federal register

THURSDAY, MAY 1, 1975

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Pages 18977–19192

PART I

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.

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Federal Agencies using this table in calculating time requirements for submissions must allow sufficient extra time for FEDERAL REGISTER scheduling procedures.

In computing dates certain, the day after publication counts as one. All succeeding days are counted except that when a date certain falls on a weekend or holiday, it is moved forward to the next Federal business day. (See 1 CFR 18.17)

A new table will be published monthly in the first issue of each month.

Dates of FR publication	15 days after publication	30 days after publication	45 days after publication	60 days after publication	90 days after publication
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May 8	May 23	June 9	June 23	July 7	August 6
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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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CHAPTER I—ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

CFR CHECKLIST

1975 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the Code of Federal Regulations issued to date for 1975. New units issued during the month are announced on the back cover of the daily FEDERAL REGISTER as they become available.

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CFR Unit (Rev. as of Jan. 1, 1975):

Title	Price
1	$1.45
2	.70
5	4.35
6 [Reserved]	
7 Parts:	
0–45	6.15
46–51	4.10
52	6.15
53–209	6.10
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700–749	4.25
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8	2.45
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16 Parts:	
0–149	6.05
150–end	5.50

1974 CFR volumes previously announced are available from the Superintendent of Documents at the prices listed below:

CFR Unit (Rev. as of April 1, 1974):

Title	Price
17	$5.10
18 Parts:	
1–149	3.80
150–end	3.70
19	4.50
20 Parts:	
01–399	1.95
400–end	6.30
21 Parts:	
1–9	1.95
10–129	5.10
130–140	2.40
141–599 (Rev. June 1, 1974)	6.70
600–1299	1.75
1300–end	1.55
22	3.90
23	1.80
24	6.10
25	3.60
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1 (§§ 1.0–1–1.169)	4.85
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CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75-EA-11]

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

Alteration of Control Zone and Transition Area

On page 12110 of the FEDERAL REGISTER for March 17, 1975, the Federal Aviation Administration published a proposed rule which would alter the Albany, N.Y., Control Zone (40 FR 355) and Transition Area (40 FR 443).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted as set forth below, effective 0901 G.m.t. June 19, 1975.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Jamaica, N.Y., on April 18, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

1. Amend § 71.171 of Part 71, Federal Aviation Regulations so as to amend the description of the Albany, N.Y. Control Zone by inserting, "; within 4 miles each side of the Albany VORTAC 072° radial, extending from the 5-mile radius zone to 15 miles east of the VORTAC" following, "north of the VORTAC".

2. Amend § 71.181 of Part 71, Federal Aviation Regulations so as to amend the description of the Albany, N.Y. Transition Area by inserting, "within 5 miles each side of the Albany VORTAC 072° radial, extending from the Albany VORTAC to 18.5 miles east of the VORTAC;" before, "within a 6.5-mile radius of the center".

[FR Doc.75-11372 Filed 4-30-75;8:45 am]

[Airspace Docket No. 75-NW-13]

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

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area Title

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to change the title of Restricted Area R-3202 Sailor Creek, Idaho.

A review of the file concerning R-3202 has revealed that the spelling of the title for the restricted area has alternated between "Saylor Creek" and "Sailor Creek" at random intervals since 1960. Records prior to 1960 indicate the spelling should be "Saylor Creek". Accordingly, in view of the historical precedent and in the interest of standardization, the Federal Aviation Administration has determined that the title of R-3202 should be spelled "Saylor Creek". The Department of the Air Force concurs in this determination.

Since changing the spelling of the title for a restricted area is a minor amendment upon which the public is not particularly interested, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., June 19, 1975, as hereinafter set forth.

1. In § 71.151 (40 FR 343) the title of Restricted Area R-3202 is amended to read as follows:

R-3202 SAYLOR CREEK, IDAHO

2. In § 73.32 (40 FR 673) the title of Restricted Area R-3202 is amended to read as follows:

R-3202 SAYLOR CREEK, IDAHO

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

Issued in Washington, D.C., on April 24, 1975.

F. L. CUNNINGHAM,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-11373 Filed 4-30-75;8:45 am]

[Docket No. 14564; Amdt. 966]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5, and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30 each.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, *effective June 19, 1975.*

Bettles, Alaska—Bettles Arpt., VOR Rwy 1 (TAC), Amdt. 1.
Mayfield, Ky.—Mayfield-Graves County Arpt., VOR/DME-A, Orig.
Mt. Sterling, Ky.—Mt. Sterling-Montgomery Co. Arpt., VOR/DME Rwy 7, Orig.

* * * effective June 12, 1975

Columbia, Mo.—E.W. Cotton Woods Memorial Arpt., VOR-A, Amdt. 2.
Fairmont, Minn.—Fairmont Municipal Arpt., VOR Rwy 13, Orig.
Fairmont, Minn.—Fairmont Municipal Arpt., VOR Rwy 31, Amdt. 3.
Kansas City, Mo.—Kansas City Municipal Arpt., VOR-A, Amdt. 6, cancelled.
Kansas City, Mo.—Kansas City Municipal Arpt., VOR Rwy 3, Amdt. 8.
Kansas City, Mo.—Kansas City Municipal Arpt., VOR Rwy 18, Amdt. 13.
Kansas City, Mo.—Kansas City Municipal Arpt., VOR Rwy 21, Amdt. 7.
Knoxville, Tenn.—McGhee-Tyson Arpt., VOR Rwy 22R, Amdt. 19, cancelled.
San Juan, P.R.—Puerto Rico Int'l. Arpt., VOR-A, Amdt. 16, cancelled.
San Juan, P.R.—Puerto Rico Int'l. Arpt., VOR Rwy 25, Amdt. 13.
Waco, Tex.—Waco-Madison Cooper Arpt., VOR/DME Rwy 32, Amdt. 7.
Waco, Tex.—Waco-Madison Cooper Arpt., VOR Rwy 14, Amdt. 15.
Willows, Calif.—Willows-Glenn County Arpt., VOR/DME Rwy 34, Amdt. 2.
Willows, Calif.—Willows-Glenn County Arpt., VOR Rwy 34, Amdt. 2.

* * * effective May 8, 1975

New Castle, Ind.—Sky Castle Arpt., VOR Rwy 27, Amdt. 2.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, *effective June 12, 1975.*

Allentown, Pa.—Allentown-Bethlehem-Easton Arpt., LOC (BC) Rwy 24, Amdt. 13.
Minneapolis, Minn.—Minneapolis-St. Paul Int'l (Wold-Chamberlain) Arpt., LOC (BC) Rwy 11L, Amdt. 1.
Waco, Tex.—Waco-Madison Cooper Arpt., LOC (BC) Rwy 36, Amdt. 5.

* * * *effective May 8, 1975*

Fond Du Lac, Wisc.—Fond Du Lac County Arpt., SDF Rwy 36, Orig.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, *effective June 19, 1975.*

Bettles, Alaska—Bettles Arpt., NDB-A, Amdt. 5.

* * * *effective June 12, 1975.*

Grand Marais, Minn.—Devils Track Municipal Arpt. NDB Rwy 27, Amdt. 4.
Kansas City, Mo.—Kansas City Municipal Arpt., NDB Rwy 18, Amdt. 11.
Kelso, Wash.—Kelso-Longview Arpt., NDB-A, Amdt. 1.
Knoxville, Tenn.—McGhee Tyson Arpt., NDB Rwy 4L, Amdt. 1, cancelled.
Maxton, N.C.—Laurinburg-Maxton Arpt., NDB Rwy 5, Amdt. 2.

Tampa, Fla.—Tampa Int'l Arpt., NDB Rwy 36L, Amdt. 10.
Waco, Tex.—Waco-Madison Cooper Arpt., NDB Rwy 18, Amdt. 10.

* * * *effective May 22, 1975*

Forsyth, Mont.—Forsyth Arpt., NDB Rwy 26, Orig.

* * * *effective May 15, 1975*

Madisonville, Tenn.—Monroe County Arpt., NDB Rwy 5, Orig.

* * * *effective May 8, 1975*

Fostoria, Ohio—Fostoria Metropolitan Arpt., NDB Rwy 27, Orig.
New Castle, Ind.—Sky Castle Arpt., NDB Rwy 27, Orig.

* * * *effective April 17, 1975*

Joplin, Mo.—Joplin Municipal Arpt., NDB Rwy 13, Amdt. 18.

* * * *effective April 3, 1975*

Grand Junction, Colo.—Walker Field, NDB Rwy 11, Amdt. 12.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective June 12, 1975.*

Boston, Mass.—Gen. Edward Lawrence Logan Int'l. Arpt., ILS Rwy 33L, Amdt. 10.
Cape Girardeau, Mo.—Cape Girardeau Municipal Arpt., ILS Rwy 10, Amdt. 2.
Kansas City, Mo.—Kansas City Municipal Arpt., ILS Rwy 18, Amdt. 13.
Knoxville, Tenn.—McGhee-Tyson Arpt., ILS Rwy 4L, Amdt. 30, cancelled.
Knoxville, Tenn.—McGhee-Tyson Arpt., ILS Rwy 22R, Amdt. 2, cancelled.
Tampa, Fla.—Tampa Int'l. Arpt., ILS Rwy 36L, Amdt. 5.
Waco, Tex.—Waco-Madison Cooper Arpt., ILS Rwy 18, Amdt. 7.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, *effective June 12, 1975.*

Washington, D.C.—Dulles Int'l. Arpt., RADAR-1, Amdt. 7.

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, *effective June 12, 1975.*

Indianapolis, Ind.—Indianapolis Terry Arpt., RNAV Rwy 18, Orig.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948; 49 U.S.C. 1438, 1354, 1421, 1510, sec. 6(c) Department of Transportation Act, 49 U.S.C 1655(c) and 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on April 24, 1975.

JAMES M. VINES,
Chief,
Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610) approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.75-11374 Filed 4-30-75;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-903, Corrected]

PART 223—FREE AND REDUCED-RATE TRANSPORTATION

Consolidation, Recodification, and Revision; Correction

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., April 22, 1975.

Economic Regulations; Consolidation, Recodification, and Revision of Part 223; Effective: April 22, 1975; Adopted: April 22, 1975.

The following note should appear at the end of Part 223 as recodified (Reg. ER-903, 40 FR 18415, April 28, 1975):

NOTE: The reporting and recordkeeping requirements contained in this part have been approved by the U.S. General Accounting Office under B-180226(R0069) and expire on August 31, 1977.

Dated: April 25, 1975.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-11426 Filed 4-30-75;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2043]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Commodore Corp.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.70 Fictitious or misleading guarantees. Subpart—Corrective actions and/or requirements; § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-45 Maintain records; 13.533-45(c) Complaints; 13.533-45(k) Records, in general; 13.533-50 Maintain means of communication. Subpart—Delaying or withholding corrections, adjustments or action owed; § 13.675 Delaying or withholding cortions, adjustments or action owed; § 13.677 Delaying or failing to deliver goods or provide services or facilities. Subpart—Neglecting, unfairly or deceptively, to make material disclosures: § 13.1855 Identity; § 13.1895 Scientific or other relevant facts; § 13.1905 Terms and conditions. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal. § 13.1980 Guarantee, in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the matter of The Commodore Corporation, a corporation.

Consent order requiring, an Omaha, Neb., manufacturer of mobile homes, among other things to cease unfair and deceptive warranty practices through the establishment of a prompt and effective system to handle warranty-related problems. The order requires respondent to provide warranty repairs or services on still-unrepaired mobile homes manufactured between 1972 and 1974 and to provide future retail purchasers with relief by establishing and maintaining a regular and effective system to handle complaints and service. Under this system, all repairs must be complete within thirty days after notification to the respondent of defects. Where the defects affect safety or habitability of the mobile home, the repairs must be started within three business days and be expeditiously completed.

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

ORDER

1. *It is ordered*, That respondents shall within 90 days from the effective date of this Order make a written inquiry of all known retail purchasers of respondents' mobile homes (except those specifically excluded below) built between July 1, 1972 and June 30, 1974, utilizing the form of letter shown in Appendix A attached hereto and made a part hereof which shall contain therein a self-addressed postage paid return envelope, and which shall be mailed to such purchasers by first class mail.

Known retail purchasers are defined as those first purchasers at retail of said mobile homes who communicate with respondents no later than 60 days after the effective date of this Order and those first retail purchasers whose names and addresses (1) are contained in company "coach" or unit files and tire records (except that with respect to respondents' manufacturing plants which maintained for the period July 1, 1972 to June 30, 1974 separate files for warranty registration cards the names and addresses of known retail purchasers may be established from such separate files rather than by reference to "coach" or unit files); (2) are supplied by the Federal Trade Commission within 60 days of the effective date of this Order or; (3) are supplied to respondents by respondents' past and current dealers in response to respondents' letter request for such information sent by first class mail, (which letters shall be sent no later than 30 days

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

after the effective date of this Order) utilizing the form of letter shown in Appendix B attached hereto and made a part hereof and which shall contain therein a self-addressed postage paid return envelope.

Notwithstanding the above, known retail purchasers shall not include:

(a) Local, state, or federal governments or agencies thereof;

(b) Retail purchasers who are now or have been engaged in litigation with respondents involving their mobile home built by respondents during the two year period set forth hereinabove.

(c) Retail purchasers whose homes were sold to them on an "as is" basis;

(d) Retail purchasers who communicated directly with respondents' corporate headquarters or its attorneys concerning a problem or defect in such purchaser's mobile home, where there is a record indicating a resolution of the problem to the purchaser's satisfaction;

(e) Retail purchasers whose names are supplied by past of current dealers in response to respondents' written inquiries required hereinabove when such names are received by respondents from a dealer more than sixty days after respondents' inquiry was mailed to that dealer unless the purchaser or purchasers themselves communicate with respondents no later than 60 days after the effective date of this Order, or the name or names of such purchaser or purchasers appear elsewhere in respondents' individual unit or coach files, (or where applicable, warranty card files) or were supplied to respondents by the Federal Trade Commission as set forth hereinabove;

(f) Retail purchasers who live outside the United States or who purchased mobile homes from dealers located outside the United States;

(g) Retail purchasers who are known to respondents to no longer own their mobile homes built by respondents.

2. *It is further ordered,* That respondents shall, directly or through their dealers or other third parties, repair or service within a reasonable time at the site of the home all defects and malfunctions in mobile homes owned as of the effective date of this Order by known retail purchasers, which are produced by respondents during the two year period referred to hereinabove and which become known to respondents in response to the written inquiries required pursuant to Order Paragraph 1 unless it is clear that a given defect or malfunction:

(a) Is a result of improper setup of the mobile home;

(b) Is a result of improper use or abuse of the mobile home;

(c) Did not arise or become evident within the term of the warranty;

(d) Was brought to respondents' attention by a retail purchaser more than sixty days after respondents mailed the written inquiry to such purchaser as provided hereinabove where the mobile home was purchased by the first retail purchaser more than one year prior to the effective date of this Order;

(e) Is a minor cosmetic defect in a home purchased by the first retail purchaser more than one year prior to the effective date of this Order.

A reasonable time for accomplishing said repairs or service shall consist of repairs or service:

(a) On no less than fifty mobile homes manufactured by each of respondents' plants per month or

(b) On a number of mobile homes per plant per month equal to no less than ten percent of the mobile homes owned by known retail purchasers, as the term is used in Order Paragraph One

whichever is greater, until all said repairs and service are completed.

3. *It is further ordered,* That respondents cease and desist from disseminating, or causing the dissemination of, offering or otherwise providing, in commerce, any express warranties to the retail purchasers of mobile homes manufactured by respondents unless respondents meet all of their obligations under such warranties within the time period standards set forth hereinbelow in Order Paragraph 3(e) and establish and maintain a regular and effective system reasonably designed to assure that every purchaser of the aforesaid mobile homes will receive full performance by respondent, directly or by action through their dealers or other third parties, of all such warranty obligations within the said time period standards. This warranty performance system shall incorporate but not necessarily be limited to the following standards and terms:

(a) Respondents shall disseminate a warranty and associated documents which clearly and fully describe and effectively communicate to the first retail purchaser;

(1) The identity and address of the warrantor;

(2) The nature and extent of the warranty offered or otherwise provided;

(3) The remedies available to the purchaser under the warranty;

(4) The manner in which respondents intend to provide for performance of their warranty obligations, including disclosure of any delegation of warranty responsibility to third parties, provided however that disclosure of said delegation must be accompanied by additional disclosure that such delegation in no way relieves respondents of the ultimate responsibility to fulfill all of respondents' warranty obligations;

(5) Any and all requirements which must in fact be fulfilled by the retail purchaser as a condition precedent to securing performance by respondents of their warranty obligations;

(6) A uniform procedure to be followed by a retail purchaser in order to request performance by respondents of their warranty obligations;

(7) A uniform procedure available to the retail purchaser for a systematic review and disposition of complaints and disputes with respect to the performance of respondents' warranty obligations by respondents' manufacturing plants, subsidiaries, divisions, and other employees, or by respondents' dealers or other third parties.

(b) Respondents shall cease and desist from selling their mobile homes without any express or implied warranty, i.e., "as is," or with any disclaimer of implied warranties or limitations or exclusion of liability under any warranty or disseminating or causing the dissemination of any statement or representation which represents directly or by implication, that respondents have disclaimed any express or implied warranty or limited or excluded any liability under any warranty unless respondents have a reasonable basis in the form of an opinion by legal counsel that said disclaimers, limitations and exclusions are enforceable under governing state law, and clear and conspicuous notice of said "as is" sale or other said disclaimer, limitation or exclusion is given to prospective retail purchasers of their mobile homes prior to the execution of the contract of retail purchase. A clear and conspicuous notice of an "as is" sale shall contain at a minimum the following language:

NOTICE

The manufacturer of this mobile home sells it "as is" and refuses to assume any responsibility for defects. The purchaser of this mobile home must accept it with all defects and take the entire risk, under contract law, as to its condition.

Provided however that with respect to: (a) the "as is" sale of damaged, salvaged, demonstrator or repossessed mobile homes, (b) the sale of mobile homes where respondents disclaim or fail to grant an express warranty on appliances which are covered by a separate written warranty by a supplier or manufacturer other than respondents and (c) the "as is" sale of mobile homes to local, state and federal governments or agencies thereof, the aforesaid opinion by legal counsel shall not be required.

(c) All of respondents' warranty service and repair obligations performed subsequent to the tender of the home to the retail purchaser shall be rendered by respondents, directly or through their dealers or other third parties at the site of the mobile home.

(d) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealers or any other persons not employees of respondents to:

(i) Determine whether any mobile home manufactured by respondents contains defects which are within the scope of a warranty extended by respondents or otherwise requires remedial action pursuant to said warranty;

(ii) Notify respondents of the existence of those circumstances enumerated in subparagraph (d) (i) above; or

(iii) Perform any repairs or otherwise provide services in satisfaction of any warranty obligations incurred by respondents,

respondents shall, beginning within 120 days of the effective date of this Order, assure that if a dispute or disagreement should arise between respondents and one or more of said dealers or other third

persons as to which of them is to incur any such responsibility with respect to warranty repairs and service or is to correct a malfunction related or alleged to relate to setup of the aforesaid mobile homes, any and all necessary repairs or other corrective action will be expeditiously provided (in the normal course of business) in a manner consistent with this order, regardless of whether the said dispute or disagreement has been resolved. The "normal course of business" does not include:—

(1) Conditions under which abnormal demands are made upon service capabilities as a result of natural disasters, other acts of God or the government (including the effects of remedial action required of respondents as set forth in Order Paragraphs 1 and 2, above), or any other event beyond the control of respondents and their dealers which places an unusually large demand upon service facilities;

(2) Conditions resulting from disasters, strikes, acts of the government, instances of force majeure or other similar occurrences which are beyond the control of respondents and their dealers and which prevent respondents and their dealers from responding to service requests within the time periods stated hereinbelow;

(3) Slight omissions or deviations from the terms of this Order which are inadvertent, unintentional, and not due to bad faith of respondents;

(e) (1) Respondents shall, beginning within 120 days of the effective date of this Order, directly or through their dealers or other third parties commence, in the normal course of business as set forth in Order Paragraph 3(d) above, all warranty service or repairs of defects giving rise to a condition which affects the safety of a mobile home or renders it substantially uninhabitable, as soon as possible but in no event later than three business days following receipt of notice of such defect by respondents from the retail purchaser, or two business days following notice of the determination made by respondents' dealer pursuant to Order Paragraph 3(i) (3) (iii) below, and shall complete such service or repairs expeditiously.

(2) Respondents shall, except as set forth in Order Paragraph 3(e) (1) above, beginning within 120 days of the effective date of this Order, directly or through their dealers or other third parties, in the normal course of business, as set forth in Order Paragraph 3(d) above: (a) respond to notice of the need for warranty service or repairs within a reasonable time not to exceed seven business days of receipt of said notice by respondents or their dealers and (b) complete said service or repairs within a reasonable time not to exceed thirty days following said receipt of notice.

(3) *Provided however*, That in the event of a bona-fide dispute between respondents or their dealers and a retail purchaser requiring resolution through the procedure established pursuant to Order Paragraph 3(m) below, as to whether the defect(s) complained of by the retail purchaser are or are not covered by respondents' warranty, then: In the event it is determined that warranty service or repair is required, which determination shall be made promptly, respondents shall be allowed, in the normal course of business as set forth in Order Paragraph 3(d) above, from the date of notification of the dispute as set forth in this subparagraph (e) (3) no more than three business days in the case of defects referred to in subparagraph (e) (1) above to commence service or repair (such repairs to be completed expeditiously), and no more than thirty days in the case of defects referred to in subparagraph (e) (2) above to complete service or repair.

(f) Respondents shall, except as provided in Order Paragraph (3) (h) below, in the normal course of business as set forth in Order Paragraph 3(d) above, beginning within 120 days of the effective date of this Order, inspect at the home site directly or through their dealers or other third parties, each mobile home prior to or at the time of tender of possession to the retail purchaser to assure that the mobile home is being delivered to such purchaser free of all ascertainable defects and is properly setup, except for deficiencies which do not affect the home's safety or habitability, which shall be noted in the owner dealer final delivery checklist (Appendix C), and which shall be then remedied in accordance with subparagraph (e) (2) above.

(g) Respondents shall, in the normal course of business as set forth in Order Paragraph 3(d) above, beginning within 120 days of the effective date of this Order, re-inspect, directly or through their dealers or other third parties each mobile home between forty five and ninety days after tender of possession to the retail purchaser to determine the existence of and to correct or arrange for the correction of any defects covered by respondents' warranty in the mobile home, or improper setup and problems arising therefrom.

Results of each of the inspections required in Order Paragraphs 3(f) and 3(g) hereinabove will be documented in a report or reports which shall be required to be signed by respondents' dealer and if possible by the retail purchaser or said purchaser's representative, indicating agreement with the information set forth therein. The reports documenting the results of the aforesaid inspections may be in the format set forth in Appendices C and D attached hereto, or in formats substantially equivalent thereto.

(h) If the retail purchaser elects to provide for the setup of his mobile home himself, then in such cases the responsibility of respondents and their dealers for transportation, setup, inspection and reinspection, as set forth in subparagraph (f) and (g) above, shall terminate with the delivery or tender of possession to the retail purchaser or his agent or representative.

(i) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealers to perform the obligations set forth in Order Paragraph 3(d) above, respondents shall enter into written contractual agreements with such dealers which:

(1) Adequately and accurately describe the scope of those responsibilities, to be borne by said dealers as aforesaid, as well as the responsibility for properly setting up respondents' mobile homes;

(2) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to provide respondents with the name and address of each retail purchaser and the date of each purchase;

(3) (i) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), to commence all warranty service, or repair of defects, giving rise to a condition which affects the safety of a mobile home or renders it substantially uninhabitable as soon as possible but in no event later than three business days following receipt by the dealer of notice of such defect or condition and to complete such service or repairs expeditiously;

(ii) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), to complete all other warranty service or repairs within a reasonable time, not to exceed thirty days following receipt by the dealer of notice of such condition;

(iii) Set forth that the requirements of subparagraph (i) (3) (i) and (i) (3) (ii) above shall apply only to those cases in which the dealer responds to and complete the service or repairs himself. In those cases in which the dealer determines to rely upon respondents to perform or to complete service or repairs requested by retail purchasers under:

(a) Subparagraph (i) (3) (i) above, such determination shall be made and communicated to respondents as soon as possible but in no event later than two business days after dealer's receipt of notice from the retail purchaser.

(b) Subparagraph (i) (3) (ii) above, such determination shall be made and communicated to respondents as soon as possible but in no event later than five business days of receipt of notice from the retail purchaser.

(4) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to inspect each mobile home prior to or at the time of tender of possession to the retail purchaser as set forth in Order Paragraph 3(f), except as provided in subparagraph (h) above to assure that the home is being delivered to such purchaser free of all ascertainable defects and is properly set up, except for deficiencies which do not affect the home's safety or habitability which shall be noted in the owner dealer final delivery checklist (Appendix C), and which shall then be remedied in accordance with subparagraph (i) (3) (ii) immediately above.

(5) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), except as provided in subparagraph (h) above, to reinspect each mobile home between

forty five and ninety days after tender of possession to the retail purchaser to determine the existence of and to correct or arrange for the correction of any defects in the mobile home covered by respondent's warranty or improper setup and problems arising therefrom;

(6) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to provide respondents with reports which will document the results of the inspections set forth in (4) and (5) immediately above and which will be signed by respondents' dealer and if possible by the retail purchaser or said retail purchaser's representative indicating agreement with the information set forth therein;

(7) Provide for a procedure which assures that if a dispute or disagreement should arise between respondents and one or more of said dealers as to which of them is to incur any such responsibility or is to correct an improper initial setup or a malfunction arising therefrom any and all necessary repairs or other corrective action will be expeditiously provided, regardless of whether the said dispute or disagreement has been resolved;

(8) Establish the duty of the dealer to maintain or contract for adequate service personnel and facilities;

(9) Set forth service responsibilities in the event that a dealer ceases to be one of respondents' authorized dealers with respect to homes still under respondents' warranty or in the possession of the dealer and not yet sold to a retail purchaser at the time of cessation of the authorization;

(10) Set forth the right of respondents to withdraw authorization from dealers failing to meet their responsibilities under the agreement.

Respondents shall cause their authorized dealers as of the effective date of this Order to execute such agreements (which agreements shall be immediately effective) within 180 days of the effective date of this Order, or shall thereafter accept no further orders from such dealers until they have executed such agreements. Respondents shall cause dealers initially authorized after the effective date of this Order to execute such agreements at the time of their authorization.

Such agreement shall be in the format set forth in Appendix E attached hereto or in a format substantially equivalent hereto.

The "normal course of business" as used in this Order Paragraph 3(i) shall not include:

(1) Conditions under which abnormal demands are made upon service capabilities as a result of natural disasters, other acts of God or the government, or any other event beyond the control of the dealer which places an unusually large demand upon the dealer's service facilities;

(2) Conditions resulting from disasters, strikes, acts of the government, instances of force majeure or other occurrences which are beyond the control of the dealer which prevent the dealer from responding to service requests within the time periods stated hereinabove;

(3) Slight omissions or deviations from the terms of this Order subparagraph which are inadvertant, unintentional and not due to bad faith of the dealer.

(j) Respondents shall send a questionnaire (using the format set forth in Appendix F attached hereto or in a format substantially equivalent thereto) to all persons other than "as is" purchasers who after the effective date of this Order purchase at retail respondents' mobile homes which inquires as to:

(1) The existence of any defects in said mobile homes covered by respondents' warranty or improper setup or problems arising therefrom;

(2) Whether the retail purchaser notified anyone of such defects or setup problems, and if so who was notified and when did such notification take place;

(3) The identity of any person who sought to service such defects or setup problems;

(4) Whether such defects or setup problems were fully repaired, the period of time required to effect such repairs, and the identity of the parties who accomplished such repairs;

(5) Whether the retail purchaser is satisfied with the promptness and quality of the repair.

Such questionnaire in the form of a postage paid self addressed post card or a letter containing a postage paid self addressed envelope, shall be sent between ninety and one hundred twenty days subsequent to the tender of possession of the home to the retail purchaser.

(k) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealer or any other persons not employees of respondents to perform any of the responsibilities set forth in Order Paragraph 3(d) hereinabove, respondents shall fully evaluate the level of expertise and physical and personnel resources of such dealers or other persons with respect to the ability to inspect, repair, service and setup all mobile homes manufactured by respondents prior to such delegation or reliance to assure that all said persons are capable of performing said responsibilities or have provided for such performance through a third party having such capability, in accordance with the standards set forth herein.

Respondents shall in addition regularly review and evaluate the manner in which such persons, directly or through another third party, perform the aforesaid responsibilities and maintain their service capabilities and shall withdraw said reliance and authorization from persons failing to meet those responsibilities or the standards set forth herein.

(l) The direct administration of respondents' warranty service program at the corporate level and the responsibility for supervising and assuring implementation of the warranty service program shall, beginning within 120 days of the effective date of this Order, be vested in only those corporate officials who have no direct responsibilities on a day-to-day basis for the sale of respondents' mobile homes. The person or persons to whom the responsibility for supervising and assuring the implementation of the program is delegated shall make periodic reports at least on a monthly basis to respondents' responsible officers which shall include current information concerning:

(1) The current cost to respondents of warranty service;

(2) The incidence and nature of frequently recurring defects;

(3) Those measures undertaken in response to reports of frequently recurring defects including but not limited to modification in production and design of respondents' mobile homes;

(4) Analysis of the manner in which respondents' employees, dealers and other third parties are performing warranty and setup responsibilities.

(m) Respondents shall, beginning within 120 days of the effective date of this order, establish a uniform procedure for the systematic receipt and analysis and fair disposition of all complaints or disputes which may arise between the aforesaid retail purchasers of respondents' mobile homes and respondents or respondents' dealers or other third parties, regarding any alleged warranty obligations of respondents.

Such procedure shall incorporate but not necessarily be limited to:

(1) Prompt evaluation and response by respondents to all complaints within a reasonable time not to exceed five business days after receipt by respondents;

(2) The designation of a single responsible department within respondents' corporate organization for the receipt of said complaints;

(3) An effective mechanism for the fair and impartial resolution of such disputes by corporate level personnel not responsible for sales on a day-to-day basis;

(4) An accurate and complete record keeping system regarding the nature and disposition of all such disputes and complaints received by respondents;

(5) Periodic review and evaluation by respondents of the effectiveness of such procedures and correction of such procedures where necessary.

(n) Respondents shall, beginning within 120 days of the effective date of this Order, maintain full and adequate records which disclose:

(1) The date of receipt, disposition and the date of disposition of each request for warranty service (including any refusal to accept a request and the reason for such refusal) received by respondents; and

(2) The results of the evaluation of service capacity provided for in Order Paragraph 3(k) above.

4. *It is further ordered,* That respondents shall forthwith distribute a copy of this Order to each of their operating divisions or manufacturing plants engaged in the manufacture, offering for sale, sale, and distribution of mobile homes.

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

6. *It is further ordered,* That respondents shall, at intervals of 9, 18, and 24 months following the effective date of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this Order. Such reports shall include but not be limited to the periodic reports submitted to respondents' responsible officers described in Order Paragraph 3(1) above.

