipa Boulevard to Interstate Highway 10; northwesterly along Interstate Highway 10 to Redlands Boulevard; northwesterly along Redlands Boulevard to Barton Road; westerly along Barton Road to La Cadena Drive; southerly along La Cadena Drive to I-10; southeasterly along I-10 to Colorado Street; southeasterly along Colorado Street to Ashland Road; southeasterly along Ashland Road to Covina Drive; easterly along Covina Drive to San Bernardino City Limits; easterly along San Bernardino City Limits to Point 1 mile west of Point 1 mile east of San Bernardino National Forest Boundary; thence southwesterly along an imaginary line running southeasterly to Lakeside on State Highway 67; thence southeasterly on County Road 217 (San Diego County) and its prolongation to State Highway 67; thence southwesterly along the Southwestern limit of the unincorporated community of Winchester to Benton Road; westerly along Benton Road to State Highway 68; westerly along State Highway 68 to Jefferson Avenue; southerly along Jefferson Avenue to U.S. Highway 80; southerly along the boundary line of the County-San Diego County Boundary Line; westerly along said boundary line to the Orange County-Santa Ana County Boundary Line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning, including the point of beginning of County Road 217.

Note:—San Diego Territory includes that area embraced by the following: an imaginary line running due east from Point Loma to Point Loma to Point 1 mile west of Point 1 mile east of the Atlantic Ocean; thence southeasterly along an imaginary line running southeasterly to Lakeside on State Highway 67; thence southeasterly on County Road 217 (San Diego County) and its prolongation to State Highway 67; thence southwesterly along the Southwestern limit of the unincorporated community of Winchester to Benton Road; westerly along Benton Road to State Highway 68; westerly along State Highway 68 to Jefferson Avenue; southerly along Jefferson Avenue to U.S. Highway 80; southerly along the boundary line of the County-San Diego County Boundary Line; westerly along said boundary line to the Orange County-Santa Ana County Boundary Line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning, including the point of beginning of County Road 217.

Hearing: Date, time and place not shown. Requests for procedural information should be addressed to the California Public Utilities Commission, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif., 94102, and should not be directed to the Interstate Commerce Commission.

Notices

Woodland and Bakerfield, inclusive; (2) U.S. Highway 50, Interstate Highway 580 and 5 between San Francisco and Sacramento, inclusive; (3) Interstate 5 between its intersection with State Highway 50 near Lost Hills, inclusive; and (4) State Highway 152 between its intersection with State Highway 580 near Lost Hills, inclusive. The application for the service herein authorized, applicant may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service. Except that applicant shall not transport any shipments of: (1) Used household goods and personal effects not packed in accordance with the canned property requirements set forth in Item No. 5 of Minimum Rate Tariff No. 4-3; (2) Automobiles, trucks and buses, via: new and used, motor or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis; (3) Livestock, viz: bucks, bulls, calves, cattle, cows, dairy cattle, calves, sheep, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, cows, steers, stags, or swine; (4) Commodities when transported or moved in motor vehicles equipped for mechanical mixing in transit; (5) Cement; (6) Logs; (7) Commodities of unusual or extraordinary value; (8) Fresh fruits and vegetables; (9) Hides; and (10) Feathermeal, Intrastate, interstate, and foreign commerce authority sought.

Hearing: Date, time, and place not shown. Requests for procedural information should be addressed to the California Public Utilities Commission, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif., 94102, and should not be directed to the Interstate Commerce Commission.

California Docket No. 55504, filed September 25, 1974. Applicant: BUSY BEE FREIGHT LINES, INC., P.O. Box 460, Modesto, Calif. 95353. Applicant's representative: William D. Taylor, Handler, Baker & Greene, 100 Pine Street, Suite 2550, San Francisco, Calif. 94111. Certificate for the convenience and necessity sought to operate a freight service as follows: Transportation of General commodities, except as herein limited, between all points and places in the San Francisco Territory as described in Part II; (2) Between all points and places on or within 10 lateral miles of the following routes: (a) Interstate Highway 80 between San Francisco and Sacramento, inclusive; (b) Interstate Highway 4 between its junction with Interstate Highway 80 near Fine and Stockton, inclusive; (c) Interstate Highway 80 between its intersection with State Highway 98 near Fine and Stockton, inclusive; (d) Interstate Highway 80 between its intersection with State Highway 98 near Fine and Stockton, inclusive; (e) Interstate Highway 5 between its intersection with State Highway 4 at Stockton and its intersection with State Highway 18, inclusive; (f) State Highway 120 between its intersection with Interstate Highway 5 and its intersection with State Highway 99, inclusive; (g) State Highway 133 between its intersection with Interstate Highway 68 and City Limits; (h) State Highway 99 near Uvasa, inclusive; (i) State Highway 99 between Sacramento and Turlock, inclusive; (j) State Highway 12 between its intersection with Interstate Highway 5 and its intersection with State Highway 99, inclusive; (k) State Highway 53 between its intersection with State Highway 155 at the Dog Falls West and its intersection with Interstate Highway 5, via: Firebaugh, inclusive; (l) State Highway 100 between its intersection with State Highway 58 and its intersection with State Highway 99, inclusive; (m) State Highway 140 between its intersection with Interstate Highway 5 and State Highway 99, inclusive; (n) U.S. Highway 101 between its intersection with U.S. Highway 101 at Guadalupe and its intersection with State Highway 1 at Santa Cruz, inclusive; (o) State Highway 155 between its intersection with State Highway 1 at Santa Cruz and its intersection with State Highway 99 at Santa Cruz, inclusive; (p) State Highway 58 between its intersection with State Highway 1 at Santa Cruz and its intersection with State Highway 1 at San Juan Capistrano, inclusive; (q) State Highway 155 between its intersection with U.S. Highway 101 at Gilroy and its intersection with State Highway 1 at Watsonville, inclusive. In performing the service herein authorized, applicant may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.

Part II: San Francisco territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point on the San Francisco-San Mateo County Boundary Line which meets the Pacific Ocean, thence northwesterly along said line to and including the point 1 mile west of U.S. Highway 101; southerly along an imaginary line 1 mile west of and parallel to U.S. Highway 101 to a point on the Pacific Ocean, thence easterly across the Pacific Company right of way at Araratadero Road; southerly along the Southern Pacific Company right of way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately 2 miles southwest from San Francisco to the permanent, southerly along Pollard Road to W. Farr Avenue; easterly along W. Farr Avenue to Capri Drive; southerly along Capri Drive to E. Farr Avenue, westerly along E. Farr Avenue to the Southern Pacific Company right of way; southerly along the Southern Pacific Company right of way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos

FEDERAL REGISTER, VOLUME 39, NO. 202—THURSDAY, OCTOBER 17, 1974
Road; northeasterly along San Jose-Gate Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; northerly along Hillsdale Avenue to U.S. Highway 101; northerly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capital Avenue; northerly along Capital Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northwesterly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; westerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northwesterly along said boundary line to the campus boundary of the University of California.

Further and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the City of Richmond; northwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to Point of beginning.

Except that pursuant to the authority herein granted carrier shall not transport any shipments of: (1) Used household goods, personal effects and office, store and institution furniture, fixtures and equipment not packed in accordance with the crated property requirements set forth in Item 5 of Minimum Rate Tariff 4-B; (2) Automobiles, trucks, and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis, freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis; (3) Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine or wethers; (4) Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk; in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles; (5) Commodities when transported in bulk in dump trucks or in hopper-type trucks; (6) Commodities when transported in motor vehicles equipped for mechanical mixing in transit; (7) Commodity; (8) Logs; and (9) Commodities of unusual or extraordinary value. Intra-state, interstate, and foreign commerce authority sought.

HEARING: Date, time, and place not shown. Requests for procedural should be addressed to the California Public Utilities Commission, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD, Secretary.
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Office of Education
[45 CFR Part 177]
GUARANTEED STUDENT LOAN PROGRAM

Notice of Proposed Rule Making

Pursuant to the authority contained in Part B, Title IV (20 U.S.C. 1071 through 1087–1) of the Higher Education Act of 1965 as amended, notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Part 177 of Title 45 of the Code of Federal Regulations as indicated below in order to improve the administration of the Guaranteed Student Loan Program (GSLP), as well as to implement the specific provisions of 20 U.S.C. 1087–177.

A. Overview. 1. The proposed regulations set forth amendments to existing regulations and add two new subparts. The definitions in §177.1 of "eligible institution" and "vocational school" have been modified and new definitions of "student" and "matriculate" have been added. Section 177.46, Disbursement and repayment of loans, has been modified to provide separate treatment for disbursements of loans made by educational institutions and disbursements of loans made by other lenders and in addition, paragraph (d) thereof, Commencement of repayment, has been modified to specifically consider withdrawal from school for a correspondence student.

2. A new Subpart F is proposed which establishes requirements and standards that educational institutions must comply with in order to participate in GSLP.

3. A new Subpart G is proposed which sets forth the procedures to be followed by the Office of Education in limiting, suspending or terminating the eligibility of educational institutions which are participating in the GSLP or the eligibility of lenders which are participating in the federally insured phase of the program.

4. A more detailed discussion of the major provisions of the proposed regulations is set forth below.

B. Proposed regulations. 1. Definition of "eligible institution" (§177.1(c)) has been revised to indicate that if the Commissioner determines that one or more of the requirements are met by a small proportion of educational institutions, the Commissioner may establish standards for determining eligibility.

2. The definition of "vocational school" (§177.1(p)) has been revised to require that flight schools maintain current and valid certification by the Federal Aviation Administration and approval by the Veterans Administration. This will ensure that all such schools will meet Federal safety standards and provide further protection to flight school students.

Vocational schools, whose eligibility was determined on the basis of standards prescribed by the Commissioner's Advisory Committee on Accreditation and Institutional Eligibility, must become accredited within three years after the Commissioner has designated a nationally recognized accrediting agency for the applicable field. In order to remain eligible for the GSLP, previous practices permitted such schools up to five years to obtain accreditation following recognition by the accrediting body. This definition has been further revised to require that, in the case of a program offered by correspondence, the institution requires each student who borrows under the GSLP to undertake no less than an average of 12 hours of preparation per week over any four week period. This "12 hour" concept was previously incorporated into regulations as part of the definition of a "half-time student".

3. A new definition of "student" (§177.1(d)) is proposed which consolidates various statutory requirements, previous regulatory requirements and new provisions into a single definition. This should eliminate some of the confusion that now exists in determining which students are eligible borrowers.

4. A new definition "matriculate" (§177.1(c)) is proposed which establishes, for purposes of GSLP, when a student is considered to be fully enrolled. The new definition permits a student to matriculate at the institution during the academic period for which the student actually borrows under the GSLP. In essence, when a student draws his first loan, he shall be considered a matriculant, with corresponding rights and responsibilities.

5. Section 177.46(c) has been revised. New paragraph (c) covers disbursements by lenders which are not educational institutions and requires that the lender, except as provided by the Commissioner, not disburse a loan earlier than 30 days prior to the date on which the institution has notified the lender of the student's enrollment.

6. New paragraph (d) covers disbursements by educational institutions. The proposed regulations specify that the Commissioner will not honor a default claim for a school or college lender for a student who fails to matriculate at the institution before the beginning of the academic period for which the student actually borrows under the GSLP. This provision means that it does so at its own risk.

7. Revised §177.46(d) clarifies, in the case of correspondence students, what constitutes withdrawal from school for purposes of repayment of loans made under the GSLP. In essence, when a student fails to submit a lesson for a period of 60 days or when he has failed to complete his program within 60 days following the normal completion date for his program, he shall be considered withdrawn from school, with provision for a single reinstatement if a student indicates in writing a desire to continue his program.

C. Proposed subpart F—Requirements and standards for participating educational institutions. 1. Section 177.61 requires educational institutions to execute an educational loan contract with the Federal Government of funds spent for interest benefits and special allowances which are paid from funds made available to the student throughout the academic year. The proposed regulation also requires school lenders to make disbursements in multiple installments, with the frequency of such payments being dependent upon the type of institution and the number and duration of academic periods in the academic year. The purpose of this requirement is to assure that funds will be available to the student throughout the academic year. The proposed regulation would also permit the Commissioner to require institutional lenders to utilize a special payment note which provides that the student's obligation with regard to the loan amount is governed by the percentage of completion of the educational period for which the loan was made. While it is not contemplated that such a note form will be required on any widespread basis, its effect will be to minimize default claims against school lenders having a high drop-out rate.

8. Revised §177.61 clarifies, in the case of correspondence students, what constitutes withdrawal from school for purposes of repayment of loans made under the GSLP. In essence, when a student fails to submit a lesson for a period of 60 days or when he has failed to complete his program within 60 days following the normal completion date for his program, he shall be considered withdrawn from school, with provision for a single reinstatement if a student indicates in writing a desire to continue his program.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
agreements with the Commissioner binding the institution to comply with applicable laws and regulations. Institutions currently participating in the program, would have 90 days from the effective date of these regulations to submit such an agreement. Institutions to continue their participation in GSLP.

2. Section 177.62 establishes requirements for administrative and fiscal procedures, for the maintenance and retention of records, and for reporting and sets forth the Commissioner’s audit authority. Educational institutions will be required to maintain certain records with regard to students who borrow under the program and to notify lenders and the Office of Education when there has been a change in the borrower’s enrollment status. This will result in more timely notification to lenders so that repayment arrangements can be instituted before the too long a time period elapses following graduation or withdrawal.

3. Section 177.63 requires each educational institution to establish a fair and equitable refund policy for students who borrow under the program, identifies the criteria that the Commissioner will use in reviewing the institution’s refund policy, and sets forth conditions under which refunds must be made. The lack of equitable refund policies or the failure to administer them on a timely or proper basis is viewed as one of the major causes of default. For this reason, the process of this regulation is to assure that all post-secondary institutions implement such policies with respect to students who borrow under GSLP to help meet their educational expenses. This section also requires that provision be made for refunds for students in the event the school is sold or otherwise discontinues participation in GSLP.

4. Section 177.64 requires each educational institution to make a good faith effort to provide information to each prospective student about the institution and its programs. This requirement promotes student consumer protection since a lack of relevant information of this nature has sometimes resulted in students being misled as to what to expect from a particular educational institution.

5. Section 177.65 requires certain schools to make a determination, based on an appropriate examination or other method, as to the likelihood of their ability to benefit from the instruction to be provided. While colleges have long required entrance examinations, many other schools have not, with the result that students have occasionally been admitted who are not able to benefit from the training offered. The purpose of this regulation is to assure that only qualified students are accepted for enrollment.

Section 177.66 identifies additional criteria that the Commissioner may utilize in evaluating an educational institution’s participation in GSLP and provides that, prior to initiating any action on such evaluation, the Commissioner will inform the institution of his findings and provide it a reasonable time during which it may submit its position or respond to the alleged conditions. It should be emphasized that the existence of such condition or conditions will not necessarily result in immediate actions being taken by the Commissioner. In some cases, these conditions may be easily remedied and the institution may be encouraged to develop a plan by which it will seek to do so. If this does not produce satisfactory results, the Commissioner may then institute formal procedures to impose conditions upon the institution’s participation in GSLP.

D. Proposed subpart G—Procedures for limiting, suspending or terminating school and lender participation. 1. This subpart would establish administrative procedures for the limitation, suspension and termination of the eligibility of an educational institution for participating in the GSLP, or of a lender participating in the Federal Insured Student Loan Program, for failure to comply with applicable law, regulations, agreements or limitations. These provisions do not apply to lenders participating in programs administered by State or private guarantee agencies. However, the Commissioner encourages such agencies to develop similar procedures where appropriate.

2. Section 177.72 defines the terms “limitation,” “suspension” and “termination.” These are used in the definition of the eligibility for an educational institution for participating in the GSLP, or of a lender participating in the Federal Insured Student Loan Program, for failure to comply with applicable law, regulations, agreements or limitations.

3. Section 177.73 sets forth the Commissioner’s authority to impose conditions upon the institution’s participation in GSLP.

4. Section 177.74 specifies that the limitation, suspension or termination of an institution or lender shall not affect responsibilities established under its participation, or impair any benefits or claims to which it might have become entitled, prior to the initiation of any action arising from the described procedures, except to the extent that payments may be required to be made to the Office of Education, such payments may be offset against amounts owed to the borrower or institution.

5. Section 177.75 establishes an informal compliance procedure whereby the Office of Education will provide the institution or lender a reasonable opportunity to correct violations which have been identified before invoking the formal procedures for limitation, suspension or termination. However, where the delay of such formal proceedings could have an adverse effect on the GSLP, both the informal and formal procedures could take place concurrently.

6. Section 177.76 establishes the scope and duration of the Office of Education’s authority to suspend an institution’s or lender’s participation in the program.

This provision describes the procedures to be followed by the Office of Education in instituting formal proceedings to impose conditions upon an educational institution or lender. It further provides for a compressed emergency procedure for cases in which the Commissioner determines that immediate action is necessary to prevent an unreasonable risk of substantial loss of funds either to the Federal Government or to the students involved.

7. Section 177.77 describes the scope and duration for limitation or termination of an institution’s or lender’s participation in the program and establishes the procedures which will be followed by the Office of Education and the institution or lender during such process. Hearing responsibilities are assigned to an Administrative Law Judge under the Administrative Procedure Act, in order to assure that an impartial person, with expertise in such processes, will hear the evidence and render a decision on the merits of the case within applicable laws and regulations.

This section further establishes that the decision of the Administrative Law Judge shall be final except where an appeal is made to the Commissioner, in which case the Commissioner’s decision will be final. This section also permits prior proceedings, which may have been initiated against an institution or lender, to be taken into consideration as a means of expediting a resolution of the case.

8. Section 177.78 specifies the action to be taken by the Commissioner where he denies the request of either an institution or lender to enter into an agreement to participate in the program and that the agreements available to the applicant to respond to such a denial. This section also provides for a similar procedure where an institution or lender, which has previously received an adverse decision affecting its eligibility, applies for and is denied reinstatement of its eligibility.

E. Submission of comments and public hearings on proposed regulations. 1. All interested persons are invited to submit written data, views or arguments concerning the proposed rule to the Associate Commissioner, Office of Guaranteed Student Loans, U.S. Office of Education, Washington, D.C. 20202. Hand deliveries will be received in Room 4051, Region Office Building #3, Seventh and D Streets, SW, Washington, D.C. Such responses to this notice will be considered. For the convenience of persons desiring to attend the hearings on proposed regulations, the hearings will be held Monday through Fridays between 8 a.m. and 4:30 p.m. All relevant material received on or before December 2, 1974, will be considered.

2. All interested persons are also hereby given notice of opportunity to orally present data, views or arguments with respect to the proposed rule at public hearings to be held in the following places on the dates below and commencing at 10 a.m. on each of the days specified.

a. Washington, D.C.
Auditorium—EDW North Building
330 Independence Avenue, S.W.
Washington, D.C.
§ 177.1 Definitions.

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(e) "Eligible institution" or "institution" means (1) an institution of higher education, (2) a vocational school, or (3) with respect to students who are nationals of the United States, an institution outside the States which is comparable to an institution of higher education, or a vocational school which has been approved by the Commissioner for purposes of this part. In cases where the Commissioner does not determine the entire institution to be eligible, this term includes only those individual units or programs within an institution which have been determined by the Commissioner to meet all requirements for institutional eligibility pursuant to paragraphs (f) or (g) of this section.

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(f) "Vocational school" means a business or trade school, technical institution or other technical or vocational school in any State which (1) admits as regular students only persons who have completed or left elementary or secondary school and who have demonstrated the ability to benefit from the training offered by such institution pursuant to the provisions of § 177.65; (2) is legally authorized to provide, and provides within that State, a program of postsecondary vocational education which (1) is designed to provide occupational skills more advanced than those generally provided at the high school level and (2) is designed to provide employment, skills more advanced than those generally provided at the high school level, for persons desiring to primarily engage in recognized occupations, (2) provides no less than 800 clock hours of classroom instruction or its equivalent; and (3) in the case of a program offered by correspondence, requires not less than an average of 12 hours of preparation per week over any 4 week period and completion in not less than 6 months, and (4) in the case of a flight school program, maintains current and valid certification by the Federal Aviation Administration and approval by the Veterans Administration; (3) has been in existence for 3 years or has been specially determined by the Commissioner pursuant to regulation to be an institution meeting the other requirements of this paragraph and to be eligible to participate in programs under this part; and (4) (1) is accredited by a nationally recognized accrediting agency or association recognized by the Commissioner for this purpose, or (2) in the case of a public institution offering postsecondary vocational education, is approved by a State approval agency recognized by the Commissioner for this purpose, or (3) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit institutions of the particular category encompassing such institution, is approved by a State approval agency recognized by the Commissioner for this purpose, or (4) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit institutions of the particular category encompassing such institution, is approved by the Commissioner’s Advisory Committee on Accreditation and Institutional Eligibility, pursuant to standards of content, scope, and quality prescribed by that committee for this purpose. An institution which has been approved pursuant to clause (iv) above must, in order to remain an eligible institution, become accredited within three years after the Commissioner has designated a nationally recognized accrediting agency or State approval agency for the particular category of institutions which encompasses such institution. For the purpose of this paragraph, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations and State approval agencies which he has determined to be reliable authority as to the quality of education or training afforded.

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(1) "Student" means a person who (1) is a national of the United States, is in the United States for other than a temporary purpose and intends to become a permanent resident thereof, or is a permanent resident of the Trust Territory of the Pacific Islands (except that a student attending an institution outside the States must be a national of the United States); (2) has a certificate of graduation from a school providing secondary education or the recognized equivalent of such certificate or, in the case of a vocational school student, attends neither elementary nor secondary school, is beyond the age of compulsory school attendance in the jurisdiction where he lives, and has demonstrated the ability to benefit from the training offered by such institution; (3) has been in existence for 3 years or has been specially determined by the Commissioner pursuant to regulation to be an eligible institution; (4) plans to carry or is carrying, during the period for which the loan is intended, at least one-half of the normal full-time workload as determined by the institution; (5) if enrolled in a program of study by correspondence, plans to engage or is engaging in a program of study by correspondence in which the student is required to complete an average of at least 12 hours of preparation per week over any 4 week period during which he is enrolled; and (6) if enrolled in a flight school program or a vocational school or institution of higher education, plans to pursue or is pursuing a full-time program leading to a private pilot's certificate (or has sufficient flight hours to qualify for such certificate), and holds at least a Class II medical certificate. This term also includes a person who does not have a certificate required by paragraph (1) (3) of this section, but otherwise meets the requirements of this section and has been admitted by an institution of higher education which admits a small proportion of such persons.

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(c) "Matriculate" means that a student has completed all the requisite steps in the enrollment and registration process and the attendance period has commenced.

2. Section 177.66 is amended by revising paragraphs (a) and (d) and by

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
Disbursement by a lender which is not an educational institution. (1) A lender which is not an educational institution may not make a disbursement of any loan proceeds earlier than is reasonably necessary to meet the purposes for which the loan is being made and in no case, except as approved by the Commissioner, earlier than 30 days prior to the date on which the institution requires the student to pay tuition or required fees. If a loan is disbursed in installments, the proceeds disbursed for use during a given semester, quarter or term should not be greater than the amount required by the student for that academic period.

2. If the borrower authorizes the lender, in writing, to disburse the proceeds of the loans to an educational institution, the lender may do so, but must notify the borrower in writing, when any part of the loan has been disbursed. In such cases, the institution shall disburse the funds to the student as indicated in paragraph (c)(1)(2) of this section. In cases where the student does not matriculate in the institution for an academic period for which he has received a loan under this part, the institution must promptly notify the lender and return the proceeds of the loan to the lender. In cases where the student withdraws from the institution prior to the expiration of the academic period for which the loan was made, the institution must promptly notify the lender and return to the lender any portion of the loan proceeds remaining after the school has retained any earned tuition and required fees, as determined pursuant to §177.63, which may be attributed to the loan after giving consideration to other forms of Federal student financial assistance.

(c) Disbursement by a lender which is not an educational institution. (1) A lender which is not an educational institution may not make a disbursement of any loan proceeds earlier than is reasonably necessary to meet the purposes for which the loan is being made and in no case, except as approved by the Commissioner, earlier than 30 days prior to the date on which the institution requires the student to pay tuition or required fees. If a loan is disbursed in installments, the proceeds disbursed for use during a given semester, quarter or term should not be greater than the amount required by the student for that academic period.

(d) Disbursement by an educational institution. (1) An eligible institution acting as a lender or making disbursements pursuant to paragraph (c)(1) of this section may not make a disbursement of any loan proceeds to a student earlier than is reasonably necessary to meet the purposes for which the loan is being made. The Commissioner will not honor a default claim based upon a disbursement, on a loan made by an institution which failed to comply with the provisions of this paragraph.

§ 177.46 Disbursement and repayment of loans.

Subpart F—Requirements and Standards for Participating Educational Institutions

§ 177.61 Agreements between eligible institutions and the Commissioner.

(a) (1) Any eligible institution seeking to participate, in any manner, in any program covered under this part shall submit to the Commissioner for his approval, on a form provided by him, an agreement signed by an appropriate official acknowledging the institution's obligation to comply with all applicable Federal regulations set forth in this part.

(b) If a participating institution undergoes a change of controlling ownership or form of control, its agreement shall automatically expire at the time of such change. In such instance, continued participation by the institution in loan programs under this part shall require a new agreement with the Commissioner and continuation of the institution's status as an eligible institution under this part.

(c) Institutions outside the States shall be required to comply with the provisions of this part only to the extent determined by the Commissioner on a case-by-case basis.

(2) An institution designated as an eligible institution on the effective date of this regulation shall have a period of 90 days to submit the agreement described in paragraph (a) of this section in order to assure continuous participation in programs covered under this part. An institution which has not submitted such agreement or an agreement amended by the end of this 90-day period will be subject to having its eligibility suspended or terminated pursuant to Subpart G of this part.

(d) The submission of one or more agreements more than 60 days after the previous agreement shall not restore the institution's status. (20 U.S.C. 1092(a)(1), 1282(b), 1282(c), 1282(c)(1), 1282(c)(2)(A), 1282(c)(2)(B))
disbursement of loan proceeds, receipt of tuition and other required fees (if the institution provides placement service) for each student who receives a loan under this part and shall retain such records for not less than 5 years (unless otherwise directed by the Commissioner) following the date the student graduates, withdraws, or fails to matriculate for an academic period for which he has received a loan under this part. Copies of reports submitted by the institution pursuant to this section and other forms utilized by the institution relating to loans made under this part shall also be retained for not less than 5 years following their completion, unless otherwise directed by the Commissioner.

(c) Each participating institution shall submit such reports to the Commissioner or to lenders at such time and in such manner as the Commissioner may prescribe concerning the changes in enrollment status of its students who are borrowers. Such reports shall include all of the information required to be submitted by the institution relating to loans made under this part and attributable to students who obtained such loans at such institution and who do not have a common academic term for the majority of its students, during any 4 month period.

(2) Whether the refund policy takes into consideration the length of time the student was enrolled at the institution;

(3) Whether the refund policy takes into consideration the kind and amount of instruction, equipment and other services provided over the periods described in Paragraphs (b) (1) and (2) of this section

(4) Whether the refund policy produces refunds in reasonable and equitable amounts when the considerations described in Paragraphs (b) (2) and (3) of this section are compared with that described in Paragraph (b) (1) of this section: Provided, however, That an institution may retain a reasonable enrollment or registration fee not to exceed $50 for the period for which tuition and other required fees were paid;

(5) Whether the refund policy of the institution is mandated by State law;

(6) Whether, in the case of an accredited institution, the Commissioner has approved the refund policy requirements of the pertinent accrediting body;

(c) Each participating institution must make a refund in accordance with its established refund policy, directly to the student (unless the student has authorized the institution to pay the amount of the refund to the lender). Such refund must be made within 30 days of the date the student ceases to be enrolled at the institution. The date on which a student ceases to be enrolled shall, for purposes of this paragraph, be deemed the date on which the student notifies the school in writing that he is not withdrawing. For this purpose, correspondence students the date shall be deemed to be 30 days after the student fails to submit a required lesson unless the student, within such 30 day period, notifies the school in writing that he is not withdrawing. For this purpose, each correspondence school must establish a schedule of the number of lessons in the course and the intervals at which lessons are to be submitted (and the period of time within which any required resident training must be completed). Such a schedule must conform to the requirements set forth in § 177.1(g) (2) and must be furnished to the student prior to his enrollment.

(d) In the event of the closure, termination, suspension, or change of ownership of a participating institution, the institution or its successors must make provision for the retention of the records provided for in Paragraphs (a) and (b) of this section and for the access to such records by the Commissioner as provided for in paragraph (d) of this section.

§ 177.63 Refunds.