7. *It is further ordered,* That respondents shall furnish to the Commission nine months after the effective date of this Order, a report which discloses the dates and manner in which dealers and retail purchasers were contacted pursuant to the procedures described in Order Paragraph 1 above, and the dates and manner in which dealers and retail purchasers acted in response thereto and the dates and manner in which respondents acted in response to allegations by retail purchasers which purported to create an obligation on the part of respondents under the terms of Order Paragraph 2 above. Respondents shall for a period of two years after the effective date of this Order maintain records which are adequate to disclose respondents' compliance with Order Paragraphs 1 and 2, in order that such records may be furnished by respondents to the Federal Trade Commission upon request.

8. *It is further ordered,* That respondents shall submit to the Federal Trade Commission for its review copies of any proposed substantial revisions in the questionnaire required pursuant to Order Paragraph 3(j), the dealer agreement required pursuant to Order Paragraph 3(i), and the warranty documents described in Order Paragraph 3(a), at least 60 days prior to the proposed effective date of any such revisions. Such submissions will be required for the three years following the effective date of this Order.

9. At the time of their execution of this agreement, proposed respondents are debtors-in-possession in proceedings under Chapter XI of the Federal Bankruptcy Act which are pending in the United States District Court for the District of Nebraska. Proposed respondents have filed in such proceedings a proposed plan of arrangement in which provision is made for the payment of obligations of proposed respondents to their unsecured creditors; and proposed respondents presently contemplate that said plan, or an amended version thereof, will be confirmed in due course by said Court. Accordingly, it is further ordered that notwithstanding the provisions of Order Paragraph 2, if at the time this Order becomes effective, the retail purchasers who would be entitled to relief under the provisions of Order Paragraph 2 have by virtue of an appropriate order of said Court or said plan of arrangement or as a matter of law at least 180 days to file claims in said Chapter XI proceedings in respect of the matters as to which repairs or service is required pursuant to Order Paragraph 2, then within 120 days after the effective date of this Order proposed respondents shall give written notice to each such retail purchaser of his right to file such a claim in said Chapter XI proceedings, and the timely giving of such notices by proposed respondents shall be deemed for all purposes to have satisfied the requirements of Order Paragraph 2; provided, that the form and content of such notice shall be subject to prior approval by the Bureau of Consumer Protection of the Commission and, if required, by the Court having jurisdiction over said Chapter XI proceedings. If at the time this Order becomes effective, such retail purchasers do not have said 180-day period to file claims as aforesaid, then the provisions of this paragraph shall not supersede the provisions of Order Paragraph 2 and the provisions of Order Paragraph 2 shall remain in full force and effect.

The Decision and Order was issued by the Commission, March 4, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-11438 Filed 4-30-75;8:45 am]

[Docket No. C-2641]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Fleetwood Enterprises, Inc.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.70 Fictitious or misleading guarantees. Subpart—Corrective actions and/or requirements; § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-45 Maintain records; 13.533-45(c) Complaints; 13.533-45(k) Records, in general; 13.533-50 Maintain means of communication. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 Delaying or withholding corrections, adjustments or action owed; § 13.677 Delaying or failing to deliver goods or provide services or facilities. Subpart—Neglecting, unfairly or deceptively, to make material disclosures: § 13.1855 Identity; § 13.1895 Scientific or other relevant facts; § 13.1905 Terms and conditions. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1980 Guarantee, in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C 45)

In the matter of Fleetwood Enterprises, Inc., a corporation.

Consent order requiring a Riverside, Calif., manufacturer of mobile homes, among other things to cease unfair and deceptive warranty practices through the establishment of a prompt and effective system to handle warranty-related problems. The order requires respondent to provide warranty repairs or services on still-unrepaired mobile homes manufactured between 1972 and 1974 and to provide future retail purchasers with relief by establishing and maintaining a regular and effective system to handle complaints and service. Under this system, all repairs must be complete within thirty days after notification to the respondent of defects. Where the defects affect safety or habitability of the mobile home, the repairs must be started within three business days and be expeditiously completed.

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

1. *It is ordered,* That respondents shall within 90 days from the effective date of this Order make a written inquiry of all known retail purchasers of respondents' mobile homes (except those specifically excluded below) built between July 1, 1972 and June 30, 1974, utilizing the form of letter shown in Appendix A attached hereto and made a part hereof which shall contain therein a self-addressed postage paid return envelope, and which shall be mailed to such purchasers by first class mail.

Known retail purchasers are defined as those first purchasers at retail of said mobile homes who communicate with respondents no later than 60 days after the effective date of this Order and those first retail purchasers whose names and addresses (1) are contained in company "coach" or unit files and tire records (except that with respect to respondents' manufacturing plants which maintained for the period July 1, 1972 to June 30, 1974 separate files for warranty registration cards the names and addresses of known retail purchasers may be established from such separate files rather than by reference to "coach" or unit files); (2) are supplied by the Federal Trade Commission within 60 days of the effective date of this Order or; (3) are supplied to respondents by respondents' past and current dealers in response to respondents' letter request for such information sent by first class mail, (which letters shall be sent no later than 30 days after the effective date of this Order) utilizing the form of letter shown in Appendix B attached hereto and made a part hereof and which shall contain therein a self-addressed postage paid return envelope.

Notwithstanding the above, known retail purchasers shall not include:

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

(a) Local, state or federal governments or agencies thereof;

(b) Retail purchasers who are now or have been engaged in Litigation with respondents involving their mobile home built by respondents during the two year period set forth hereinabove;

(c) Retail purchasers whose homes were sold to them on an "as is, where is" basis;

(d) Retail purchasers who comcorporate headquarters or its attorneys municated directly with respondents' concerning a problem or defect in such purchaser's mobile home, where there is a record indicating a resolution of the problem to the purchaser's satisfaction;

(e) Retail purchasers whose names are supplied by past or current dealers in response to respondents' written inquiries set forth hereinabove when such names are received by respondents from a dealer more than sixty days after respondents' inquiry was mailed to that dealer unless the purchaser or purchasers themselves communicate with respondents no later than 60 days after the effective date of this Order, or the name or names of such purchaser or purchasers appear elsewhere in respondents' individual unit or coach files, (or where applicable, warranty card files) or were supplied to respondents by the Federal Trade Commission as set forth hereinabove;

(f) Retail purchasers who live outside the United States or who purchased mobile homes from dealers located outside the United States;

(g) Retail purchasers who are known to respondents to no longer own their mobile homes built by respondents.

2. *It is further ordered,* That respondents shall, directly or through their dealers or other third parties, repair or service within a reasonable time at the site of the home (in the normal course not to exceed ninety days from the date on which the letter to a given retail purchaser referred to in Order Paragraph 1 is returned and received by respondents) all defects and malfunctions in mobile homes produced by respondents during the two year period referred to hereinabove which become known pursuant to Order Paragraph 1 unless it is clear that a given defect or malfunction:

(a) Is a result of improper setup of the mobile home;

(b) Is a result of improper use or abuse of the mobile home;

(c) Did not arise or become evident within the term of the warranty;

(d) Was brought to respondents' attention by a retail purchaser more than sixty days after respondents mailed the written inquiry to such purchaser as provided hereinabove where the home was purchased by the first retail purchaser more than one year prior to the effective date of this Order;

(e) Is a minor cosmetic defect in a home purchased by the first retail purchaser more than one year prior to the effective date of this Order.

3. *It is further ordered,* That respondents cease and desist from disseminating, or causing the dissemination of, offering or otherwise providing, in commerce, any express warranties to the retail purchasers of respondents' mobile homes unless respondents meet all of their obligations under such warranties within the time period standards set forth hereinbelow in Order Paragraph 3(e) and establish and maintain a regular and effective system reasonably designed to assure that every purchaser of the aforesaid mobile homes will receive full performance by respondents, directly or by action through their dealers or other third parties, of all such warranty obligations within the said time period standards. This warranty performance system shall incorporate but not necessarily be limited to the following standards and terms:

(a) Respondents shall disseminate a warranty and associated documents which clearly and fully describe and effectively communicate to the first retail purchaser;

(1) The identity and address of the warrantor;

(2) The nature and extent of the warranty offered or otherwise provided;

(3) The remedies available to the purchaser under the warranty;

(4) The manner in which respondents intend to provide for performance of their warranty obligations, including disclosure of any delegation of warranty responsibility to third parties, provided however that disclosure of said delegation must be accompanied by additional disclosure that such delegation in no way relieves respondents of the ultimate responsibility to fulfill all of respondents' warranty obligations.

(5) Any and all requirements which must in fact be fulfilled by the purchaser as a condition precedent to securing performance by respondents of their warranty obligations;

(6) A uniform procedure to be followed by a purchaser in order to request performance by respondents of their warranty obligations;

(7) A uniform procedure available to the purchaser for a systematic review and disposition of complaints and disputes with respect to the performance of respondents' warranty obligations by respondents' manufacturing plants, subsidiaries, divisions, and other employees, or by respondents' dealers or other third parties.

(b) Respondents shall cease and desist from selling their mobile homes without any express or implied warranty, i.e., "as is, where is", or with any disclaimer of implied warranties or limitations or exclusion of liability under any warranty or dissemination or causing the dissemination of any statement or representation which represents directly or by implication, that respondents have disclaimed any express or implied warranty or limited or excluded any liability under any warranty unless respondents have a reasonable basis in the form of an opinion by legal counsel that said disclaimers, limitations and exclusions are enforceable under governing state law, and clear and conspicuous notice of said "as is, where is" sale or other said disclaimer, limitation or exclusion is given to prospective retail purchasers of their mobile homes prior to the execution of the contract of retail purchase. A clear and conspicuous notice of an "as is, where is" sale shall contain the following language:

NOTICE

The manufacturer of this mobile home sells it "as is, where is" and refuses to assume any responsibility for defects. The purchaser of this mobile home must accept it with all defects and take the entire risk, under contract law, as to its condition.

Provided however That with respect to: (a) the "as is, where is" sale of damaged, salvaged, demonstrator or repossessed mobile homes, (b) the sale of mobile homes where respondents disclaim or fail to grant an express warranty on appliances which are covered by a separate written warranty by a supplier or manufacturer other than respondents and (c) the "as is, where is" sale of mobile homes to local, state and federal governments or agencies thereof, the aforesaid opinion by legal counsel shall not be required.

(c) All of respondents' warranty service and repair obligations performed subsequent to the tender of the home to the retail purchaser shall be rendered by respondents, directly or through their dealers or other third parties at the site of the mobile home.

(d) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealers or any other persons not employees of respondents to:

(i) Determine whether any mobile home manufactured by respondents contains defects which are within the scope of a warranty extended by respondents or otherwise requires remedial action pursuant to said warranty;

(ii) Notify respondents of the existence of those circumstances enumerated in subparagraph (d) (i) above; or

(iii) Perform any repairs or otherwise provide services in satisfaction of any warranty obligations incurred by respondents,

respondents shall, beginning within 120 days of the effective date of this Order, assure that if a dispute or disagreement should arise between respondents and one or more of said dealers or other third persons as to which of them is to incur any such duty, burden or responsibility with respect to warranty repairs and service or is to correct a malfunction related or alleged to relate to setup of the aforesaid mobile homes, any and all necessary repairs or other corrective action will be expeditiously provided (in the normal course of business) in a manner consistent with this order, regardless of whether the said dispute or disagreement has been resolved. The "normal course of business" does not include:

(1) Conditions under which abnormal demands are made upon service capabilities as a result of natural disasters, other acts of God or the government (including the effects or remedial action required of respondents as set forth in

Order Paragraphs 1 and 2, above), or any other event beyond the control of respondents and their dealers which places an unusually large demand upon service facilities;

(2) Conditions resulting from disasters, strikes, acts of the government, instances of force majeure or similar occurences which are beyond the control of respondents and their dealers and which prevent respondents and their dealers from responding to service requests within the time periods stated hereinbelow:

(3) Slight omissions or deviations from the terms of this Order which are inadvertent, unintentional, and not due to bad faith of respondents;

(e) (1) Respondents shall, beginning within 120 days of the effective date of this Order, directly or through their dealers or other third parties commence, in the normal course of business as set forth in Order Paragraph 3(d) above, all warranty service or repairs of defects giving rise to a condition which affects the safety of a mobile home or renders it substantially uninhabitable, as soon as possible but in no event later than three business days following receipt of notice of such defect by respondents from the retail purchaser, or two business days following notice of the determination made by respondents' dealer pursuant to Order Paragraph 3(i) (3) (iii) below, and shall complete such service or repairs expeditiously.

(2) Respondents shall, except as set forth in Order Paragraph 3(e) (1) above, beginning within 120 days of the effective date of this Order, directly or through their dealers or other third parties, in the normal course of business, as set forth in Order Paragraph 3(d) above: (a) respond to notice of the need for warranty service or repairs within a reasonable time not to exceed seven business days of receipt of said notice by respondents or their dealers and (b) complete said service or repairs within a reasonable time not to exceed thirty days following said receipt of notice.

(3) *Provided however*, That in the event of a bonafide dispute between respondents or their dealers and a retail purchase, requiring resolution through the procedure established pursuant to Order Paragraph 3(m) below, as to whether the defect(s) complained of by the retail purchaser are or are not covered by respondents' warranty, then: In the event it is determined that warranty service or repair is required, which determination shall be made promptly respondents shall be allowed, in the normal course of business as set forth in Order Paragraph 3(d) above, from the date of notification of the dispute as set forth in this subparagraph (e) (3) no more than three business days in the case of defects referred to in subparagraph (e) (1) above to commence service or repair (such repairs to be completed expeditiously), and no more than thirty days in the case of defects referred to in subparagraph (e) (2) above to complete service or repair.

(f) Respondents shall, except as *provided* in Order Paragraph (3) (h) below, in the normal course of business as set forth in Order Paragraph 3(d) above, beginning within 120 days of the effective date of this Order, inspect at the home site directly or through their dealers or other third parties, each mobile home prior to or at the time of tender of possession to the retail purchaser to assure that the home is being delivered to such purchaser free of all ascertainable defects and is properly setup, except for deficiencies which do not affect the home's safety or habitability, which shall be noted in the owner dealer final delivery checklist (Appendix C), and which shall be then remedied in accordance with subparagraph (e) (2) above.

(g) Respondents shall, except as *provided* in Order Paragraph (3) (h) below, in the normal course of business as set forth in Order Paragraph 3(d) above, beginning within 120 days of the effective date of this Order, re-inspect, directly or through their dealers or other third parties each mobile home between twenty-five and forty-five days after tender of possession to the retail purchaser to determine the existence of and to correct or arrange for the correction of any defects covered by respondents' warranty in the mobile home, or improper setup and problems arising therefrom.

Results of each of the inspections required in Order Paragraphs 3(f) and 3 (g) hereinabove shall be documented in a report or reports which shall be required to be signed by respondents' dealer and if possible by the retail purchaser or said purchaser's representative, indicating agreement with the information set forth therein. The reports documenting the results of the aforesaid inspections may be in the formats set forth in Appendices C and D attached hereto, or in formats substantially equivalent thereto.

(h) If the retail purchaser elects to provide for the setup of his mobile home himself, then in such cases the responsibility of respondents and their dealers for transportation, setup, inspection and reinspection, as set forth in subparagraph (f) and (g) above, shall terminate with the delivery or tender of possession to the retail purchaser or his agent or representative.

(i) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealers to perform the duties set forth in Order Paragraph 3(d) above, respondents shall enter into written contractual agreements with such dealers which:

(1) Adequately and accurately describe the scope of those duties, to be borne by said dealers as aforesaid, as well as the responsibility for properly setting up respondents' mobile homes;

(2) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to provide respondents with the name and address of each retail purchaser and the date of such purchase;

(3) (i) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), to commence all warranty service, or repair of defects, giving rise to a condition which affects the safety of a mobile home or renders it substantially uninhabitable as soon as possible but in no event later than three business days following receipt by the dealer of notice of such defect or condition and to complete such service or repairs expeditiously;

(ii) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), to complete all other warranty service or repairs within a reasonable time, not to exceed thirty days following receipt by the dealer of notice of such condition;

(iii) Set forth that the requirements of subparagraph (i) (3) (i) and (i) (3) (ii) above shall apply only to those cases in which the dealer responds to and completes the service or repairs himself. In those cases in which the dealer determines to rely upon respondents to perform or to complete service or repairs requested by retail purchasers under:

(a) Subparagraph (i) (3) (i) above, such determination shall be made and communicated to respondents as soon as possible but in no event later than two business days after dealer's receipt of notice from the retail purchaser.

(b) Subparagraph (i) (3) (ii) above, such determination shall be made and communicated to respondents as soon as possible but in no event later than five business days of receipt of notice from the retail purchaser.

(4) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to inspect each mobile home prior to or at the time of tender of possession to the retail purchaser as set forth in Order Paragraph 3(f), except as *provided* in subparagraph (h) above to assure that the home is being delivered to such purchaser free of all ascertainable defects and is properly set up, except for deficiencies which do not affect the home's safety or habitability which shall be noted in the owner dealer final delivery checklist (Appendix C), and which shall then be remedied in accordance with subparagraph (i) (3) (ii) immediately above.

(5) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), except as *provided* in subparagraph (h) above to reinspect each mobile home between twenty five and forty five days after tender of possession to the retail purchaser to determine the existence of and to correct or arrange for the correction of any defects in the mobile home covered by respondents' warranty or improper setup and problems arising therefrom;

(6) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to provide respondents with reports which will document the results of the inspections set forth in (4) and (5) immediately above and which will be signed by respondents' dealer and if possible by the retail purchaser or said retail purchaser's representative indicating agreement with the information set forth therein;

(7) Provide for a procedure which assures that if a dispute or disagreement should arise between respondents and one or more of said dealers as to which of them is to incur any such duty, burden or responsibility or is to correct an improper initial setup or a malfunction arising therefrom, any and all necessary repairs or other corrective action will be expeditiously provided, regardless of whether the said dispute or disagreement has been resolved;

(8) Establish the duty of the dealer to maintain or contract for adequate service personnel and facilities;

(9) Set forth service responsibilities in the event of termination of a dealer with respect to homes still under warranty or in the possession of the dealer and not yet sold to a retail purchaser at the time of termination;

(10) Set forth the right of respondents to withdraw authorization from dealers failing to meet their responsibilities under the agreement.

Existing dealers authorized by respondents as of the effective date of this Order shall execute such agreements (which agreements shall be immediately effective) within 180 days of the effective date of this Order, or shall be terminated by respondents. Other dealers authorized by respondents later than the effective date of this Order shall execute such agreements at the time of their authorization.

Such agreement shall be in the format set forth in Appendix E attached hereto or in a format substantially equivalent hereto.

The "normal course of business" as used in this Order Paragraph 3(i) shall not include:

(1) Conditions under which abnormal demands are made upon service capabilities as a result of natural disasters, other acts of God or the government, or any other event beyond the control of the dealer which places an unusually large demand upon the dealer's service facilities;

(2) Conditions resulting from disasters, strikes, acts of the government, instances of force majeure or other occurrences which are beyond the control of the dealer which prevent the dealer from responding to service requests within the time periods stated hereinabove;

(3) Slight omissions or deviations from the terms of this Order subparagraph which are inadvertent, unintentional and not due to bad faith of dealer.

(j) Respondents shall send a questionnaire (using the format set forth in Appendix F attached hereto or in a format substantially equivalent thereto) to all persons other than "as is, where is" purchasers who after the effective date of this Order purchase at retail respondents' mobile homes which inquires as to:

(1) The existence of any defects in said mobile homes covered by respondents' warranty or improper setup or problems arising therefrom;

(2) Whether the retail purchaser notified anyone of such defects or setup problems, and if so who was notified and when did such notification take place;

(3) The identity of any person who sought to service such defects or setup problems;

(4) Whether such defects or setup problems were fully repaired, the period of time required to effect such repairs, and the identity of the parties who accomplished such repairs;

(5) Whether the retail purchaser is satisfied with the promptness and quality of the repair.

Such questionnnaire in the form of a postage paid self addressed post card or a letter containing a postage paid self addressed envelope, shall be sent between sixty and ninety days subsequent to the tender of possession of the home to the retail purchaser.

(k) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealer or any other persons not employees of respondents to perform any of the responsibilities or duties set forth in Order Paragraph 3(d) hereinabove, respondents shall fully evaluate the level of expertise and physical and personnel resources of such dealers or other persons with respect to the ability to inspect, repair, service and setup all mobile homes manufactured by respondents prior to such delegation or reliance to assure that all said persons are capable of performing said responsibilities or have provided for such performance through a third party having such capability, in accordance with the standards set forth herein.

Respondents shall in addition regularly review and evaluate the manner in which such persons, directly or through another third party, perform the aforesaid responsibilities and maintain their service capabilities and shall withdraw said reliance and authorization from persons failing to meet those responsibilities or the standards set forth herein.

(l) The direct administration of respondents' warranty service program at the corporate level and the responsibility for supervising and assuring implementation of the warranty service program shall, beginning within 120 days of the effective date of this Order, be vested in only those corporate officials who have no direct responsibilities on a day-to-day basis for the sale of respondents' mobile homes. The person or persons to whom the responsibility for supervising and assuring the implementation of the program is delegated shall make periodic reports at least on a monthly basis to respondents' responsible officers which shall include current information concerning:

(1) The current cost to respondents of warranty service;

(2) The incidence and nature of frequently recurring defects;

(3) Those measures undertaken in response to reports of frequently recurring defects including but not limited to modification in production and design of respondents' mobile homes;

(4) Analysis of the manner in which respondents' employees, dealers and other third parties are performing warranty and set up responsibilities.

(m) Respondents shall, beginning within 120 days of the effective date of this Order, establish a uniform procedure for the systematic receipt and analysis and fair disposition of all complaints or disputes which may arise between the aforesaid retail purchasers of respondents' mobile homes and respondents or respondents' dealers or other third parties, regarding any alleged warranty obligations of respondents.

Such procedure shall incorporate but not necessarily be limited to:

(1) Prompt evaluation and response by respondents to all complaints within a reasonable time not to exceed five business days after receipt by respondents;

(2) The designation of a single focal point within the corporation for the receipt of said complaints;

(3) An effective mechanism for the fair and impartial resolution of such disputes by corporate level personnel not responsible for sales on a day-to-day basis;

(4) An accurate and complete record keeping system regarding the nature and disposition of all such disputes and complaints received by respondents;

(5) Periodic review and evaluation by respondents of the effectiveness of such procedures and correction of such procedures where necessary.

(n) Respondents shall, beginning within 120 days of the effective date of this Order, maintain full and adequate records which disclose:

(1) The date of receipt, disposition and the date of disposition of each request for warranty service (including any refusal to accept a request and the reason for such refusal) received by respondents; and

(2) The results of the evaluation of service capacity provided for in Order Paragraph 3(k) above.

4. *It is further ordered,* That respondents shall forthwith distribute a copy of this Order to each of their operating division or manufacturing plants engaged in the manufacture, offering for sale, sale, and distribution of mobile homes.

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

6. *It is further ordered,* That respondents shall, at intervals of 9, 18, and 24 months following the effective date of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this Order. Such reports shall include but not be limited to the periodic reports submitted to respondents' responsible officers described in Order Paragraph 3(l) above.

7. *It is further ordered,* That respondents shall furnish to the Commission nine months after the effective date of this

Order, a report which discloses the dates and manner in which dealers and retail purchasers were contacted pursuant to the procedures described in Order Paragraph 1 above, and the dates and manner in which dealers and retail purchasers acted in response thereto and the dates and manner in which respondents acted in response to allegations by retail purchasers which purported to create an obligation on the part of respondents under the terms of Order Paragraph 2 above. Respondents shall for a period of two years after the effective date of this Order maintain records which are adequate to disclose respondents' compliance with Order Paragraphs 1 and 2, in order that such records may be furnished by respondents to the Federal Trade Commission upon request.

8. *It is further ordered,* That respondents shall submit to the Federal Trade Commission for its review copies of any proposed substantial revisions in the questionnaire required pursuant to Order Paragraph 3(j), the dealer agreement required pursuant to Order Paragraph 3(i), and the warranty documents described in Order Paragraph 3(a), at least 60 days prior to the proposed effective date of any such revisions. Such submissions will be required for the three years following the effective date of this Order.

The Decision and Order was issued by the Commission March 4, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-11439 Filed 4-30-75;8:45 am]

[Docket No. 8937-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Steven Rizzi et al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly: § 13.10-1 Availability of merchandise; § 13.15 Business status, advantages, or connections: § 13.15-175 Liquidation; § 13.15-195 Nature; § 13.30 Composition of goods: § 13.30-75 Textile Fiber Products Indentification Act; § 13.-70 Fictitious or misleading guarantees; § 13.73 Formal regulatory and statutory requirements: § 13.73-90 Textile Fiber Products Identification Act; § 13.-125 Limited offers or supply; § 13.135 Nature of product or service; § 13.155 Prices: § 13.155-10 Bait; § 13.155-35 Discount savings; § 13.155-70 Percentage savings; § 13.155-100 Usual as reduced, special, etc.; § 13.160 Promotional sales plans; § 13.205 Scientific or other relevant facts; § 13.235 Source or origin: § 13.235-40 In general; § 13.240 Special or limited offers. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements: § 13.533-40 Furnishing information to media; § 13.533-45 Maintain records; § 13.533-45(a) Advertising substantiation. Subpart—Disparaging products, merchandise, services, etc.: § 13.1042 Disparaging products, merchandise, services, etc. Subpart—Failing to maintain records: § 13.1051 Failing to maintain records: § 13.1051-20 Adequate. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: § 13.1108-80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 Composition: § 13.1185-80 Textile Fiber Products Identification Act; § 13.1212 Formal regulatory and statutory requirements: § 13.1212-80 Textile Fiber Products Identification Act. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1440 Identity; § 13.1490 Nature.—Goods: § 13.1572 Availability of advertised merchandise; § 13.1590 Composition: § 13.1590-70 Textile Fiber Products Identification Act; § 13.1623 Formal regulatory and statutory requirements: § 13.1623-80 Textile Fiber Products Identification Act; § 13.1647 Guarantees; § 13.1685 Nature: § 13.1685-15 By misleading trade or corporate name; § 13.1740 Scientific or other relevant facts; § 13.1745 Source or origin: § 13.-1745-70 Place: § 13.1745-70(d) In general; § 13.1747 Special or limited offers. —Prices: § 13.1779 Bait; § 13.1825 Usual as reduced or to be increased. —Promotional sales plans: § 13.1830 Promotional sales plans. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: § 13.-1845-70 Textile Fiber Products Identification Act; § 13.1852 Formal regulatory and statutory requirements: § 13.1852-70 Textile Fiber Products Identification Act; § 13.1855 Identity; § 13.-1870 Nature; § 13.1882 Prices; § 13.-1895 Scientific or other relevant facts. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1980 Gurantee, in general; § 13.2000 Limited offers or supply; § 13.-2013 Offers deceptively made and evaded; § 13.2063 Scientific or other relevant facts; § 13.2070 Special or trial offers, savings and discounts. Subpart—Using deceptive techniques in advertising: § 13.-2275 Using deceptive techniques in advertising. Subpart—Using misleading name—Vendor: § 13.2425 Nature, in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70)

In the Matter of Steven Rizzi, Mike McKeever, Jerry M. Lytell, Herbert Millstein, Sam Katz, Harold J. Green, George Edward Ommert, John W. Green, Peter W. Galarneau, and Gerald Gautcher, Individually and as Separate Partners With Joseph W. Green, an Individual, All Trading and Doing Business as Freight Liquidators.

Order requiring nine individuals operating a group of retail stores under the trade name of Freight Liquidators in the Washington, D.C., and Baltimore, Md., trading areas, among other things to cease misrepresenting the nature of their business; using misleading corporate or trade name; using bait and switch tactics; and violating the Textile Fiber Products Identification Act by failing to disclose information regarding composition of textile fiber products as required by said Act. The order further dismisses the complaint as to individual respondent Jerry M. Lytell.

The Final Order is as follows: [1]

This matter is before us on cross-appeals by respondents, Herbert Millsteing, Harold J. Green, John W. Green, Peter W. Galarneau, and Joseph W. Green, and by complaint counsel from the administrative law judge's initial decision filed June 27, 1974. For the reasons stated in the accompanying opinion, the Commission has determined to adopt the initial decision as the decision of the Commission except insofar as it is inconsistent with said opinion and to issue the cease and desist order contained therein as the final order of the Commission with the modifications set forth below. Accordingly,

It is ordered, That the law judge's cease and desist order be modified so as to include respondents Mike McKeever, Sam Katz, George Edward Ommert, and Gerald Gautcher in all provisions and that the paragraph dismissing the complaint as to said respondents be stricken;

It is further ordered, That the paragraph requiring respondents to include in their advertisements an affirmative disclosure to the effect that they are subject to a Federal Trade Commission order in Docket 8937 be stricken without prejudice to the Commission's right to reopen this proceeding to consider reinstating of this requirement or other appropriate relief should the future conduct of any of these respondents warrant such action.

It is further ordered, That in all other respects the appeals of respondents and complaint counsel be denied.

The order to cease and desist as set out in the initial decision and modified in accordance with the foregoing final order, including further order requiring report of compliance therewith, is as follows:

ORDER

It is ordered, That respondents Joseph W. Green, Harold J. Green, John W. Green, Herbert Millstein, Peter W. Galarneau, Mike McKeever, Sam Katz, George Edward Ommert, and Gerald Gautcher, individually, and/or as copartners, trading and doing business as Freight Liquidators, or under any other trade name or names, and each of respondents' agents, representatives and employees, successors and assigns, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of rugs, sewing machines, stereo radios and phonographs, or any other article of

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[1] Copies of the Complaint, Initial Decision, Final Order, Opinion of the Commission by Commissioner Thompson, Concurring Opinion of Commissioner Lewis A. Engman, and Concurring Opinion of Commissioner M. Elizabeth Hanford, filed with the original document.

merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Liquidators," "Freight," "Forwarding," or any other word or words of similar import or meaning in or as part of respondents' corporate or trade name or names; or representing, orally or in writing, directly or by implication, that they are liquidators, authorized adjustors or agents engaged in the sale or disposition of bankrupt, salvage, distrained, distress, or transportation company surplus merchandise; or are engaged in liquidating, adjusting, paying off or otherwise settling indebtedness or claims; or misrepresenting, in any manner, their trade or business status.

2. Representing, directly or indirectly, orally or in writing, that any merchandise offered for sale is bankrupt, salvage, distrained, distress or transportation company surplus merchandise; or misrepresenting, in any manner, the source, character or nature of the merchandise being offered for sale.

3. (a) Representing, directly or indirectly, orally or in writing, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondents' stated price and respondents' former price unless such merchandise has been sold or offered for sale in good faith at the former price by respondents for a reasonably substantial period of time in the recent, regular course of their business.

(b) Representing, directly or indirectly, orally or in writing, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondents' stated price and a compared price for said merchandise or services in respondents' trade area unless a substantial number of the principal retail outlets in the trade area regularly sell said merchandise at the compared price or some higher price.

(c) Representing, directly or indirectly, orally or in writing, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondents' stated price and a compared value price for comparable merchandise, unless substantial sales of merchandise of like grade and quality are being made in the trade area at the compared price or a higher price and unless respondents have in good faith conducted a market survey or obtained a similar representative sample of prices in their trade area which establishes the validity of said compared price and it is clearly and conspicuously disclosed that the comparison is with merchandise of like grade and quality.

4. Failing to maintain and produce for inspection or copying, for a period of three (3) years following the date on which any savings claims, sales claims, or other similar representations are made, adequate records (a) which disclose the facts upon which any savings claims, sale claims and other similar representations as set forth in Paragraph Three of this order is based, and (b) from which the validity of any savings claims, sale claims and similar representations can be determined.