(a) Each participating institution shall establish a fair and equitable refund policy, under which it shall make a refund of unearned tuition and required fees to a student who receives a loan under this part, with less than half-time enrollment, who has received a loan under this part and who does not, as a result of such loan, fail to submit a required lesson by the due date designated by the institution in writing to pay tuition or fees to the institution, with a complete and accurate statement (including printed materials) about the institution, its current academic or training programs, and its faculties and facilities, with particular emphasis on those programs in which the prospective student is interested. In the case of an institution holding itself out as preparing students for a particular vocation or trade, such statement shall include information, in proportion to the part of the institution’s graduates in such vocation or trade.

§ 177.65 Admissions criteria for a vocational or trade program.

Each participating institution holding itself out as preparing students for a particular vocation or trade shall, prior to the time the prospective student obligates himself to pay tuition or fees to the institution, make a determination, based on an appropriate examination or other appropriate criteria, that such person has the ability to benefit from the institution’s initial or continued participation in programs under this part. Provided, however, That prior to initiating such action, the Commissioner shall inform the institution of his findings and provide it a reasonable period, not less than 30 days, to respond to such findings or to submit a plan as to those measures it will voluntarily initiate to alleviate such conditions:

(a) More than 10 percent of loans made under this part to students at the institution during any 20 percent of the academic year in that part and attributable to students enrolled in the institution during any 4 month period.

(b) More than 20 percent of the students at the institution, who have received loans made under this part, withdrew from enrollment at such institution during any 4 month period.

(c) The dollar amount of tuition and fees received by the institution for any academic term from loans made under this part exceeds 60 percent of all tuition and fees received by the institution during that term or, in the case of an institution which does not have a common academic term for the majority of its students, during any 4 month period.

§ 177.66 Additional standards for evaluating an eligible institution.

If the Commissioner determines that any of the following conditions exist, he may, pursuant to the provisions of Subpart E of this part, require the institution to submit a plan as to those measures it will voluntarily initiate to alleviate such conditions:

(a) More than 10 percent of loans made under this part to students at the institution during any 4 month period.

(b) More than 20 percent of the students at the institution, who have received loans made under this part, withdrew from enrollment at such institution during any 4 month period.

(c) The dollar amount of tuition and fees received by the institution for any academic term from loans made under this part exceeds 60 percent of all tuition and fees received by the institution during that term or, in the case of an institution which does not have a common academic term for the majority of its students, during any 4 month period.
tuition and fees received by the institution and attributable to students enrolled in the institution during that 2 month period; or

(d) The institution's financial condition is such that it is unable (1) to provide the educational services for which its students who have obtained loans under this part have enrolled; (2) to meet its obligations to refund unearned tuition and fees; or (3) to provide the administrative resources to comply with the requirements of this part. An institution's financial condition will be deemed not to satisfy these requirements (i) in the case of an institution utilizing accrual accounting, if the ratio of its current assets to current liabilities falls below 1:1 at the conclusion of its most recent fiscal year, or (ii) in the case of an institution utilizing fund accounting, if the fund is operating at an institution utilizing fund accounting, if the fund is operating at a loss or at an unqualified operating position at a loss, or at a loss at a specified period of time.

§ 177.73 Possible sanctions.

(a) Limitations. A limitation on an institution's or a lender's participation established under this part may include any of the following:

(1) A limit on the number or total amount of loans which a lender may make under the Federal Student Loan Program;

(2) A limitation on the number or percentage of students enrolled in an institution who may receive loans under this part;

(3) A limit on the percentage of an institution's total receipts for tuition and fees which may be derived from loans under this part of a stated period of time;

(4) A requirement that an institution obtain a bond, in an appropriate amount, to provide assurance that it will be able to meet its financial obligations to students enrolled at an institution who have received loans under this part;

(5) A requirement that an institution, acting as a lender, utilize a special promissory note form as provided in § 177.43 (c-1) (3); and

(6) Such other requirements or conditions as the designated OE official or the Commissioner, as designated by him, may impose if the Commissioner, after written notice to the institution, determines that the basis for the institution's or lender's participation is found to be unacceptable, or if the designated OE official or the Commissioner determines that such delay would have an adverse effect on programs covered under this part or believes that such informal compliance procedure will not result in a successful resolution of the alleged violation.

§ 177.74 Effect on prior participation.

An action under this subpart resulting in the limitation, suspension or termination of an institution or lender shall not affect any of its responsibilities arising from participation in programs covered under this part prior to the date of such action. Nor shall such action impair any benefits or claims to which an institution or lender may be entitled in §§ 177.16 and 177.17 for limitation, suspension or termination need not be delayed during such informal compliance procedure if the designated OE official believes that such delay would have an adverse effect on programs covered under this part or believes that such informal compliance procedure will not result in a successful resolution of the alleged violation.

§ 177.76 Suspension.

(a) Scope and duration. A suspension may affect all aspects of an institution's or lender's participation in programs covered under this part or only a portion thereof. The duration of a suspension may be set to extend until the designated OE official has determined that the basis for the suspension has been removed and that a repetition of such violation appears unlikely. The period of suspension shall not exceed 60 days, unless the institution or lender and the designated OE official agree to an extension or unless limitation or termination proceedings are initiated pursuant to § 177.71 within this period of time, in which case the period of suspension may be extended until the completion of such proceedings, including any appeal which may be made to the Commissioner.

(b) Procedures. (1) Except as provided in paragraph (c) of this section, suspensions shall only be made pursuant to notice and opportunity to show cause as provided in this paragraph.

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
PROPOSED RULES

(2) Suspension proceedings shall be initiated by certified mail with return receipt requested of the institution or lender, if exercised within a stated period of time, to submit written material and to request an informal meeting to show cause why the action should be rescinded pending the outcome of such proceedings. § 177.77 Limitation and termination.

(a) Scope and duration. A limitation or termination may be initiated whether or not suspension proceedings have been initiated pursuant to § 177.77 within 15 days of the date of the notice the Commissioner may continue to withhold commitments of insurance until the conclusion of such proceedings, including any showing that violation appears unlikely. An institution or lender which has been limited or terminated may subsequently seek reinstatement of its full eligibility to participate in programs under this part or may appeal the decision, in whole or in part, to the Administrative Law Judge. The Commissioner may continue to withhold commitments of insurance until the completion of such proceedings.

(b) Procedure. (1) Informing the institution or lender of the Office of Education's intent to suspend the institution's or lender's eligibility and the basis for such action; and (ii) specifying the proposed effective date of the suspension and the consequences of such action; and (iii) informing the institution or lender of its rights, if exercised within a stated period of time, to submit written material and to request an informal hearing before the Commissioner. The decision of the Commissioner shall become final unless found by the Administrative Law Judge to be set aside on appeal, including a statement of reasons for the decision.

(c) Emergency action. The Commissioner may withhold the issuance of further commitments of insurance to a participating lender or with respect to loans for students attending a participating institution, without prior notice and opportunity to show cause as provided in paragraph (b) of this section, if he determines that such immediate action is necessary in order to prevent an unreasonable risk of a substantial loss of funds either to the Federal Government or to the students involved in further disbursements under this part. If, after such review, the Administrator determines that such risk is sufficiently serious to outweigh the importance of following the procedures set forth in paragraph (b) of this section, he may initiate appropriate action by sending the institution or lender a notice, by certified mail and return receipt requested, informing the institution or lender of the suspension and the grounds therefor. Such emergency action shall not exceed 7 days in length unless suspension proceedings are initiated pursuant to paragraph (b) of this section or limitation or termination proceedings are initiated pursuant to § 177.77 within 15 days of the date of the notice. In such a case the Commissioner may continue to withhold commitments of insurance until the conclusion of such proceedings, including any showing that violation appears unlikely. An institution or lender which has been limited or terminated may subsequently seek reinstatement of its full eligibility to participate in programs under this part or may appeal the decision, in whole or in part, to the Administrative Law Judge.

(3) If the institution or lender does not request a hearing, the designated OE official may, after considering any written material submitted on a timely basis by the institution or lender, dismiss the matter or notify the institution or lender that it has been limited or terminated. (4) If the institution or lender requests a hearing within the time permitted, such hearing shall be conducted as promptly as possible by an Administrative Law Judge pursuant to the provisions of the Administrative Procedure Act (5 U.S.C. sections 554-557). Proposed findings of fact, conclusions of law, and briefs shall be submitted to the presiding officer within 15 days of the conclusion of the hearing.

(b) The Administrative Law Judge shall issue an initial decision consisting of findings of fact and conclusions of law. The initial decision of the Administrative Law Judge shall become final 10 days after being issued, unless within such 10 days the institution or lender or the designated OE official who initiated these proceedings notifies the Commissioner that it or he wishes to appeal the decision, in whole or in part. If any party makes such an appeal, it must submit, within 20 days of the initial decision of the Administrative Law Judge, any further written material it wishes to be considered by the Commissioner, including exceptions to the decision of the Administrative Law Judge, proposed findings and conclusions, and supporting reasons. The opposing party will have 15 days to submit a response. Parties making any submission to the Commissioner must simultaneously transmit copies of such submission to all other parties which participated in the hearing. Any decision by the Administrative Law Judge or the Commissioner is subject to appeal to the United States Court of Claims in accordance with the procedures provided by law. The Commissioner shall become final unless found by the Administrative Law Judge to be set aside on appeal, including a statement of reasons for the decision.

(c) Emergency action. The Commissioner may withhold the issuance of further commitments of insurance to a participating lender or with respect to loans for students attending a participating institution, without prior notice and opportunity to show cause as provided in paragraph (b) of this section, if he determines that such immediate action is necessary in order to prevent an unreasonable risk of a substantial loss of funds either to the Federal Government or to the students involved in further disbursements under this part. If, after such review, the Administrator determines that such risk is sufficiently serious to outweigh the importance of following the procedures set forth in paragraph (b) of this section, he may initiate appropriate action by sending the institution or lender a notice, by certified mail and return receipt requested, informing the institution or lender of the suspension and the grounds therefor. Such emergency action shall not exceed 7 days in length unless suspension proceedings are initiated pursuant to paragraph (b) of this section or limitation or termination proceedings are initiated pursuant to § 177.77 within 15 days of the date of the notice. In such a case the Commissioner may continue to withhold commitments of insurance until the conclusion of such proceedings, including any showing that violation appears unlikely. An institution or lender which has been limited or terminated may subsequently seek reinstatement of its full eligibility to participate in programs under this part or may appeal the decision, in whole or in part, to the Administrative Law Judge. The Commissioner may continue to withhold commitments of insurance until the completion of such proceedings.

(2) If the administrative proceeding is requested, but it cannot be held until the request is received, the date shall be postponed until the completion of such meeting.

(3) The designated OE official shall provide the institution or lender with a statement of its full eligibility to participate in programs under this part or may appeal the decision, in whole or in part, to the Administrative Law Judge. The Commissioner may continue to withhold commitments of insurance until the conclusion of such proceedings, including any showing that violation appears unlikely. An institution or lender which has been limited or terminated may subsequently seek reinstatement of its full eligibility to participate in programs under this part or may appeal the decision, in whole or in part, to the Administrative Law Judge.
PROPOSED RULES

(c) Effect of prior proceedings. If any proceedings have been previously initiated under this subpart against an institution or lender at the time limitation or termination proceedings are initiated, such proceedings need not duplicate the previous proceedings. Any matters resolved under the previous proceedings shall be considered final and any hearings undertaken in the subsequent limitation or termination proceedings shall be limited to new evidence or new issues: Provided, however, That the Administrative Law Judge, or the Commissioner in the case of an appeal, may, in his discretion, agree to reconsider matters previously resolved. Moreover, the time schedules set forth in paragraphs (2), (4) and (5) of paragraph (b) of this section may be shortened to reflect the previous proceedings in such manner as the Administrative Law Judge or the Commissioner may deem appropriate.

§ 17.78 Denial of initial application or reinstatement.

(a) Initial application. If an institution requests an agreement under § 17.61(a) of this part or a lender requests an agreement under § 17.42(a) of this part, the Commissioner shall respond to such submission within 30 days and, if he has decided not to approve such request, shall state reasons for his decision. An institution or lender which has been denied an agreement shall be given an opportunity to meet with a designated OE official to show cause why such agreement should not be denied. However, the Commissioner need not give reasons for a denial or grant an opportunity to show cause if such a request is submitted within 6 months of a previous denial. If a request is submitted by an institution at which the conditions set forth in § 17.66(d) exist, the Commissioner may add to such agreement such terms as are necessary to alleviate those conditions: Provided, however, That such institution may request that the procedures set forth in § 17.77(b) (4) and (5) be exhausted before such agreement becomes effective. Such institution may, without waiving its rights under the preceding sentence, participate in programs under this part subject to such terms pending the outcome of such procedure.

(b) Reinstatement. An institution or lender against which a final adverse decision has been issued under this subpart may at any time request reinstatement of its eligibility (or portion thereof) and may submit to the designated OE official such material as the designated OE official requests, to demonstrate that the basis for such decision has been remedied and is unlikely to recur. The designated OE official shall respond to such request within 30 days and, if he denies the request, shall provide reasons for such denial. An institution or lender whose request has been denied shall be given an opportunity to show cause why such request should not be denied. However, the designated OE official need not consider a request to remove a limitation or termination or grant an opportunity to show cause if such a request is submitted within 6 months of a previous denial. The reinstatement of an institution or lender which has been terminated may be subject to reasonable and appropriate conditions or limitations relating to the grounds for such termination. Provided, however, That such institution or lender may request that the procedures set forth in § 17.77(b) (4) and (5) be exhausted before such reinstatement becomes effective. Such institution or lender may, without waiving its rights under the preceding sentence, participate in programs under this part subject to such conditions or limitations pending the outcome of such procedures.

[FEDERAL REGISTER, VOL 39, NO. 202—THURSDAY, OCTOBER 17, 1974]
DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

MILK IN THE MINNEAPOLIS-ST. PAUL, MINNESOTA AND OTHER MARKETING AREAS

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders
DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
[7 CFR Parts 1050, 1051, 1068, 1069, 1076] (Docket Nos. AO-178-A33, etc.)

MILK IN THE MINNEAPOLIS-ST. PAUL, MINNESOTA AND CERTAIN OTHER MARKETING AREAS

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

<table>
<thead>
<tr>
<th>FCR No.</th>
<th>Marketing area</th>
<th>Docket No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1050</td>
<td>Minnesota-North Dakota, etc.</td>
<td>AO-309-A30</td>
</tr>
<tr>
<td>1051</td>
<td>B.F. Minneapolis-St. Paul, Iowa, etc.</td>
<td>AO-307-A5</td>
</tr>
<tr>
<td>1052</td>
<td>Minneapolis-St. Paul, Minn., etc.</td>
<td>AO-178-A33</td>
</tr>
<tr>
<td>1053</td>
<td>Dubuque-Davenport, etc.</td>
<td>AO-483-A34</td>
</tr>
<tr>
<td>1054</td>
<td>Eastern South Dakota, etc.</td>
<td>AO-500-A32</td>
</tr>
</tbody>
</table>

Notice is hereby given of a public hearing to be held at the Thunderbird Motel, Interstate No. 45 and 24th Avenue, South (3001 78th Street), Minneapolis, Minnesota, beginning at 1 p.m., local time, on November 11, 1974, with respect to proposed amendments to the tentative marketing agreements and orders, regulating the handling of milk in the above-listed marketing areas.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 61 et seq.), and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 90).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreements and orders.