5. Using, in any manner, a sales plan, scheme, or device wherein false, misleading, or deceptive statements or representations are made in order to obtain leads or prospects for the sale of merchandise.

6. Making representations, directly or indirectly, orally or in writing, purporting to offer merchandise for sale when the purpose of the representation is not to sell the offered merchandise or services but to obtain leads or prospects for the sale of other merchandise at higher prices.

7. Representing, directly or indirectly, orally or in writing, that any merchandise is offered for sale when such offer is not a bona fide offer to sell such merchandise.

8. Discouraging or disparaging, in any manner, the purchase of any merchandise which is advertised or offered for sale.

9. Failing to maintain and produce for inspection and copying for a period of three years following the date of publication of any advertisement, adequate records to document for the entire period during which each advertisement was run and for a period of six weeks after the termination of its publication in press or broadcast media:

a. The cost of publishing each advertisement including the preparation and dissemination thereof;

b. The volume of sales made of the advertised product or service at the advertised price; and

c. A computation of the net profit from the sales of each advertised product or service at the advertised price.

10. Representing, directly or indirectly, orally or in writing, that any product is guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed; and respondents deliver to each purchaser a written guarantee clearly setting forth all of the terms, conditions and limitations of the guarantee fully equal to the representations, directly or indirectly, orally or in writing, made to each such purchaser, and unless respondents promptly and fully perform all of their obligations and requirements under the terms of each such guarantee.

11. Representing, directly or indirectly, orally or in writing, that the supply of merchandise or the time during which it is available for sale is limited unless respondents establish that their supply of any article of merchandise advertised was not sufficient to meet reasonably anticipated demands therefor, and that their supply could not be replenished through their customary sources.

12. Failing to maintain and produce for inspection or copying for a period of three (3) years, adequate records from which compliance with the prohibition of Paragraph Eleven of this order can be determined.

It Is Further ordered, That respondents Joseph W. Green, Harold J. Green, John W. Green, Herbert Millstein, Peter W. Galarneau, Mike McKeever, Sam Katz, George Edward Ommert, and Gerald Gautcher, individually, and/or as copartners, trading and doing business as Freight Liquidators, or under any other trade name or names, and each of respondents' agents, representatives, and employees, successors and assigns, directly or through any corporation, subsidiary, division or other device, in connection with the introduction, sale, advertising, or offering for sale in commerce, or the transportation or causing to be transported in commerce of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale, in commerce; or in connection with sale, offering for sale, advertising, delivery, transportations, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

B. Falsely and deceptively advertising textile products by:

1. Making any representations by disclosure or by implication, as to fiber content of any textile fiber product in any written advertisement which is used to aid, promote or assist, directly or indirectly, in the sale, or offering for sale, of such textile fiber product unless the same information required to be shown on the stamp, tag, label or other means of identification under Sections 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Failing to set forth in advertising the fiber content of floor covering containing exempted backings, fillings or paddings, that such disclosure relates only to the face, pile or outer surface of such textile fiber products and not to the exempted backings, fillings or paddings.

3. Using a fiber trade-mark in advertising textile fiber products without a full disclosure of the required fiber content information in at least one instance in said advertisement.

4. Using a fiber trade-mark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in the advertisement, in immediate proximity and conjunction with the generic name of the fiber, in plainly legible and conspicuous type.

It is further ordered, That each of said five respondents shall maintain for at

least a one (1) year period, following the effective date of this order, copies of all advertisements including newspaper, radio and television advertisements, direct mail and in-store solicitation literature, and any other such promotional material utilized for the purpose of obtaining leads for the sale of merchandise, or utilized in the advertising, promotion or sale of merchandise.

It is further ordered, That each of said respondents, for a period of one (1) year from the effective date of this order, shall provide each advertising agency utilized by respondents and each newspaper publishing company, television or radio station or other advertising media which is utilized by the respondents to obtain leads for the sale of merchandise, or to advertise, promote, or sell merchandise, with a copy of the Commission's News Release setting forth the terms of this order.

It is further ordered, That each of said respondents shall forthwith distribute a copy of this order to each of their operating divisions.

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

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

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

It is further ordered, That the complaint in this matter is dismissed as to Jerry M. Lytell without prejudice.

Final Order issued by the Commission Feb. 25, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-11442 Filed 4-30-75;8:45 am]

[Docket No. 8778-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Litton Industries, Inc.

Codification under Part 13 appears at 38 FR 8150.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18)

In the matter of Litton Industries, Inc., a corporation.

Order modifying an earlier order issued March 13, 1973, 82 F.T.C. 793, 38 FR 8150, against a Beverly Hills, Calif., conglomerate corporation by rescinding the provision requiring respondent to divest itself of Triumph-Werke Nurnberg, A.G. and Adlerwerke A.G. However, the 10-year moratorium against acquisitions in the office communications equipment field continues in effect.

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

On April 9, 1973, pursuant to § 3.55 of the Commission's Rules of Practice, respondent filed with the Commission a petition for reconsideration of the order entered in this matter on March 13, 1973, which required respondent to divest the assets of Triumph-Adler, and not to acquire, for a period of 10 years without the Commission's prior approval, any concern engaged in the business of manufacturing typewriters. By order dated May 16, 1973, the Commission reopened the proceedings solely for the purpose of reexamining the question of relief in its entirety, and remanded the matter to the administrative law judge to conduct hearings and to furnish the Commission with his findings and recommendations on the issue of relief.

After hearings, the administrative law judge filed "Findings on Issue of Relief and Recommendations on Remand," with the recommendations that the Commission order of March 13, 1973, be modified by rescinding the provision requiring respondent to divest Triumph-Adler, but that the moratorium against acquisition continue in effect. Complaint counsel filed an appeal from the former recommendation, and the matter was heard by the Commission on briefs and oral argument of counsel.

The Commission having duly considered the administrative law judge's recommendations, and the briefs and argument of counsel, has determined for the reasons set forth in the accompanying opinion that the order should be modified in accordance with the recommendations of the administrative law judge.

Accordingly, it is ordered, That the Commission order to cease and desist and order of divestiture entered in this matter on March 13, 1973, be, and hereby is, stricken and the following order substituted:

ORDER

It is ordered, That respondents for a period of ten (10) years from the date on which this order becomes final shall cease and desist from acquiring, directly or indirectly, through subsidiaries or otherwise, the whole or any part of the stock, share capital or assets (other than products sold in the normal course of business) of any concern, corporate or noncorporate, engaged at the time of such acquisition in the business of manufacturing typewriters or typewriter parts or accessories for sale within the United States without the prior approval of the Federal Trade Commission.

The prohibition shall include, but not be confined to, the entering into of any arrangement by respondent pursuant to which respondent acquires the market share in whole or in part of such concern in any of the aforesaid product lines, (a) through such concern discontinuing manufacturing, or selling any of said products under a brand name or label it owns and thereafter manufacturing or distributing any of said products under any of respondent's brand names or labels, or (b) by reason of such concern discontinuing manufacturing any of said products and thereafter transferring to respondent customer lists or in any other way making available to respondent access to customers or customer accounts.

It is further ordered, That respondent shall, within sixty (60) days after the date of service of this order, and every sixty (60) days thereafter until respondent has fully complied with the provisions of this order submit in writing to the Federal Trade Commission a report setting forth in detail the manner and form in which respondent intends to comply, is complying, or has complied with this order.

The Order Modifying Cease and Desist Order was issued by the Commission on March 4, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-11440 Filed 4-30-75;8:45 am]

[Docket No. C-2640]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Redman Industries, Inc., et a.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.70 Fictitious or misleading guarantees. Subpart—Corrective actions and/or requirements; § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-45 Maintain records; 13.533-45(c) Complaints; 13.533-45(k) Records, in general; 13.533-50 Maintain means of communication. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 Delaying or withholding corrections, adjustments or action owed; § 13.677 Delaying or failing to deliver goods or provide services or facilities. Neglecting, unfairly or deceptively, to make material disclosures: § 13.1855 Identity; § 13.1895 Scientific or other relevant facts; § 13.1905 Terms

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[1] Copies of the Administrative Law Judge's Findings on Issue of Relief and Recommendations on Remand, Opinion of the Commission, and Order Modifying Cease and Desist Order, filed with the original document.

The Order Modifying Cease and Desist Order is reported as corrected by order of April 8, 1975, which strikes the sentence requiring compliance reports concerning divestiture negotiations.

and conditions. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1980 Guarantee, in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the matter of Redman Industries, Inc., a corporation; Redman Mobile Homes, Inc., a corporation; and Redman Western Corporation, a corporation.

Consent order requiring a Dallas, Tex., manufacturer of mobile homes, among other things to cease unfair and deceptive warranty practices through the establishment of a prompt and effective system to handle warranty-related problems. The order requires respondent to provide warranty repairs or services on still-unrepaired mobile homes manufactured between 1972 and 1974 and to provide future retail purchasers with relief by establishing and maintaining a regular and effective system to handle complaints and service. Under this system, all repairs must be complete within thirty days after notification to the respondent of defects. Where the defects affect safety or habitability of the mobile home, the repairs must be started within three business days and be expeditiously completed.

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

1. *It is ordered,* That respondents shall within 90 days from the effective date of this Order make a written inquiry of all known retail purchasers of respondents' mobile homes (except those specifically excluded below) built between July 1, 1972 and June 30, 1974, utilizing the form of letter shown in Appendix A attached hereto and made a part hereof which shall contain therein a self-addressed postage paid return envelope, and which shall be mailed to such purchasers by first class mail.

Known retail purchasers are defined as those first purchasers at retail of said mobile homes who communicate with respondents no later than 60 days after the effective date of this Order and those first retail purchasers whose names and addresses (1) are contained in company "coach" or unit files and tire records (except that with respect to respondents' manufacturing plants which maintained for the period July 1, 1972 to June 30, 1974 separate files for warranty registration cards the names and addresses of known retail purchasers may be established from such separate files rather than by reference to "coach" or unit files); (2) are supplied by the Federal Trade Commission within 60 days of the effective date of this Order or; (3) are supplied to respondents by respondents' past and current dealers in response to respondents' letter request for such information sent by first class mail (which letters shall be sent no later than 30 days after the effective date of this Order) utilizing the form of letter shown in Appendix B attached hereto and made a part hereof and which shall contain therein a self-addressed postage paid return envelope.

Notwithstanding the above, known retail purchasers shall not include:

(a) Local, state or federal governments or agencies thereof;

(b) Retail purchasers who are now or have been engaged in litigation with respondents involving their mobile home built by respondents during the two year period set forth hereinabove;

(c) Retail purchasers whose homes were sold to them on an "as is" basis;

(d) Retail purchasers who communicated directly with respondents' corporate headquarters or its attorneys concerning a problem or defect in such purchaser's mobile home, where there is a record indicating a resolution of the problem to the purchaser's satisfaction;

(e) Retail purchasers whose names are supplied by past or current dealers in response to respondents' written inquiries set forth hereinabove when such names are received by respondents from a dealer more than sixty days after respondents' inquiry was mailed to that dealer unless the purchaser or purchasers themselves communicate with respondents no later than 60 days after the effective date of this Order, or the name or names of such purchaser or purchasers appear elsewhere in respondents' individual "coach" or unit files or tire records, (or where applicable, warranty registration card files) or were supplied to respondents by the Federal Trade Commission as set forth hereinabove;

(f) Retail purchasers who live outside the United States or who purchased mobile homes from dealers located outside the United States;

(g) Retail purchasers who are known to respondents to no longer own their mobile homes built by respondents.

2. *It is further ordered,* That respondents shall, directly or through their dealers or other third parties, repair or service within a reasonable time at the site of the home (in the normal course not to exceed ninety days from the date on which the letter to a given retail purchaser referred to in Order Paragraph 1 is returned and received by respondents) all defects and malfunctions in mobile homes produced by respondents during the two year period referred to hereinabove which become known pursuant to Order Paragraph 1 unless it is clear that a given defect or malfunction:

(a) Is a result of improper setup of the mobile home;

(b) Is a result of improper use or abuse of the mobile home;

(c) Did not arise or become evident within the term of the warranty;

(d) Was brought to respondents' attention by a retail purchaser more than sixty days after respondents mailed the written inquiry to such purchaser as provided hereinabove where the home was purchased by the first retail purchaser more than one year prior to the effective date of this Order;

(e) Is a minor cosmetic defect in a home purchased by the first retail purchaser more than one year prior to the effective date of this Order.

3. *It is further ordered,* That respondents cease and desist from disseminating, or causing the dissemination of, offering or otherwise providing, in commerce, any express warranties to the retail purchasers of respondents' mobile homes unless respondents meet all of their obligations under such warranties within the time period standards set forth hereinbelow in Order Paragraph 3(e) and establish and maintain a regular and effective system reasonably designed to assure that every purchaser of the aforesaid mobile homes will receive full performance by respondents, directly or by action through their dealers or other third parties, of all such warranty obligations within the said time period standards. This warranty performance system shall incorporate but not necessarily be limited to the following standards and terms:

(a) Respondents shall disseminate a warranty and associated documents which clearly and fully describe and effectively communicate to the first retail purchaser:

(1) The identity and address of the warrantor;

(2) The nature and extent of the warranty offered or otherwise provided;

(3) The remedies available to the purchaser under the warranty;

(4) The manner in which respondents intend to provide for performance of their warranty obligations, including disclosure of any delegation of warranty responsibility to third parties, provided however that disclosure of said delegation must be accompanied by additional disclosure that such delegation in no way relieves respondents of the utilimate responsibility to fulfill all of respondents' warranty obligations;

(5) Any and all requirements which must in fact be fulfilled by the purchaser as a condition precedent to securing performance by respondents of their warranty obligations;

(6) A uniform procedure to be followed by a purchaser in order to request performance by respondents of their warranty obligations;

(7) A uniform procedure available to the purchaser for a systematic review and disposition of complaints and disputes with respect to the performance of respondents' warranty obligations by respondents' manufacturing plants, subsidiaries, divisions, and other employees, or by respondents' dealers or other third parties.

(b) Respondents shall cease and desist from selling their mobile homes without any express or implied warranty, i.e., "as is", or with any disclaimer of implied warranties or limitations or exclusion of liability under any warranty or disseminating or causing the dissemination of any statement or representation which represents, directly or by implication,

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

that respondents have disclaimed any express or implied warranty or limited or excluded any liability under any warranty unless respondents have a reasonable basis in the form of an opinion by legal counsel that said disclaimers, limitations and exclusions are enforceable under governing state law, and clear and conspicuous notice of said "as is" sale or other said disclaimer, limitation or exclusion is given to prospective retail purchasers of their mobile homes prior to the execution of the contract of retail purchase. A clear and conspicuous notice of an "as is" sale shall contain the following language:

NOTICE

The manufacturer of this mobile home sells it "as is" and refuses to assume any responsibility for defects. The purchaser of this mobile home must accept it with all defects and take the entire risk, under contract law, as to its condition.

Provided however, That with respect to: (a) the "as is" sale of damaged, salvaged, demonstrator or repossessed mobile homes, (b) the sale of mobile homes where respondents disclaim or fail to grant an express warranty on appliances which are covered by a separate written warranty by a supplier or manufacturer other than respondents, and (c) the "as is" sale of mobile homes to local, state and federal governments or agencies thereof, the aforesaid opinion by legal counsel shall not be required.

(c) All of respondents' warranty service and repair obligations performed subsequent to the tender of the home to the retail purchaser shall be rendered by respondents, directly or through their dealers or other third parties, at the site of the mobile home.

(d) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealers or any other persons not employees of respondents to:

(i) Determine whether any mobile home manufactured by respondents contains defects which are within the scope of a warranty extended by respondents or otherwise requires remedial action pursuant to said warranty;

(ii) Notify respondents of the existence of those circumstances enumerated in subparagraph (d)(i) above; or

(iii) Perform any repairs or otherwise provide services in satisfaction of any warranty obligations incurred by respondents, respondents shall, beginning within 120 days of the effective date of this Order, assure that if a dispute or disagreement should arise between respondents and one or more of said dealers or other third persons as to which of them is to incure any such duty, burden or responsibility with respect to warranty repairs and service or is to correct a malfunction related or alleged to relate to setup of the aforesaid mobile homes, any and all necessary repairs or other corrective action will be expeditiously provided (in the normal course of business) in a manner consistent with this order, regardless of whether the said dispute or disagreement has been resolved. The "normal course of business" does not include:

(1) Conditions under which abnormal demands are made upon service capabilities as a result of natural disasters, other acts of God or the government (including the effects of remedial action required of respondents as set forth in Order Paragraphs 1 and 2, above), or any other event beyond the control of respondents and their dealers which places an unusually large demand upon service facilities;

(2) Conditions resulting from disasters, strikes, acts of the government, instances of force majeure or other similar occurrences which are beyond the control of respondents and their dealers and which prevent respondents and their dealers from responding to service requests within the time periods stated hereinbelow;

(3) Slight omissions or deviations from the terms of this Order which are inadvertent, unintentional, and not due to bad faith of respondents;

(e)(1) Respondents shall, beginning within 120 days of the effective date of this Order, directly or through their dealers or other third parties, commence, in the normal course of business as set forth in Order Paragraph 3(d) above, all warranty service or repairs of defects giving rise to a condition which affects the safety of a mobile home or renders it substantially uninhabitable, as soon as possible but in no event later than three business days following receipt of notice of such defect by respondents from the retail purchaser, or two business days following notice of the determination made by repondents' dealer pursuant to Order Paragraph 3(i)(3)(iii) below, and shall complete such service or repairs expeditiously.

(2) Respondents shall, except as set forth in Order Paragraph 3(e)(1) above, beginning within 120 days of the effective date of this Order directly or through their dealers or other third parties, in the normal course of business, as set forth in Order Paragraph 3(d) above: (a) respond to notice of the need for warranty service or repairs within a reasonable time not to exceed seven business days of receipt of said notice by respondents or their dealers and (b) complete said service or repairs within a reasonable time not to exceed thirty days following said receipt of notice.

(3) *Provided, however,* That in the event of a bona fide dispute between respondents or their dealers and a retail purchaser requiring resolution through the procedure established pursuant to Order Paragraph 3(m) below, as to whether the defect(s) complained of by the retail purchaser are or are not covered by respondents' warranty, then: In the event it is determined that warranty service or repair is required, which determination shall be made promptly, respondents shall be allowed, in the normal course of business as set forth in Order Paragraph 3(d) above, from the date of notification of the dispute as set forth in this subparagraph (e)(3) no more than three business days in the case of defects referred to in subparagraph (e)(1) above to commence service or repairs (such repairs to be completed expeditiously), and no more than thirty days in the case of defects referred to in subparagraph (e)(2) above to complete service or repair.

(f) Respondents shall, except as provided in Order Paragraph 3(h) below, in the normal course of business as set forth in Order Paragraph 3(d) above, beginning within 120 days of the effective date of this Order, inspect at the home site, directly or through their dealers or other third parties, each mobile home prior to or at the time of tender of possession to the retail purchaser to assure that the home is being delivered to such purchaser free of all ascertainable defects and is properly setup, except for deficiencies which do not affect the home's safety or habitability, which shall be noted in the owner-dealer final delivery checklist (Appendix C), and which shall be then remedied in accordance with subparagraph (e)(2) above.

(g) Respondents shall, except as provided in Order Paragraph 3(h) below, in the normal course of business as set forth in Order Paragraph 3(d) above, beginning within 120 days of the effective date of this Order, reinspect, directly or through their dealers or other third parties, each mobile home on or about sixty days after tender of possession to the retail purchaser to determine the existence of and to correct or arrange for the correction of any defects, covered by respondents' warranty, in the mobile home, or improper setup and problems arising therefrom.

Results of each of the inspections required in Order Paragraph 3(f) and 3(g) hereinabove will be documented in a report or reports which shall be required to be signed by respondents' dealer and if possible by the retail purchaser or said purchaser's representative, indicating agreement with the information set forth therein. The reports documenting the results of the aforesaid inspections shall be in the formats set forth in Appendices C and D attached hereto, or in formats substantially equivalent thereto.

(h) If the retail purchaser elects to provide for the setup of his mobile home himself, then in such cases the responsibility of respondents and their dealers for transportation, setup, inspection and reinspection, as set forth in subparagraphs (f) and (g) above, shall terminate with the delivery or tender of possession to the retail purchaser or his agent or representative.

(i) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealers to perform the duties set forth in Order Paragraph 3(d) above, respondents shall enter into written contractual agreements with such dealers which:

(1) Adequately and accurately describe the scope of those duties to be

borne by said dealers as aforesaid, as well as the responsibility for properly setting up respondents' mobile homes;

(2) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to provide respondents with the name and address of each retail purchaser and the date of each purchase;

(3) (i) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), to commence all warranty service, or repair of defects, giving rise to a condition which affects the safety of a mobile home or renders it substantially uninhabitable as soon as possible but in no event later than three business days following receipt by the dealer of notice of such defect or condition and to complete such service or repairs expeditiously;

(ii) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i), to complete all other warranty service or repairs within a reasonable time, not to exceed thirty days following receipt by the dealer of notice of such condition;

(iii) Set forth that the requirements of subparagraph (i) (3) (i) and (i) (3) (ii) above shall apply only to those cases in which the dealer responds to and completes the service or repairs himself. In those cases in which the dealer determines to rely upon respondents to perform or to complete service or repairs requested by retail purchasers under:

(a) Subparagraph (i) (3) (i) above, such determination shall be made and communicated to respondents as soon as possible but in no event later than two business days after dealer's receipt of notice from the retail purchaser.

(b) Subparagraph (i) (3) (ii) above, such determination shall be made and communicated to respondents as soon as possible but in no event later than five business days after the dealer's receipt of notice from the retail purchaser.

(4) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to inspect each mobile home prior to or at the time of tender of possession to the retail purchaser as set forth in Order Paragraph 3(f), except as provided in subparagraph (h) above, to assure that the home is being delivered to such purchaser free of all ascertainable defects and is properly set up, except for deficiencies which do not affect the home's safety or habitability which shall be noted in the owner-dealer final delivery checklist (Appendix C) and which shall then be remedied in accordance with subparagraph (i) (3) (ii) immediately above.

(5) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) except as provided in subparagraph (h) above to reinspect each mobile home on or about sixty days after tender of possession to the retail purchaser to determine the existence of and to correct or arrange for the correction of any defects in the mobile home covered by respondents' warranty or improper setup and problems arising therefrom;

(6) Establish the duty of the dealer in the normal course of business as set forth in this Order Paragraph 3(i) to provide respondents with reports which will document the results of the inspections set forth in (4) and (5) immediately above and which will be signed by respondents' dealer and if possible by the retail purchaser or said retail purchaser's representative indicating agreement with the information set forth therein;

(7) Provide for a procedure which assures that if a dispute or disagreement should arise between respondents and one or more of said dealers as to which of them is to incur any such duty, burden or responsibility or is to correct an improper initial setup or a malfunction arising therefrom, any and all necessary repairs or other corrective action will be expeditiously provided, regardless of whether the said dispute or disagreement has been resolved;

(8) Establish the duty of the dealer to maintain or contract for adequate service personnel and facilities;

(9) Set forth service responsibilities in the event of termination of a dealer with respect to homes still under warranty or in the possession of the dealer and not yet sold to a retail purchaser at the time of termination;

(10) Set forth the right of respondents to withdraw authorization from dealers failing to meet their responsibilities under the agreement.

Existing dealers authorized by respondents as of the effective date of this Order shall execute such agreements (which agreements shall be immediately effective) within 180 days of the effective date of this Order, or shall be terminated by respondents. Other dealers authorized by respondents later than the effective date of this Order shall execute such agreements at the time of their authorization.

Such agreement shall be in the format set forth in Appendix E attached hereto or in a format substantially equivalent hereto.

The "normal course of business" as used in this Order Paragraph 3(i) shall not include:

(1) Conditions under which abnormal demands are made upon service capabilities as a result of natural disasters, other acts of God or the government, or any other event beyond the control of the dealer which places an unusually large demand upon the dealer's service facilities;

(2) Conditions resulting from disasters, strikes, acts of the government, instances of force majeure or other occurrences which are beyond the control of the dealer which prevent the dealer from responding to service requests within the time periods stated hereinabove.

(3) Slight omissions or deviations from the terms of this Order subparagraph which are inadvertent, unintentional and not due to bad faith of the dealer.

(j) Respondents shall send a questionnaire (using the format set forth in Appendix F attached hereto or in a format substantially equivalent thereto) to all persons other than "as is" purchasers who after the effective date of this Order purchase at retail respondents' mobile homes which inquires as to:

(1) The existence of any defects in said mobile homes covered by respondents' warranty or improper setup or problems arising therefrom;

(2) Whether the retail purchaser notified anyone of such defects or setup problems, and if so who was notified and when did such notification take place;

(3) The identity of any person who sought to service such defects or setup problems;

(4) Whether such defects or setup problems were fully repaired, the period of time required to effect such repairs, and the identity of the parties who accomplished such repairs;

(5) Whether the retail purchaser is satisfied with the promptness and quality of the repair.

Such questionnaire in the form of a postage paid self-addressed post card or a letter containing a postage paid self-addressed envelope, shall be sent between sixty and ninety days subsequent to the tender of possession of the home to the retail purchaser.

(k) Where respondents delegate, assign, contract or otherwise rely on a continuing basis upon any dealer or any other persons not employees of respondents to perform any of the responsibilities or duties set forth in Order Paragraph 3(d) hereinabove, respondents shall fully evaluate the level of expertise and physical and personnel resources of such dealers or other persons with respect to the ability to inspect, repair, service and setup all mobile homes manufactured by respondents prior to such delegation or reliance to assure that all said persons are capable of performing said responsibilities or have provided for such performance through a third party having such capability, in accordance with the standards set forth herein.

Respondents shall in addition regularly review and evaluate the manner in which such persons, directly or through another third party, perform the aforesaid responsibilities and maintain their service capabilities and shall withdraw said reliance and authorization from persons failing to meet those responsibilities or the standards set forth herein.

(l) The direct administration of respondents' warranty service program at the corporate level and the responsibility for supervising and assuring implementation of the warranty service program shall, beginning within 120 days of the effective date of this Order, be vested in only those corporate officials who have no direct responsibilities on a day-to-day basis for the sale of respondents' mobile homes. The person or persons to whom the responsibility for supervising and assuring the implementation of the program is delegated shall make periodic reports at least on a monthly basis to respondents' responsible officers which shall include current information concerning:

(1) The current cost to respondents of warranty service;

(2) The incidence and nature of frequently recurring defects;

(3) Those measures undertaken in response to reports of frequently recurring defects including but not limited to modification in production and design of respondents' mobile homes;

(4) Analysis of the manner in which respondents' employees, dealers and other third parties are performing warranty and setup responsibilities.

(m) Respondents shall, beginning within 120 days of the effective date of this Order, establish a uniform procedure for the systematic receipt and analysis and fair disposition of all complaints or disputes which may arise between the aforesaid retail purchasers of respondents' mobile homes and respondents or respondents' dealers or other third parties, regarding any alleged warranty obligations of respondents.

Such procedure shall incorporate but not necessarily be limited to:

(1) Prompt evaluation and response by respondents to all complaints within a reasonable time not to exceed five business days after receipt by respondents;

(2) The designation of a single focal point within the corporation for the receipt of said complaints;

(3) An effective mechanism for the fair and impartial resolution of such disputes by corporate level personnel not responsible for sales on a day-to-day basis;

(4) An accurate and complete records keeping system regarding the nature and disposition of all such disputes and complaints received by respondents; respondents of the effectiveness of such

(5) Periodic review and evaluation by respondents of the effectiveness of such procedures and correction of such procedures where necessary.

(n) Respondents shall, beginning within 120 days of the effective date of this Order, maintain full and adequate records which disclose:

(1) The date of receipt, disposition and the date of disposition of each request for warranty service (including any refusal to accept a request and the reason for such refusal) received by respondents; and

(2) The results of the evaluation of service capacity provided for in Order Paragraph 3(k) above.

4. *It is further ordered,* That respondents shall forthwith distribute a copy of this Order to each of their operating divisions or manufacturing plants engaged in the manufacture, offering for sale, sale, and distribution of mobile homes.

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

6. *It is further ordered,* That respondents shall, at intervals of 9, 18, and 24 months following the effective date of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this Order. Such reports shall include but not be limited to the periodic reports submitted to respondents' responsible officers described in Order Paragraph 3(1) above.

7. *It is further ordered,* That respondents shall furnish to the Commission nine months after the effective date of this Order, a report which discloses the dates and manner in which dealers and retail purchasers were contacted pursuant to the procedures described in Order Paragraph 1 above, and the dates and manner in which dealers and retail purchasers acted in response thereto and the dates and manner in which respondents acted in response to allegations by retail purchasers which purported to create an obligation on the part of respondents under the terms of Order Paragraph 2 above. Respondents shall for a period of two years after the effective date of this Order maintain records which are adequate to disclose respondents' compliance with Order Paragraph 1 and 2, in order that such records may be furnished by respondents to the Federal Trade Commission upon request.

8. *It is further ordered,* That respondents shall submit to the Federal Trade Commission for its review copies of any proposed substantial revisions in the questionnaire required pursuant to Order Paragraph 3(j), the dealer agreement required pursuant to Order Paragraph 3(i), and the warranty documents described in Order Paragraph 3(a), at least 60 days prior to the proposed effective date of any such revisions. Such submission will be required for the three years following the effective date of this Order.

The Decision and Order was issued by the Commission March 3, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-11441 Filed 4-30-75;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER D—DRUGS FOR HUMAN USE

PART 312—NEW DRUGS FOR INVESTIGATIONAL USE

Adoption of International Clinical Research Standards; Acceptance of Foreign Data

Correction

In FR Doc. 75-9187 appearing at page 16053 in the issue for Wednesday, April 9, 1975, on page 16056 in the first paragraph, the first page cite now reading "(39 FR 46602)" should read "(39 FR 44602)".

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 510—NEW ANIMAL DRUGS

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Change in Sponsor

The Commissioner of Food and Drugs has been advised of the consolidation of Myers-Carter Laboratories Division, Chromalloy Pharmaceuticals, Inc., and Glogau & Co., Inc., and the change of corporate name to Carter-Glogau Laboratories Division, Chromalloy Pharmaceuticals, Inc., located at 5160 West Bethany Home Rd., Glendale, AZ 85301. As a result, certain regulations are amended to reflect the new sponsor. Accordingly, Parts 510 and 522 (21 CFR Parts 510, 522) (formerly Parts 135 and 135b prior to recodification published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)) are amended effective May 1, 1975, to reflect this change.

Therefore, under provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360(i))) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 510 and 522 are amended as follows:

1. In Part 510, § 510.600 (formerly 135.501) is amended in paragraph (c) (1) and (2) by deleting the entries for "Glogau & Co., Inc.," and "Myers-Carter Laboratories, Inc.," and adding alphabetically to paragraph (c)(1) and numerically to paragraph (c)(2) the new consolidated entry as follows:

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

* * * * *

(c) * * *

(1) * * *

Firm name and address	*Drug listing No.*
* * * * *	
Carter-Glogau Laboratories Division, Chromalloy Pharmaceuticals, Inc., 5160 West Bethany Home Rd., Glendale, AZ 85301.	000381
* * * * *	

(2) * * *

Drug listing No.	*Firm name and address*
* * * * *	
000381	Carter-Glogau Laboratories Pharmaceuticals, Inc., Division, Chromalloy 5160 West Bethany Home Rd., Glendale, AZ 85301.
* * * * *	

2. In Part 522, § 522.1680(b) (formerly 135b.64(b)), the number "010469" is deleted and in its place in numerical sequence, the number "000381" is inserted. As revised, paragraph (b) reads as follows:

§ 522.1680 Oxytocin injection.

* * * * *

(b) *Sponsor.* See Nos. 000381, 000845, 011811, and 012481 in § 510.600(c) of this chapter.

* * * * *

Effective date. This order shall be effective May 1, 1975.

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

Dated: April 24, 1975.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.75-11385 Filed 4-30-75;8:45 am]

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Phenylbutazone Injection or Tablets

The Commissioner of Food and Drugs has evaluated new animal drug applications (96-671V, 96-672V) filed by Anthony Veterinary Products Co., El Monte, CA 91732, proposing safe and effective use of phenylbutazone injection or tablets for treatment of dogs. The applications are approved.

The tablet regulation (21 CFR 520.1720a) is amended to reflect current approvals and, the injection regulation (21 CFR 522.1720) is amended to add an approval, effective May 1, 1975.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 520 and 522 (formerly Parts 135c and 135b, respectively, prior to recodification published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)) are amended as follows:

1. In Part 520, § 520.1720a (formerly § 135c.57) is amended by deleting and reserving paragraph (f) and by revising paragraph (g)(1) and (2) to read as follows:

§ 520.1720a Phenylbutazone tablets and boluses.

* * * * *

(f) [Reserved.]

(g)(1) *Specifications.* The drug is in tablet form with each tablet containing 100 milligrams or 1 gram of phenylbutazone.

(2) *Sponsors.* See Nos. 000031 and 000864 in § 510.600(c) of this chapter.

* * * * *

2. In Part 522, § 522.1720 (formerly § 135b.47) is amended by adding a new paragraph (b)(4) to read as follows:

§ 522.1720 Phenylbutazone injection.

* * * * *

(b) * * *

(4) Approval for use of the 200 milligrams per milliliter drug in dogs: See sponsor No. 000864 in § 510.600(c) of this chapter.

* * * * *

Effective date. This order shall be effective May 1, 1975.

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

Dated: April 24, 1975.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.75-11386 Filed 4-30-75;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-566]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128).

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186-93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. Therefore notice and public procedure under section 5 U.S.C. 553(b) are impracticable, unnecessary, and contrary to the public interest.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

* * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Alabama	Jefferson	Hueytown, city of	Apr. 22, 1975, Emergency			
Do	Mobile	Prichard, city of	do	June 28, 1974		
Arkansas	Desha	Arkansas City, city of	do	May 10, 1974		
Do	Lawrence	College City, city of	do			
Do	Prairie	De Valls Bluff, city of	do	Dec. 27, 1974		
Do	Hempstead	Fulton, city of	do	Aug. 10, 1974		
Do	Clay	St. Francis, town of	do	do		
California	Orange	Laguna Beach, city of	do	June 21, 1974		
Do	Los Angeles	Redondo Beach, city of	do	June 28, 1974		
Colorado	Douglas	Castle Rock, town of	do	Mar. 29, 1974		
Georgia	Elbert	Elberton, city of	do	June 21, 1974		
Do	Gilmer	Ellijay, city of	do	June 28, 1974		
Illinois	Dupage and Cook	Hinsdale, village of	do	Feb. 1, 1974		
Do	Will	Lockport, city of	do	Mar. 8, 1974		
Indiana	Starke	Knox, city of	do	Nov. 30, 1974		
Do	Jasper	Rensselaer, city of	do	Feb. 1, 1974		
Indiana	Daviess	Washington, city of	do	June 28, 1974		
Kansas	Ottawa	Tescott, city of	do	Jan. 3, 1975		
Kentucky	Madison	Berea, city of	do	June 7, 1974		
Do	Calloway	Murray, city of	do	June 14, 1974		
Michigan	Newaygo	Fremont, city of	do	May 31, 1974		
Do	Oakland	Milford, village of	do	May 10, 1974		
Do	Berrien	New Buffalo, township of	do	July 26, 1974		
Do	Van Buren	South Haven, township of	do	June 28, 1974		
Minnesota	Roseau	Badger, city of	do	Aug. 23, 1974		
Do	Faribault	Blue Earth, city of	do	Jan. 9, 1974		
Do	Hennepin	Richfield, city of	do	May 17, 1974		
Missouri	Newton	Neosho, city of	do	Jan. 16, 1974		
Nebraska	Howard	Dannebrog, village of	do	Nov. 1, 1974		
Do	Pierce	Osmond, city of	do			
New Hampshire	Hillsborough	Peterborough, town of	do	Feb. 22, 1974		
New Jersey	Morris	Chatham, township of	do	July 27, 1973		
Do	Hudson	Hoboken, city of	do	June 28, 1974		
Do	Morris	Mendham, township of	do	Jan. 31, 1975		
New York	Westchester	Mount Vernon, city of	do	June 28, 1974		
Ohio	Pickaway	Ashville, village of	do	May 10, 1974		
Do	Morgan	Malta, village of	do	Apr. 5, 1974		
Do	Wyandot	Sycamore, village of	do	May 17, 1974		
Do	Stark	Waynesburg, village of	do	Mar. 29, 1974		
Oklahoma	Muskogee	Muskogee, city of	do	Mar. 22, 1975		
Oregon	Marion	Hubbard, city of	do	May 10, 1974		
Do	Jefferson	Madras, city of	do	June 28, 1974		
Pennsylvania	Armstrong	East Franklin, township of	do	Dec. 6, 1974		
Do	Allegheny	Marshall, township of	do	Sept. 20, 1974		
Do	Somerset	Salisbury, borough of	do	July 19, 1974		
Do	Bradford	Sheshequin, township of	do	June 28, 1974		
Do	Tioga	Westfield, borough of	do	Sept. 20, 1974		
Do	Bedford	West St. Clair, township of	do	Jan. 17, 1975		
Tennessee	Lake	Unincorporated areas	do			
Texas	Jackson	Ganado, city of	do	Apr. 12, 1974		
Utah	Davis	Unincorporated areas	do			
Do	Garfield	Escalante, town of	do	Aug. 9, 1974		
Wisconsin	Calumet	Brillion, city of	do	Mar. 8, 1974		
Do	Sauk	North Freedom, village of	do	Dec. 17, 1973		
Do	Polk	Unincorporated areas	do			

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

Issued: April 16, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-11137 Filed 4-30-75;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Minnesota State Plan: Approval of Supplements

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans for the enforcement of State occupational safety and health standards which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. On June 8, 1973, a notice was published in the FEDERAL REGISTER (38 FR 15076) of the approval of the Minnesota plan and of the adoption of Subpart N of Part 1952 describing the plan and containing the approval decision. Section 1952.203 sets forth the developmental schedule under which the plan will meet the criteria of section 18(c) of the Act and 29 CFR Part 1902 within three years following commencement of operations under the plan. On January 28, 1975, Minnesota submitted a supplement to its plan involving the completion of a developmental step. (See Subpart B of 29 CFR Part 1953). In addition, on February 20, 1975, the State submitted a supplement to the plan involving a State-initiated change. (See Subpart E of 29 CFR Part 1953).

2. *Description of the supplements.* The supplements submitted by Minnesota concerned the implementation of its consultation program and minor changes in its plan which do not appear to have a significant impact on the plan as it was approved.

The decision approving the Minnesota plan incorporated a developmental schedule for the implementation of a consultation program by January 1975 (29 CFR 1952.202(g)). In accordance with that commitment, the Minnesota consultation program became effective on January 1, 1975. To implement this program, a new section, the Training, Education, and Consultation Section, was created within the Minnesota Department of Industry. This Section is staffed with 3 safety investigators who will be responsible for internal training, external training, employer and employee education and on-site consultation. The Section will also provide consultation for both public and private employers to assist them with coming into voluntary compliance with the Minnesota Occupational Safety and Health Act. The State has provided the following assurances concerning the implementation and operation of its consultation program:

(a) The State's enforcement program will not be detracted from;

(b) The purpose of the on-site consultation visit is pre-determined as "consultative" with each employer requesting the assistance;

(c) The consultative staff is separate and autonomous from the enforcement section;

(d) A particular problem must be identified by those requesting consultation before the request can be honored; the smaller the employer the less specificity is required;

(e) Each consultant has the authority to avert an imminent danger situation discovered during the visit. In addition, apparent serious violations found during an on-site consultative visit will be pointed out to the employer, an abatement period set, and a follow-up visit for the purpose of enforcement scheduled;

(f) Employers will be informed prior to the visits that consultative visits do not provide immunity from a regularly scheduled inspection or an inspection resulting from complaints;

(g) Employers will be informed prior to the on-site consultation that suggestions and advice offered by the consultant are not binding on an enforcement officer and do not preclude the finding of alleged violations by an enforcement officer and the proposing of penalties;

(h) The on-site consultation is restricted to what has to be done in the workplace by the employer to come into voluntary compliance and not how it is to be done; and

(i) Consultative services will be operated on a priority basis.

In addition to its consultation program, the supplement submitted by Minnesota pertains to some changes in its plan initiated by the State. First, there has been a deletion of the requirement in the plan (Minnesota Plan, pp. 94–95) that State agencies have a full-time director or safety committee. Among other things, the designee cannot mandate such a requirement to other State agencies. However, public employees will be covered in the same manner as private employees. In place of the requirement for other State agencies noted above, the Department of Labor and Industry now has a staff liaison person who is responsible for assisting State agencies and political subdivisions which do not have their own occupational safety and health staff or expertise.

In addition, the four regional offices discussed in the original plan are now designated area offices. Instead of one floating supervisor, each area office will include a supervisor. A map showing the new area breakdown is included.

Also, the position descriptions in the plan have been revised in accordance with procedures established by the Minnesota Department of Personnel. The organization chart has been updated.

3. *Location of the plan and its supplement for inspection and copying.* A copy of the supplements along with the approved plan may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, Room 850, 1726 M Street NW., Washington, D.C. 20210; Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 3259, 230 South Dearborn Street, Chicago, Illinois 60604; State Capitol Building, Legislative Reference Library, St. Paul, Minnesota 55155.

4. *Public participation.* Under § 1953.2 of this chapter, the Assistant Secretary of Labor for Occupational Safety Health (hereinafter referred to as the Assistant Secretary) may prescribe alternative procedures to expedite the review process or for any other good cause which may be consistent with applicable law. The Assistant Secretary finds that the Minnesota consultation program is in accordance with the requirements and conditions in the plan as it was approved and that the State-initiated changes are minor in nature. Therefore, further public notice and comment would be unnecessary.

5. *Decision.* After careful consideration, the Minnesota plan supplements described above are approved under Part 1953 of this chapter. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. Subpart N of 29 CFR Part 1952 is amended to reflect the completion of a developmental step upon the implementation of the State's consultation program. Accordingly, for the reasons stated in section 4 above, Subpart N of 1952 is hereby amended, effective April 30, 1975, as set forth below.

Section 1952.204 is amended by revising the heading, designating the present text as paragraph (a), and adding a new paragraph (b) as follows:

§ 1952.204 Completion of developmental steps.

* * * * *

(b) In accordance with § 1952.203(g), the Minnesota voluntary compliance program became effective on January 1, 1975, and was approved by the Assistant Secretary on April 24, 1975.

(Secs. 8(g), 18, Pub. L. 91–596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g) (2) 667))

Signed at Washington D.C. this 24th day of April 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75–11363 Filed 4–30–75;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER I—FEDERAL PROCUREMENT REGULATIONS

[FPR Amdt. 142]

PART 1–7—CONTRACT CLAUSES

PART 1–15—CONTRACT COST PRINCIPLES AND PROCEDURES

Correction

In FR Doc. 75–8652 appearing at page 14913 of the issue for Thursday, April 3, 1975, make the following changes:

1. In § 1–7.202–4, page 14913, the thirteenth line from the bottom of paragraph (b) of the clause, now reading "cluded in direct costs for payment purposes", should read "cluded in indirect costs for payment purposes".

2. The following entry should be added to the table of contents for Subpart 1–15.7, page 14913:

Sec.
1–15.709–6 Resolution of problems.

3. In the thirteenth line of § 1–15.205–6 (f) (2) (ii) (B) (2), page 14915, the reference to "§ 1–15.20–6(f) (2) (ii) (1)" should read "§ 1–15.205–6(f) (2) (ii) (1)".

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5498; (Montana 30912)]

MONTANA

Transfer of Jurisdiction of the Charles M. Russell National Wildlife Range

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

Executive Order No. 2951 of February 25, 1963, which established the Charles M. Russell National Wildlife Range, which is presently jointly administered by the United States Fish and Wildlife Service and the Bureau of Land Management, is hereby transferred to the sole jurisdiction of the Bureau of Land Management, so far as it relates to the following described lands:

MONTANA PRINCIPAL MERIDIAN

T. 21 N., R. 23 E.,
Secs. 1 through 18.
T. 22 N., R. 23 E.
T. 21 N., R. 24 E.,
Secs. 1 through 18.
T. 22 N., R. 24 E.
T. 21 N., R. 25 E.,
Secs. 1 through 18.
T. 22 N., R. 25 E.
Tps. 21 and 22 N., R. 26 E.
T. 21 N., R. 27 E.,
Secs. 1 through 25.
T. 22 N., R. 27 E.
T. 21 N., R. 28 E.,
Sec. 2, W½W½;
Secs. 3 through 10;
Sec. 11, lots 4 through 8, W½NW¼;
Sec. 12, lots 4, 6 through 10, SE¼SE¼;
Secs. 13 through 23, 26 through 30.
T. 22 N., R. 28 E.,
Secs. 5 through 8, 13 through 34;
Sec. 35, W½E½, W½;
Sec. 36, W½W½.
T. 18 N., R. 29 E.,
Secs. 1, 2, 11, 12, and 13.
T. 19 N., R. 29 E.,
Secs. 1, 2, 3, 10 through 15, 22 through 27, and 34, 35, 36.
T. 20 N., R. 29 E.,
Secs. 1, 2, 3, 10 through 15, 22 through 27, and 34, 35, 36.
T. 21 N., R. 29 E.,
Sec. 7, lot 5;
Sec. 14, lot 4;
Sec. 15, lots 3 through 7, S½NW¼, SW¼, W½SE¼, SE¼SE¼;
Sec. 16, lots 5 through 8, S½SW¼, E½SE¼, SW¼SE¼;
Sec. 17, lots 3, 6 through 8, W½SW¼, SE¼SW¼, S½SE¼;

Sec. 18, lots 2 through 8, SW¼NE¼, SE¼NW¼, E½SW¼, SE¼;
Secs. 21 and 22;
Sec. 23, lots 3, 4, 6, 7, SW¼NW¼, SW¼, S½SE¼;
Sec. 24, lots 5 through 8, S½S½;
Sec. 25, lots 1, 2, 4, N½NE¼, SW¼NE¼, W½, NW¼SE¼;
Secs. 26, 27, 28, 33, 34, 35;
Sec. 36, lots 2, 3, W½NE¼, W½, SE¼.
T. 18 N., R. 30 E.,
Secs. 4, 5, 6.
31-10—39-1 166
T. 19 N., R. 30 E.,
Secs. 1 thru 11, 15 through 22, 28 through 33.
T. 20 N., R. 30 E.,
Sec. 1, lots 1, 2, 3, 6, 7, 8, E½SW¼, SE¼;
Sec. 2, lot 9;
Sec. 5, lots 2, 3, 4, 7, 8, SW¼NW¼, W½SW¼, SE¼SW¼;
Secs. 6 and 7;
Sec. 8, lots 2, 3, S½NE¼, W½, SE¼;
Sec. 9, lots 3, 4, 7, 8, W½SW¼;
Sec. 11, lots 1, 2, 3, 4, 7, E½E½, SW¼NE¼, NW¼SE¼;
Secs. 12 and 13;
Sec. 14, lots 1, 4, 5, 9;
Sec. 16, lots 2, 3, 6, NW¼NW¼;
Secs. 17 through 20;
Sec. 21, lots 4, 5;
Sec. 23, lots 1, 2, 4, 5, 6, 7, S½NE¼, E½SW¼, SE¼;
Secs. 24 and 25;
Sec. 26, lots 1, 2, 4, 5, 8, NE¼, E½SE¼;
Sec. 28, lot 2;
Sec. 29, lots 1, 2, 4, 5, W½E½, W½;
Secs. 30, 31, 32;
Sec. 33, lots 7 through 10, SE¼SW¼, S½SE¼;
Sec. 34, lots 5 through 8, S½;
Sec. 35, lots 1, 3, E½, SE¼NW¼, SW¼;
Sec. 36.
T. 21 N., R. 30 E.,
Sec. 19, lot 4;
Sec. 30, lot 2;
Sec. 31, lots 4, 5, 6;
Sec. 35, lots 1, 4, 5, 6, 9, SE¼SW¼, E½SE¼, SW¼SE¼;
Sec. 36, lots 2 through 9, S½SW¼, SE¼.
T. 22 N., R. 30 E.,
Sec. 1, lots 1 through 4, SW¼NE¼, S½NW¼, SW¼, W½SE¼.
T. 23 N., R. 30 E.,
Secs. 25 and 36.
T. 20 N., R. 31 E.,
Secs. 1 through 8, 17 through 20, 29 through 32.
T. 21 N., R. 31 E.
T. 22 N., R. 31 E.,
Secs. 1 through 5;
Sec. 6, lots 1, 2, SE¼NE¼;
Secs. 8 through 17, 20 through 29, 31 through 36.
T. 23 N., R. 31 E.,
Secs. 25 through 36.
T. 21 N., R. 32 E.,
Secs. 1 through 12, 16 through 19, 30 and 31.
T. 22 N., R. 32 E.
T. 21 N., R. 33 E.,
Secs. 1 through 6, 9 through 16.
T. 22 N., R. 33 E.
T. 23 N., R. 33 E.,
Secs. 35 and 36.
T. 21 N., R. 34 E.,
Secs. 6, 7, 18.
T. 22 N., R. 34 E.
T. 23 N., R. 34 E.,
Secs. 22 through 36.
T. 22 N., R. 35 E.
T. 23 N., R. 35 E.,
Secs. 19 through 36.
T. 21 N., R. 36 E.,
Secs. 1, 2, 3, 10, 11, 12.
T. 22 N., R. 36 E.
T. 23 N., R. 36 E.,
Secs. 1, 12, 13, 19 through 36.
T. 21 N., R. 37 E.,
Secs. 1 through 17.
Tps. 22 and 23 N., R. 37 E.
T. 21 N., R. 38 E.,
Secs. 2 through 11, 14 through 16.
T. 22 N., R. 38 E.,
Secs. 1 through 24, 26 through 36.
T. 23 N., R. 38 E.
T. 24 N., R. 38 E.,
Secs. 25 through 28, 33 through 36.
T. 22 N., R. 39 E.,
Secs. 1 through 20.
Tps. 23 and 24 N., R. 39 E.
T. 25 N., R. 39 E.,
Secs. 1 through 4, 9 through 16, 21 through 28, 33 through 36.
T. 26 N., R. 39 E.,
Secs. 21 through 28, 33 through 36.
T. 22 N., R. 40 E.,
Secs. 1 through 9, 16, 17, 18.
Tps. 23, 24, 25 N., R. 40 E.
T. 26 N., R. 40 E.,
Secs. 19 through 36.
T. 23 N., R. 41 E.,
Sec. 6.
T. 24 N., R. 41 E.,
Secs. 1 through 16, 18, 19, 23, 24, 25, 30, 31, 36.
T. 25 N., R. 41 E.
T. 26 N., R. 41 E.,
Secs. 1, 2, 3, 10 through 36.
T. 20 N., R. 42 E.,
Secs. 1, 11 through 14, 23 through 26.
T. 21 N., R. 42 E.,
Secs. 1, 2, 11 through 14, 23 through 26, 35 and 36.
T. 22 N., R. 42 E.,
Secs. 1 through 4, 9 through 16, 21 through 28, 34, 35, 36.
T. 23 N., R. 42 E.,
Secs. 1 through 29, 33 through 36.
T. 24 N., R. 42 E.,
Secs. 5 through 11, 14 through 36.
T. 25 N., R. 42 E.,
Secs. 4 through 10, 15 through 19, 30 and 31.
T. 26 N., R. 42 E.,
Secs. 5 through 8, 17 through 20, 29 through 33.
T. 20 N., R. 43 E.,
Secs. 5 through 8, 17 and 18.
T. 21 N., R. 43 E.,
Secs. 2 through 11, 14 through 23, 26 through 32.
T. 22 N., R. 43 E.,
Secs. 4 through 9, 16 through 21, 27 through 35.
T. 23 N., R. 43 E.,
Secs. 5 through 8, 16 through 21, 28 through 33.
T. 24 N., R. 43 E.,
Secs. 19, 20, 29 through 32.

The total area described aggregates approximately 980,000 acres.

Dated: April 25, 1975.

ROGERS C. B. MORTON,
Secretary of the Interior.

[FR Doc.75-11443 Filed 4-30-75;8:45 am]

[Public Land Order 5497; (Nevada 051742)]

NEVADA

Transfer of Jurisdiction of the Charles Sheldon Antelope Range

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

The Charles Sheldon Antelope Range, established by Executive Order No. 7522 of December 21, 1936, which is presently administered jointly by the United States Fish and Wildlife Service and the Bureau of Land Management, is hereby transferred to the sole jurisdiction of the Bureau of Land Management, insofar as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 45 N., R. 22 E.,
Secs. 1, 2, 3, 10 through 15, and 19 through 36.
T. 46 N., R. 22 E.,
Secs. 1 through 18, 22 through 27, and 34, 35, 36.
T. 47 N., R. 22 E.
Tps. 43, 44, 45, 46, 37 N., R. 23 E.
Tps. 46 and 47 N., R. 23½ E.
Tps. 43, 44, 45, 45½, 46, 47 N., R. 24 E.
Tps. 43 and 44 N., R. 24½ E.
Tps. 43 through 47 N., Rs. 25 and 26 E.
Tps. 46 and 47 N., R. 27 E.
T. 46 N., R. 28 E.,
Secs. 5 through 8, 17 through 20, and 29 through 32.
T. 47 N., R. 28 E.,
Secs. 19, 20, and 29 through 32.

The areas described aggregate approximately 539,000 acres.

Dated: April 25, 1975.

ROGERS C. B. MORTON,
Secretary of the Interior.

[FR Doc.75-11444 Filed 4-30-75;8:45 am]

Title 45—Public Welfare

SUBTITLE A—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, GENERAL ADMINISTRATION

PART 5—AVAILABILITY OF INFORMATION TO THE PUBLIC

Research Designs and Protocols

The present Freedom of Information regulation of this Department (45 CFR Part 5) reflected our belief that research designs and protocols submitted in connection with applications for research project or research training grants constitute confidential and privileged trade secrets and commercial information and, as such, were protected from mandatory disclosure under the fourth exemption to the Freedom of Information Act. 5 U.S.C. 552(b)(4). The United States Court of Appeals for the District of Columbia has recently held, in *Washington Research Project, Inc.* v. *Department of Health, Education, and Welfare*, C.A. No. 74-1027 (decided September 12, 1974), that research designs and protocols submitted with initial grant applications which have been funded by this Department, together with those submitted with applications for continuation, renewal or supplemental grants (including interim reports), whether funded or pending, are not exempt from disclosure under the Freedom of Information Act. The Court did not have before it, or rule upon, whether research designs and protocols submitted with research grant applications which have not been funded are exempt from disclosure.

The Court's decision does not make the entire funded grant file available. To the contrary, the Court specifically upheld the withholding of site visit reports and summaries of the initial review groups' recommendation ("pink sheets"), under

the fifth exemption to the Freedom of Information Act. 5 U.S.C. 552(b)(5).

In accordance with this Court decision, therefore, this Department hereby amends its regulation to make available all research designs and protocols submitted with funded initial grant applications, as well as the research designs and protocols submitted with applications for continuation, renewal or supplemental grants (including interim progress reports), whether funded or not, except to the extent that such disclosure could affect future patent or other valuable commercial rights. We will continue to treat research designs and protocols submitted with initial grant applications as exempt from disclosure until such time as the application may be funded. We will also continue to withhold from disclosure site visit reports and "pink sheets".

The Amendments occasioned by the Court decision in the Washington Research Project case, *supra*, are being published in final form rather than as a notice of proposed rulemaking in accordance with Judge Gesell's Order of April 21, 1975.

Also, on January 30, 1975, the Department published proposed regulations which would implement the Freedom of Information Act Amendments of 1974. No comments were received. Those portions of that notice of proposed rulemaking relating to fees are hereby issued as final. The Department will publish in final the remainder of the revisions in that notice of proposed rulemaking at a later time.

Dated: April 28, 1975.

CASPAR W. WEINBERGER,
Secretary.

1. Section 5.60 is revised as follows:

§ 5.60 Policy on fees.

It is the policy of the Department to provide routine information to the public without charge. Special information services involving a benefit that does not accrue to the general public shall be subject to the payment of fees which shall be fixed in amounts to recover the direct cost to the Government of providing such services. Fees will be charged for the following special services:

(a) Reproduction, duplication or copying of records;

(b) Certification or authentication of records;

(c) Searches for records.

2. Section 5.61 is revised to read as follows:

§ 5.61 Fee schedules.

The fee schedule for the Department of Health, Education, and Welfare is as follows:

(a)(1) Search for records—three dollars per hour provided, however, that no charge will be made for the first half hour.

(2) Reproduction, duplication or copying of records—ten cents per page where such reproduction can be made by commonly available photocopying machines. However, the cost of reproducing records which are not susceptible to such photocopying, e.g. punch cards, magnetic tapes, blueprints, etc., will be determined on a case-by-case basis at actual cost.

(3) Certification or authentication of records—three dollars per certification or authentication.

(4) Forwarding material to destination—any special arrangements for forwarding which are requested by the requester shall be charged on an actual cost basis.

(5) No charge will be made where the total amount does not exceed five dollars.

(b) Waiver or reduction of the fees provided for in this subsection may be made upon a determination that such waiver or reduction is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

3. Paragraph (c) of § 5.71 is revised to read as follows:

§ 5.71 Protection of personal privacy and proprietary information.

* * * * *

(c) Except to the extent specifically otherwise provided by regulations of operating agencies, information having a commercial or financial value and in which the person providing the information has a proprietary interest will not be disclosed if it is in fact confidential. In determining whether such information is in fact confidential, consideration may be given to such factors as (1) the general custom or usage in the occupation or business to which the information relates that it be held confidential, (2) the number and situation of the individuals who have access to such information, (3) the type and degree of risk of financial injury to be expected if disclosure occurs, and (4) the length of time such information should be regarded as retaining the characteristics noted above.

* * * * *

4. Paragraphs (b) and (e) of § 5.72 are revised to read as follows:

* * * * *

(b) *Records pertaining to grants.* (1) Portions of funded initial research grant applications and portions of continuation, renewal or supplemental grant applications, whether funded or not, including interim progress reports and other supporting documents submitted by applicants, which are not otherwise exempted from disclosure by this subpart.

(2) Grant award documents.

(3) All State plans, amendments, and supplements thereto, including applications for the waiver of any provision thereof whether acted upon by the Department or not.

* * * * *

(e) *Research, development, and demonstration project records.* The reports of a grantee or a contractor of the performance under any research, development, or demonstration project, records, other than reports, produced in such projects, such as films, computer software, other copyrightable materials and reports of inventions, will be available, except that considerations relating to obtaining copyright and patent protection may required delay in disclosure for such period as necessary to accomplish such protection. Disclosure of records which are copyrightable or which reflect patentable inventions shall not confer upon the requester any license under any copyright or patent without regard to the holder or owner thereof.

5. The Appendix is revised as follows:

* * * * *

GRANTS

Generally Available

Funded initial grant applications, subject to provisions of section 5.71.
Reports of grantee.
Final report of any review or evaluation of grantee performance conducted or caused to be conducted by the Department.
Application for demonstration, experimental, or pilot project under section 1115 of the Social Security Act.
Applications for continuation, renewal, or supplemental grants, subject to provisions of Section 5.71.
State plan material.

* * * * *

Generally not Available

Research protocol, design, processing, and other technical information to the extent proprietary or of a confidential nature submitted with initial applications not yet funded, or where disclosure would adversely affect patent or other valuable rights.
Confidential financial information of grantee.
Site visit reports.
Initial research or research training grant application on which award is not made.
Summaries of recommendations of initial review groups ("pink sheets").

* * * * *

[FR Doc.75-11470 Filed 4-30-75;8:45 am]

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 121—DEFINITIONS; GENERAL PROVISIONS

PART 121a—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

Notice of proposed rule making was published in the FEDERAL REGISTER on January 11, 1974, at 39 FR 1614-1624 setting forth requirements and guidelines governing assistance to States under Part B of the Education of the Handicapped Act (Title VI of Pub. L. 91-230; 20 U.S.C. 1411-1414). Pursuant to section 503 of the Education Amendments of 1972, Pub. L. 92-318, a public hearing on the proposed regulations and guidelines was held on February 6, 1974 in Washington, D.C. In addition, written comments were received and considered.

A. *Summary of comments; changes in the regulations and guidelines.* The following comments were submitted to the Office of Education regarding the proposed regulations and guidelines, either at the public hearing held on February 6, 1974, or in writing. After the summary of each comment, a response is set forth indicating changes which have been made in the regulations and guidelines, or the reasons why no change is deemed necessary. The comments are arranged in the order of the sections of the final regulations and guidelines.

REGULATIONS

1. Section 121a.6 *Certificates by the State educational agency and attorney general.*

Comment. A commenter pointed out that because health services are included in the related services listed in § 4.2(c) of the *Guidelines*, and because § 4.5 of the *Guidelines* indicates the necessity of coordinating all services for the handicapped, a requirement for review by the State Comprehensive Health Planning Agency should be specified in § 121a.6 of the regulations.

Response. It is felt that § 121a.28(b) makes adequate provision for the inclusion of a State agency, such as the State Comprehensive Health Planning Agency, in the State's coordination activities under this program. Section 4.5 is a guideline rather than a requirement. The law goes no further than to require that a State Plan "contain a statement of policies and procedures which will be designed to insure that all education programs for the handicapped in the State will be properly coordinated by the persons in charge of special education programs for handicapped children in the State educational agency" (20 U.S.C. 1413(a)(11)). No change was made to the regulations.

2. Section 121a.11(a) *Assurances.*

Comment. A commenter inquired (a) as to the existence of any restraints on the use of Part B funds by the States to coordinate the public and private sectors in providing services for handicapped children; (b) as to the allocation of Part B funds if coordinated services are permissible; (c) whether handicapped children enrolled in private schools could be served in the private schools, if such children were not receiving services at all under the Part B program, rather than through the public school system; and (d) whether tuition grants could be made using Part B funds for these services.