The proposals to combine the above-listed marketing areas under one order raise the issue of whether the provisions set forth in the proposals would tend to effectuate the declared policy of the Act if they are applied to the entire marketing area as proposed, and, if not, what modifications of the provisions would be appropriate.

The issues raised by these proposals include whether the declared policy of the Act would tend to be effectuated by:

(a) Merger of one or more of the above marketing areas, or any combination thereof, including also the redefinition of marketing areas for separate or combined orders which include part or all of the areas presently defined in the respective orders or proposed herein to be regulated; and

(b) Adoption of any of the proposed provisions, or appropriate modification thereof, for any separate order or any combination of such orders including a review of the appropriate pricing and pooling provisions of the orders whether separate or in any combination.

The proposed merger of orders also raises the issue of the appropriate disposition of the producer-settlement funds, marketing service funds, and administrative funds accumulated under the respective orders.

PROPOSED RULES

The proposed amendments set forth below have not received the approval of the Secretary of Agriculture.

Proposed by Mid-America Dairymen, Inc.—Proposal No. 1

Merge the Minneapolis-St. Paul, Minnesota, Southeastern Minnesota-Northern Iowa, and Minnesota-North Dakota orders into a single order to be known as the “Upper Midwest Marketing Area” in accordance with the following provisions:

GENERAL PROVISIONS

§ 1068.1 General provisions.

The terms, definitions, and provisions in Part 1000 of this chapter are hereby incorporated by reference and made a part of this order.

DEFINITIONS

§ 1068.2 Upper Midwest marketing area.

“Upper Midwest marketing area” (referred to in this part as the “marketing area”) means all the territory within the boundaries of the counties listed below, including all territory that is now, or in the future, occupied by Government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments, and any part of such territory within the designated geographical limits of the marketing area:

MINNESOTA COUNTIES

Aitkin
Anoka
Becker
Beltrami
Benton
Big Stone
Blue Earth
Brown
Carver
Cass
Chippewa
Chisago
Clay
Clearwater
Cottonwood
Crow Wing
Cotton
Dodge
Douglas
Faribault
Fillmore
Freeborn
Goodhue
Grant
Hennepin
Hubbard
Ivan
Kandiyohi
Kittson
Lake Col. Parke
Lake of the Woods
Le Sueur
Lyon
Mahnomen
Marshall Martin
McLeod

IOWA COUNTIES

Howard
Kossuth
Meigs (except city of Cape)

MILK AREAS

Barnes
Cass
Charlott
Dickson
Grand Forks
Griggs
La Foule
Nelson

DE LA SALLE COUNTY

Grant
Marshall
North Dakota Counties

Howard
Kossuth
Meigs (except city of Cape)

MILK AREAS

Barnes
Cass
Charlott
Dickson
Grand Forks
Griggs
La Foule
Nelson

DE LA SALLE COUNTY

Grant
Marshall

§ 1068.3 Route disposition.

“Route disposition” means any delivery either inside or outside the marketing area (including disposition by a vendor or from a blank store or from vending machines) of any fluid milk product classified as Class I milk to a wholesale or retail processor, including any governmentally operated institution, but excluding any disposition of skim milk or butterfat not eligible for sale in fluid form to retail or wholesale handlers. Liquid milk products of such order to marketing area from a nonpool plant to any other plant or to a commercial processor of foods.

§ 1068.4 Plant.

“Plant” means the entire land, buildings, surroundings, facilities, and equipment, whether owned or operated by one or more persons, maintained and operated at the same location primarily for the receiving, processing or other handling of milk or milk products (including filled milk). Under this definition any separate portion of a premises or facilities qualified under § 1068.7(b) used to receive, process, or otherwise handle milk shall be deemed to be a separate plant. This definition shall not include any building, premises, facilities, or equipment used primarily (a) to hold or store bottled milk or milk products (including filled milk) or (b) to transfer milk from one conveyance to another in transit from farm to plant of first receipt.

§ 1068.5 [Reserved]

§ 1068.6 [Reserved]

§ 1068.7 Pool plant.

Except as provided in paragraph (c) of this section, “pool plant” means:

(a) A distributing plant from which there is disposed of during the month not less than the following percentages of the total Grade A fluid milk products received during the month at such plant, including producer milk diverted under § 1068.44(a), (b) and (c) and the corresponding step of § 1068.44(b);

(1) Fifteen percent of such receipts is disposed of from such plant as route disposition in the marketing area, or in

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
the form of packaged fluid milk products to other pool distributing plants. Such disposition is to be exclusive of filled milk and packaged fluid milk products received from other pool distributing plants; (2) Forty percent of such receipts in any one of July through December, or in any one of February through June, and in any one of the months of January through June; and (3) All distributing plants operated by a handler may be considered as one plant for the purpose of meeting the applicable percentage requirements of this paragraph if the handler submits a written request to the market administrator prior to the first day of the month for which such consideration is requested.

(b) A plant other than a pool plant pursuant to paragraph (a) of this section that meets the applicable performance requirements pursuant to paragraph (b)(1), (2) or (3) of this section subject to paragraph (b)(4) of this section:

(1) A plant from which 15 percent or more of the total Grade A milk received at the plant from dairy farmers during the month, including milk delivered to the plant from dairies for the account of a cooperative association and milk diverted from the plant, is delivered during the month as fluid milk products, except filled milk, to plants described in paragraph (b) of this section: Provided, That if a plant qualifies as a pool plant in the three successive months September, October and November, meeting the applicable percentage requirements of this paragraph (if so requested in writing by the cooperative association) and having been received first at a plant of such cooperative association.

(c) A plant qualified as a pool plant pursuant to paragraph (b) of this section may be withdrawn from pool plant status in the following months of December through March, submitted to the marketing administrator prior to the first day of the month that the plant be discontinue operations; and

(d) The term "pool plant" shall not apply to the following plants:

(1) A producer-handler plant;

(2) A producer-handler plant pursuant to paragraph (c) of this section; or

(3) A plant qualified as a pool plant pursuant to paragraph (b) of this section if the conditions of paragraph (d)(1) and (ii) of this section are met. Such plant shall be exempt from the provisions of this paragraph for reports that may be required pursuant to §1063.30(d) and verification of such reports by the marketing administrator in accordance with §1063.30(h) of this chapter.

The Secretary determines that a greater quantity of milk in fluid form is disposed of from such plant to a regulated marketing area, as defined in another order issued pursuant to the Act either as route disposition, excluding filled milk, or to pool plants qualified on the basis of route disposition. Provided, That fluid milk products shipped from such a plant that does not qualify as a plant within the unit shall not be counted in the deliveries that qualify the unit for pooling. Each plant that qualifies as a pool plant within a unit shall continue each month as a plant in the unit through the following August unless the plant fails subsequently to qualify for pooling or the handler submits a written request to the market administrator to the first day of the month that the plant be deleted from the unit. Any plant that has been so deleted, or from which a Grade I milk is shipped during the month as Class I milk (except filled milk), is delivered for the account of such as association or order nonpool plant status shall continue in subsequent months through August. No plant may be added to the unit for the remaining months through August. Such plant shall be exempt from route disposition in the marketing area during the month.

§1068.8 Nonpool plant.

"Nonpool plant" means any milk or filled milk receiving, manufacturing, or processing plant other than a pool plant. The following categories of nonpool plants are further defined as follows:

(a) "Other order plant" means a plant that is subject to the pricing and pooling provisions of another order issued pursuant to the Act.

(b) "Producer-handler plant" means a plant operated by a producer-handler association as defined in a handler or group of handlers that is another order plant, other than a pool plant.

(c) "Partially regulated distribution plant" means a plant located within the Minneapolis marketing area either as route disposition, excluding filled milk, or to pool plants qualified on the basis of route disposition. Provided, That fluid milk products shipped from such a plant that does not qualify as a plant within the unit shall not be counted in the deliveries that qualify the unit for pooling. Each plant that qualifies as a pool plant within a unit shall continue each month as a plant in the unit through the following August unless the plant fails subsequently to qualify for pooling or the handler submits a written request to the market administrator to the first day of the month that the plant be deleted from the unit. Any plant that has been so deleted, or from which a Grade I milk is shipped during the month as Class I milk (except filled milk), is delivered for the account of such as association or order nonpool plant status shall continue in subsequent months through August. No plant may be added to the unit for the remaining months through August. Such plant shall be exempt from route disposition in the marketing area during the month.

§1068.9 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of a pool plant;

(b) Any cooperative association with respect to milk of its members diverted for its account pursuant to §1063.13; and

(c) Any cooperative association qualified as a handler pursuant to paragraph (a) of this section shall be, for the purposes of making payments pursuant to §1063.11, the handler as with respect to producer milk caused to be delivered for the account of such association from the farmers of producers to the plant of an order other than a pool plant, or to its own facilities.

(d) Any person in his capacity as the operator of a partially regulated distributing plant. This definition shall not apply to a governmentally owned or operated institution which disposes of Class I milk solely for use on its own premises or to its own facilities;

(e) A producer-handler plant;

(f) Any person in his capacity as the operator of an unregulated supply plant.

§1068.10 Producer-handler.

(a) "Producer-handler" means any person who meets all of the following conditions:

(1) Operates a dairy farm and a distribution plant at which Grade A milk,
of his own production is processed and packaged, and from which there is a route disposition in the marketing area;

(2) Receives no milk or fluid milk products from the farms of other dairy farmers nor from any other source, except receipts of not more than 50,000 pounds of milk (3.5 percent milkfat) and 40 percent in any other month, of milk not to exceed 30 percent in each month September through November, and 40 percent in any other month, of milk received at pool plants from member producers, milk of producers diverted for the account of the cooperative association pursuant to § 1068.15(a), and the milk of any other producers caused to be delivered for the account of such cooperative association to pool plants;

(3) Has route disposition consisting only of skim milk and butterfat obtained from his own farm production except that received pursuant to the exception set forth in paragraph (a) (2) of this section; and

(6) The maintenance, care and management of the dairy animals and other resources necessary to produce such milk and the processing, packaging, or distribution of such milk are the personal enterprise, and the personal risk, of such person.

(b) Any handler claiming producer-handler status shall furnish to the market administrator, for verification, evidence of his qualifications as a producer-handler pursuant to this section and shall furnish evidence of subsequent verification is made.

Any handler claiming producer-handler status shall furnish to the market administrator, for verification, evidence of his qualifications as a producer-handler pursuant to this section and shall furnish evidence of subsequent changes made in the manner of production of butterfat during the month that affect such qualifications as a producer-handler. Such verification by the market administrator shall be made within 15 days of receipt of the evidence and shall be effective as of the first day of the month during which verification is made.

§ 1068.11 [Reserved]

§ 1068.12 Producer.

(a) Except as provided in paragraph (b) of this section, "producer" means any person who produces milk in compliance with the Grade A Inspection requirements of a duly constituted health authority, and whose milk is received at a pool plant as producer milk directly from the farm or diverted pursuant to § 1068.15.

(b) "Producer" shall not include:

(1) A producer-handler as defined in any order (including this part) issued pursuant to § 1068.19.

(2) Any person with respect to milk produced by him which is diverted to a pool plant from an other order plant if the other order designates such person as a producer under that order and such milk is allocated to Class II or Class III utilization pursuant to § 1068.44(a) (b) (1), and the corresponding step of § 1068.44 (b); and

(3) Any person with respect to milk produced by him which is reported as diverted to an other order plant if any portion of such person’s milk so moved is assigned to Class I under the provisions of § 1068.13(b) (1).

§ 1068.13 Producer milk.

"Producer milk" means the skim milk and butterfat In Grade A milk of a producer that is:

(a) Received at a pool plant directly from a producer; or

(b) Diverted by the operator of a pool plant or cooperative association handler pursuant to § 1068.9(b) from a pool plant to a nonpool plant other than a producer-handler plant, subject to the following conditions:

(1) Milk of a producer shall not be eligible for diversion under this section unless, during the month, at least one day’s production of the producer is delivered to a pool plant;

(2) Diverted milk shall be accounted for as received by the diverting handler and paid for at the location of the nonpool plant to which diverted;

(3) A cooperative association handler pursuant to § 1068.9(b) may divert for the account of the cooperative association pursuant to § 1068.16(b) (3) of this section, and the milk of any other producers caused to be delivered for the account of such cooperative association to pool plants;

(4) The operator of the pool plant from an other order plant If any order (including this part) Issued by the Secretary on or after October 15, 1922, of the Act of Congress of February 18, 1922, as amended, known as the “Capper-Volstead Act;” and

(b) Has full authority in the sale of milk by its members and is engaged in making collective sales of or marketing fluid or frozen milk products.

§ 1068.14 Other source milk.

"Other source milk" means all skim milk and butterfat contained in or represented by:

(a) Receipts of fluid milk products and bulk products specified in § 1068.40(b) (1) from any source other than producers, handlers described in § 1068.9 (c), or pool plants;

(b) Receipts in packaged form from other plants of products specified in § 1068.40(b) (1);

(c) Products (other than fluid milk products, products specified in § 1068.40 (b) (1), and products produced at the plant during the same month) from any source which are reprocessed, converted into, or combined with another product in the plant during the month; and

(d) Receipts of any milk product (other than a fluid milk product or a product specified in § 1068.40 (b) (1) for which the handler fails to establish a disposition.

§ 1068.15 Fluid milk product.

(a) Except as provided in paragraph (b) of this section, "fluid milk product" means any of the following products in fluid or frozen form:

(1) Milk, skim milk, lowfat milk, milk drinks, buttermilk, filled milk, and milk shakes and ice milk mixes containing less than 20 percent total solids, including any such products that are flavored, cultured, modified with added nonfat milk solids, concentrated (in a consumer-type package), or reconstituted; and

(2) Any milk product not specified in paragraph (a) (1) of this section or in § 1068.40(b) or (c) (1) through (v) if it contains by weight at least 30 percent of any nonfat milk solids and less than 9 percent butterfat and 20 percent total solids.