Response. Section 613(a)(2) of the Act requires that provision be made for participation in Part B programs of handicapped children in private elementary and secondary schools. Subpart D of the regulations covers provision of services to such children. Consistent with the number of such children in the area to be served, Part B programs must include services for these children. Determination of the number of such children who will participate, of their needs, and the types of services to be provided, will be made on a basis comparable to that used in providing for participation of handicapped children enrolled in public schools. Such services may be provided through arrangements such as dual enrollment, educational radio and television, mobile equipment, and may include professional and paraprofessional services. Under section 613(a)(3) of Pub. L. 91-230 (20 U.S.C. 1413(a)), funds for children enrolled in private schools must remain under the control of a public agency. Thus, tuition grants to attend private schools would not be permissible under the act. Section 121a.37(a) of the regulations provides that public school personnel can be made available on other than public school facilities only for the provision of special educational and related services for handicapped children which are not normally provided by the private school. These services are provided by the State or local educational agency which must maintain administrative control and direction over such services. Equipment acquired with Part B funds may be placed on private school premises, pursuant to § 121a.38, but title to and administrative control over such equipment must remain with a public agency. Part B projects may be carried out on public facilities and include public and private school children. In such case, classes cannot be separated on the basis of school enrollment or religious affiliation. Section 121a.40 provides that Part B funds and property derived therefrom cannot inure to the benefit of any private school. No change was made to the regulations.

3. Section 121a.27 *Parental involvement.*

Comment. Two commenters discussed parental involvement. One suggested that the requirement for parental involvement imposes too great a financial burden on local projects of small scope, and would discourage many school districts from initiating such projects. The other commenter suggested that parents should function as members of a State-level review board for both State plan formulation and review of local projects.

Response. Pursuant to section 425 of the General Education Provisions Act (20 U.S.C. 1231d), the Commissioner is required to promulgate regulations with respect to parental participation if he determines that such participation will increase the effectiveness of the program in achieving its purpose. The Commissioner has determined that parental participation in the local projects under Part B of the Education of the Handicapped Act would increase the effectiveness of the program. In such a case, section 425 requires that applications from local educational agencies contain certain policies, procedures, and assurances relating to participation of parents in the planning, development, and operation of the projects. These are set forth in § 121a.27 of the regulations. Beyond these basic minimum requirements, the State can require such additional parental participation as it deems appropriate. Activities involving parents need not be elaborate in projects which are funded at relatively low levels, so long as they meet the minimum standards in § 121a.27.

With respect to the participation of parents in a State level review board, section 613(c)(1) of the Act requires that a State plan be made public for comment by interested persons before it can be approved by the Commissioner. This requirement is repeated in § 121a.7 of the regulations. Section 121a.7(d) specifically includes parents of handicapped children in the term "interested persons." This opportunity for comment provides for the involvement of parents in the review of the State plan. The requirement in § 121a.27(a) that parents be involved in the operation of the local project is broad enough to encompass participation in the review of the project. No changes have been made to the regulations.

GUIDELINES

4. Section 4.2 *Special Educational Services.*

Comment. A commenter suggested that psychiatric treatment be included in § 4.2(c) (Related Services).

Response. The language in § 4.2(c)(2) has been changed to include "psychiatric services." The word "services" was used rather than "treatment" because "treatment" implies medical intervention, which is not within the purview of special education projects.

Comment. A commenter requested the addition of "occupational and physical therapy" to the list of related services in § 4.2(c)(2).

Response. The services listed in § 4.2(c)(2) are examples of the types of services which may be provided as related services. The list is not intended to be exhaustive. However, in the interest of clarity, "occupational and physical therapy" has been added to the list as an indication that this is also one of the permissible "related services."

B. *Other Changes.* Typographical corrections and technical changes have been made. In addition: §§ 121a.2, 121a.52, and 121a.54 have been deleted and §§ 121a.4(a), 121a.10, 121a.55(a)(2), and 121a.55(b)(2) have been revised, in order to make the regulations consistent with those provisions of the Education Amendments of 1974 which relate to the Part B program (Pub. L. 93-380, sections 612-615, enacted August 21, 1974). These regulations do not include all statutory provisions made applicable to Fiscal Year 1976 and thereafter by Pub. L. 93-380. Such matters, and certain criteria relating to allocation of funds among the Outlying Areas in Fiscal Year 1975, will be subject to future publications in the FEDERAL REGISTER. The subject matter covered by the sections of the regulations which have been deleted (primarily relating to allotments) will be governed by the relevant statutory provisions (as amended by Pub. L. 93-380), and will not be reiterated in the regulations.

Assistance provided under this program is subject to the provisions in the governing legislation as well as the provisions of Parts 121 and 121a of this chapter. Assistance under this program also is subject to the applicable provisions of Subchapter A of this chapter (see, in particular 45 CFR Parts 100b and 100c).

After consideration of all comments, Title 45 of the Code of Federal Regulations is amended by deleting Subpart B of Part 121 and by adding a new Part 121a to read as set forth below.

This final regulation is being provided to Congress pursuant to the provisions of section 431(d) of GEPA because the proposed regulation for the program had been published prior to the enactment

of Pub. L. 93-380 and had not, therefore, been transmitted to the Congress.

Effective date. Pursuant to section 431 (d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance Program No. 13.449, Handicapped Preschool and School Programs)

Dated: March 21, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 23, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Chapter I of 45 CFR is amended as follows:

1. Subpart B of Part 121 is deleted.
2. A new Part 121 is added as follows:

Subpart A—Scope

Sec.
121a.1 Scope.
121a.3 Department of the Interior.

Subpart B—State Plans

121a.4 Submission.
121a.5 Amendments.
121a.6 Certificates by the State educational agency and attorney general.
121a.7 Publication and opportunity for comment.
121a.8 Approval by the Commissioner.
121a.9 Use of funds.
121a.10 Special provisions and descriptions.
121a.11 Assurances.
121a.12 Description of projected activities.
121a.13 Maintenance of level of support.
121a.14 Adoption of complaint procedures.

Subpart C—Programs and Projects

121a.21 Administration.
121a.22 Applications.
121a.23 Project amendment.
121a.24 Content of projects.
121a.25 Scope of projects.
121a.26 Design of programs and projects.
121a.27 Parental involvement.
121a.28 Coordination.

Subpart D—Provision of Services to Handicapped Children Enrolled in Private Schools

121a.35 Determinations.
121a.36 Services.
121a.37 Personnel.
121a.38 Equipment.
121a.39 Prohibition of segregation.
121a.40 Use of Federal funds.

Subpart E—Federal Financial Participation

121a.53 Reallotment.
121a.55 Allowable expenditures.
121a.56 Title to and control over property and funds.
121a.57 Construction.
121a.58 Equipment.
121a.80 Witholding of payments.

APPENDIX-GUIDELINES

AUTHORITY: Secs. 611-614, Pub. L. 91-230, as amended, 84 Stat. 177, 178, 179, 181 (20 U.S.C. 1411-1414), unless otherwise noted.

Subpart A—Scope

§ 121a.1 Scope.

(a) This part applies to programs and projects assisted under Part B of the Act.

(b) Assistance provided under this part is subject to applicable provisions contained in Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters) and Part 121 of this chapter.

(20 U.S.C. 1411)

§ 121a.3 Department of the Interior.

For the purposes of this part, the Secretary of the Interior shall have the same duties and responsibilities with respect to funds paid to him under Part B of the Act, as he would have if the Department of the Interior were a State educational agency having responsibility for the administration of a State plan under Part B.

((20 U.S.C. 1411) Pub. L. 92-318, sec. 421(b)(2))

Subpart B—State Plans

§ 121a.4 Submission.

(a) Any State which desires to receive grants (or, for fiscal year 1975 only, is entitled to receive payments) under Part B of the Act shall submit to the Commissioner, through its State educational agency, (1) a State plan (not part of any other plan) meeting the requirements of this part, and (2) the description of projected activities required under § 121a.12.

(b) Each such State plan and all amendments thereto shall be submitted to the Commissioner by a duly authorized officer of the State educational agency.

(c) Each State plan shall designate the official authorized to submit plan materials.

(20 U.S.C. 1413(a))

§ 121a.5 Amendments.

(a) The administration of the program carried out in a State under Part B of the Act shall conform to the approved State plan of that State.

(b) (1) The State educational agency shall promptly notify the Commissioner of any material change in the content or administration of its program under Part B of the Act and any change in pertinent State law or in the organization, policies, or operations of the State educational agency affecting the program. (2) The Commissioner may require that any changes be promptly reflected in appropriate amendments to the State plan.

(20 U.S.C. 1413(a))

§ 121a.6 Certificates by the State educational agency and attorney general.

Each State plan and each amendment thereto shall be accompanied by: (a) A certificate by the officer of the State educational agency authorized to submit the plan certifying that (1) the plan or amendment has been adopted by the State educational agency and (2) such plan (or plan as amended) will constitute the basis for the operation and administration of the activities to be carried out in that State under Part B of the Act; and (b) a certificate by the State Attorney General or other appropriate State legal officer that (1) the State educational agency has authority under State law to submit the plan and to administer or to supervise the administration of the plan, (2) the State educational agency has authority under State law to carry out, directly or through local educational agencies, the activities described in the State plan and (3) all State plan provisions are consistent with State law.

(20 U.S.C. 1413(a))

§ 121a.7 Publication and opportunity for comment.

(a) *Presubmission.* (1) Prior to its submission by the State educational agency to the Commissioner, each State plan shall be made public as a separate document, and a reasonable opportunity shall be given by that agency for comment thereon by interested persons. (2) The Commissioner will not approve any State plan until such publication has been made and such opportunity for comment has been given. (3) Methods of public notice of the proposed plan shall include notices and bulletins distributed by the State educational agency to local educational agencies and other agencies involved in the education of handicapped children and news releases to, or advertising in, key newspapers or other news media throughout the State.

(b) *Postsubmission.* Each State plan as finally approved by the Commissioner shall also be made public by the State educational agency in the same manner as required under paragraph (a) of this section, and shall be made readily accessible upon request to any interested person in the State.

(c) *Statement of publication.* Upon its submission to the Commissioner by the State educational agency, each State plan shall be accompanied by a statement describing the method by which, and the extent to which, the plan has been and, when approved, will be made public.

(d) *Interested persons.* For the purposes of paragraph (a) of this section, interested persons include not only public officials, public employees, and other persons involved in the education of handicapped children, but also (1) persons who are themselves handicapped, (2) parents of handicapped children, (3) private school educators who are knowledgeable in the education of handicapped children, and (4) the general public.

(20 U.S.C. 1413(c)(1))

§ 121a.8 Approval by the Commissioner.

(a) The Commissioner will approve each State plan, or amendment thereto, which he determines meets the requirements and purposes of Part B of the Act and the regulations in this part, and will notify the State educational agency of the granting, conditioning, or withholding of approval in each such case.

(b) No final action with respect to a State plan other than one of approval will be taken by the Commissioner, unless he first affords the State educational agency reasonable notice of his proposed action and, in connection therewith, affords such agency a reasonable opportunity for a hearing on whether the affected plan or amendment meets the requiremeints and purposes described in paragraph (a) of this section.

(20 U.S.C. 1413 (b) and (c))

§ 121a.9 Use of funds.

A State plan submitted in accordance with this part shall set forth such policies and procedures as will provide satisfactory assurance that funds paid to the State under this part will be expended—

(a) Either directly or through individual, or combinations of, local educational agencies (including interdistrict, intercommunity, regional, State-local and interstate arrangements), solely to initiate, expand, or improve programs and projects (including preschool programs and projects)—

(1) Which are designed to meet the special educational and related needs of handicapped children throughout the State, and

(2) Which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs; and

(b) (1) For the proper and efficient administration of the State plan (including State leadership activities and consultative services), and

(2) For planning on the State and local level.

(20 U.S.C. 1413(a))

§ 121a.10 Special provisions and descriptions.

Each State plan shall—

(a) Set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this part will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds;

(b) Provide that the State educational agency (as designated in such plan) will be the sole agency for administering or supervising the administration of the plan;

(c) Provide for (1) making such reports, in such form and containing such information as the Commissioner may require to carry out his functions under this part, including reports of the objective measurements required by § 121a.11(c), and (2) keeping such records and affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal funds under this part;

(d) Contain a statement of policies and procedures which will be designed to ensure that all education programs for the handicapped in the State will be properly coordinated by the persons in charge of special education programs for handicapped children in the State educational agency.

(e) (1) Establish a goal of providing full educational opportunities to all handicapped children, and (2) provide for a procedure to assure that funds expended under this part are used to accomplish that goal and priority in the utilization of funds under this part will given to handicapped children who are not receiving an education;

(f) Provide procedures for insuring that handicapped children and their parents or guardians are guaranteed procedural safeguards in decisions regarding identification, evaluation, and educational placement of handicapped children including, but not limited to; (1) (i) prior notice to parents or guardians of the child when the local or State educational agency proposes to change the educational placement of the child, (ii) an opportunity for the parents or guardians to obtain an impartial due process hearing, examine all relevant records with respect to the classification or educational placement of the child, and obtain an independent educational evaluation of the child, (iii) procedures to protect the rights of the child when the parents or guardians are not known, unavailable, or the child is a ward of the State, including the assignment of an individual (not to be an employee of the State or local educational agency involved in the education or care of children) to act as a surrogate for the parents or guardians, and (iv) provision to insure that the decisions rendered in the impartial due process hearing required by this paragraph shall be binding on all parties subject only to appropriate administrative or judicial appeal; and (2) procedures to insure that, to the maximum extent appropriate, handicapped children, including children in public or private institutions or other care facilities, are educated with children who are not handicapped, and that special classes, separate schooling, or other removal of handicapped children from the regular education environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily; and (3) procedures to insure the testing and evaluation materials and procedures utilized for the purposes of classification and placement of handicapped children will be selected and administered so as not to be racially or culturally discriminatory.

(20 U.S.C. 1413(a))

§ 121a.11 Assurances.

Each such State plan shall provide assurances satisfactory to the Commissioner—

(a) That, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private preschool programs and private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this part;

(b) That the control of funds provided under this part, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this part, and that a public agency will administer such funds and property;

(c) That effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children;

(d) That such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this part to the State, including any such funds paid by the State to local educational agencies;

(e) That funds paid to the State under this part shall not be made available for handicapped children eligible for assistance under section 103(a)(5) of title I of the Elementary and Secondary Education Act of 1965; and

(f) That effective procedures will be adopted for acquiring and disseminating to teachers of, and administrators of programs for, handicapped children significant information derived from educational research, demonstration, and similar projects and for adopting, where appropriate, promising educational practices developed through such projects.

(20 U.S.C. 1413(a))

§ 121a.12 Description of projected activities.

A State educational agency receiving a grant under this part shall submit to the Commissioner, at such time, for such period, and in such detail as he may require, a description of the projected activities for the education of handicapped children which are proposed to be carried out in the State under this part.

(20 U.S.C. 1413(a)(7))

§ 121a.13 Maintenance of level of support.

In developing policies and procedures required to be set forth in a State plan pursuant to § 121a.10(a), the State educational agency shall take into consideration the total amount or average per capita amount of State, local, and private school funds budgeted for expenditures in the current fiscal year for the education of handicapped children as compared with the total amount of average per capita amount of State, local, and private school funds actually expended for the education of handicapped children in the two most recent fiscal years for which the information is available, with allowances made for decreases in enrollment of handicapped children, contributions of large sums of money from outside sources on a short-term basis, and unusually large amounts of funds expended for such long-term purposes as

the acquisition of equipment and the construction of school facilities.

(20 U.S.C. 1413)

§ 121a.14 Adoption of complaint procedures.

(a) *Procedures.* Each State educational agency shall adopt effective procedures for reviewing, investigating, and acting upon any allegations of substance, which may be made by local educational agencies or private individuals or organizations of actions by State or local educational agencies contrary to the provisions of Part B of the Act or the regulations in this part.

(b) *Publication.* Such procedures shall be made public by methods designed to inform interested persons (as defined in § 121a.7(d)).

(c) *Designation of officer.* The State educational agency shall designate the officers who will receive complaints and comments, who will make initial dispositions regarding them, and who will review those dispositions. The names, office addresses, and telephone numbers of those officers shall be published together with such procedures.

(d) *Report.* (1) The State educational agency shall submit to the Commissioner, together with the description of projected activities required under § 121a.12: (i) A report disclosing any allegations of the nature described in paragraph (a) of this section, (ii) a summary of the result of any investigations made or hearings held with respect to those allegations, and (iii) a statement of the disposition by the State educational agency of those allegations.

(2) The responsibility with respect to the resolution of these matters rests, in the first instance, in the State educational agency.

(20 U.S.C. 1413)

Subpart C—Programs and Projects

§ 121a.21 Administration.

Programs and projects initiated, expanded, or improved under this part will be administered and conducted (a) directly by the State educational agency to the extent consistent with the State's assurance under § 121a.11(e), or (b) by local educational agencies with the approval and under the supervision of the State educational agency. These include joint projects or programs under § 121a.28(b).

(20 U.S.C. 1413)

§ 121a.22 Applications.

(a) Funds paid to the State under this part shall be made available for carrying out programs and projects in accordance with the State's approved plan only through an application (and any amendments to the application) approved by the State educational agency and containing such information as the State educational agency may require.

(b) An application may be submitted for a single or multiyear project. Approval of an application for a multiyear project shall not commit the Federal Government to provide financial assistance from appropriations not currently available.

(20 U.S.C. 1413)

§ 121a.23 Project amendment.

Amendments to applications approved pursuant to § 121a.22(a) shall be submitted to the State educational agency for approval in the same manner as the original applications.

(20 U.S.C. 1413)

§ 121a.24 Content of projects.

In order to meet the special educational and related needs of handicapped children, projects under Part B of the Act must provide:

(a) Educational services to handicapped children which are in addition to, distinct from, or a modification of, educational services provided to children who are not handicapped, or

(b) (1) Other services which are: (i) Directly related to the provision of educational services, (ii) designed to overcome or ameliorate the handicaps of handicapped children, and (iii) necessary to enable handicapped children to benefit from the educational services available to them. (2) The services described in this paragraph may include parent counseling and parent training, where appropriate, to enable parents to work more effectively with their handicapped children and have a greater understanding of their needs.

(20 U.S.C. 1413)

§ 121a.25 Scope of projects.

(a) Each program assisted under this part shall provide direct instructional services to handicapped children.

(b) Where essential services related to meeting the major objectives of a project for handicapped children directly served in such project cannot be secured elsewhere, such services shall be provided by the educational program which the project supplements.

(c) For the purposes of this section "program" includes the composite of all educational services provided through Federal, State, local, or other funding (1) for all of the handicapped children in a given school, or (2) for all children in a given school with a specific type or specific types of handicap.

(20 U.S.C. 1413(a))

§ 121a.26 Design of programs and projects.

Programs and projects assisted or carried out under this part shall:

(a) Be of sufficient size, scope, and quality, taking into consideration the special educational needs of handicapped children, to give reasonable promise of substantial progress toward meeting those needs;

(b) Be designed to (1) focus upon groups of children with specific types of handicaps and (2) concentrate on a limited number of handicapped children, in order to give reasonable promise of promoting to a marked degree improvement in the educational attainment, motivation, behavior, or attitudes of those children;

(c) Include objectives which are child-centered and set forth in terms of expected changes in the achievement or performance of a specified group of handicapped children;

(d) Be based upon a specific plan to achieve the objectives described in paragraph (c) of this section;

(e) (1) Include procedures which have been adopted for (i) evaluating at least annually the effectiveness of the program or project in meeting the special educational needs of, and providing related services for handicapped children, and (ii) for disseminating the results of the evaluations of handicapped children. (2) In carrying out the evaluation, in addition to an assessment of the extent to which and the manner in which other major project objectives have been met, (i) projects which provide direct instructional services shall be evaluated on the basis of appropriate objective measurements of educational achievement of the children served, and (ii) projects which do not provide direct instructional services shall be evaluated in terms of their impact on the educational program or programs which are supplemented by these projects; and

(f) Be planned in coordination with other public and private programs for the education of handicapped children or for similar purposes in the area to be served by the program or project and in the State.

(20 U.S.C. 1413(a))

§ 121a.27 Parental involvement.

Applications submitted pursuant to § 121a.22(a) shall:

(a) Set forth policies and procedures which will ensure that programs and projects assisted under the application have been planned and developed, and will be operated, in consultation with, and with the involvement of, parents of the children to be served by such programs and projects;

(b) Be submitted with an assurance that such parents have had an opportunity to present their views with respect to the application; and

(c) Set forth policies and procedures for adequate dissemination of program plans and evaluations to such parents and the public.

(20 U.S.C. 1413, 1231d)

§ 121a.28 Coordination.

(a) Each State educational agency shall, before approving programs and projects of local educational agencies under Part B of the Act: (1) Determine that the local educational agency has developed its program or project in coordination with other public and private programs for the education of handicapped children or for similar purposes in the area served by such local educational agency, and (2) require that the local educational agency will, in the conduct of approved programs and projects, coordinate its activities under the State plan with these other programs.

(b) State and local educational agencies may enter into cooperative arrangements with other State and local educational agencies, including those in another State, to carry out joint programs, projects, or activities necessary and appropriate to carry out the purposes of Part B of the Act. The cooperating agencies must sign a cooperative agreement which shall: (1) Designate the administrative and fiscal agents for the cooperative arrangement, (2) indicate the number of handicapped children to be served under the arrangement, as well as the number of those children for which each cooperating agency is responsible for providing educational services, and (3) indicate the source of and the amount of funds available for the purpose of the education of those children.

(c) Local educational agencies which enter into cooperative arrangements under paragraph (b) of this section which are located in the same State shall submit, along with the project application under § 121a.22, an agreement concerning final disposition of any equipment, facilities, or other materials to be purchased with Part B funds.

(20 U.S.C. 1413)

Subpart D—Provision of Services to Handicapped Children Enrolled in Private Schools

§ 121a.35 Determinations.

Determinations with respect to the special educational and related needs of handicapped children enrolled in private preschool programs and private elementary and secondary schools, the number of such children who will participate in programs and projects under this part and the types of services which will be provided for them shall be made after consultation with persons knowledgeable as to the needs of such children, on a basis comparable to that used in providing for the participation, in programs and projects assisted or carried out under this part, of handicapped children enrolled in public preschool programs and elementary and secondary schools.

(20 U.S.C. 1413(a)(2))

§ 121a.36 Services.

Programs and projects assisted or carried out under Part B of the Act shall be designed to include, to the extent consistent with the number of eligible handicapped children enrolled in private preschool programs and private elementary and secondary schools in the geographical area served by the program or project, services which will aid in meeting the special educational and related needs of such children. Those services may be provided through such arrangements as dual enrollment, educational radio and television, and the provision of mobile equipment, and may include professional and paraprofessional services.

(20 U.S.C. 1413(a)(2))

§ 121a.37 Personnel.

(a) Public school personnel may be made available in other than public school facilities only to the extent necessary to provide the special educational and related services required by the handicapped children for whose needs those services were designed, and only when those services are not normally provided at the private school.

(b) The State or local educational agency providing educational and related services to children enrolled in private programs or schools shall maintain administrative control and direction over those services.

(c) The special educational and related services provided with funds under Part B of the Act for eligible handicapped children enrolled in private programs or schools shall not include the payment of salaries of teachers or other employees of private programs or schools except for services performed outside their regular hours of duty and under public supervision and control, nor shall such services include the use of equipment purchased with Part B funds, other than mobile or portable equipment, on private school premises or the construction of private school facilities.

(20 U.S.C. 1413(a)(2), (3))

§ 121a.38 Equipment.

(a) Equipment acquired with funds under Part B of the Act may be placed on private school premises for a limited period of time, but, the title to and administrative control over such equipment must be retained and exercised by a public agency.

(b) In exercising administrative control, the public agency shall not only keep records of, and account for the equipment but shall also assure itself that the equipment is being used solely for the purposes of the program or project, and remove the equipment from the private school premises when necessary to avoid its being used for other purposes or when it is no longer needed for the purposes of the program or project.

(c) Mobile or portable equipment may be used on private school premises only for such period of time within the life of the current program or project for which the equipment is intended to be used as is necessary for the successful participation in that program or project by eligible handicapped children enrolled in private programs or schools.

(20 U.S.C. 1413(a)(3))

§ 121a.39 Prohibition of segregation.

Programs or projects to be carried out in public facilities, and involving joint participation by eligible handicapped children enrolled in private programs or schools and handicapped children enrolled in public schools, shall not include classes that are separated on the basis of the program or school enrollment or the religious affiliations of the children.

(20 U.S.C. 1413(a)(2))

§ 121a.40 Use of Federal funds.

Use of funds provided under Part B of the Act and property derived therefrom shall not inure to the benefit of any private school.

(20 U.S.C. 1413(a)(3))

Subpart E—Federal Financial Participation

§ 121a.53 Reallotment.

(a) *General.* (1) The amount of any State's allotment under Part B of the Act for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, on such dates, during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under Part B of the Act for that year but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. (2) Any amount reallotted to a State under this section during a year shall be deemed part of its allotment under Part B of the Act for that year.

(b) *Statements of anticipated need.* (1) In order to provide a basis for reallotment by the Commissioner under Part B of the Act, each State agency administering a program under Part B of the Act shall, if requested, submit to the Commissioner by such date or dates as he may specify a statement or statements showing the anticipated need during the current fiscal year for the amount previously allotted, or any amount needed to be added thereto. (2) The statement or statements shall contain such further information as the Commissioner may request for the purpose of making reallotments.

(20 U.S.C. 1412(c))

§ 121a.55 Allowable expenditures.

(a) *State educational agencies.* Funds under Part B of the Act may be used by the State educational agency for such expenditures as are reasonably necessary (1) for the conduct by it of programs or projects for the education of handicapped children (including evaluation and dissemination of the results thereof), and (2) subject to the limitations in section 613(a)(1) of the Act, for (i) administration of the State plan and for planning at the State level, including planning or assisting in the planning of programs or projects for the education of handicapped children; (ii) approval, supervision, monitoring, and evaluation of local programs and projects for the education of handicapped children and their effectiveness throughout the State; (iii) technical assistance to local educational agencies with respect to the measurements of educational achievement

and evaluation of the effectiveness of programs and projects pursuant to § 121a.26(e); (iv) dissemination and utilization of the results of educational research and demonstrations as well as dissemination of information relating to statewide special education activities for handicapped children and to projects assisted under Part B of the Act; (v) leadership services for the program supervision and management of special education activities for the handicapped within regions of the State where local personnel are responsible to the State educational agency, and (vi) other State leadership activities and consultative services.

(b) *Local educational agencies.* Funds made available under Part B of the Act to local educational agencies may be used by those agencies for expenditures which are reasonably necessary for activities directly related to (1) the conduct of programs and projects, for the education of handicapped children which are approved by the State educational agency (including the planning, evaluation, and dissemination of the results thereof), and (2) subject to the limitations in section 613(a)(1) of the Act, the planning of such programs and projects.

(20 U.S.C. 1413, 1414; Pub. L. 93-380, sec. 615(d); 45 CFR Subtitle B, Chapter I, Subchapter A, Appendix B)

§ 121.56 Title to and control over property and funds.

(a) *Incidental use.* The incidental use of property acquired with funds provided under this part for purposes other than those provided in Part B of the Act is permitted only for related educational purposes on public premises and for only so long as that use does not interfere with the use of such property in a program or project carried out under Part B of the Act.

(b) *Public agency control.* The State educational agency will obtain from each local educational agency administering a program or project under Part B of the Act a satisfactory assurance that the funds provided under Part B of the Act, and property derived therefrom, will at all times be under the control of, and be administered by, a public ageny in accordance with the provisions of the Act and the regulations in this part.

(20 U.S.C. 1404, 1413(a)(2), (3), (8))

§ 121a.57 Construction.

A program or project for the education of handicapped children under Part B of the Act may not include the construction of school facilities with funds provided under Part B unless the construction (a) is essential to assure the success of that program or project and (b) complies with other requirements of Part B of the Act and §§ 100b.155-100b.192 of this chapter with respect to construction.

(20 U.S.C. 1404, 1413)

§ 121a.58 Equipment.

(a) Funds provided under this part may not include expenditures for equipment unless (1) such equipment is essential to the provision of services to handicapped children, and (2) the recipient of the funds has a staff trained to use the requested equipment or has made provision for adequate staff training in the use of the equipment.

(b) In the purchase of equipment pursuant to this section, if a financial advantage is realized through bargains, rebates, discounts, bonuses, free pieces (not devoted to the project as approved), or other circumstances, the fair value of such financial advantage shall not be considered as an allowable expenditure under § 121a.55.

(c) Requests for funds to purchase equipment shall be included in the project application submitted pursuant to § 121a.22 or an amendment thereto.

(20 U.S.C. 1404, 1413)

§ 121a.80 Withholding of payments.

Whenever the Commissioner, after reasonable notice and opportunity for hearing, finds (a) that the State plan has been so changed that it no longer complies with the provisions of Part B of the Act or the applicable regulations in this part, or (b) that in the administration of the plan there is a failure to comply substantially with any such provisions or regulation or with any requirements set forth in the application of a local educational agency approved pursuant to such plan, the Commissioner will notify the State agency that further payments will not be made to the State under Part B of the Act (or in the Commissioner's discretion, that (1) further payments to the State will be limited to programs or projects under the State plan, or portions thereof, not affected by the failure, or (2) the State educational agency shall not make further payments under Part B of the Act to specified local agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, the Commissioner will make no further payments to the State under Part B of the Act (or will limit payments to programs or projects under, or parts of, the State plan not affected by the failure, or payments by the State educational agency under Part B of the Act shall be limited to local educational agencies not affected by the failure as the case may be).

(20 U.S.C. 1413(c))

APPENDIX

GUIDELINES

EDUCATION OF THE HANDICAPPED ACT—PART B

ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

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PART 1—INTRODUCTION

Section 1.1 Scope of guidelines.

(a) The guidelines contained in this document are recommendations and suggestions for meeting the legal requirements which apply to Federal assistance under the Education of the Handicapped Act, Part B, sections 611-614. The legal requirements include the Act itself (20 U.S.C. 1411-1414) and the regulations (45 CFR Part 121a). The guidelines are not to be construed as requirements. However, where the guidelines set forth a permissible means of meeting a legal requirement, the guidelines may be relied upon.

(20 U.S.C. 1411; 113 Cong. Rec. 5936, 5939 (daily ed. May 23, 1967); *United States v. Jefferson County Board of Education*, 372 F. 2d 836, 857 (5th Cir., 1966))

(b) Where a guideline is issued in connection with or affecting a provision in the regulations, the pertinent regulation will be cited after the citation of legal authority for the guideline in the parentheses following the guideline. For example, if the legal authority for the guideline is section 613 of the Act (20 U.S.C. 1413), and the guideline affects § 121a.53 of the regulations (45 CFR 121a.53), the following citation will be placed on the line immediately following the guideline: ((20 U.S.C. 1413); 45 CFR 121a.53). If no particular section of the regulation is affected, no citation to the Code of Federal Regulations (CFR) will be made.

(20 U.S.C. 1232(a))

PART 2—OVERVIEW

Sec. 2.1 Basic goals and objectives.

(a) The planning and implementation of Part B of the Education of the Handicapped Act is intended to be carried out according to priorities based upon identified needs for handicapped children in a State. These programs should also be cognizant of U.S. Office of Education's goals and objectives for the handicapped.

(b) The basic goal of the Federal effort in education for handicapped children is to provide for equality of educational opportunity. This goal is based on two fundamental concepts:

(1) That education for a handicapped child should be a benefit to which the child and his family are entitled; and

(2) That it is cost beneficial to society to help each handicapped child become as independent and productive as possible.

(20 U.S.C. 1411)

Sec. 2.2 Overview.

(a) Programs assisted under Part B of the Education of the Handicapped Act are not general support programs or construction, media, or training programs, although these latter three activities can be included as parts of projects, phases of multiyear projects, or as individual projects and supplement an existing comprehensive educational program.

(b) Part B funds have generally been used to stimulate the development of comprehensive quality programs and services, to demonstrate innovative practices and procedures, and to encourage educational reforms which will enhance the learning potential of handicapped children. These funds are used to support activities which are in addition to, or go beyond, minimal basic types of programs normally provided for through State or other funds.

(c) A wide variety of activities can be supported if such activities are designed to meet the special educational and related needs of the participating handicapped children.

((20 U.S.C. 1411, 1413); 45 CFR 121a.2, 121a.9, 121a.10(a), 121a.24, 121a.25)

PART 3—PROJECT DEVELOPMENT

Sec. 3.1 Project design.

The basic steps involved in designing a Part B project are essentially the same as those involved in developing any other type of project proposal. They include:

(a) *Identifying the needs.* Identification has two major concerns: (1) the location and diagnosis of children who meet the definition of "handicapped," as defined in the Act, and who, by reason of such handicapping conditions are in need of special educational services, (2) and the recognition of special learning or behavioral needs of children who have been identified as "handicapped."

(b) *Stating the objectives.* (1) An objective is an intent communicated by a statement describing a proposed change in a learner designed to meet his needs. It is a statement of what the learner is to achieve or is to be like when he has successfully completed a learning experience. Clearly stating an objective in terms of academic or performance achievement makes it possible to evaluate an activity and provides a sound basis for selecting appropriate materials, content or instructional methods. Carefully defined objectives provide measurements by which a participating student can evaluate his own efforts and organize them into more relevant activities. The writing of objectives may be facilitated by identifying the academic or performance achievement by name, specifying the kind of achievement that will be accepted as evidence that the learner has achieved the objective, (2) describing the important conditions under which the achievement will be expected to occur, and (3) specifying how well the learner must perform to be considered acceptable.

(c) *Developing a plan (project) to achieve the objectives.* A plan to achieve objectives of a project includes a series of specific, clearly described activities. These activities should contribute to the desired change in children that can be appropriately measured and assessed.

(d) *Implementing the plan (project).* Once a project has been approved by the State educational agency, the critical step of implementation should be taken. Such implementation includes the careful employment of project staff, judicious purchase of equipment and supplies, and the systematic establishment and continuation of the educational environment designed to directly serve the handicapped child.

((20 U.S.C. 1413(a)(1)); 45 CFR 121a.24, 121a.25)

(e) *Evaluating the effectiveness of the results.* Evaluation is inherent in all acceptable project designs. It is both ongoing and summary in scope. Ongoing project evaluation begins simultaneously with project implementation. A careful summary evaluation is meant to reveal not only whether the activity objectives and consequently the identified needs of handicapped children have been met through a project, but also to indicate the desirability of instituting subsequent projects, paralleling or modifying the one which has been completed.

(1) *Evaluation.* The steps in evaluating educational outcomes of projects can be enumerated as follows:

(i) Definition of educational objectives (preferably in terms of specific units of output) to be achieved through the experience being evaluated. These objectives should reflect the most pressing needs of handicapped children;

(ii) Translation of the educational objectives into academic or performance achievement which will be displayed if the objectives are achieved;

(iii) Identification of situations in which the presence or absence of the achievement can be observed and recorded;

(iv) Establishment of some type of interpretative device (standard or norm) which can be used in measuring desired growth;

(v) Application of the evaluation methods derived from (iii) and (iv) above to all those participating in the program;

(vii) Statement of conclusions regarding effectiveness in terms of the extent to which objectives were achieved.

(2) The objectives of proposed projects should be related to specific characteristics possessed by pupils prior to the initiation of the project. The evaluation procedures, therefore, should involve measuring changes in pupil achievement over a period of time. This means, in most instances, that evaluation procedures will involve obtaining appropriate measurements at the start of a project, during the project period, and at the conclusion of the project. The difference between these successive measurements, if properly selected, then become an indication of change and effectiveness of the use of project funds. Consequently, it is important that project directors gather baseline data on students when projects are initiated.

((20 U.S.C. 1413(a)(1), (a)(5)); 45 CFR 121a.24, 121a.25, 121a.26)

Sec. 3.2 Types of projects.

There are two basic categories of projects which may be conducted under Part B: Comprehensive self-contained projects and supplementary projects.

(a) *Comprehensive self-contained projects.* Comprehensive self-contained projects are those which provide within themselves the full range of services required by the participating children including project staff paid from project funds. (An example of this category would be a demonstration project to improve the communication skills of a selected group of preschool deaf children.) The project, to be complete within itself, should include all of the following:

(1) Diagnostic services (provided in concert with the health department or other appropriate agency);

(2) Employment of project staff;

(3) Inservice training of project staff;

(4) Remodeling and equipping a special room (including installation of a one-way mirror and various amplification and visual equipment);

(5) Weekly orientation and counseling sessions for parents (provided by project staff and possibly outside consultants);

(6) Individual and small group instruction with the children;

(7) Special transportation and attendant services, where necessary;

(8) Periodic followup meetings in each home to reinforce the teaching techniques which the parents have observed; and

(9) Evaluation of project outcomes.

(b) *Supplementary projects.* Supplementary projects are those which do not provide direct educational services within themselves, but which supplement existing special educational programs in which such direct services are provided. An example of a supplementary project would be one designed to increase braille reading speed and comprehension of visually handicapped children, which provided, from project funds, for the purchase of equipment (i.e. programmed learning equipment and braille writers), and inservice instruction for staff members (State or local funds being used to pay staff salaries).

((20 U.S.C. 1413); 45 CFR 121a.24, 121a.25)

Sec. 3.3 Multiyear projects.

(a) *Description.* (1) Projects may be designed to be supported by funds from more than one fiscal year period and approved in principle for the full period requested. Funding of the second and any subsequent years or phases of such projects is contingent upon satisfactory completion of the first year or phase as evaluated by the State educational agency, and upon the availability of Federal funds. (2) A multiyear project is one planned to utilize project funds from more than one fiscal year.

((20 U.S.C. 1413); 45 CFR 121a.5, 121a.22)

(b) *Components.* Multiyear projects are usually designed so that particular components are identified with each of the fiscal years from which the project is to be funded. For example, the inservice training of staff members or the purchase of equipment might be provided by funds from one fiscal year, while direct services are provided through funds from another fiscal year. Another example of a multiyear project in a school is one in which the first of two years is devoted to diagnosis and identification of mentally retarded children who could profit educationally from a behavior modification technique heretofore not utilized in the school. During the following summer, school staff might receive inservice training in this technique, and during the second year use the technique in direct service to those children identified in the first phase of the project.

(c) *Evaluation.* Each year of a multiyear project should be evaluated in terms of how its child-centered objectives have been met, or how the accomplishments of a particular phase or year of the project are anticipated to contribute to such objectives. A final, summary evaluation, following the completion of the entire project, should assess the overall impact of all the project activities on

the behavior or performance of handicapped children for whom the project was designed.

(d) *Application.* The basic, overall plan of a multiyear project should be incorporated into the original application. It should specify when each project component is to occur and how each of these elements is intended to contribute to the fulfillment of project objectives. Statistical and fiscal information relevant to the first year activities should be given in detail. Approval of the multiyear project by the State educational agency constitutes the agency's commitment of funds for the first year of the project but only signifies the agency's intention to fund subsequent years of the project pending satisfactory completion or implementation of the initial project phase and the availability of the requested Federal monies. Each application for the second and each succeeding fiscal year of a multiyear project would be essentially the same as the original application, but would indicate the project components included or specific activities to be accomplished through use of funds from the stated fiscal year.

((20 U.S.C. 1413); 45 CFR 121a.5, 121a.22)

PART 4—PROJECT COMPONENTS

Sec. 4.1 Carry-over funds.

(a) Part B project funds and State administration funds, which remain available for obligation and expenditure during the fiscal year succeeding the fiscal year for which they were made available, can be expended in the following ways:

(1) For extending a project implemented and designed to terminate within the fiscal year, which would involve an amendment to the original application to extend the period of project activities beyond the fiscal year into the succeeding fiscal year;

(2) For developing a new project to be funded entirely out of the carry-over funds, and to be conducted within the year succeeding the fiscal year for which the funds are made available. The development of this project would involve the preparation of an original application with the fiscal year funding source carefully indicated;

(3) For the development of a multiyear project which would utilize project funds from more than one fiscal year. An application for a multiyear project gives overall information for the life of the project; and

(4) For designing a new project which is to be initiated within a fiscal year and is to extend into a succeeding fiscal year during which the carry-over funds are to be available, and which would involve one application with the fiscal year funding source and the project start and stop dates clearly indicated, and only one project report following the completion of the project.

(20 U.S.C. 1225(b), 1413); 45 CFR 100b.55, 121a.5)

Sec. 4.2 Special educational services.

(a) *Scope.* Special educational services are those services appropriately designed so as to meet the specific educational needs of handicapped children, and are in addition to or distinct from the educational services provided to non-handicapped children. They furnish educational opportunities commensurate with the handicapped child's needs, interests, and abilities which will enable him to develop his personal, social, economic, and aesthetic potentialities. Special educational services include instructional services and related services, all of which should be properly supervised by qualified staff with training and experience in the areas of special education appropriate to the handicapping conditions of the children involved.

(b) *Instructional services.* Instructional services provide for a learning environment in which a teacher can relate directly with a student. These services could include: (1) readiness programs (such as perceptual training, visual or tactual skill training, or fine-gross motor development), (2) individualized and programmed instruction, (3) diagnostic or prescriptive teaching, (4) mobility, orientation or travel training, (5) instruction in daily living skills, (6) prevocational programs, and (7) instruction utilizing special equipment, mobile classrooms, community resources, and special instructional techniques.

(c) *Related services.* (1) Related services are those services which are designed to overcome or ameliorate a child's handicap, but only to the extent necessary to enable him to benefit from the educational services available to him. The term also includes those related services which generally precede the provision of direct educational services and can only be justified to the extent to which they are required to furnish such educational services. (2) Related services would include, for example: speech pathology services, audiology services, diagnostic services, (such as psychological evaluations and medical screening), psychiatric services, health services, occupational and physical therapy, food services, pupil transportation, library and media services, employment of staff supervisors, inservice training of staff, media services which are not used in direct instruction of handicapped children, and parent and community services.

(20 U.S.C. 1413(a)(1); 45 CFR 121a.24)

Sec. 4.3 Project objectives.

Project objectives should be child-centered and should be stated as precisely as possible before the projects are initiated so that evidence of change may be systematically measured or observed and recorded. The specific plan to achieve the stated objectives of the project should (a) include a detailed description of each major activity, and (b) focus on the precise resources, methods, and procedures to be employed in carrying out the activity, including staff and inservice training requirements, facilities, equipment, and materials.

(20 U.S.C. 1413; 45 CFR 121a.26)

Sec. 4.4 Project size, scope, and quality.

(a) The basic purpose of the size, scope, and quality requirement is to ensure completeness and adequacy of services and activities in terms of meeting the specified objectives of a particular project or program. A project, in many instances, is concentrated on the needs of a limited number of children. Some of the most successful projects have narrowed their focus on clearly defined objectives with manageable numbers of children for whom comprehensive services were provided. For example, a special project designed for the most severely handicapped living in one of ten cottages within a large school or hospital may have greater impact than a generalized effort to improve the quality of instruction throughout the entire school on a piecemeal basis. Thus, minimal, widely dispersed, and fragmentary projects should be discouraged in preference to more concentrated, effective projects.

(b) If a service required to obtain a stated objective of a project is not being provided, the project would not be approved unless it is expanded to include provision of the service, or unless the project application contains a plan which assures that the required service will be provided within a reasonable period of time.

(20 U.S.C. 1413; 45 CFR 121a.9)

Sec. 4.5 Coordination.

Applicants should demonstrate that in planning and conducting activities they have considered the benefits available for handicapped children from other Federal, State, and local sources. Programs or services may be carried out jointly between several agencies, or may be supported through a variety of Federal programs such as other Parts of EHA; the Vocational Education Act; Title III ESEA; etc. While there can be no commingling of funds, the various Federal resources can be used to finance identifiable portions of such combined efforts.

(20 U.S.C. 1413; 45 CFR 121a.28)

Sec. 4.6 Evaluation.

(a) *Importance.* (1) Essential to every project is the process of appraising what is happening or has happened as a result of the expenditures of effort and money. Evaluation is important to those who conduct the project as a part of their ongoing efforts to achieve their goals and to keep educators and members of the community apprised of educational developments.

(2) In designing a project, an applicant should carefully consider how each component of the project will contribute to the overriding project objective of meeting educational needs of handicapped children. All assessments should be considered and allowed to contribute to the continued direction of project activities.

(3) Evaluation is an ongoing process, done periodically and consistently if a cause-effect relationship is to be identified between what the teacher does and how the student responds. Evaluation reinforces good teaching by identifying what teaching procedures and materials yield the greatest benefits. The greatest beneficiaries of effective evaluation are therefore the teachers and students concerned.

(b) *Assistance.* (1) Project applicants may be assisted whenever necessary in stating their objectives as precisely as possible and in selecting specific methods and instruments to be used at the end of the project to determine whether each objective has been achieved. State educational agencies are encouraged to require potential applicants to submit abstracts or prospectuses in advance for proposed programs and projects, and to employ specialists in evaluation from institutions of higher education, in regional educational laboratories, and in other appropriate agencies to serve as consultants on the program and projects. These specialists can provide assistance in the design and writing of the application, and they may be utilized throughout the term of the program or project to assure that proper records are made of changes as they occur.

(2) Provision of expert guidance during the planning stage will do much to assure that approved programs and projects comply with the spirit and intent of the Act, especially in terms of the objectives and evaluation of the impact of expenditures on the children served. The cost of providing such assistance may be paid with the State's Part B administration funds or with amounts specified in each approved program or project.

(c) *Methods.* (1) Project funds should not be used extensively for the development of new test instruments where none are currently available. The nature of the evaluation of a project will depend upon the project design and stated objectives.

(2) Where appropriate, reference should be made to evaluations of similar activities carried on with the same children during preceding years, the changes that have been made as a result of such evaluations, and

the types of improved performance expected by the end of the new project year.

(d) *Projects providing direct instructional services.* Projects which provide direct instructional services should include in their evaluation an assessment of the impact of these services on the educational achievement of participating handicapped children, as well as the extent and manner in which other major project objectives have been met. For example, a project designed to introduce modern mathematics skills and understanding to deaf children, for which purpose project funds were used to provide direct instructional services (such as the employment of specially trained teachers of the deaf who have been schooled in teaching modern mathematics, or the implementation of individualized programmed instruction in this subject), should be evaluated in terms of the improvement in modern mathematics skills and understanding achieved by the deaf children in the project.

(e) *Multiyear projects.* Phases of multiyear projects which in themselves provide only related services, but which are followed in a subsequent fiscal year by another phase of the project which does provide direct instructional services, should be given a brief evaluation in terms of how the major objectives of the services have been met, and indicate how these related services are anticipated to contribute to the effectiveness of the direct instructional services which are to be provided in a subsequent project phase. The final evaluation of the multiyear project follows its last project phase, and assesses the impact of the direct instructional services component on the educational achievement of the participating handicapped children. Such evaluation should also show how other major objectives of each project phase have been met and how each has contributed to the principal child-centered instructional objectives.

(f) *Related services.* Projects which include only related services but which supplement or augment an otherwise comprehensive educational program provided by State, local, or other Federal funds may assess the impact of the project on the instructional services of the program which is supplemented by the project. Such an evaluation, however, should also explain how the major objectives of the related services of the project have been met.

(g) *Supplementary projects which modify existing programs.* Projects which provide related services to existing programs (e.g., inservice training of teachers, or the procurement of special equipment) should be evaluated in two parts, quantitative and qualitative. A quantitative evaluation would, for example, indicate the number of staff members trained and the number receiving special State certificates as a result of the coursework; or the equipment and materials ordered and the extent to which delivery of such items had been completed. A qualitative evaluation (e.g., in the case of summer projects) would be made during the school year following the end of project activities by evaluating the impact of the training or materials on the educational achievement of the participating handicapped children.

(h) *Supplementary projects that initiate new programs or extend services to additional children.* There are certain types of projects which are designed to initiate new special education programs or to include children not receiving special education in existing programs, through the provision of related services to handicapped children rather than direct instructional services. These projects (e.g., diagnostic, placement services, pupil transportation to an educational program, etc.) often lend themselves more to a "quantitative" evaluation in terms of the actual services provided, than do the projects discussed above. The educational achievement of the children involved, however, can be satisfied by a certification from the State educational agency that the children have been placed in an appropriate special education program which meets State standards for such a program.

((20 U.S.C. 1413(a)(5)); 45 CFR 121a.11, 121a.26)

Sec. 4.7 Dissemination.

(a) The best exemplary programs and projects, the best evaluation instruments and methods, and the most promising research findings may have only limited effect if they are known only to those directly involved in their discovery or application. Dissemination of information about successes and failures of project activities will increase and speed the impact of this program on special education for handicapped children. A wide variety of dissemination media should be considered, such as: newspapers, radio, television, magazines, professional journals, and newsletters.

(b) Organized and planned observations of model demonstration projects and programs, lectures, workshops, inservice education, and participation in national and regional conferences of professional organizations are other approaches to dissemination which are encouraged. Demonstrations of new instructional techniques and materials within schools and classrooms throughout the local district, region, or State, have been found very effective in encouraging replication.

(c) "Before and after" pictures, slides, and movies often help capture the spirit as well as the substantive results of many projects. Emphasis should be placed on the dissemination of information that can be related to the assessment of needs and to project design and implementation of projects.

(20 U.S.C. 1413(a)(10); 45 CFR 121a.11(c), (f), 121a.26)

Sec. 4.8 Training.

(a) Training of project personnel may be provided. Such personnel might include teachers, teacher aides, attendants, and other personnel considered essential to the success of the project.

(b) The basic types of training are: Workshops and institutes, summer coursework, and evening and Saturday classes during the academic year. Training activities may be provided as a phase of a multiphase or multiyear project, as a component of a project which includes direct instructional services, or as a component of a project which does not include within itself direct instructional services but which supplements a program providing such services. When projects are designed and approved in principle to extend over more than a one-year period, it is possible that they may be devoted entirely to the training of personnel during one of the years.

(c) Agencies conducting projects under Part B of the Act may hire and pay personnel to carry out the training activities and may also pay trainees on the basis of the amount of time they spend in these activities. Payments to personnel on the basis of time spent in training, either during the school year or during the summer, generally should not exceed the amounts commonly paid for such training activities funded through the U.S. Office of Education.

(d) Payment may be made to trainees or on their behalf to institutions of higher education for tuition and fees for courses whether or not college credit is granted.

(e) Teachers and others who are regularly employed in private schools may receive training under Part B of the Act when they are employed or are preparing for employment in Part B projects. The payment of stipends (including tuition and fees) to employees of private schools for training for participation in Part B projects is not precluded.

(f) Projects may provide for the training of personnel in the use of equipment. Assistance in the planning, conducting, and evaluation of such training should be sought from institutions of higher education.

(20 U.S.C. 1411, 1413; 45 CFR 121a.25)

PART 5—PROJECT PARTICIPANTS

Sec. 5.1 General eligibility.

(a) State educational agencies sometimes support programs for children with a broader range of problems that can be supported under Part B of the Act. States should differentiate carefully between the types of children and the nature of programs which are eligible for support under Part B and those which are not. One example is that of children receiving home instruction because of temporary illnesses or injury as compared to those receiving special instruction because of handicapping conditions. Another example is that of pregnant girls who would not be eligible under Part B except when they have been diagnosed and classified as handicapped under one of the categories listed in the law, such as seriously emotionally disturbed.

(b) Once a project has been approved and is under way, additional handicapped children for whose benefit the project was not originally designed may be included on a space available basis. Care should be taken to ensure that the addition of such children does not alter the basic objectives or in any way serve to dilute the project effectiveness for the children for whom the project was designed.

(c) Projects may extend or improve services to very young handicapped children prior to their school entrance and to those of school age who were not formerly included in a school program. Recent research has demonstrated that many such children respond to early stimulation and that mental retardation in infants with birth defects may be greatly reduced or even prevented with appropriate techniques.

(d) Many severely retarded children who have been offered, until recently, only custodial care are now found to benefit from such techniques as music therapy, operant conditioning, etc. These severely and profoundly retarded children, if they meet the qualifications of age and are not excluded by State law, are eligible for project participation.

(20 U.S.C. 1413; 45 CFR 121a.25)

Sec. 5.2 Handicapping conditions.

(a) *Mentally retarded.* Children who are classified by the State educational agency as educable (mildly) mentally retarded to trainable (moderately) mentally retarded are eligible to participate in programs and projects supported under this funding authority. Participating agencies are encouraged by the Bureau of Education for the Handicapped to include in programs—at the discretion of their State educational agency—other more severely mentally retarded children who show promise of benefiting from such programs.

(b) *Seriously emotionally disturbed.* The legislative history of Part B of the Act and other Federal programs makes a distinction between emotionally disturbed and socially maladjusted children. Those children classified by the State as seriously emotionally

disturbed are eligible to participate under these programs.

(c) *Other health impaired.* Children who are learning disabled are considered handicapped to the extent they are "other health impaired." (See definitions of "children with specific learning disabilities" and "handicapped children" in 45 CFR 121.2). Children with these disabilities, if their disabilities prevent them from learning or functioning in the regular educational program and by reason thereof require special educational and related services, may be considered by a State educational agency to be eligible for participation in programs and projects funded under Part B of the Act. If these children have disabilities which are based on psychological or physiological factors (which can be medically diagnosed), rather than sociological factors, they may be classified and reported as "other health impaired." Conditions which result in such disabilities might include, for example, asthma, rheumatic fever, epilepsy, diabetes, and cardiac disease.

((20 U.S.C. 1401(1), 1413); 45 CFR 121a.25) 121a.25)

Sec. 5.3 Parental participation.

(a) Pursuant to section 121a.27 of the regulations, projects funded under Part B of the Act must be designed to provide for the involvement of parents of handicapped children. An example of this type of involvement would be the conducting of special seminars or workshops designed to acquaint parents with problems faced by their children, and the procedures planned in the project to meet the problems. Individual visits to children's homes by project staff members would provide additional supportive assistance in carrying out project objectives.

(b) Counseling and training of parents to enable them to work more effectively with their handicapped children and to have a greater understanding of their needs is permissible, where appropriate. Training or other educational materials may be provided by mail or made available through an instructional materials center, day care center, or local parents' council.

((20 U.S.C. 1231d, 1413); 45 CFR 121a.27)

PART 6—EXPENDITURES

Sec. 6.1 Instructional materials centers.

(a) The use of Part B funds for the development of instructional materials centers (IMC) within States or within regions of a State is encouraged. Ordinarily a statewide central coordinating system for IMC's could be provided through the use of Part B administrative funds.

(b) The use of Part B program funds to support media and media-related services for handicapped children is contingent upon project design.

(1) The use of program funds would be justified where a target population (such as all mentally retarded students and their teachers in one local district) is to be furnished appropriate materials.

(2) Another of the many patterns that might be followed would be to have one IMC serve a geographical region encompassing several, most, or all local educational agencies in the State. Local educational agencies (LEA's) wishing to use the central IMC could design a Part B project utilizing its services. Each could then pay its proportionate share of the operating costs of the center. All projects conducted by LEA's of course, would have to meet the usual Part B project requirements.

(3) Under some circumstances such projects conducted by LEA's could be justified if the target population for which they are designed is limited to a particular type of handicapped child and a very substantial amount of services is provided. The provision of services in such projects should be stated in child-centered terms, reflecting the intent of such a project to affect achievement. For example, in a situation where a large metropolitan area has assessed the achievement of visually handicapped children enrolled in high schools and found these students to be well below grade level in social studies and science, project funds could be expended to provide services and instructional materials, the utilization of which could accelerate the learning rate of such students. Child-centered objectives for such a project could include: (i) Increasing by a specified amount the reading rate and comprehension of blind children through training them in the proper use of compressed speech recording, providing compressed recordings of appropriate textbooks and supplementary reading materials, and portable tape recorders; (ii) improving the grades and rate of achievement of a specified number of blind students enrolled in science courses by providing them with additional individualized instruction and with programmed workbooks in braille; and (iii) increasing the achievement rate and grades of pupils in social studies courses through the use of specially prepared compressed recordings, the provision of compact tape recorders for note taking, and portable typewriters on which themes and homework are prepared.

(20 U.S.C. 1413; 45 CFR 121a.55)

Sec. 6.2 Payments to students in projects.

(a) Projects may provide for the payment of wages for work satisfactorily performed by students. An example of such a project would be one in which deaf students, being taught kitchen operations and food preparation, actually work an hour each week day in a school's cafeteria or kitchen, thereby assisting the school in its need for food services.

(b) State officials should check with their own State authorities (labor-educational) regarding State youth employment laws. They should also check with the local office of the U.S. Department of Labor regarding Federal youth employment regulations.

(c) Project funds may be used, if so provided for in the project application or design, to give monetary awards to handicapped children participating in a project to the extent that it is determined that such a disposition of funds is designed to meet the special educational needs of such children. For example, emotionally disturbed students participating in a project receiving on-the-job experience utilizing operant conditioning techniques may be given a monetary award as a reinforcement of learning when their performance in a given situation meets the requirements or expectation established in the project for such a recognition of accomplishment.

(20 U.S.C. 1413; 45 CFR 121a.55)

Sec. 6.3 Equipment.

(a) *Expenditures.* There are no regulations concerning the percentage of Part B project funds which may be expended for equipment. Since equipment is particularly important in the education of certain types of handicapped children, and because the population of schools served by Part B projects and their educational needs remain relatively constant for a period of years, State educational agencies have tended to be less restrictive with equipment purchases. Under special circumstances, considerable expenditures for equipment have been allowed, particularly where it is known that equipment purchased for a project would have many years of service in the project school for handicapped children.

(b) *Exchange.* Equipment purchased with project funds may be exchanged, in any appropriate manner, for more recent models as long as the use of the new equipment remains the same as that of the old equipment.

(c) *Replacement.* Requests for approval of replacement equipment should be kept to a minimum and should be studied just as carefully as requests for initial equipment. It is permissible to trade previously purchased equipment if the new item is to replace the one traded in.

(d) *Training of project personnel in use of equipment.* Assurance should be given by the project applicant of the participation in the project of staff members trained in the use of any equipment purchased with Part B project funds, or that arrangements for such training will be made in sufficient time so that the equipment may be effectively used during the duration of the project.

(e) *Insurance for equipment.* Where State agencies, local educational agencies, and participating schools carry insurance against theft, fire, and vandalism, items purchased with project funds normally are included automatically under the terms of such insurance. If equipment purchased is not covered by such a policy, expenditures for suitable insurance are permitted.

(20 U.S.C. 1404, 1413; 45 CFR 121a.55, 121a.58)

Sec. 6.4 Transportation.

(a) Expenditures for transportation of handicapped pupils are allowed under certain conditions. Ordinarily, the transportation involved is that of pupils from their school to such educational sites as museums, places of historical or scientific importance, or the location of off-campus project activities. State educational agencies that receive Part B allocations have considerable discretion in determining what activities may be included in a project. However, all such activities should be evaluated in terms of how they contribute to the project's child-centered objectives, and how they meet the basic project requirements.

(b) The mass transportation of children from a special school to or from their homes on weekends ordinarily does not constitute a valid project expenditure. However, a State agency may consider the merits of a project in which such an expenditure is requested, on the basis of the unique educational needs of the individual children who are to be involved in the proposed service. Transportation on a regular basis from a pupil's home to school and return, however, is usually regarded as a State or local responsibility, and would not, except under unusual circumstances, be an approvable expense.

(c) Usually pupil transportation funds are requested as components of projects, with direct services to handicapped children being provided through other project funds. It is possible, however, for a project to consist wholly of expenditures for equipment, pupil transportation, or construction, if such an expenditure is essential to the success of a given project, and providing that project supplements a program which does provide direct instructional services to handicapped children.

(20 U.S.C. 1413; 45 CFR 121a.55)

PART 7—PRIVATE SCHOOL PARTICIPATION

Sec. 7.1 Needs assessment.

In assessing the needs of nonpublic school handicapped children, provision should be made for consulting with officials in the private school for purposes of identifying the children to be served and determining the types of services to be provided for them. This

assessment might also involve screening and diagnosis of individual handicapped children in the private schools, and other routine procedures which are used in identifying public school handicapped pupils.

(20 U.S.C. 1413(a)(2); 45 CFR 121a.35)

Sec. 7.2 Services based on comprehensive assessment.

(a) Assessment of the needs of all children in a State is an essential first step in planning programs for projects under Part B of the Act. In many instances, the services required by private school handicapped children will be identical to those of the public school pupils. In such instances, every effort should be made to develop a single, inclusive program in lieu of establishing separate, piecemeal services.

(b) When it is determined, however, that the needs of the private school handicapped pupils differ from those of children with similar handicaps in public schools, steps must be taken to provide appropriate services for the private school pupils. There might, for example, be a case in which public schools have an urgent need to extend and improve high school programs for mentally retarded children while the more acute need for such children in nonpublic schools is at the preschool and elementary school levels. In such cases, provision should be made to make appropriate services available to both groups of children.

(20 U.S.C. 1413(a)(2); 45 CFR 121a.36)

Sec. 7.3 Services provided through contracts.

(a) State and local public school agencies conducting Part B programs and projects may obtain part of the services provided in such programs and projects by contracts with other public or private agencies including hospitals, clinics, colleges and universities, and elementary and secondary schools.

(b) Such services must be administered by or under the supervision of the applicant agency. The public agency would not be considered to have complete administrative control and direction of a project if all of the services furnished the participating handicapped children are provided through contracts with other agencies. Therefore, the payment of tuition for a handicapped child to attend a private school would not be an allowable expenditure of Part B funds.

(20 U.S.C. 1413; 45 CFR Part 100b, Subpart I, 121a.36)

PART 8—PROJECTED ACTIVITIES

Sec. 8.1 Reports.

The description of projected activities report under 45 CFR 121a.12 has been designed for use by State educational agencies in (a) developing a comprehensive, statewide plan of appropriate special education services to all handicapped children within the State, and (b) reporting the major problems and objectives, along with specific action steps for implementation of such a plan. It provides a means of describing the relationships existing within the State among Federal, State, and local resources, and of reporting on the role that each of these resources will play in the implementation of the plan.

(20 U.S.C. 1413, 45 CFR 121a.12)

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Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 33—SPORT FISHING

Lake Ilo National Wildlife Refuge, N.D.

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

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

NORTH DAKOTA

LAKE ILO NATIONAL WILDLIFE REFUGE

Winter Sport fishing on the Lake Ilo National Wildlife Refuge, Dunn Center, North Dakota, is permitted from May 3, 1975 through September 30, 1975, inclusive. The area open to fishing comprises 1050 acres, and is delineated on maps available at refuge headquarters, 1 mile west of Dunn Center, North Dakota and from the Area Manager, U.S. Fish and Wildlife Service, Post Office Box 1897, Bismarck, North Dakota 58501. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions.

(1) Fishing at all times shall be limited to daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1975.

Dated: April 22, 1975.

CHARLES S. PECK,
Refuge Manager, Lake Ilo National Wildlife Refuge.