(b) "Nonfluid milk product" shall not include:

(1) Evaporated or condensed milk (plain or sweetened), evaporated or condensed cream milk, cream milk (plain or sweetened), formulas especially prepared for infant feeding or dietary use that are packaged in hermetically sealed glass or all-metal containers, any product that contains by weight less than 6.5 percent nonfat milk solids, and whey; and

(2) The quantity of skim milk in any modified product specified in paragraph (a) of this section that is in excess of the quantity of skim milk in an equal volume of an unmodified product of the same nature and butterfat content.

§ 1068.16 Fluid cream product.

"Fluid cream product" means cream (other than plastic cream or frozen cream), sour cream, or a mixture (including a cultured mixture) of cream and milk or skim milk containing 9 percent or more butterfat, with or without the addition of other ingredients.

§ 1068.17 Filled milk.

"Filled milk" means any combination of nonmilk fat (or oil) with skim milk (whether fresh, cultured, reconstituted, or modified by the addition of nonfat milk solids), with or without milkfat, so that the product (including stabilizers, emulsifiers, or flavors used) contains more than 6 percent nonmilk fat (or oil).

§ 1068.18 Cooperative association.

"Cooperative association" means any cooperative marketing association of producers which the Secretary determines, after application by the association;

(a) Is qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the “Capper-Volstead Act;” and

(b) Has full authority in the sale of milk by its members and is engaged in making collective sales of or marketing fluid or frozen milk products.
PROPOSED RULES

§ 1068.30 Reports of receipts and utilization.

On or before the 10th day after the end of each month, each handler shall report for such month to the market administrator, in the detail and on the forms prescribed by the market administrator, as follows:

(a) Each handler, with respect to each of his pool plants, shall report the quantities of skim milk and butterfat contained in or represented by:

(1) Receipts of producer milk, including producer milk diverted from the pool plant to other plants;

(2) Receipts of milk from handlers described in § 1068.30(a);

(3) Receipts of fluid milk products and bulk fluid cream products from other pool plants;

(4) Receipts of other source milk;

(5) Inventories at the beginning and end of the month of fluid milk products and products specified in § 1068.40(b)(1); and

(6) Shrinkage resulting from the resale of milk.

(b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a) of this section.

(c) Each handler described in § 1068.9 and (a) of this section shall report:

(1) The quantities of all skim milk and butterfat contained in receipts of milk from producers; and

(2) The utilization or disposition of all such receipts.

(d) Each handler not specified in paragraphs (a) through (c) of this section shall report with respect to his receipts and utilization of milk, filled milk, and milk products in such manner as the market administrator may prescribe.

§ 1068.31 Payroll reports.

(a) On or before the last day of each month, each handler described in § 1068.9 (a), (b), and (c) shall report to the market administrator his payroll for the preceding month, in the detail prescribed by the market administrator, showing for each producer:

(1) His name and address;

(2) The total pounds of milk received from such producer;

(3) The average butterfat content of such milk; and

(4) The price per hundredweight, the gross amount due, the amount and nature of any deductions, and the net amount paid.

(b) Each handler operating a partially regulated distributing plant who elects to make payment pursuant to § 1068.30 shall report for each dairy farmer who would have been a producer if the plant had been fully regulated in the same manner as prescribed for reports required by paragraph (a) of this section.

§ 1068.32 Other reports.

In addition to the reports required pursuant to §§ 1068.30 and 1068.31, the following shall be reported to the market administrator:

(a) Each handler specified in § 1068.9 (g) who operates an unregulated supply distributing plant shall report as required in § 1068.30, except that the receipts of skim milk and butterfat in Grade A milk shall be reported in lieu of those in producer milk.

(b) Each handler shall report such other information as the market administrator deems necessary to verify or establish such handler's obligation under the order.

CLASSIFICATION OF MILK

§ 1068.40 Classes of utilization.

Except as provided in § 1068.42, all skim milk, cream, and butterfat required to be reported by a handler pursuant to § 1068.30 shall be classified as follows:

(a) Class I milk. Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of a fluid milk product, except as otherwise provided in paragraphs (b) and (c) of this section;

(2) Not specifically accounted for as Class I or Class III milk.

(b) Class II milk. Class II milk shall be all skim milk and butterfat:

(1) Disposed of in the form of a fluid milk product, eggnog, yogurt, and any product containing 6 percent or more nonmilk fat (or oil) that resembles a fluid cream product, eggnog, or yogurt, except as otherwise provided in paragraph (c) of this section;

(2) Disposed of in the form of a fluid cream product or a fluid butter product that is classified as a fluid cream product or a fluid butter product in accordance with paragraph (a) of this section;

(3) In shrinkage assigned pursuant to § 1068.41(a) to the receipts specified in paragraph (a) of this section;

(4) In fluid milk products and fluid milk products specified in paragraph (b) (1) of this section in bulk form;

(5) In fluid milk products and fluid milk products specified in paragraph (b) (1) of this section in bulk or packaged form and products specified in paragraph (b) (1) of this section in bulk form;

(6) In fluid milk products and fluid milk products specified in paragraph (b) (1) of this section in bulk or packaged form and products specified in paragraph (b) (1) of this section in bulk form that is dumped in a handler if the market administrator is notified of such dumping in advance and is given the opportunity to verify such disposition;

(7) In any fluid milk product that is in excess of the quantity of skim milk in such product that was included within the fluid milk product definition pursuant to § 1068.15.

(c) Class III milk. Class III milk shall be:

(1) Milkshake and dessert mixes;

(2) Used to produce:

(a) Cottage cheese, lowfat cottage cheese, and dry curd cottage cheese;

(b) Milkshakes and ice milk mixes (or mixtures) containing 30 percent or more total solids, frozen desserts, and frozen dessert mixes;

(3) Any concentrated milk product, bulk fluid form other than that specified in paragraph (c) (1) (iv) of this section;

(iv) Bakery products, frozen cream, and anhydrous milkfat;

(v) Custards, puddings, and pancake mixes; and

(vi) Other milk products especially prepared for infant feeding or dietary use that are packaged in hermetically sealed glass or metal containers.

(d) Class III milk. Class III milk shall be:

(i) Used to produce:

(a) Cottage cheese, lowfat cottage cheese, and dry curd cottage cheese;

(b) Butter;

(iii) Any milk product in dry form;

(iv) Any concentrated milk product in bulk, fluid form that is used to produce a Class III product;

(v) Evaporated or condensed milk (plain or sweetened) in a consumer-type package and evaporated or condensed skim milk, plain or sweetened, in a consumer-type package; and

(vi) Any product not otherwise specified in this section.

(e) In inventory at the end of the month, each handler shall report:

(1) The quantities of all fluid milk products in bulk and products specified in paragraph (b) (1) of this section in bulk form,

(2) The quantities of all fluid milk products and products specified in paragraph (b) (1) of this section in bulk form that is dumped in a handler if the market administrator is notified of such dumping in advance and is given the opportunity to verify such disposition;

(3) The quantities of all skim milk in any modified fluid milk product that is in excess of the quantity of skim milk in such product that was included within the fluid milk product definition pursuant to § 1068.15;

(f) In shrinkage assigned pursuant to § 1068.41(a) to the receipts specified in § 1068.41(b) (1) and in shrinkage specified in § 1068.41(b) (b).

§ 1068.41 Shrinkage.

For purposes of classifying all skim milk and butterfat to be reported by a handler pursuant to § 1068.30, the market administrator shall determine the following:

(a) The pro rata assignment of shrinkage of skim milk and butterfat, respectively, at each pool plant to the respective quantities of skim milk and butterfat:

(1) In the receipts specified in paragraph (b) (1) through (6) of this section on which shrinkage is allowed pursuant to such paragraph; and

(2) In other source milk not specified in paragraph (b) (1) through (6) of this section which was received in the form of a bulk fluid milk product or a bulk fluid cream product;

(b) The shrinkage of skim milk and butterfat, respectively, assigned pursuant...
PROPOSED RULES

to paragraph (a) of this section to the receipts specified in paragraph (a) (1) of this section, that is not in excess of:
(1) Two percent of the skim milk and butterfat, respectively, in producer milk (excluding milk diverted by the plant operator to another plant).
(2) Plus 1.5 percent of the skim milk and butterfat, respectively, in milk received from a handler described in § 1068.49(b), except that if the operator of the plant to which the milk is delivered purchases such milk on the basis of weights determined from its measurement at the farm and butterfat tests determined from farm bulk tank samples, the applicable percentage under this subparagraph shall be 2 percent.
(3) Plus 0.5 percent of the skim milk and butterfat, respectively, in producer milk diverted from such plant by the plant operator to another plant, except that if the operator of the plant to which the milk is delivered purchases such milk on the basis of weights determined from its measurement at the farm and butterfat tests determined from farm bulk tank samples, the applicable percentage under this subparagraph shall be zero.
(4) Plus 1.5 percent of the skim milk and butterfat, respectively, in milk received from a handler described in § 1068.49(b), except that if the operator of the plant to which the milk is delivered purchases such milk on the basis of weights determined from its measurement at the farm and butterfat tests determined from bulk tank samples, the applicable percentage under this subparagraph shall be zero.
(5) Less 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products received from unregulated supply plants, the quantity for which Class II or Class III classification is requested by the operators of both plants;
(6) Plus 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products received from unregulated supply plants, excluding the quantity for which Class II or Class III classification is requested by the handler; and
(7) Less 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products received from unregulated supply plants that is not in excess of the respective amounts of skim milk and butterfat to which percentages are applied in paragraphs (a) (2), (4), (5), and (6) of this section; and
(c) The quantity of skim milk and butterfat, respectively, in shrinkage of milk from producers for which a cooperative association is the handler pursuant to § 1068.9 (b) or (c), but not in excess of 20 percent of the skim milk and butterfat, respectively, in such milk. If the operator of the plant to which the milk is delivered purchases such milk on the basis of weights determined from its measurement at the farm and butterfat tests determined from farm bulk tank samples, the applicable percentage under this paragraph for the cooperative association shall be zero.

§ 1068.42 Classification and transfers and diversions.
(a) Transfers to pool plants. Skim milk or butterfat transferred in the form of a fluid milk product or a bulk fluid cream product from a pool plant to another pool plant shall be classified as Class I milk unless the operators of both plants request the same classification in another plant, in which case the classification of such transfers shall be subject to the following conditions:
(1) The skim milk or butterfat classifica-
tion of such transfers shall be equal to the lowest skim milk or butterfat classifica-
tion of the nonpool plant's utilization to its receipts as set forth in paragraph (b) of this section.
(2) In the assignment of all skim milk and butterfat allocated to the other order, classification shall be in the order of the following conditions:
(i) The unallocated skim milk or butterfat classified as Class I milk shall be in accordance with the provisions of § 1068.40.
(ii) Transfers to producer-handlers. Skim milk or butterfat transferred in the following forms from a pool plant to a producer-handler under this or any other Federal order shall be classified:
(1) As Class I milk, if transferred in the form of a fluid milk product; and
(2) As Class I milk, if transferred in the form of a fluid milk product or a bulk fluid cream product, unless the following conditions apply:
(i) If the conditions described in paragraph (d) (1) (i) (a) and (b) of this section are met, transfers or diversions in bulk form shall be classified as Class I milk, and transfers or diversions in bulk form shall be classified on the basis of the assignment of the nonpool plant's utilization to its receipts as set forth in paragraph (d) (2) (ii) through (viii) of this section.
(b) The nonpool plant operator maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available for verification purposes if requested by the market administrator;
(c) The nonpool plant operator shall, for the month other source milk to the extent such utilization is available for such classification pursuant to the allocation provisions of the other order;
(d) If information concerning the classes to which such transfers or diversions were allocated under the other order is not available, the operators of the plant to which the transfers were allocated shall classify such transfers as Class I milk, and transfers or diversions in bulk form shall be classified in the order of the following conditions:
(i) As Class I milk, if transferred in the form of a fluid milk product or a bulk fluid cream product.
thereunder shall be assigned to the extent possible in the following sequence: 
(a) Pro rata to receipts of packaged fluid milk products at such nonpool plant from pool plants; and
(b) Pro rata to any remaining unassigned receipts of packaged fluid milk products at such nonpool plant from other order plants;
(c) Pro rata to receipts of bulk fluid milk products at such nonpool plant from pool plants; and
(d) Pro rata to any remaining unassigned receipts of bulk fluid milk products at such nonpool plant from other order plants;

(p) Transfers of bulk fluid milk products from the nonpool plant to a plant fully regulated under any Federal milk order shall be assigned, pro rata, to the extent possible to the regulated plant exceeding receipts of fluid milk products from the nonpool plant and other order plants;
(q) Any remaining unassigned receipts of packaged fluid milk products at such nonpool plant from pool plants and other order plants shall be assigned, pro rata, to any remaining unassigned receipts of packaged fluid milk products at such nonpool plant from pool plants and other order plants;

(v) Any remaining unassigned Class I disposition of packaged fluid milk products from the nonpool plant shall be assigned to the extent possible pro rata to any remaining unassigned receipts of packaged fluid milk products at such nonpool plant from pool plants and other order plants;

(vi) Any remaining unassigned Class I disposition of packaged fluid milk products from the nonpool plant shall be assigned to the extent possible pro rata to any remaining unassigned receipts of fluid milk products at the nonpool plant from other pool plants; and

(vii) Any remaining unassigned Class I disposition of packaged fluid milk products from the nonpool plant shall be assigned, pro rata among such plants, to the extent possible first to any remaining Class I utilization, then to Class II utilization of any pool plant operated by the same handler described in paragraph (a) of this section, as follows:

(a) To such nonpool plant's receipts from dairy farmers who the market administrator determines constitute regular sources of Grade A milk for such nonpool plant; and
(b) To such nonpool plant's receipts of Grade A milk from plants not fully regulated under any Federal milk order which the market administrator determines constitute regular sources of Grade A milk for such nonpool plant; and
(c) Any remaining unassigned receipts of fluid milk products at such nonpool plant from other order plants shall be assigned, pro rata among such plants, to the extent possible first to any remaining Class I utilization, then to Class II utilization of any pool plant operated by the same handler described in paragraph (a) of this section, as follows:

(a) Skim milk shall be allocated in the following manner:
(1) Subtract from the total pounds of skim milk in Class III the pounds of skim milk in shrinkage specified in § 1068.41 (b);
(b) Subtract from the total pounds of skim milk in Class I the pounds of skim milk in receipts of packaged fluid milk products from an unregulated supply plant that were not subtracted pursuant to paragraph (a)(3) of this section; and
(vi) In determining the nonpool plant's utilization for purposes of this subparagraph, any fluid milk products and bulk fluid cream products transferred from such nonpool plant to a plant not fully regulated under any Federal milk order shall be classified on the basis of the second plant's utilization using the same assignment priorities at the second plant that are set forth in this subparagraph.