[FR Doc.75-11445 Filed 4-30-75;8:45 am]

PART 33—SPORT FISHING

National Elk Refuge, Wyoming

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

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

WYOMING

NATIONAL ELK REFUGE

Sport fishing on the National Elk Refuge, Wyoming is permitted only on the areas designated by State fishing orders as open to fishing. These open areas, comprising 327 acres, are delineated on maps available at refuge headquarters, Jackson, Wyoming and from the Area Manager, U.S. Fish and Wildlife Service, 711 Central Avenue, Billings, Montana 59102. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) Use of boats or other floating devices is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 31, 1975.

Dated: April 24, 1975.

DON E. REDFEARN,
Refuge Manager, National Elk Refuge.

[FR Doc.75-11446 Filed 4-30-75;8:45 am]

Title 7—Agriculture

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

[Navel Orange Reg. 350]

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

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period May 2-8, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.650 Navel Orange Regulation 350.

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

(2) The need for this regulation to limit the respective quantities of Navel oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Navel orange industry.

(i) The committee has submitted its recommendation with respect to the

quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendations, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Navel oranges was favorable last week, but currently is showing weakness. Prices f.o.b. averaged $3.68 per carton on a reported sales volume of 1,331 carlots last week, compared with an average f.o.b. price of $3.58 per carton and sales of 1,311 carlots a week earlier. Track and rolling supplies at 493 cars were down 51 from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Navel oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 29, 1975.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period May 2, 1975, through May 8, 1975, are hereby fixed as follows:

(i) District 1: 1,250,000 cartons;

(ii) District 2: Unlimited movement;

(iii) District 3: Unlimited movement."

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

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

Dated: April 29, 1975.

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

[FR Doc.75-11573 Filed 4-30-75;11:22 am]

[Valencia Orange Reg. 496]

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

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period May 2-8, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.796 Valencia Orange Regulation 496.

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

(2) The need for this regulation to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantites of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges continues to be fairly strong. Prices f.o.b. averaged $3.00 per carton on a reported sales volume of 192,000 cartons last week, compared with an average f.o.b. price of $2.84 per carton and sales of 160,000 cartons a week earlier. Track and rolling supplies at 169 cars were up 122 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 29, 1975.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 2, 1975, through May 8, 1975, are hereby fixed as follows:

(i) District 1: 203,218 cartons;

(ii) District 2: 187,982 cartons;

(iii) District 3: 260,000 cartons."

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

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

Dated: April 29, 1975.

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

[FR Doc.75-11574 Filed 4-30-75;11:26 am]

SUBCHAPTER E—WAREHOUSE REGULATIONS

PART 102—GRAIN WAREHOUSES

Weighing Requirements

On March 13, 1975, there was published in the FEDERAL REGISTER (40 FR 11728) a notice, in accordance with the administrative procedure provisions in 5 U.S.C. 553, that the Agricultural Marketing Service, pursuant to the authority conferred by section 28 of the United States Warehouse Act (7 U.S.C. 268) was considering amending warehouse regulations appearing in Part 102 of Sub chapter E of Chapter I of Title 7 of the Code of Federal Regulations to change the requirements for weighing grain.

Interested persons were given until April 12, 1975, to submit written data, views and arguments on this proposal. Twelve responses were received, all of which either favored the proposed amendment or offered no objection to it.

A national association representing over 1,100 company members and over 10,000 affiliates took no stand as favoring or disapproving the proposed changes but expressed an opinion that adoption would afford greater flexibility to parties buying and selling grain and stressed that certain language which precludes the new procedure from being mandatory should be retained.

A State association of grain dealers, seven cooperative elevators, and three responses from private corporation elevators, all favored the proposals. The reasons cited were the need for fast loading of rail cars to permit use of unit trains, the impracticability of installing large hopper scales in most country elevators, the lack of need for weighing grain because of the accuracy of estimated weights and the fact that the proposals are entirely consistent with present day grain transportation resources, equipment handling capabilities and merchandising practices.

After considering all data, views and arguments, it is concluded, under authority of section 28 of said Act (7 U.S.C. 268), that the regulations should be amended as originally proposed. Said regulations therefore are amended as follows:

1. Section 102.19 is revised to read:

§ 102.19 Grain must be inspected and weighed.

(a) Except in case of identity-preserved grain, when the grading is omitted at request of depositor, all storage and nonstorage grain received into the warehouse shall be inspected, graded and weighed by a licensed inspector and/or weigher—and no receipt may be issued under the Act or the regulations in this part until the grain covered by such receipt has been so inspected, graded and weighed.

(b) When requested by the depositor of grain the identity of which is to be preserved, a receipt omitting statement of grade but not weight may be issued.

(c) Except as provided in § 102.27, all storage and nonstorage grain delivered out of a warehouse must be inspected, graded and weighed by a licensed inspector and/or weigher.

2. The present text of § 102.27 is revised and designated as paragraph (a) and paragraph (b) is added and will read:

§ 102.27 Loading out without weighing.

(a) When the lawful owner of an entire lot of identity preserved grain or a mass of grain stored in a single bin requests the warehouseman to deliver said lot or mass without reweighing said grain, the warehouseman may make such delivery if there is an accurate record of the weight of such grain when received. Such deliveries shall be made only when the lawful owner agrees to assume all shortages and other risks incidental thereto, and after the warehouse receipts covering all of the grain in the container have been surrendered to the warehouseman and canceled. After the receipts covering such grain have been surrendered for cancellation no other grain shall be placed in the bin until the entire lot has been delivered.

(b) (1) When the lawful owner of fungible grain requests the warehouseman to deliver grain out of the warehouse without weighing, the warehouseman may, but is not compelled to, make such delivery provided the grain is to be moved into another warehouse in the United States where weights can be established. The weights established at the receiving warehouse must be supervised by an independent weighing agency unless the shipping warehouse and the receiving warehouse are operated by the same warehouseman, or unless destination weights are available within 24 hours of shipment. Whenever a warehouseman delivers fungible grain out of a warehouse without weighing, the weight of the grain unloaded at the receiving warehouse shall be the weight used to determine fulfillment of the shipping warehouseman's delivery obligations.

(2) When fungible grain is delivered out of the warehouse without weighing, the warehouseman shall estimate as accurately as possible the weight of the grain delivered out and shall promptly obtain destination weights from the receiving warehouse. Should the Administrator determine that such estimated weights are not reasonably accurate, or that destination weights are not promptly obtained, or that destination weights are not supervised by an independent weighing agency when required, he may thereafter require the warehouseman to weigh all fungible grain delivered out of the warehouse.

(3) Any weight certificate issued covering grain delivered out of the warehouse without being weighed must state in bold letters on the face of the certificate the fact that the weight is an estimated weight.

3. Section 102.44 is revised to read:

§ 102.44 Grades and weights; bulk grain.

Except as provided in § 102.27 each warehouseman shall accept all storage and nonstorage grain and shall deliver out all storage and nonstorage bulk grain, other than specially binned grain, in accordance with the grades of such grain as determined by a person duly licensed to inspect and grade such grain and to certificate the grade thereof and in accordance with the weights of such grain as determined by a person duly licensed to weigh such grain and to certificate the weight thereof, under the act, and the regulations in this part; or if an appeal from the determination of an inspector has been taken, either under the Grain Standards Act and regulations thereunder or under §§ 102.81 through 102.95, such grain shall be accepted for and delivered out of storage in accordance with the grades as finally determined in such appeal.

4. Paragraph (g) of § 102.67 is revised to read:

§ 102.67 Weight certificate.

* * * * *

(g) The net weight, including dockage, if any, of the grain except as provided in § 102.27(b).

* * * * *

These amendments shall become effective May 1, 1975.

Done at Washington, D.C., on April 25, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc.75-11391 Filed 4-30-75;8:45 am]

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

SUBCHAPTER F—ENROLLMENT

PART 43k—REVISION OF THE FINAL ROLL OF THE MENOMINEE TRIBE OF WISCONSIN

Additions and Preparation of Roll

APRIL 29, 1975.

This notice is published in exercise of rulemaking authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2 (32 FR 13938).

The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

Beginning on page 14592 of the FEDERAL REGISTER of April 1, 1975 (40 F.R. 8238), there was published a new Part 43k to Title 25 of the Code of Federal Regulations to establish procedures for revising the final roll of the Menominee Tribe of Wisconsin. The regulations were issued pursuant to the Act of December 22, 1973 (PL 93-197; 87 Stat. 773).

The Menominee Restoration Committee counsel has asked that the final regulations be modified to provide for the enrollment of persons who cannot establish descent from a person named on the final 1954 Menominee roll, but who otherwise may qualify. We are,

therefore, modifying the regulations accordingly. The only change made in the text of the regulations is the insertion of the words "or on any other official Menominee tribal roll" in § 43k.5(a) after the words "basic membership roll" on line 2 and the insertion of the words "or other" in § 43k.15 after the words "basic membership" in line 8. Accordingly, with those changes, the proposed amendment is hereby adopted and is set forth below.

Since the final regulations were published on April 1 to be effective on May 1 and since the amendment is of a minor nature, the 30-day deferred effective date would delay the initiation of the updating of the Menominee tribal roll and ultimately the completion of that roll and the adoption of a tribal constitution. Therefore, the 30-day deferred effective date is dispensed with under the exception provided in subsection (d)(3) of 5 U.S.C. 553 (1970). Accordingly, these regulations will become effective May 1, 1975.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

Part 43k of 25 CFR Chapter I is amended as follows:

1. In § 43k.5, paragraph (a) is revised to read as follows:

§ 43k.5 Additions to the roll.

* * * * *

(a) They are descendants of a person or persons whose names appear on the basic membership roll or on any other official Menominee tribal roll; and

* * * * *

2. In § 43k.15, the second sentence is revised to read as follows:

§ 43k.15 Preparation of roll.

* * *. 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 basic membership or other roll number, name and relationship of the ancestor or ancestors through whom eligibility was established.

[FR Doc.75-11560 Filed 4-30-75;10:50 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 91]

MIGRATORY BIRD HUNTING STAMP CONTEST

Proposed Procedures

The United States Fish and Wildlife Service [hereinafter referred to as the Service] is considering the adoption of regulations which would govern the conduct of its annual Migratory-Bird Hunting Stamp Contest. The Service does not currently have any regulations governing this contest.

The migratory-bird hunting stamp was authorized and required by the Migratory-Bird Hunting Stamp Act of 1934, as amended (16 U.S.C. 718a). Popularly known as the "Duck stamps", they are sold through post offices and must be carried by every migratory waterfowl hunter over 16 years of age. All of the stamp revenues, beyond printing and handling costs, are used solely for the acquisition of additional migratory-bird refuges.

Prior to 1949, wildlife artists were commissioned to provide the design for the annual stamp. Since that time, the design has been chosen by a contest open to all artists who are residents or citizens of the United States. The prestige of winning the contest has enhanced the reputations of established artists and has elevated otherwise unknown artists to public acclaim.

The annual contest held by the Service is the only art contest regularly sponsored by the Federal government. The colorful stamps that are selected through the contest constitute the longest running, annually issued series of stamps in revenue or postage stamp history.

The proposed regulations under consideration set forth the technical specifications for designs created for the contest. The proposed regulations also describe the procedures to be followed in actually submitting an entry. In addition, the regulations detail the qualifications and selection of the judging panel, the criteria to be used in scoring the various entries submitted, and the voting procedures to be employed by the judging panel. The major thrust behind all of these proposals is the desire to maximize the impartiality and objectivity of the selection process.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule-making process. Accordingly, interested parties may submit written comments, suggestions or objections with respect to the proposed rule-making to Migratory Bird Hunting Stamp Contest, United States Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. All comments received on or before June 1, 1975, will be considered before final action is taken on the proposed rule-making.

Copies of comments, suggestions or objections made pursuant to this notice will be available for public inspection in the Office of the Assistant Director for Public Affairs, United States Fish and Wildlife Service, Room 3240, Department of the Interior, Washington, D.C. 20240 (Phone: 202-343-5634).

This notice of proposed rule-making is issued under authority of 5 U.S.C. 301.

Dated: April 25, 1975.

F. EUGENE HESTER,
Acting Director,
Fish and Wildlife Service.

It is hereby proposed to amend Subchapter G of Chapter I, Title 50, Code of Federal Regulations, by adding Part 91—Migratory Bird Hunting Stamp Contest, as follows:

PART 91—MIGRATORY BIRD HUNTING STAMP CONTEST

Subpart A—Introduction

Sec.
91.1 Purpose of regulations.
91.2 Definitions.

Subpart B—Contest Entry Submission Procedures

91.11 Contest deadlines.
91.12 Contestant eligibility.
91.13 Technical requirements for design of entry.
91.14 Restrictions on subject matter of entry.
91.15 Suitability of entry for engraving.
91.16 Submission procedures for entry.
91.17 Property insurance for entries.
91.18 Failure to comply with contest regulations.

Subpart C—Contest Procedures

91.21 Selection and qualification of contest judges.
91.22 Date and locations of contest.
91.23 Display of entries for contest selection.
91.24 Scoring criteria for contest.
91.25 Scoring procedure for contest.
91.26 Public attendance at contest.

Subpart D—Post-Contest Procedures

91.31 Return of entries after contest.

AUTHORITY: 16 U.S.C. 718a.

Subpart A—Introduction

§ 91.1 Purpose of regulations.

The regulations contained in this part set forth the rules and procedures governing the annual Migratory-Bird Hunting Stamp Contest through which a design is chosen for the migratory-bird hunting stamp authorized and required under the Migratory-Bird Hunting Stamp Act of 1934, as amended (16 U.S.C. 718a).

§ 91.2 Definitions.

For the purpose of this part, the following terms shall be construed, respectively, to mean and to include:

"Contest coordinator" means the contest official responsible for facilitating the judging process and tabulating the judges' scores for each entry advanced into preliminary or final consideration. The contest coordinator will be named by the Secretary and will not be a past or present employee of the United States Fish and Wildlife Service.

"Fish and Wildlife Service" means the United States Fish and Wildlife Service, Department of the Interior.

"Qualifying entry" means each drawing or print submitted in the contest which satisfies the technical requirements of design and submission procedures as outlined in Subpart B of this part.

"Reproduction rights agreement" means the agreement that all contestants must sign and submit with their entries which certifies the originality of their entries and acknowledges their acceptance of the terms and conditions governing the right of the Fish and Wildlife Service to use and reproduce the winning design for the purpose set forth in the agreement.

"Secretary" means the Secretary of the Interior or his authorized representative.

Subpart B—Contest Entry Submission Procedures

§ 91.11 Contest deadlines.

The contest to select the design for the annual Federal migratory-bird hunting stamp will officially open on July 1 of each year. All persons intending to submit an entry in the contest shall notify the Fish and Wildlife Service and request a copy of the contest's regulations and Reproduction Rights Agreement. Requests for the Contest's regulations and Reproduction Rights Agreement should be sent to the Office of Audio Visual, United States Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Entries may be received at anytime after July 1, but must be received or postmarked no later than midnight of October 15.

§ 91.12 Contestant eligibility.

United States citizens, nationals or resident aliens shall be eligible to participate in the contest. However, any person who has won the contest during the preceding three years shall be ineligible to submit an entry in the current year's contest. Members of the contest

judging panel and their relatives are also ineligible to submit an entry.

§ 91.13 Technical requirements for design of entry.

The design must be a horizontal drawing five inches high and seven inches wide. It should be placed on a mat no larger than eight inches by ten inches. No scroll work or lettering can appear on the drawing itself. Entries may be drawn in any medium desired by the contestant and may be in either multicolor or black and white. Only one entry per artist will be accepted.

§ 91.14 Restrictions on subject matter of entry.

No North American species of waterfowl should be portrayed which has been selected for the migratory-bird hunting stamp during the preceding five years. The design must be the contestant's own creation and may not be copied or duplicated from previously published art, including published photographs.

§ 91.15 Suitability of entry for engraving.

All entries should be rendered with fullest possible attention to tone and detail. These are important prerequisites in engraving for printing, as they determine texture and directions of lining. The wing and feather construction must be particularly well defined as an engraver is reliant on the art of the naturalist for details. Carefully detailed wash drawings using black ink or watercolor best meet these requirements. Dashing applications of watercolor are too indefinite for an engraver to render into line. Careful pencil renderings are nearly as effective as wash drawings but they often fail to define the needed degree of contrast. Etchings can be successfully adapted to engraving when they are sufficiently detailed.

§ 91.16 Submission procedures for entry.

The contestant's name, return address, telephone number, name of species depicted and title of drawing should be printed on the back of each entry. Each entry should be mounted on a mat and protected by a covering of acetate or cellophane. Entries will not be accepted that are in wooden frames or are under glass. The contestants must sign and submit with their entries the Reproduction Rights Agreement provided by the Fish and Wildlife Service with the copy of the regulations for this contest. Entries should be protectively wrapped and mailed prepaid to "Migratory Bird Hunting Stamp Contest," Office of Audio Visual, Fish and Wildlife Service, United States Department of Interior, Washington, D.C. 20240. Entries will be promptly processed when received and the identification of each entry's artist will be kept confidential.

§ 91.17 Property insurance for entries.

All contestants are hereby notified of the advisability of obtaining adequate property insurance coverage for their respective entries. The Department will not so insure the entries it receives.

§ 91.18 Failure to comply with contest regulations.

Any entry which fails to comply with any of the requirements of this Subpart shall be disqualified from the contest and will not be considered by the judging panel.

Subpart C—Contest Procedures

§ 91.21 Selection and qualification of contest judges.

Five Judges will be selected annually by the Secretary. The Judges will be recognized experts in the fields of ornithology, conservation, art and/or printing and engraving. Current and past employees of the United States Fish and Wildlife Service, and their relatives are ineligible to serve as Judges for the contest. The Judges selected by the Secretary will serve without compensation, except for reasonable travel expenses. The identification of the members of the judging panel will be announced on the date that the judging takes place.

§ 91.22 Date and locations of contest.

The selection of the winning entry will take place on or about October 30th of each year. The exact date, time and location of the contest will be announced a reasonable period of time prior to October 30th through the publication of a notice in the FEDERAL REGISTER.

§ 91.23 Display of entries for contest selection.

All qualifying entries will be displayed chronologically, based on the date of receipt of the entry. The only visible identifying mark on each entry will be a number assigned to the entry by the Contest Coordinator or his representative.

§ 91.24 Scoring criteria for contest.

Entries will receive a score based on a maximum of 10 points for anatomical accuracy, 10 points for artistic composition, and 10 points for suitability for engraving.

§ 91.25 Scoring procedure for contest.

The entire display of qualifying entries will be closely scrutinized by the panel of Judges. Each Judge will then be allowed to nominate an unlimited number of qualifying entries for preliminary consideration by the entire panel of Judges. When the Judges have completed this nomination process, the entire bank of entries so nominated for preliminary consideration will be voted on separately by the panel of Judges. The entries receiving the five highest scores will advance into the final round of consideration. The entire panel of Judges will again vote on all of the entries remaining for final consideration and will use the same scoring system and criteria for selection as employed in the preliminary round of consideration. The Contest Coordinator will tabulate the final votes and announce the winning entry which received the highest total of points. In case of a tie vote in the final round of consideration, the entire panel of Judges will vote again on the deadlocked entries, with each Judge voting for only that entry which he or she believes to be the most qualified to win. The selection of the winning entry by the Judges will be final. Each contestant will be notified of the name of the winning artist and design.

§ 91.26 Public attendance at contest.

All phases of the nomination and voting process will be open for viewing by the general public.

Subpart D—Post-Contest Procedures

§ 91.31 Return of entries after contest.

Pursuant to the terms of the Reproduction Rights Agreement, the Fish and Wildlife Service retains the right to put on public display for a reasonable period of time not to exceed 30 days after the contest those entries which it deems representative of the various entries submitted for the contest. All entries will be promptly returned to the participating artists once the public display of the entries has been completed.

[FR Doc.75-11395 Filed 4-30-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 52e]

NATIONAL HEART AND LUNG INSTITUTE

Grants for Prevention and Control Projects

Notice is hereby given that the Assistant Secretary for Health, with the approval of the Secretary of Health, Education, and Welfare, proposes to adopt the regulations set forth in tentative form below, pursuant to which the Director, National Heart and Lung Institute, would make grants under section 414 of the Public Health Service Act (42 U.S.C. 287c) for projects: (1) to demonstrate and evaluate the effectiveness of new techniques and procedures for the prevention, diagnosis, or treatment of heart, blood vessel, lung, and blood diseases, (2) to develop and evaluate methods of educating health practitioners concerning the prevention and control of these diseases: and (3) to develop and evaluate methods of educating the public concerning the prevention and control of these diseases.

Written comments concerning the proposed regulations are invited from interested persons. Inquiries may be addressed, and data, views and arguments relating to the regulations may be presented in writing in triplicate to the Office of the Director, National Heart and Lung Institute, Building 31, Room 5A-52, 9000 Rockville Pike, Bethesda, Maryland 20014. All comments received will be available for public inspection at said Office on weekdays (Federal holidays excepted) between the hours of 8:30

a.m. and 5 p.m. All relevant material received on or before June 2, 1975 will be considered.

Notice is also given that it is proposed to make any amendments that are adopted effective upon publication in the FEDERAL REGISTER.

Dated: March 28, 1975.

THEODORE COOPER,
Acting Assistant Secretary for Health.

Approved: April 23, 1975.

CASPAR W. WEINBERGER,
Secretary.

It is therefore proposed to amend Title 42 of the Code of Federal Regulations by adding the following new Part 52e:

PART 52e—NATIONAL HEART AND LUNG INSTITUTE GRANTS FOR PREVENTION AND CONTROL PROJECTS

Sec.
52e.1 Applicability.
52e.2 Definitions.
52e.3 Eligibility.
52e.4 Application.
52e.5 Project requirements.
52e.6 Grant awards.
52e.7 Payment.
52e.8 Expenditure of grant funds.
52e.9 Nondiscrimination.
52e.10 Human subjects; animal welfare.
52e.11 Applicability of 45 CFR Part 74.
52e.12 Progress and fiscal records and reports.
52e.13 Grantee accountability.
52e.14 Publications and copyright.
52e.15 Additional conditions.

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216); sec. 414, 86 Stat. 682 (42 U.S.C. 287c).

§ 52e.1 Applicability.

(a) The regulations in this part apply to grants under section 414 of the Public Health Service Act (42 U.S.C. 287c) for projects: (1) to demonstrate and evaluate the effectiveness of new techniques or procedures for the prevention, diagnosis, or treatment of heart, blood vessel, lung, and blood diseases, (2) to develop and evaluate methods of educating health practitioners concerning the prevention and control of these diseases, and (3) to develop and evaluate methods of educating the public concerning the prevention and control of these diseases.

(b) For purposes of this part, treatment may include emergency medical services.

§ 52e.2 Definitions.

As used in this part:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Director, NHLI," means the Director of the National Heart and Lung Institute and any other officer or employee of said Institute to whom the authority involved has been delegated.

(c) "Nonprofit" as applied to any agency or institution means an agency or institution which is a corporation or an association no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual.

(d) "Council" means the National Heart and Lung Advisory Council, established by section 417(a) of the Act (42 U.S.C. 287f(a)).

(e) "National Program" means the National Heart, Blood Vessel, Lung, and Blood Disease Program referred to in section 413 of the Act (42 U.S.C. 287b).[1]

(f) "Emergency medical services" means the services utilized in responding to the perceived individual need for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

§ 52e.3 Eligibility.

To be eligible for a grant under this part, an applicant must be a public or nonprofit private agency or institution.

§ 523.4 Application.

(a) Each agency or institution desiring a grant under this part shall submit an application in such form and manner and on or before such dates as the Director, NHLI, may from time to time require.[2] Such application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of the award, including the regulations of this part.

(b) In accordance with section 1-00-30 of the Department of Health, Education, and Welfare Grants Administration Manual,[3] each private institution which does not already have on file with the National Institutes of Health evidence of nonprofit status, must submit with its application acceptable proof of such status.

(c) In addition to any other pertinent information that the Director, NHLI, may require, each application shall set forth in detail:

(1) The nature and purpose of the proposed project and the methods to be employed in carrying it out;

(2) The relevance of the proposed project to the National Program;

(3) The defined population to participate in the proposed project and the rationale for its selection;

(4) With respect to applications relating to projects covered by § 52e.1(a)(1), prior research findings on which the proposed project is based;

(5) The personnel, facilities, and other resources, including community resources, available to carry out the proposed project;

(6) Current activities of the applicant involving prevention or control of heart, blood vessel, lung, and blood diseases, the sources of funding for such activities, and the anticipated relationship of these activities to the proposed project;

(7) The names and qualifications of the project director and key staff members who would be responsible for conducting the proposed project;

(8) Proposed methods for monitoring and evaluating the project; and

(9) The proposed project period; a detailed budget, including a list of other anticipated sources of support; and a justification for the amount of grant funds requested.

§ 52e.5 Project requirements.

(a) An approvable application must provide assurances that:

(1) With respect to applications relating to projects covered by § 52e.1(a)(1), the techniques or procedures to be demonstrated and evaluated have been found safe and effective in the research setting and, based upon research findings, appear to have the potential for general applicability to the prevention, diagnosis, or treatment of heart, blood vessel, lung, or blood diseases;

(2) With respect to applications relating to projects covered by § 52e.1(a)(2) and § 52e.1(a)(3), the project will include development and evaluation of one or more methods for educating health practitioners or the public concerning advances in the prevention, diagnosis, or treatment of such diseases; and

(3) The nature of the project is such that its completion may be anticipated within the project period, or such other period as may be specified in the application.

(b) The project must, in the judgment of the Director, NHLI, be necessary for cooperation by the National Heart and Lung Institute with one or more other Federal Health agencies, State, local, or regional public health agencies, or nonprofit private health agencies in the diagnosis, prevention, or treatment of heart, blood vessel, lung or blood diseases.

§ 52e.6 Grant awards.

(a) Within the limits of funds available, after consultation with the Council, the Director, NHLI, may award grants to applicants with proposed projects which in his judgment best promote the purposes of section 414 of the Act, taking into consideration among other pertinent factors:

(1) The scientific and technical merit of the proposed project;

(2) The significance of the project in relation to the goals of the National Program;

(3) Whether the project appropriately emphasizes the prevention, diagnosis, or treatment of heart, blood vessel, lung, or blood diseases of children;

(4) The qualifications and experience of the project director and other key personnel;

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[1] Single copies of the National Program are available upon request from the Division of Extramural Affairs, National Heart and Lung Institute, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014.

[2] Applications and instructions are available from the Division of Extramural Affairs, National Heart and Lung Institute, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014.

[3] The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department's and Regional Offices' information centers listed in 45 CFR 5.31 and may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(5) The administrative and managerial capability and fiscal responsibility of the applicant;

(6) The reasonableness of the proposed budget in relation to the proposed project;

(7) The adequacy of the methods proposed for monitoring and evaluating the proposed project; and

(8) The degree to which the application adequately provides for the requirements set forth in § 52e.5.

(b) All grant awards shall be in writing and shall specify the project period, the total recommended amount of funds for the entire project period; the approved budget for the initial budget period; and the amount awarded for the initial budget period.

(c) Neither the approval of any application nor any grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation, or other award with respect to any approved application or portion thereof.

(d) The amount of any grant award shall be determined by the Director, NHLI, on the basis of his estimate of the sum necessary to pay all or part of the allowable costs for the budget period covered by the award.

§ 52e.7 Payment.

The Director, NHLI, shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement, for expenses incurred or to be incurred in accordance with its approved application.

§ 52e.8 Expenditure of grant funds.

(a) Any funds granted pursuant to this part shall be expended solely for the purposes for which the funds were granted in accordance with the approved application and budget, the regulations of this part, the terms and conditions of the award, and the applicable cost principles prescribed by subpart Q of 45 CFR Part 74.

(b) Any unobligated grant funds remaining in the grant account at the close of a budget period may, with prior approval by the Director, NHLI, be carried forward and remain available for obligation during the remainder of the project period, subject to such limitations as the Director, NHLI, may prescribe. The amount of any subsequent award will take into consideration unobligated grant funds remaining in the grant account. At the end of the last budget period of the project period, any unobligated grant funds remaining in the grant account must be refunded to the Federal Government.

§ 52e.9 Nondiscrimination.

(a) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d *et seq.*) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. A regulation implementing such Title VI, which is applicable to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

(b) Attention is also called to the requirements of Title IX of the Education Amendments of 1972 and in particular to section 901 of such Act which provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

(c) Grant funds used for alterations and renovations shall be subject to the condition that the grantee shall comply with the requirements of Executive Order 11246, 30 FR 12319 (Sept. 24, 1965), as amended, and with the applicable rules, regulations, and procedures prescribed pursuant thereto.

§ 52e.10 Human subjects; animal welfare.

No award may be made under this part unless the applicant has complied with:

(a) 45 CFR Part 46 and any other applicable requirements pertaining to the protection of human subjects.

(b) Chapter 1-43 of the Department of Health, Education, and Welfare Grants Administration Manual and any other applicable requirements concerning animal welfare.

§ 52e.11 Applicability of 45 CFR Part 74.

The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this part to State and local governments as those terms are defined in Subpart A of that Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to grants to all other grantee organizations under this part:

Subpart:	*45 CFR Part 74*
A	General.
B	Cash depositories.
C	Bonding and insurance.
D	Retention and custodial requirements for records.
F	Grant-related income.
G	Matching and cost sharing.
K	Grant payment requirements.
L	Budget revision procedures.
M	Grant closeout, suspension, and termination.
O	Property.
Q	Cost principles.

§ 52e.12 Progress and fiscal records and reports.

Each grant award shall require that the grantee maintain such progress and fiscal records and file with the Director, NHLI, such progress and fiscal reports relating to the conduct and results of the approved grant and the use of grant funds as the Director, NHLI, may find necessary to carry out the purposes of section 414 of the Act and the regulations.

§ 52.13 Grantee accountability.

(a) All payments made by the Director, NHLI, shall be recorded by the grantee in accounting records separate from the records of all other grant funds, including funds derived from other grant awards. With respect to each approved project the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available to the Director, NHLI, satisfactory evidence of expenditures for direct and indirect costs meeting the requirements of this part.

(b) *Accounting for royalties.* Royalties received by grantees from copyrights on publications or other works developed under the grant, or from patents or inventions conceived or first actually reduced to practice in the course of or under such grant, shall be accounted for as follows:

(1) *State and local governments.* Where the grantee is a State or local government as those terms are defined in Subpart A of 45 CFR Part 74, royalties shall be accounted for as provided in 45 CFR 74.44.

(2) *Grantees other than State and local governments.* Where the grantee is not a State or local government as those terms are defined in Subpart A of 45 CFR Part 74, royalties shall be accounted for as follows:

(A) Patent royalties, whether received during or after the project period, shall be governed by agreements between the Assistant Secretary for Health, Department of Health, Education, and Welfare, and the grantee, pursuant to the Department's patent regulations (45 CFR Parts 6 and 8).

(B) Copyright royalties, whether received during or after the project period, shall first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials, and any royalties in excess of the costs of publishing or producing the materials shall be distributed in accordance with Chapter 1-420 of the Department of Health, Education, and Welfare Grants Administration Manual.

§ 52e.14 Publications and copyright.

(a) *State and local governments.* Where the grantee is a State or local government as those terms are defined in Subpart A of 45 CFR Part 74, the Department of Health, Education, and Welfare copyright requirement set forth in 45 CFR 74.140 shall apply with respect to any book or other copyrightable materials developed or resulting from a project supported by a grant under this part.

(b) *Grantees other than State and local governments.* Where the grantee is not a State or local government as those terms are defined in Subpart A of 45 CFR Part 74, except as may otherwise

be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films, or similar materials developed or resulting from a project supported by a grant under this part, subject to a royalty-free, non-exclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate and dispose of such materials, and to authorize others to do so.