§ 1068.43 General classification rules.

In determining the classification of producer milk pursuant to § 1068.44, the following rules shall apply:

(a) Each month the market administrator shall correct for mathematical and other obvious errors all reports filed pursuant to § 1068.40, and shall compute separately for each pool plant and for each cooperative association with respect to milk for which it is the handler pursuant to § 1068.9 (b) or (c) the pounds of skim milk and butterfat, respectively, in each class in accordance with §§ 1068.40, 1068.41, and 1068.42;

(b) If any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk in such product that are to be considered under this paragraph as used or disposed of by the handler shall be determined by subtracting from the nonfat milk solids contained in such product plus all of the water originally associated with such solids:

(c) The classification of producer milk for which a cooperative association is the handler pursuant to § 1068.9 (b) or (c) shall be determined by subtracting from all of the operations of any pool plant operated by such cooperative association;

(d) For classification purposes, pursuant to §§ 1068.30, 1068.31, 1068.45, butterfat in skim milk either disposed of to others or used in the manufacture of milk products shall be accounted for at a butterfat content of 0.065 percent, unless the handler has adequate records of the actual butterfat content of such skim milk.

§ 1068.44 Classification of producer milk.

For each month the market administrator shall determine the classification of producer milk of each handler described in § 1068.9 (a) for each of his pool plants separately and of each handler described in § 1068.9 (b) and (c) by allocating the handler's receipts of skim milk and butterfat to his utilization as follows:

(a) Skim milk shall be allocated in the following manner:
(1) Subtract from the total pounds of skim milk in Class III the pounds of skim milk in shrinkage specified in § 1068.41 (b);
(2) Subtract from the total pounds of skim milk in Class I the pounds of skim milk in receipts of packaged fluid milk products from an unregulated supply plant that were not subtracted pursuant to paragraph (a)(3) of this section;

(b) From Class II the pounds of skim milk remaining in Class II shall be classified under the category of fluid milk products in the form in which they were received from other plants, but not in excess of the pounds of skim milk remaining in Class II;

(c) Subtract from the remaining pounds of skim milk in Class II the pounds of skim milk in other source milk (except that received in the form of a fluid milk product or a fluid cream product) that is used to produce, or added to, any product specified in § 1068.40 (b), but not in excess of the pounds of skim milk remaining in Class II.

(5) Subtract in the order specified below from the pounds of skim milk remaining in each class, in series beginning with Class III, the pounds of skim milk in each of the following:

(i) Other source milk (except that received in the form of a fluid milk product or a fluid cream product) that was not subtracted pursuant to paragraph (a) of this section;

(ii) Receipts of fluid milk products (except filled milk) for which Grade A certification is not established;

(iii) Receipts of fluid milk products from unidentified sources;

(iv) Receipts of fluid milk products from a producer-handler as defined under this or any other Federal milk order;

(v) Receipts of reconstituted skim milk in filled milk from an unregulated supply plant that were not subtracted pursuant to paragraph (a)(3) of this section; and

(vi) Receipts of reconstituted skim milk in filled milk from an other order plant that is regulated under any Federal...
milk order providing for individual-handler pooling, to the extent that reconstituted skim milk is allocated to Class I and Class III combined; 

(6) Subtract in the order specified below from the pounds of skim milk remaining in Class II and Class III, in sequence beginning with Class III:

(i) the pounds of skim milk in receipts of fluid milk products from a regulated supply plant that were not subtracted pursuant to paragraph (a) (2) and (7) (v) of this section for which the handler requests a classification other than Class I, but not in excess of the pounds of skim milk determined pursuant to paragraph (a) (8) (ii) through (c) (8) of this section; 

Should the pounds of skim milk to be subtracted at this allocation step from Class II and Class III combined exceed the pounds of skim milk remaining in such classes, the pounds of skim milk in Class II and Class III combined shall be decreased by a like amount; in such case, the pounds of skim milk remaining in each class at this allocation step at the handler’s other pool plants shall be adjusted in the reverse direction by a like amount.

(b) Multiply by 1.25 the sum of the pounds of skim milk remaining in Class I at this allocation step at all pool plants of the handler (excluding any duplication of utilization in such classes at the nearest other pool plant of the handler, and then at each successively more distant pool plant of the handler) by an amount equal to such excess quantity to be subtracted, and the pounds of skim milk in Class I remaining in Class I after such proration shall be decreased by a like amount. In such case, the pounds of skim milk remaining in each class at the pool plants of the handler and then at each successively more distant pool plant of the handler by an amount equal to such excess quantity to be subtracted, and the pounds of skim milk in Class I remaining in Class I after such proration shall be decreased by a like amount; 

(c) Multiply any plus quantity resulting above by the percentage that the receipt of skim milk in fluid milk products from unregulated supply plants that remain at this pool plant is of all such receipts remaining at this allocation step at all pool plants of the handler; and

(ii) The pounds of skim milk in receipts of fluid milk products from an order plant that are in excess of fluid milk products transferred or diverted to such plant and that were not subtracted pursuant to paragraph (a) (7) (vi) of this section; if Class II or Class III classification is requested by the operator of the other order plant and the handler, but not in excess of the pounds of skim milk remaining in Class II and Class III combined;

(7) Subtract the pounds of skim milk remaining in each class, in sequence beginning with Class III the pounds of skim milk in fluid milk products and fluid milk products transferred or diverted to such plant at that were not subtracted pursuant to paragraphs (a) (7) (vi) and (b) (1) (i) in inventory at the beginning of the month that were not subtracted pursuant to paragraph (a) (5) and (f) (i) of this section;

(10) Add to the remaining pounds of skim milk in Class III the pounds of skim milk in Class III combined that exceed the pounds of skim milk remaining in Class I after such proration to the total pounds of skim milk remaining in Class I and in Class II and Class III combined that are in excess of the pounds of skim milk products to be allocated at this step at all pool plants of the handler.

(F) Subject to the provisions of paragraphs (a) (12) (i), (ii), and (iv) of this section, the pounds of skim milk remaining in each class at the pool plant at which transfers or diversions from Class II and Class III combined that exceeds the pounds of skim milk remaining in Class II and Class III combined that exceeds the pounds of skim milk remaining in Class I shall be adjusted in the reverse direction by a like amount.
and the pounds of skim milk in Class II and Class III combined shall be decreased by a like amount (decreasing as necessary Class III and then Class II). In such case, the pounds of skim milk remaining in each class shall be the combination of the amounts so subtracted as determined pursuant to § 1068.42(a); and
(14) If the total pounds of skim milk remaining in each class after the computations pursuant to §§ 1068.44(a)(12) and (14) of this section and the corresponding step of paragraph (b) of this section.

§ 1068.45 Market administrator’s reports and announcements concerning classification.

The market administrator shall make the following reports and announcements concerning classification:

(a) Whenever required for the purpose of computing the uniform prices from other order plants and unregulated supply plants. Such assignment is to be made first to shipping plants priced at the same price, next to plants having a higher price, and then in accordance with the plant at which the highest price would apply.

(c) The Class I price applicable to other source milk shall be adjusted at the rates set forth in paragraph (a) of this section, except that the adjusted Class I price shall not be less than the Class III price.

(d) The base zone shall include:

Howard

Reinmiuth

Mitchell (except city of Osage)

and in the State of Minnesota, the following counties:

Blue Earth

Brown

Cottonwood

Dodge

Faribault

Fillmore

Freeborn

Le Sueur

Lyon

Winona

(2) All territory within 35 miles of the following baling points:

(i) The courthouse in Rochester, Minnesota

(ii) The Minnesota Transfer Viaduct at University Avenue in St. Paul, Minnesota; and

(iii) The courthouse in Fargo, North Dakota.

§ 1068.53 Announcement of class prices.

The market administrator shall announce publicly on or before the fifth day of each month the price for the following month and the Class II and Class III prices for the preceding month.

§ 1068.54 Equivalent price.

If for any reason a price or pricing constituent required by this part for computing class prices or for other purposes is not available as prescribed in this part, the market administrator shall use a price or pricing constituent determined by the Secretary to be equivalent to the price or pricing constituent that is required.

§ 1068.55 Plant location adjustments for handlers.

(a) For producer milk received at a pool plant or diverted to a nonpool plant located outside the base zone and classified as Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section, the price computed pursuant to § 1068.50(a) shall be reduced by an amount indicated below:

<table>
<thead>
<tr>
<th>Amount of deduction (cents)</th>
<th>Plant Location (miles from nearer of baling points)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Base zone</td>
</tr>
<tr>
<td>6</td>
<td>35 but less than 45</td>
</tr>
</tbody>
</table>

For distances of 45 miles or more, an additional 1.5 cents for each 10 miles or fraction thereof beyond 45 miles.

(b) Transfers of fluid milk products between pool plants shall be assigned Class I disposition at the receiving plant, in excess of the sum of receipts at such plant from producers (including receipts from a handler described in § 1068.9(b)(c)) and the pounds assigned as Class I milk from other order plants and unregulated supply plants. Such assignment is to be made first to shipping plants priced at the same price, next to plants having a higher price, and then in accordance with the plant at which the highest price would apply.

(c) The price of Class I applicable to other source milk shall be adjusted at the rates set forth in paragraph (a) of this section, except that the adjusted Class I price shall not be less than the Class III price.

奖金州和三类价格的调整。

(2) 所有在明尼苏达州的范围内，35英里内的以下装车点：

(i) 罗切斯特市，明尼苏达州

(ii) 明尼苏达州转移高架桥，大学大道，圣保罗，明尼苏达州；和

(iii) 法戈，北达科他州，法院。

§ 1068.53 类别价格的公告。

市场管理者应在每月第五日公告下月的市场价以及前月的二类和三类价格。

§ 1068.54 等价价格。

如果因任何原因没有所需的价格或定价构成，市场管理者将使用由秘书确定的等价价格或定价构成。

§ 1068.55 工厂位置调整。

(a) 对于从一个池工厂或受分配给非池工厂的生产者牛奶，位于基地区域外，分类为一类牛奶或获得一类工厂位置调整信用的，所计算的价格应根据§ 1068.50(a) 减少以下金额的指示：

<table>
<thead>
<tr>
<th>扣除金额（美分）</th>
<th>位置（从近的装车点）</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>基地区域</td>
</tr>
<tr>
<td>6</td>
<td>35英里以下 45英里</td>
</tr>
</tbody>
</table>

对于超过45英里的距离，每增加10英里或不足10英里的部分，再加1.5美分。

(b) 池工厂之间的液体牛奶产品转移，应按照一类工厂处置，超过生产者（包括从描述在§ 1068.9(b)(c)的分发者）和已分配为一类牛奶的其他池工厂和非池工厂的总和。此类分配是按照在相同价格的工厂，然后是较高价格的工厂，最后是根据工厂位置确定的价格。

(c) 一类工厂的价格适用于其他来源的牛奶将按照§ 1068.50(a) 的指示调整。
Class III price for the preceding month and the Class I price applicable at the location of the pool plant or the Class II price, as the case may be, for the preceding month, by the hundredweight of skim milk and butterfat subtracted from Class I and Class II pursuant to §1068.64(a)(3) and the corresponding step of §1068.64(b); (d) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to §1068.64(a)(7) and the corresponding step of §1068.64(b), excluding receipts of bulk fluid order products from an other order plant; (e) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to §1068.64(a)(7) and the corresponding step of §1068.64(b); (f) Add the amount obtained from multiplying the difference between the Class I price applicable at the location of the pool plant and the Class III price by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to §1068.64(a)(7) and the corresponding step of §1068.64(b); (g) Subtract not less than 4 cents nor more than 5 cents per hundredweight. The result shall be the "uniform price" for milk received from producers.

§1068.62 Announcement of uniform price and butterfat differential.
The market administrator shall announce publicly on or before: (a) The fifth day after the end of each month the butterfat differential for such month; and (b) The 15th day after the end of each month the uniform price for such month.

§1068.70 Producer-settlement fund.
The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§1068.71, 1068.76, and 1068.77 and out of which he shall make all payments due handlers pursuant to §§1068.72 and 1068.77: Provided, That the market administrator shall offset any payments due any handler against payments due from such handler.

§1068.71 Payments to the producer-settlement fund.
(a) On or before the 18th day after the end of the month, each handler shall pay to the market administrator the amount, if any, by which the amount specified in paragraph (a)(1) of this section exceeds the amount specified in paragraph (a)(2) of this section: Provided, That payment made by a cooperative association as a handler pursuant to this paragraph with respect to milk transferred to another handler from the pool plant of such cooperative association or caused to be delivered to such handler from the farms of producers for the cooperative association shall not relieve the transferee-handler of any obligation on any such milk which is due the cooperative association, or otherwise due pursuant to §§1068.70 through 1068.75, §§1068.77 and 1068.78, and §§1068.85 and 1068.86:
   (1) The total value of milk of the handler for such month as determined pursuant to §1068.80.
   (2) The sum of:
      (i) The value at the uniform price, as adjusted pursuant to §1068.75, of such handler's received Class I milk; and
      (ii) The value at the uniform price applicable at the location of the pool plant from which received of other source milk for which a value is computed pursuant to §1068.60.

(b) On or before the 25th day after the end of the month each person who operated an other order plant that was required during such month under an order providing for individual-handler pooling shall pay to the market administrator an amount computed as follows:
   (1) Determine the quantity of reconstituted skim milk in filled milk in route disposition from such plant in the marketing area which was allocated to Class I at such plant. If there is such route disposition from such plant: In marketing areas regulated by two or more marketwide pool orders, the reconstituted skim milk allocated to Class I shall be prorated to each other according to such route disposition in each marketing area; and
   (2) Compute the value of the reconstituted skim milk assigned in paragraph (b)(1) of this section to route disposition in this marketing area by multiplying the quantity of such skim milk by the difference between the Class I price under this part that is applicable at the location of the other order plant (but not to be less than the Class III price and the Class I price).

§1068.72 Payments from the producer-settlement fund.
On or before the 10th day after the end of each month, the market administrator shall pay, subject to the provisions of §1068.70, to each handler the amount, if any, by which the amount computed pursuant to §§1068.71(a)(2) exceeds the amount computed pursuant to §§1068.71(a)(1).

§1068.73 Payments to producers and to buttermilk cooperatives.
Each handler shall make payment for milk received from producers or cooperative associations as follows:
(a) On or before the 11th day after the end of the month in which the skim milk or butterfat was received, to a cooperative association which is a handler, for all skim milk and butterfat received from a pool plant operated by such cooperative association or caused to be delivered by it to such handler for delivery to producers' farms, at not less than the Class III price and the Class I price (but not to be less than the Class III price and the Class I price); and
(b) On or before the 21st day after the end of the month in which the milk was received, to each producer for milk not caused to be delivered to such handler by a cooperative association which is a handler, as follows: Provided, That such payment shall be made, upon request, to a cooperative association which is a handler, or to its duly authorized agent, with respect to milk received from each producer who has given such association authorization by contract or by other written instrument to collect the proceeds from the sale of his milk, and any payment made pursuant to §1068.86.
to this proviso shall be made on or before the 20th day after the end of such month:

(1) At not less than the uniform price computed pursuant to §1068.61, as adjusted pursuant to §§1068.74 and 1068.75, and less the amount of payment made pursuant to paragraph (e) of this section.

(c) Handlers (other than cooperative associations) shall make partial payments to producers and cooperative associations pursuant to paragraphs (b) (1) and (2) of this section:

(1) On or before the 25th day of each month, each handler shall make payment, except as set forth in paragraph (c) (2) of this section, to each producer, at not less than the applicable uniform price computed pursuant to §1068.61 for the preceding month, for the milk of such producer received by such handler during the first 15 days of the current month:

(2) On or before the 20th day of each month, each handler shall make payment to a cooperative association which is a handler for milk of producers from whom such association has received written authorization to collect payment, at not less than such uniform price for the preceding month, for all skim and butterfat products disposed of by such producer during the first 15 days of the current month;

(3) On or before the 20th day of each month, each handler shall make payment to a cooperative association which is not a handler for milk of producers from whom such association has received written authorization to collect payment, at not less than such uniform price for the preceding month, for all skim and butterfat products disposed of by such producer during the first 15 days of the current month;

(d) All payments made pursuant to this paragraph shall be subject to the butterfat differential specified in §1068.74 and location adjustments specified in §1068.71.

(e) In making payment to individual producers as required by this section, each handler shall furnish each producer from whom he received milk a supporting statement, in such form as may be retained by the producer, which shall show:

(1) The month involved, and the identification of the handler and of the producer;

(2) The total pounds and the average butterfat content of the milk received from the producer;

(3) The minimum rate at which payment to the producer is required pursuant to this section;

(4) The rate used in making the payment if such rate is other than the applicable minimum;

(5) The amount (or rate) per hundredweight of each deduction claimed by the handler from the price computed pursuant to paragraph (c) of this section, together with a description of the respective deductions; and

(6) The net amount of the payment to the producer.

§1068.74 Butterfat differential.

For milk containing more or less than 3.5 percent butterfat, the uniform price shall be increased or decreased, respectively, for each one-tenth percent butterfat variation from 3.5 percent by a butterfat differential, rounded to the nearest one-tenth cent, which shall be 0.115 times the simple average of the wholesale selling prices (using the midpoint of any price range as one price) of Grade A (32-score) bulk butter per pound at Chicago, as reported by the Department for the month.

§1068.75 Plant location adjustments for producers and on nonpool milk.

(a) In making payments pursuant to §1068.74(b)(1) for milk received at a pool plant located 35 miles or more from the nearest bonding point, each handler shall deduct from the applicable price payable to such producers an amount in accordance with the location of the plant based on the rates set forth in §1068.32; and

(b) For each of computations pursuant to §§1068.71 and 1068.72, the uniform price shall be adjusted at the rates set forth in §1068.33 applicable at the location of the nonpool plant from which the milk was received, except that the uniform price shall not be less than the Class III price.

§1068.76 Payments by handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay on or before the 20th day after the end of the month to the handler making the payment, for the handler-settlement fund the amount computed pursuant to paragraph (a) of this section. If the handler subtracts milk pursuant to §§1068.30(b) and 1068.31(b) the information necessary for making the computations, such handler may elect to pay in lieu of such payment the amount computed pursuant to paragraph (b) of this section:

(a) The payment under this paragraph shall be the amount resulting from the following computations:

(1) Determine the pounds of route disposition in the marketing area from the partially regulated distributing plant to the same distributing plant to the same nonpool plant which had been a pool plant, subject to the following modifications:

(i) Fluid milk products and bulk fluid cream products received at the partially regulated distributing plant from a pool plant or an other order plant shall be allocated at the partially regulated distributing plant to the same class in which such products were classified at the fully regulated plant;

(ii) Fluid milk products and bulk fluid cream products transferred from the partially regulated distributing plant to a pool plant or an other order plant shall be classified at the partially regulated distributing plant in the class to which allocated at the fully regulated plant. Such transfers shall be allocated to the extent possible to the partially regulated distributing plant from pool plants and other order plants that are classified in the corresponding class or classes set forth in paragraph (2) of this section. Any such transfers remaining after the above allocation which are classified in Class I and for which a value is computed for the handler operating the partially regulated distributing plant pursuant to §1068.60 shall be priced at the uniform price (at the weighted average price if such is provided) of the respective order regulating the handling of milk at the transferring plant with such uniform price adjusted to the location of the nonpool plant (but not to be less than the lowest class price of the respective order), except that transfers of reconstituted skim milk in filled milk shall be priced at the lowest class price of the respective order; and
PROPOSED RULES

(iii) If the operator of the partially regulated distributing plant so requests, the value of milk determined pursuant to § 1068.69 for such handler shall include, in lieu of the value of other source milk specified in § 1068.60(c) the less value of such other source milk specified in § 1068.71 for milk received at a value of milk determined pursuant to § 1068.69 for each nonpool plant that is not an other order plant which serves as a supply plant for such partially regulated distributing plant by making shipments to the partially regulated distributing plant during the month equivalent to the requirements of § 1068.30(a), subject to the following conditions:

(a) The operator of the partially regulated distributing plant submits with his reports fixed butterfat values pursuant to § 1068.60(b) and 1068.31(b) similar reports for each such nonpool supply plant;

(b) the operator of such nonpool supply plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant valued in § 1068.69, for milk received at the plant during the month the nonpool plant had been fully regulated; and

(c) The value of milk determined pursuant to § 1068.69 for such nonpool supply plant shall be determined in the same manner prescribed for computing the obligation of such partially regulated distributing plant.

(2) From the partially regulated distributing plant's value of milk computed pursuant to paragraph (b)(1) of this section, subtract:

(I) The gross payments by the operator of such partially regulated distributing plant to the producer-settlement fund of any other order under which such plant is acting a partially regulated distributing plant and like payments by the operator of the nonpool supply plant if paragraph (b)(1)(iii) of this section applies, the gross payments by the operator of such nonpool supply plant, adjusted to a 3.5 percent butterfat basis by the butterfat differential specified in § 1068.74, for milk received at the plant during the month that would have been payable because of a handler's failure to submit a report to the market administrator when due, shall be considered to have been payable by the date it would have been filed when due.

ADMINISTRATIVE ASSESSMENT AND MARKETING SERVICE DEDUCTION § 1068.85 Assessment for order administration.

As his share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 15th day after the end of the month 3 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to:

(a) Producer milk (including such handler's own production);

(b) Other source milk; allocated to Class 7 pursuant to § 1068.44(a)(7) and (11) and the corresponding steps of § 1068.44(b), except such other source milk that is excluded from the computations pursuant to § 1068.60(d) and (7); and

(c) Route disposition in the marketing area from a partially regulated distributing plant that exceeds the skim milk and butterfat subtracted pursuant to § 1068.66(a)(2).

§ 1068.86 Deduction for marketing services.

(a) Deductions for marketing services.

Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than himself) pursuant to § 1068.73, shall make a deduction of 6 cents per hundredweight, or such lesser deduction as the Secretary from time to time may prescribe, with respect to all milk received from producers' farms during the month, and shall pay such deductions to the market administrator on or before the 18th day after the end of such month. Such moneys shall be expended by the market administrator for marketing information, the verification of weights, sampling, and testing of milk received from, said producers.

(b) Producers' cooperative associations.

In the case of producers for whom a cooperative association which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1923, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, no such deduction shall be made.

PROPOSED BY THE NATIONAL FARMERS ORGANIZATION—PROPOSAL NO. 2

Marpe the Minneapolis-St. Paul, Minnesota, Southeastern Minnesota-Northern Iowa, Duluth-Superior, Minnesota-North Dakota, and Eastern South Dakota orders into a single order to be known as the "West North Central marketing area" in accordance with the current terms of Order 1068 as modified by the following provisions:

§ 1068.2 West North Central marketing area.

"West North Central marketing area" (referred to in this part as the "marketing area") means all territory within the boundaries listed below including all territory that is now, or in the future, occupied by Government (municipal, State, or Federal) reservations, institutions, or other similar establishments if any part of such territory is within the designated geographical limits of the marketing area:

(a) In the State of Minnesota, all territory except the counties of Lake and Cook.

(b) In the State of Wisconsin, the counties of:

   Ashland
   Barron
   Bayfield
   Burnett
   Chippewa
   Dunn
   Eau Claire
   Pepin
   Polk
   Sawyer
   St. Croix
   Trempealeau
   Washburn

(c) In the State of North Dakota, the counties:

   Barnes
   Cavalier
   Dickinson
   Grand Forks
   Grimes
   La Moure
   Nelson
   Pembina
   Ramsey
   Richland
   Sargent
   Sibley
   Traill
   Walsh.

(d) In the State of South Dakota, the counties of:

   Aurora
   Beadle
   Bon Homme
   Brown
   Clark
   Codington
   Davison
   Day
   Douglas
   Edmunds
   Grant
   Hamlin
   Hanson
Within written request by the handler to the market administrator, received or postmarked on or before the last day of any month, any plant qualified as a pool plant pursuant to paragraph (b) of this section may be withdrawn from pool plant status beginning with the next month. Any such plant withdrawn from automatic pool plant status may not regain such status prior to the next July 1 and then only by meeting the requirements set forth in the first proviso of paragraph (b) of this section in the same manner as a plant qualifying for pool plant status for the first time.

The term ‘pool plant’ shall not apply to the following plants:

1. A producer-handler plant;
2. A plant withdrawn pursuant to paragraph (b) of this section;
3. A plant qualified as a pool plant pursuant to paragraph (a) or (b) of this section if the conditions of paragraph (1) (i) and (1) of this section are met. Such plant shall be exempt from the provisions of this part except for provisions that may be required pursuant to §1068.30(d) and verification of such reports by the market administrator in accordance with §1000.5 of this chapter:
   (i) The Secretary determines that a greater quantity of milk in fluid form is disposed of from such plant to a regulated marketing area as defined in another order issued pursuant to the Act either as route disposition, excluding filled milk, or to pool plants qualified on the basis of route disposition than is disposed of from such plant in the West North Central marketing area either as route disposition, excluding filled milk, or to pool plants qualified on the basis of route disposition.
   (ii) Such milk would be subject to the class price and producer payment provisions of the other marketing agreement or order upon being made exempt from this part.

§1068.13 Producer milk.

‘Producer milk’ means the skim milk and butterfat in Grade A milk of a producer which is:
1. Received at a pool plant directly from a producer; or
2. Diverted from a nonpool plant to a pool plant by a producer handler, subject to the following conditions:
   (i) Such milk shall be priced at the location of the nonpool plant to which diverted;
   (ii) In any month that less than 2 days’ production of a producer is delivered to pool plants, the quantity of the month that exceeds delivered to pool plants shall not be producer milk;
   (iii) Notwithstanding the provisions of paragraph (b) (2) of this section, during any month a cooperative association handler may divert for its account the milk of any producer member who delivers as much as 2 days’ production in excess of the quantity of milk received from member producers at pool plants during the month shall not be producer milk;
   (iv) Neither the provisions of paragraph (b) (3) of this section, during any month the operator of a pool plant, other than a cooperative association, may divert for his account the milk of any producer, other than a member of a cooperative association, who delivers as much as 2 days’ production of milk to pool plants: Provided, That the total quantity of producer milk diverted by such handler in excess of the milk received at such plant during the month from producers who are not members of a cooperative association shall not be producer milk; and
   (v) The diverting handler shall designate the dairy farmers whose milk is not producer milk pursuant to paragraph (b) (3) and (4) of this section. If the handler fails to make such designation, no milk diverted by him shall be producer milk.

CLASS PRICES

§1068.50 Class prices.

Subject to the provisions of §1068.52, the class prices for the month per hundredweight of milk containing 3.5 percent butterfat shall be as follows:

(a) Class I price. The Class I price shall be the basic formula price for the preceding month plus $1.26.

(b) Class II price. The Class II price shall be the basic formula price for the month plus 10 cents.

(c) Class III price. The Class III price shall be the basic formula price for the month plus

§1068.52 Plant location adjustments for handlers.

(a) The following zones are defined for the purpose of determining location adjustments:

ZONE 1

MINNESOTA COUNTIES

Anoka
Beaver
Carver
Chisago
Chisago
Cottonwood
Dodge
Douglas
Duneland
Fond du Lac
Gibson
Grundy
Hennepin
Hibbing
Jackson
Koochiching
Lake
Le Sueur
McCook
McLennan
McPherson
Minnehaha
Moorhead
Mower
Nobles
Olmsted
Osceola
Owatonna
Pemberton
Pine
Pipestone
Polk
Polk
Prairie
Price
Red Lake
Redwood
Renville
Root
Saginaw
Sandusky
Scott
Scott
Sherburne
Soledad
Sibley
Stearns
Stearns
Steele
Stoner
Stuart
Swift
Tecumseh
Todd
Tomahawk
Traverse
Turpin
Union
Upton
Vallejo
Walworth
Washington
Waverly
Webster
Wheaton
White
Winnower
Winnower

PROPOSED RULES

37175

FEDERAL REGISTER, VOL. 39, NO. 202—THURSDAY, OCTOBER 17, 1974
PROPOSED RULES

For milk received from producers at a pool plant located in Zone 2, 3, 4, or 5, and classified as Class I milk, the price specified in §1068.50(a) shall be adjusted by the following amounts:

1. Zone 2—plus 2 cents.
2. Zone 3—plus 12 cents.
3. Zone 4—plus 4 cents.
4. Zone 5—plus 24 cents.

(1) The result shall be the “uniform price” which a value is computed pursuant to §1068.60(f).

For in-zone delivery, but not less than the Class I price effective at the respective location under the provisions of Order 30 (Chicago Regional) less 10 cents. For the purpose of calculating such adjustments, all distances shall be shortest hard-surfaced highways and/or all-weather roads, as determined by the market administrator.

§ 1068.61 Computation of uniform price.

Each month the market administrator shall compute a uniform price per hundredweight of milk of at least 2.5% butterfat content as follows:

(a) Combine into one total the values computed pursuant to §1068.60 for all handlers who filed reports pursuant to §1068.30 for the month and who made the payments pursuant to §1068.71 for the preceding month;
(b) Subtract an amount equal to the total values of the plus location adjustments computed pursuant to §1068.75;
(c) Add an amount equal to the total value of the minus location adjustments computed pursuant to §1068.75;
(d) Add an amount equal to not less than one-half of the unobligated balance in the producer-settlement fund;
(e) Divide the resulting amount by the sum of the following for all handlers included in these computations:

1. The total hundredweight of producer milk; and
2. The total hundredweight for which a value is computed pursuant to §1068.60(f);

(c) The result shall be the “uniform price” for milk received from producers.

§ 1068.75 Plant location adjustments for producers and nonpool milk.

The uniform price for producer milk received at a pool plant or delivered to a nonpool plant shall be adjusted according to the location of the plant of actual receipt at the rates set forth in §1068.52.

PROPOSED BY LAND O' LAKES, INC.—PROPOSAL NO. 3

Merge the Minneapolis-St. Paul, Minnesota, Southeastern Minnesota-Northern Iowa, Duluth-Superior, and Minnesota-North Dakota orders into a single order to be known as the “Upper Midwest marketing area” in accordance with the current terms of Order 1068 as modified by the following provisions:

§ 1068.2 Upper Midwest marketing area.

“Upper Midwest marketing area” (referred to in this part as the “marketing area”) means all the territory within the boundaries listed below, including all territory that is now, or in the future, occupied by Government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishment if any part of such territory is within the designated geographic limits of the marketing area:

(a) In the State of Iowa, the counties of:
   Howard
   Winneshiek
   Mitchell (except city of Osage)

(b) In the State of Minnesota, all territory except the counties of Cook, Lake, and Rock.

(c) In the State of North Dakota, the counties of:
   Barnes
   Pembina
   Ramsey

(d) In the State of South Dakota, the counties of:
   Grant
   Roberts

(e) In the State of Wisconsin, the counties of:
   Barron
   Buffalo

§ 1068.7 Pool plant.

Except as provided in paragraph (d) of this section, “pool plant” means a plant specified in paragraph (a), (b), (c) of this section. For purposes of determining pool plant status pursuant to this section, Grade A receipts from dairy farmers shall include all quantities of milk diverted pursuant to §1068.13(b) by the operator of a pool plant:

(a) A plant in which milk is processed or packaged and from which there is:
1. Route disposition in the marketing area equal to 15 percent or more of such plant’s total disposition of Class I milk.
(except filled milk) during the month; and

(2) Total route disposition equal to 30 percent or more of such plant’s total receipts of skim milk and butterfat for sale in fluid form as Grade A milk within the marketing area; or

(3) Qualified as a pool plant in each of the immediately preceding three months on the basis of the performance standards described in paragraph (a) (1) and (3) of this section.

(b) A plant other than a pool plant pursuant to paragraph (a) of this section that meets the applicable performance requirements pursuant to paragraph (b) (1) or (2) of this section subject to paragraph (b) (3) of this section:

(1) A plant from which 25 percent or more of the total Grade A milk received at the plant from dairy farmers during the month, including milk delivered to the plant from dairy farmers for the account of a cooperative association, and other plants as a single entity, is delivered during the month as fluid milk products, except filled milk, to plants described in paragraph (b) (1) (i) and (ii) of this section to the extent that deliveries from such plants qualify as a pool plant in the three successive months September, October and November by meeting the 25 percent delivery requirement applicable minimum percentage for continuing pool plant status in the following months of December through March shall be 10 percent for each month: And provided further, That if a plant qualifies as a pool plant in the seven successive months of September through March shall be 10 percent for each month;

(2) A plant qualified as a pool plant in the same manner as a single plant, if the handler or cooperative(s) submit(s) a written request to the market administrator prior to the first day of September requesting that such plants qualify as a unit for the period September through August of the following year. In such request the handler or cooperative(s) shall list the plants in the sequence in which the plants shall qualify for pool plant status to the extent that deliveries from such plants or deliveries pursuant to paragraph ((b) (3) of this section to the extent that deliveries from such plants qualify as a unit for the period September through August of the following year. In such request the handler or cooperative(s) shall list the plants in the sequence in which the plants shall qualify for pool plant status to the extent that deliveries from such plants or deliveries pursuant to paragraph (b) (3) of this section to the extent that deliveries from such plants qualify as a unit for the period September through August of the following year.

subject to provisions of § 1068.52, the class prices for the month per hundredweight of milk containing 3.5 percent butterfat shall be as follows:

(a) Class I price. The Class I price shall be the basic formula price for the second preceding month plus $1.30

(b) Class II price. The Class II price shall be the basic formula price for the month plus 10 cents.

(c) Class III price. The Class III price shall be the basic formula price for the month.

§ 1068.52 Plant location adjustments for handlers.

(a) For producer milk received at a pool plant or diverted to a nonpool plant location outside the marketing area as Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section, the price computed pursuant to § 1068.50(a) shall be adjusted 1.5 cents for each 10 road miles or fraction thereof that such plant is located from the nearer of the following basing points:

(1) The courthouse in Rochester, Minnesota;

(2) The Minnesota Transfer Viaduct at University Avenue in St. Paul, Minnesota; and

(3) The courthouse in Fargo, North Dakota.

(b) For the purposes of calculating such adjustments:

(1) All distances shall be by shortest hard-surfaced highways and/or all weather-roads, as determined by the market administrator;

(2) The adjustment pursuant to this section shall be added to the Class I price if the plant is located in North or South Dakota and shall be subtracted from such price if the plant is located elsewhere; and

(3) Transfers of fluid milk products between pool plants shall be assigned Class I disposition at the transference plant only to the extent that 100 percent of the Class I disposition plus packaged fluid milk products from other order plants and receipts of nondairy fluid milk products are used only to fortify fluid milk products;

(b) Route disposition in the marketing area shall not exceed an average of 7,000 pounds per day from the month; and

(c) The maintenance, care and management of the dairy animals and other resources necessary to produce the milk and the processing, packaging and distribution of the milk are the personal enterprise and the personal risk of such person.

§ 1068.50 Class prices.

Subject to provisions of § 1068.52, the class prices for the month per hundredweight of milk containing 3.5 percent butterfat shall be as follows:

(a) Class I price. The Class I price shall be the basic formula price for the second preceding month plus $1.30

(b) Class II price. The Class II price shall be the basic formula price for the month plus 10 cents.

(c) Class III price. The Class III price shall be the basic formula price for the month.

§ 1068.10 Producer-handler.

"Producer-handler" means any person who is both a dairy farmer and the operator of a distributing plant, and who meets the qualifications specified in paragraphs (a), (b) and (c) of this section:

(a) Receipts of fluid milk products at farm that are solely his own production, fluid milk products from pool plants of other handlers, and packaged fluid milk products from other order plants and unregulated supplies; and such milk products are used only to fortify fluid milk products;

(b) Route disposition in the marketing area shall not exceed an average of 7,000 pounds per day from the month; and

(c) The maintenance, care and management of the dairy animals and other resources necessary to produce the milk and the processing, packaging and distribution of the milk are the personal enterprise and the personal risk of such person.

FEDERAL REGISTER, VOL 39, NO. 202—THURSDAY, OCTOBER 17, 1974

PROPOSED RULES 37177


§ 1068.71 Payments to the producer-settlement fund.

(a) On or before the 20th day of each month, each handler (other than a cooperative association) shall make partial payment to the market administrator for milk received during the month from producers and skim milk and butterfat received from cooperatives during the first 15 days of the current month as follows:

(1) At not less than the applicable uniform price for the preceding month for milk received from producers for whose milk a cooperative association is not the handler, less proper deductions and charges authorized in writing by such producers from whom he received milk and

(2) At not less than the applicable Class I price for the current month for all skim milk and butterfat received from a pool plant(s) operated by a cooperative association or caused by a cooperative association acting as a handler described in § 1068.9(c) to be delivered from producers' farms to such receiving handler.

(b) On or before the 11th day after the end of the month, each handler (other than a cooperative association) shall pay to the market administrator for milk received from producers and skim milk and butterfat received from cooperatives during the month an amount computed as follows:

(1) The total value of producer milk of the handler for the month as determined pursuant to § 1068.60;

(2) Less proper deductions and charges authorized in writing by producers from whom milk is received, except that the total deductions and charges made under this section for each month for each producer shall not be greater than the total value of the milk received from such producer during the month;

(3) Plus the value of skim milk and butterfat delivered during the first 15 days of the current month to each cooperative association which is a handler for all skim milk and butterfat delivered during the first 15 days of the current month from a pool plant(s) operated by a cooperative association at 18 cents per hundredweight more than the Class I prices that are applicable at the location of the receiving handler's plant;

(4) Plus the value of skim milk and butterfat caused by a cooperative association acting as a handler described in § 1068.9(c) to be delivered from producers' farms to such receiving handler at ten cents more than the class prices that are applicable at the location of the receiving handler's plant;

(5) Plus the value at the uniform price applicable at the location of the plant from which received of other source milk for which a value is computed pursuant to § 1068.60(d); and

(6) Less payments made pursuant to paragraph (a) of this section for such month.

§ 1068.72 Payments from the producer-settlement fund.

(a) On or before the 23rd day of each month, the market administrator shall make payment, subject to paragraphs (1) and (J) of this section, at not less than the Class I price for the current month to each cooperative association which is a handler for all skim milk and butterfat delivered during the first 16 days of the current month from a pool plant(s) operated by such cooperative association to a pool plant of another handler, caused by such cooperative association acting as a handler described in § 1068.9(c) to be delivered during the first 16 days of the current month from producers' farms to the pool plant of another handler.

(b) On or before the 23rd day of each month, the market administrator shall make payment, subject to paragraphs (1) and (J) of this section, at not less than the uniform price for the preceding month for all skim milk received by handlers (other than a cooperative association) during the first 16 days of the current month.

(c) On or before the 24th day of each month, the market administrator shall...
make payment, subject to paragraphs (i) and (j) of this section, at not less than the uniform price for the preceding month, less proper deductions and charges made by the handler receiving the milk, to each producer for whose milk a cooperative association is not the handler and is not authorized in writing by him to collect payment, for milk received by handlers (other than a cooperative association) during the first 15 days of the current month from such producer.

(d) On or before the 15th day after the end of the month, the market administrator shall pay to each cooperative association which is a handler an amount computed as follows:

(1) The value of skim milk and butterfat delivered during the month from a pool plant(s) operated by a cooperative association acting as a handler described in § 1068.71, less the amount of payment made pursuant to paragraphs (i) and (j) of this section, shall be the lesser of the amount specified in paragraph (a) of this section or the amount earned at the uniform price for the month, less the amount due such producers and cooperatives computed pursuant to paragraphs (d), (e) and (f) of this section following the date on which the remaining payment is received from such handler.

The market administrator shall pay to each cooperative association which is not a cooperative association which is not a cooperative association, less:

(1) Payments made pursuant to paragraph (e) of this section; and

(2) Authorized deductions and charges made by handlers with respect to such milk.

(g) All payments made pursuant to this section shall be subject to the butterfat differential specified in § 1068.74.

(h) All payments made pursuant to paragraphs (b), (c), (e), and (f) of this section shall be subject to the location adjustment specified in § 1068.75 applicable at the location of the plant at which the milk was received.

(i) Payments by the market administrator to producers and cooperatives for milk received by a handler included in § 1068.61(a) who does not make full payment pursuant to § 1068.71 shall be reduced uniformly per hundredweight by the amount due from such handler.

(j) The market administrator shall complete the payments to such producers and cooperatives on or before the next date on which the milk was received from such producers and cooperatives with respect to milk handled during the month following the date on which the remaining payment is received from such handler.

5. $1068.73 [Removed]  

§ 1068.74 Butterfat differential.

For milk containing more or less than 3.5 percent butterfat, the uniform price shall be increased or decreased, respectively, for each one-tenth percent butterfat variation from 3.5 percent by a butterfat differential, rounded to the nearest one-tenth cent, which shall be 0.105 times the simple average of the wholesale selling prices (using the midpoint of any price range as one price) of Grade A (20-score) bulk butter per pound at Chicago, as reported by the Department for the month.

§ 1068.85 Assessment for order administration.

As his pro rata share of the expense of administration, each handler shall pay to the market administrator on or before the 15th day after the end of the month, 3 cents per hundredweight, or such lesser amount as the Secretary may prescribe with respect to milk handled during the month as follows:

(a) Each handler (excluding a cooperative association in its capacity as a handler pursuant to § 1068.9(e) and a cooperative association as the operator of the pool plant with respect to milk transferred in bulk to a pool plant) with respect to his receipts of producer milk (including such handler's off-farm production, milk received from a cooperative association pursuant to § 1068.9(c), and milk transferred in bulk from a pool plant owned and operated by a cooperative association) and other source milk allocated to Class I pursuant to § 1068.64 (a) (7) and (11) and the corresponding step of § 1068.64(b), except such other source milk that is excluded from the computations pursuant to § 1068.60 (d) and (f); and

(b) Each handler in his capacity as the operator of a partially regulated distributing plant with respect to his route disposition in the marketing area that exceeds the skim milk and butterfat subtracted pursuant to § 1068.76(a) (2).

PROPOSED BY TWIN Ports DAIRY COOPERATIVE—PROPOSAL No. 4  

Expand the marketing area of the Duluth-Superior order adding the Minnesota counties of Aitkin, Cook, Itasca, Koochelching, Lake, and St. Louis; and the counties in the states of Burnett, Sawyer, and Washburn.

PROPOSED BY LAKESIDE DAIRY COMPANY, CUTLINE DAIRY and DE VRIES DAIRY—PROPOSAL No. 5  

Establish the Class I differential for Order 1076 to be identical with the Class I differential ultimately established for Orders 1068 and 1061 or the combination resulting from any merger of those orders.

PROPOSED BY THE DAIRY DIVISION, AGRICULTURAL MARKETING SERVICE—PROPOSAL No. 6  

Make such changes as may be necessary to make the entire marketing agreements and the orders conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the orders may be procured from Market Administrator, Paul L. Buchanan, 4550 West 77th Street, Room 350, Minneapolis, Minnesota 55435, or from the Hearing Clerk, Room 112-A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250 or may be inspected.

Signed at Washington, D.C., on October 11, 1974.

E. L. Peterson,  
Administrator, Agricultural Marketing Service.

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