§ 52e.15 Additional conditions.

The Director, NHLI, may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of the public health, or the conservation of grant funds.

[FR Doc.75-11390 Filed 4-30-75;8:45 am]

[42 CFR Part 57]

NEW NURSE TRAINING PROGRAMS

Start-Up Grants

Notice is hereby given that the Assistant Secretary for Health, Department of Health, Education, and Welfare, with the approval of the Secretary of Health, Education, and Welfare, proposes to add a new Subpart Y to Part 57 of Title 42, Code of Federal Regulations, as set forth in tentative form below, entitled "Start-Up Grants for New Nurse Training Programs."

The purpose of this new subpart is to establish regulations implementing section 810 of the Public Health Service Act (42 U.S.C. 296i) which authorizes the Secretary of Health, Education, and Welfare to award grants to public or nonprofit private entities to assist in meeting the costs of planning, developing, or initiating new programs of nurse training.

Written comments concerning the proposed regulations are invited from interested persons. Inquiries may be addressed, and data, views and arguments relating to the regulations may be presented in writing, preferably in triplicate, to the Director, Bureau of Health Resources Development, Health Resources Administration, 9000 Rockville Pike, Building 31, Room 5C02, Bethesda, Maryland 20014.

All comments received in response to the proposed regulations will be available for public inspection in the Office of Grants Policy, Bureau of Health Resources Development, Health Resources Administration, 9000 Rockville Pike, Building 31, Room 4C07, Bethesda, MD 20014, weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m. All relevant material received on or before June 2, 1975 will be considered.

It is therefore proposed to add a new Subpart Y to Part 57 as set forth below.

Dated: March 31, 1975.

THEODORE COOPER,
Acting Assistant Secretary for Health.

Approved: April 28, 1975.

CASPAR W. WEINBERGER,
Secretary.

Subpart Y—Start-Up Grants for New Nurse Training Programs

Sec.
57.2401 Applicability.
57.2402 Definitions.
57.2403 Eligibility.
57.2404 Application.
57.2405 Project requirements.
57.2406 Evaluation and grant awards.
57.2407 Grant payments.
57.2408 Expenditure of grant funds.
57.2409 Nondiscrimination.
57.2410 Grantee accountability.
57.2411 Publications and copyright.
57.2412 Applicability of 45 CFR Part 74.
57.2413 Additional conditions.

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216); sec. 810, 85 Stat. 475 (42 U.S.C. 296i)

Subpart Y—Start-Up Grants for New Nurse Training Programs

§ 57.2401 Applicability.

The regulations of this subpart are applicable to the award of grants to public and nonprofit private entities under section 810 of the Act (42 U.S.C. 296i) to assist in meeting the costs of planning, developing, or initiating new programs of nurse training.

§ 57.2402 Definitions.

As used in this subpart:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(c) "Council" means the National Advisory Council on Nurse Training (established by section 841(a) of the Act).

(d) "Budget period" means the interval of time into which the approved activity is divided for budgetary purposes, as specified in the grant award document.

(e) "Project period" means the total time for which support for a project has been approved, as specified in the grant award document.

(f) "State" means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(g) "Program of nurse training" or "program" means a program of education in professional nursing leading to a diploma or degree specified in section 843 (c), (d), or (e) of the Act.

(h) "Nonprofit" as applied to any entity means one which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures or may lawfully inure, to the benefit of any private shareholder or individual.

§ 57.2403 Eligibility.

To be eligible for a grant under this subpart the applicant shall:

(a) Be a public or nonprofit private entity; and

(b) Be located in a State.

§ 57.2404 Application.

(a) Each eligible entity desiring a grant under this subpart shall submit an application in such form and at such time as the Secretary may prescribe.[1] The application shall contain a full and adequate description of the proposed project and of the manner in which the applicant intends to conduct the project and carry out the requirements of this subpart, a budget and justification of the amount of grant funds requested, and such other pertinent information as the Secretary may require.

(b) The application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of any award, including the regulations of this subpart.

§ 57.2405 Project requirements.

To be considered for approval under this subpart, an application must, at a minimum, meet each of the following requirements:

(a) Propose a project whose purpose is to plan, develop or initiate a new program of nurse training.

(b) Provide evidence satisfactory to the Secretary that such program has the approval of the appropriate professional, educational, and regional bodies.

(c) Provide evidence satisfactory to the Secretary of the need for the particular type of program proposed.

(d) Provide evidence satisfactory to the Secretary of the availability of adequate numbers of potential students for such program.

(e) Project the number of students to be enrolled for the first three years of the program.

(f) Provide evidence satisfactory to the Secretary that the applicant will have available adequate qualified faculty, staff, equipment, and facility resources, including an appropriate setting

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[1] Applications and instructions may be obtained from the Division of Nursing, Bureau of Health Resources Development, Health Resources Administration, Department of Health, Education, and Welfare, 7550 Wisconsin Avenue, Bethesda, Maryland 20014.

or settings for the clinical experience required for the conduct of the proposed program.

(g) Describe the existing financial resources available to the applicant to assure the sound establishment and continued maintenance of the proposed program.

§ 57.2406 Evaluation and grant awards.

(a) Within the limits of funds available for such purpose, the Secretary, after consultation with the Council, may award grants to those applicants whose projects will in his judgment best promote the purposes of section 810 of the Act, taking into consideration among other pertinent factors:

(1) The degree to which the proposed project adequately provides for the elements set forth in § 572405; (2) the effect of the proposed program in improving the geographic distribution of nurse training programs providing such training; (3) the capability of the applicant to carry out the proposed project; and (4) the soundnesss of the fiscal plan for assuring effective utilization of grant funds and the potential of the project to continue on a self-sustaining basis.

(b) The Secretary will give special consideration to each application for assistance under this subpart which contains or is reasonably supported by assurances that, because of the use that the program will make of existing facilities (including Federal medical facilities), it will be able to accelerate the date on which it will begin its teaching program.

(c) The amount of any award under this subpart will be determined by the Secretary on the basis of his estimate of the sum necessary for a designated portion of the direct costs of the project plus an additional amount for indirect costs, if any, which will be calculated by the Secretary either (1) on the basis of his estimate of the actual indirect costs reasonably related to the project, or (2) on the basis of a percentage of all, or a portion of, the estimated direct costs of the project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs. Such award may include an estimated provisional amount for indirect costs or for designated direct costs (such as fringe benefit rates) subject to upward (within the limits of available funds) as well as downward adjustments to actual costs when the amount properly expended by the grantee for provisional items has been determined by the Secretary.

Provided, however, That: for the first year of the project in which students are enrolled, such amount may not exceed 80 percent of the total cost of the project; for any subsequent year or years of the project after the first year in which students are enrolled (except the last year of the project), such amount may not exceed 40 percent of such cost; and for the last year of the project, such amount may not exceed 20 percent of such cost; and in no event may any such award exceed $100,000 for any fiscal year.

(d) All grant awards shall be in writing, shall set forth the amount of funds granted and the period for which such funds will be available for obligation by the grantee. The maximum period for which a project may receive grant support under this subpart shall be the lesser of (1) five years, or (2) the period ending with graduation of the first class from the grantee entity.

(e) Neither the approval of any project nor the award of any grant shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other award with respect to any approved project or portion thereof. For continuation support, grantees must make separate application annually and at such times and in such form as the Secretary may direct.

§ 57.2407 Grant payments.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement for expenses incurred or to be incurred in the performance of the project, to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project.

§ 57.2408 Expenditure of grant funds.

(a) Any funds granted pursuant to this subpart as well as other funds to be used in performance of the approved project shall be expended solely for carrying out the approved project in accordance with section 810 of the Act, the regulations of this subpart, the terms and conditions of the award and the applicable cost principles prescribed by Subpart Q of 45 CFR Part 74.

(b) Any unobligated grant funds remaining in the grant account at the close of a budget period may be carried forward and be available for obligation during subsequent budget periods of the project period. The amount of a subsequent award will take into consideration the amount remaining in the grant account. At the end of the last budget period of the project period, any unobligated grant funds remaining in the grant account must be refunded to the Federal Government.

§ 57.2409 Nondiscrimination.

(a) Attention is called to the requirements of section 845 of the Act and 45 CFR Part 83, which together provide that the Secretary may not make a grant, loan guarantee, or interest subsidy payment under Title VIII of the Act to, or for the benefit of, any entity unless the application for the grant, loan guarantee, or interest subsidy payment contains assurances satisfactory to the Secretary that the entity will not discriminate on the basis of sex in the admission of individuals to its training programs.

(b) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) and in particular to section 601 of such Act which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such Title VI, which is applicable to grants made under this subpart, has been issued by the Secretary with the approval of the President (45 CFR Part 80).

(c) Attention is called to the requirements of Title IX of the Education Amendments of 1972 and in particular to section 901 of such Act which provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

(d) Grant funds used for alteration or renovation shall be subject to the condition that the grantee shall comply with the requirements of Executive Order 11246, 30 F.R. 12319 (Sept. 24, 1965) as amended, and with the applicable rules, regulations, and procedures prescribed pursuant thereto.

§ 57.2410 Grantee accountability.

(a) *Accounting for grant award payments.* All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other grant funds, including funds derived from other grant awards. With respect to each approved project the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available evidence satisfactory to the Secretary of expenditures for costs meeting the requirements of this subpart: *Provided, however,* That when the amount awarded for indirect costs was based on a predetermined fixed-percentage of estimated direct costs, the amount allowed for indirect costs shall be computed on the basis of such predetermined fixed-percentage rates applied to the total, or a selected element thereof, of the reimbursable direct costs incurred.

(b) *Accounting for royalties.* Royalties received by grantees from copyrights on publications or other works developed under the grant, or from patents or inventions conceived or first actually reduced to practice in the course of or under such grant shall be accounted for as follows:

(1) *State and local governments.* Where the grantee is a State or local government as those terms are defined in 45 CFR 74.3, royalties shall be accounted for as provided in 45 CFR 74.44.

(2) *Grantees other than State and local governments.* Where the grantee is not a State or local government as so defined, royalties shall be accounted for as follows:

(i) Patent royalties, whether received during or after the grant period, shall be governed by agreements between the Assistant Secretary for Health, Department of Health, Education, and Welfare,

and the grantee, pursuant to the Department's patent regulations (45 CFR Parts 6 and 8).

(ii) Copyright royalties, whether received during or after the grant period, shall first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials, and any royalties in excess of the costs of publishing or producing the materials shall be distributed in accordance with Chapter 1-420, Department of Health, Education, and Welfare Grants Administration Manual.[2]

(c) *Grant-closeout*—(1) *Date of final accounting.* A grantee shall render, with respect to each approved project, a full account, as provided herein, as of date of the termination of grant support. The Secretary may require other special and periodic accounting.

(2) *Final settlement.* There shall be payable to the Federal Government as final-settlement with respect to each approved project the total sum of (i) any amount not accounted for pursuant to paragraphs (a) and (b) of this section; and (ii) any other amounts due pursuant to Subparts F, M, and O of 45 CFR Part 74. Such total sum shall constitute a debt owed by the grantee to the Federal Government and shall be recovered from the grantee or its successors or assigns by set-off or other action as provided by law.

§ 57.2411 Publications and copyright.

(a) *State and local governments.* Where the grantee is a State or local government as those terms are defined in 45 CFR 74.3, the Department of Health, Education, and Welfare copyright requirement set forth in 45 CFR 74.10 shall apply with respect to any book or other copyrightable materials developed or resulting from a project supported by a grant under this subpart.

(b) *Grantees other than State and local governments.* Where the grantee is not a State or local government, as so defined, except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films, or similar materials developed or resulting from a project supported by a grant under this subpart, subject to a royalty-free, nonexclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate and dispose of such materials, and to authorize others to do so.

§ 57.2412 Applicability of 45 CFR Part 74.

The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles shall apply to all grants under this subpart to State and local governments as those terms are defined in Subpart A of Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to all other grantee organizations under this subpart:

Subpart
A General.
B Cash Depositories.
C Bonding and Insurance.
D Retention and Custodial Requirements for Records.
F Grant-related Income.
G Matching and Cost Sharing.
K Grant Payment Requirements.
L Budget Revision Procedures.
M Grant Closeout, Suspension, and Termination.
O Property.
Q Cost Principles.

§ 57.2413 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of the public health or the conservation of grant funds.

[FR Doc.75-11419 Filed 4-30-75;8:45 am]

[2] The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department's and Regional Offices' information centers listed in 45 CFR 5.31, and may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-NW-05]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Lewiston, Idaho Transition Area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Operations, Procedures and Airspace Branch, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington 98108. All communications received on or before June 2, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington 98108.

This proposed alteration to the description of the Lewiston, Idaho Transition Area is to accommodate a revision to the holding pattern. The revised pattern will utilize the Lewiston VOR 099° radial with left turns. The revision will provide a more desirable transition to the ILS approach.

In consideration of the foregoing, the FAA proposes the following airspace action:

In § 71.181 (40 FR 441) the description of the Lewiston, Idaho Transition Area is amended to read as follows:

LEWISTON, IDAHO

That airspace extending upward from 700' above the surface within a 5-mile radius of the Lewiston-Nez Perce County Airport (Latitude 46°22'29" N, Longitude 117°00'-51" W); within 2 miles each side of the Lewiston VOR 263° radial extending from the 5-mile radius to the VOR; within 2.5 miles each side of the Lewiston VOR 065° radial extending from the VOR 6 miles northeast of the VOR; within 3 miles each side of the ILS localizer course extending from the 5-mile radius 11.5 miles east; that airspace extending upward from 1200' above the surface bounded by a line extending from the intersection of Latitude 46°33'33" N, and the east edge of V-253 to Latitude 46°42'00" N, Longitude 116°31'30" W, to Latitude 46°33'33" N, Longitude 116°26'00" W, to Latitude 46°14'30" N, Longitude 116°-21'30" W, to Latitude 46°10'00" N, Longitude 116°35'00" W, to Latitude 46°16'00" N, Longitude 117°10'00" W, thence to point of beginning; and that airspace west of Lewiston bounded on the northwest by V-536, on the northeast by V-253 and on the south by V-520.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Seattle, Washington, on April 2, 1975.

C. B. WALK, Jr.,
Director,
Northwest Region.

[FR Doc.75-11375 Filed 4-30-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-NW-04]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Portland, Oregon Transition Area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Operations, Procedures and Airspace Branch, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington 98108. All communications received on or before June 2, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with

Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington 98108.

A review of the controlled airspace around Portland, Oregon, disclosed that the existing Transition Areas, many having different floor altitudes, are restrictive to efficient radar vectoring service. The amendment would incorporate these various Transition Areas into standard 700' AGL and 1200' AGL Transition Areas. This will permit better sequencing of aircraft, improved service to users and in some areas, lower vector altitudes.

In addition the description of the Kelso, Washington Transition Area has been deleted from the Portland, Oregon Transition Area description and will become a separate entry in § 71.181. A review of the Kelso, Washington Transition Area disclosed that additional controlled airspace is required to encompass the procedure turn airspace and the transition from Winlock Intersection for the Kelso-Longview NDB Approach procedure.

In consideration of the foregoing, the FAA proposes the following airspace actions.

In § 71.181 (40 FR 441) the description of the Kelso, Washington and the Portland, Oregon Transition Areas are amended to read as follows:

KELSO, WASHINGTON

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Kelso-Longview Airport (Latitude 46°-07'12" W; Longitude 122°53'58" W), within 9.5 miles west of and 4.5 miles east of the 012 degree bearing from the Kelso, Washington, NDB (Latitude 46°09'14" N; Longitude 122°54'40" W) extending from the NDB to 18.5 miles north of the NDB; within 5 miles each side of the 336 degree bearing from the Kelso NDB extending from the NDB 22.8 miles northwest.

PORTLAND, OREGON

That airspace extending upward from 700 feet above the surface bounded on the north by Latitude 46°00'00" N, on the east by Longitude 122°05'00" W, on the south by Latitude 45°10'00" N and on the west by Longitude 123°30'00" W; that airspace extending upward from 1200' above the surface bounded on the north by a line beginning at a point 3 miles offshore at Latitude 46°30'30" N extending easterly via Latitude 46°30'30" N to Longitude 121°40'00" W, thence easterly along the south edge of V-204 to Latitude 46°30'40" N, Longitude 120°36'00" W, on the east by V-25, on the south by V-536 to Corvallis, VOR thence via Latitude 44°30'00" N to a point 3 miles offshore, and on the west by a line 3 miles offshore to the point of beginning.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Seattle, Washington, on April 2, 1975.

C. B. WALK, Jr.,
Director,
Northwest Region.

[FR Doc.75-11376 Filed 4-30-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-SW-24]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a 700-foot transition area at Lampasas, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before June 2, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (40 FR 441), the following transition area is added:

LAMPASAS, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Lampasas Airport (latitude 31°06'27" N., longitude 98°11'45" W.).

The proposed transition area will provide controlled airspace for aircraft executing the proposed VOR/DME Original instrument approach procedure.

This notice will also serve to advise interested airspace users of the change to airport category from VFR to IFR.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, TX, on April 23, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-11377 Filed 4-30-75;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

[17 CFR Part 1]

OPTIONS TO PURCHASE OR SELL COMMODITIES OR COMMODITY FUTURES CONTRACTS; LEVERAGE CONTRACTS FOR GOLD AND SILVER; DOMESTIC SALES OF FOREIGN FUTURES CONTRACTS

Antifraud Rules

Correction

In FR Doc. 75-11115 appearing at page 18187 of the Friday, April 25, 1975 issue the heading should be changed to read as above.

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1307]

EXCEPTIONS RATINGS HIGHER THAN CLASSIFICATION RATINGS

Proposed Rules Governing Publication

APRIL 28, 1975.

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C. on the 14th day of April, 1975.

The Interstate Commerce Commission is proposing to amend Part 1307 of Title 49 of the Code of Federal Regulations by amending § 1307.28. The amendment would require that exceptions ratings and rates exceeding the classification basis of determining rates and charges be justified in advance of their becoming effective.

According to long standing precedent, ordinarily the classification imposes the highest rating which a particular commodity should bear. Exceptions ratings higher than those in the governing classification are presumptively unreasonable and can be justified only by extraordinary circumstances. *Exceptions Ratings on Magnesium Metals*, 305 I.C.C. 318; *Classifications in Middle Atlantic States*, 42 M.C.C. 716.

Despite the fact that they are *prima facie* unlawful, exceptions ratings higher than the governing classification rating have been published in increasing numbers. While large shippers have the time, money, and expertise to identify and challenge presumptively unlawful rates, small shippers do not. Present remedies place small shippers at a disadvantage.

A requirement of advance justification is also intended to curtail government expenses. Most challenges to rates above the classification basis are brought by

the United States as shipper. Such challenge involves actions by the particular challenging agency, the federal courts, and the Commission. If advance justification were required, then involvement by agencies and courts would be avoided. Furthermore, since most challenged rates are withdrawn, the carriers would be likely to submit only those rates which could be seriously defended.

The Traffic Committee of the Society of the Plastics Industry, Inc., filed a petition for rulemaking, proposing to establish procedures governing the publication of exception ratings exceeding the classification basis of determining rates and charges. They also note the widespread publication of presumptively unreasonable rates. That petition is supported, *in toto*, by the Traffic Committee of the Composite Can and Tube Institute, General Services Administration, Department of Defense, and the Comptroller General of the United States.

Upon consideration of the above-described matters, and good cause appearing therefor:

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of Parts I and II of the Interstate Commerce Act (49 U.S.C. 1 and 301 et seq., specifically sections 316 and 317) and sections 553 and 559 of the Administrative Procedure Act (5 U.S.C. 553 and 559), to determine whether the facts and circumstances require or warrant the adoption of the proposed regulation set forth in Appendix A to this notice and order, or other regulations of similar purport applicable to common carriers of property by motor vehicle subject to the Interstate Commerce Act, and for the purpose of taking such other and further action as the facts and circumstances may justify and require.

It is further ordered, That all common carriers of property by motor vehicle operating in interstate or foreign commerce within the United States and subject to the Interstate Commerce Act be, and they are hereby, made respondents in this proceeding.

It is further ordered, That no oral hearing be schedules for receiving of hearing be scheduled for receiving of testimony in this proceeding unless a need should later appear, but that respondents or any other interested persons may participate in this proceeding by submitting for consideration written statements of facts, views, or arguments on the subject mentioned above, or any other subjects pertaining to this proceeding.

It is further ordered, That any person intending to participate in this proceeding by submitting initial statements or reply statements shall notify the Commission by the filing with the Secretary, Interstate Commerce Commission Washington, D.C. 20423, on or before May 20, 1975.

It is further ordered, That the original and one copy of statements of intention to participate shall be so filed; that the Office of Proceedings then shall prepare and make available to all such persons a list containing the names and addresses of all parties to this proceeding, upon whom copies of all statements must be served; and that at the same time of the service of the service list the Commission will fix the time within which initial statements and reply statements must be filed.

And it is further ordered, That a copy of this notice and order be served on each respondent herein, that notice of the institution of this proceeding shall be given by mailing a copy of this notice and order to the Governor of every State and to the Public Utilities Commission or Board of each State having jurisdiction over transportation, that a copy be deposited in the office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and that a copy be delivered to the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

Written material or suggestions submitted will be available for public inspection at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue, Washington, D.C., during regular business hours.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

By the Commission.

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

It is proposed that § 1307.28 be amended by adding a new (a)(4) to read as follows:

§ 1307.28 Statement of rates.

(a) *Explicit statement; maximum reasonableness.*

* * * * *

(4) It is a principle of long-standing that classification classes or ratings and class rates governed by such classes or ratings generally provide the highest rates and charges which an article should bear. It follows that any tariff provision (e.g. exception rating, commodity rate, charge, rule, etc.), the application of which in any case would result in a higher charge than otherwise would result from application of the classification class or rating and rules to the class rates would require special justification. Therefore, accompanying the tender to the Commission of a tariff, supplement, or loose-leaf page which names such a tariff provision, there shall be a clear statement by the publishing carrier or agent of the justification relied upon to warrant the higher charges. Any such publication not accompanied by a statement of justification shall be subject to rejection. This subparagraph does not apply (i) in connection with minimum charges for small shipments (provided they are based on weights not over 500 pounds), (ii) with respect to publication of rates and provisions for a special service which under the tariff the shipper has the option of using by requesting it in writing (e.g. expedited service, exclusive use of vehicle, etc.), and (iii) where no class rates are maintained by the carrier for whose account the class or rating, commodity rate or rule is published. Nor does this rule serve to prohibit publication of class rate arbitraries under authority of § 1307.28(b). See §§ 1307.28(f)(5) and 1307.32 for provisions governing the alternation of commodity rates with class rates, and see § 1307.37(d)(3), prohibiting alternation of exceptions with the classification.)

* * * * *

[FR Doc.75-11437 Filed 4-30-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 122]

BUSINESS LOANS

Reconsiderations

The Small Business Administration (SBA) is considering amending its Business Loan Regulation to include standardized procedures for reconsideration of declined loan applications or declined requests for modifications in existing loan conditions.

Comments with respect to these proposed amendments may be sent to the Associate Administrator for Finance and Investment, SBA, 1441 L Street NW., Washington, D.C. 20416. All material received on or before May 30, 1975, will be considered.

Section 122.26 is added to read as follows:

§ 122.26 Reconsiderations.

Reconsiderations: Any applicant whose request for a loan, or any borrower whose request for modification of his loan, is declined has the right to present information to overcome the reason(s) for the decline and ask for a reconsideration of his request.

(a) All requests for reconsideration of a declined loan application must be received by the appropriate SBA office within 6 months of the date of the decline action being appealed. The request for reconsideration must contain all new information (or modifications to the declined request) which overcomes the reason(s) for the decline action. (After 6 months a new application is required for a loan request.)

(b) All requests for reconsideration must be presented to the same SBA field office that accepted and processed the original request, whether branch or district office.

(c) An applicant or borrower whose request for reconsideration is also declined may request another reconsideration at the next higher level of authority. The request must be submitted within 30 days of the date of the letter declining the reconsideration, to the same office that processed the original reconsideration but requesting that the reconsideration be at the next higher level. If the adverse action being appealed was taken by a branch office, an appeal to the appropriate district office must precede an appeal to the regional office.

(d) Requests for reconsideration will be forwarded to the appropriate Director within the Office of Finance and Investment, Central Office, only when:

(1) the amount of the loan or the modification requested exceeds the authority delegated to the regions, (2) the regional director is requesting the assistance, advice, or counsel of Central Office, or (3) the AA/F&I asks the regional office to forward the reconsideration request due to some extenuating or unusual circumstance. Otherwise, reconsiderations by the regional director are final.

(Catalog of Federal Domestic Assistance Program No. 59.012 Small Business Loans)

Dated: April 17, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-11457 Filed 4-30-75;8:45 am]

[13 CFR Part 123]

DISASTER LOANS

Product Disaster; Livestock

The Small Business Administration (SBA) is considering amending its Disaster Loan Policy Regulations to implement the Product Disaster Loan due to Livestock Disease Assistance authorized by Pub. L. 93-237. These amendments confine such assistance to livestock raised for human consumption or where the product of such livestock (eggs, milk, honey, etc.) is for human consumption.

Comments with respect to these proposed amendments may be sent to the Associate Administrator for Finance and Investment, SBA, 1441 L Street, NW, Washington, D.C. 20416. All material received on or before May 30, 1975, will be considered.

Section 123.1(c) (3) and (4) are added, § 123.2(a) (5) (i) and (ii) are revised, and § 123.9(b) (7) is added, to read as follows:

§ 123.1 General.

* * * * *

(c) * * *

(3) "Persons Engaged In The Business of Raising Livestock" as used in this part means a proprietorship, partnership, corporation, or other legal entity primarily engaged in raising livestock; provided that the livestock, or the product of such livestock, is for human consumption.

(4) "Livestock" as used in this part means cattle, hogs, sheep, goats, poultry of all kinds, and animal specialties such as horses, rabbits, bees, or fish in captivity which are marketed, or the product of such livestock is marketed, for human consumption. (Birds and animals raised primarily to stock game farms for sporting purpose are not included.)

* * * * *

§ 123.2 Eligibility.

(a) * * *

(5) * * *

(i) *Disaster Declaration:* The Administrator of SBA makes all product disaster declarations concerning inability to process or market a product due to disease or toxicity occurring through natural or unknown causes. Eligibility of persons engaged in the business of raising livestock is based on orders to destroy or quarantine livestock issued by the Animal and Plant Health Inspection Service, United States Department of Agriculture, or by a cooperating State agency, without a specific declaration by SBA.

(ii) An otherwise eligible small business concern is eligible for product disaster assistance to continue or reestablish its business, including persons engaged in the business of raising livestock, if SBA determines that the concern has suffered substantial economic injury; (A) as a result of the inability of such concern to process or market a product for human consumption because of disease or toxicity occurring in such product through natural or undetermined causes; or (B) as a result of animal disease.

* * * * *

§ 123.9 Step-by-step procedure for disaster loan applicant.

* * * * *

(b) * * *

(7) Present evidence concerning what livestock was slaughtered, destroyed or quarantined as a result of USDA or cooperating State agency order; what disease is involved (it must be one the USDA is trying to control through a regular, emergency, or other program); whether 25 percent or more of the herd (flock) was subject to the order; what are the duration and conditions of a quarantine or the required disposition of the carcasses; what compensation was or can be received from USDA or the cooperating State agency to replace livestock, disinfect buildings and other property, or other purposes, from the disposition of carcasses or hides, and all other monetary recovery; and whether the applicant had legal title to the livestock involved.

* * * * *

(Catalog of Federal Domestic Assistance Program No. 59.010. Product Disaster Loans.)

Dated: April 17, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-11456 Filed 4-30-75;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

[Notice No. 275]

COMMERCE IN EXPLOSIVES

Explosives List

Correction

In FR Doc. 75-10097 appearing at page 17602 in the issue for Monday, April 21, 1975, certain entries alphabetically listed in the Explosives List should be changed as follows:

1. Under "H", "Hevanitrodiphylamine." should read "Hexanitrodiphenylamine."
2. Under "K", "KDBNF" should read "KDNBF".
3. Under "S", "Elver tartrate * * *" should read "Silver tartrate * * *"
4. Under "T", "Tetranitrocarbaxole" should read "Tetranitrocarbazole," and "Trimethylolthene" should read "Trimethylolthane".

Bureau of Customs

[T.D. 75-103]

TUNA FISH

Tariff-Rate Quota

The tariff-rate quota for the calendar year 1975 on tuna classifiable under item 112.30, Tariff Schedules of the United States.

It has now been determined that 120,739,520 pounds of tuna may be entered for consumption or withdrawn from warehouse for consumption during the calendar year 1975 at the rate of 6 per centum ad valorem under item 112.30, Tariff Schedules of the United States. Any such tuna which is entered, or withdrawn from warehouse, for consumption during the current calendar year in excess of this quota will be dutiable at the rate of 12.5 per centum ad valorem under item 112.34 of the tariff schedules.

Pursuant to the provisions of item 112.30, Tariff Schedules of the United States, the above quota is based on the United States pack of canned tuna during the calendar year 1974.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

[FR Doc.75-11428 Filed 4-30-75;8:45 am]

Office of the Secretary

[Treasury Dept. Order No. 219-1]

DEPUTY ASSISTANT SECRETARY (OPERATIONS)

Delegation of Authority

By virtue of the authority vested in me by the Treasury Department regulations on access to records under 5 U.S.C. 552, as amended (31 CFR Part 1, Subpart A; 40 FR 7439) and Treasury Department Order No. 190, Revision 10 (49 FR 2216), the authority of the Assistant Secretary (Enforcement, Operations, and Tariff Affairs) to make determinations on any appeal under 31 CFR § 1.5(h) with respect to any record is hereby delegated to the Deputy Assistant Secretary (Operations).

Dated: April 28, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary (Enforcement, Operations, and Tariff Affairs).

[FR Doc.75-11427 Filed 4-30-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

Acquisition Advisory Group

MEETING

The Acquisition Advisory Group will meet in closed session on 19 May 1975 at the IDA Building, Arlington, Virginia.

The mission of the Acquisition Advisory Group is to examine and assess the recommendations made by the Army Materiel Acquisition Review Committee, the Navy Marine Corps Acquisition Review Committee and the Secretary of the Air Force relative to major weapon systems acquisition which suggest changes of current procedures or policies in the Office of the Secretary of Defense. The Acquisition Advisory Group will report its findings and recommendations to the Deputy Secretary of Defense.

This is the initial meeting of the Acquisition Advisory Group. The purpose of this meeting is to discuss the operations of the military departments and segments of the Office of the Secretary of Defense as they relate to the Defense Systems Acquisition Review Council (DSARC) process. The participants will specifically be discussing major weapon systems and their acquisition. Therefore, a considerable amount of the presentations will be devoted to matters that are specifically required by Executive Order to be kept secret in the interest of national defense. This will involve presentations by each of the military departments, and the Group will intermittently be discussing classified information. It is neither practicable or feasible to separate the discussions of classified and nonclassified material.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Acquisition Advisory Group meeting concerns matters listed in section 552(b) of Title 5 of the United Sttaes Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

Dated: April 28, 1975.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

[FR Doc.75-11424 Filed 4-30-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA 2642]

CALIFORNIA

Order Providing for Withdrawal and Reservation of Lands; Correction

APRIL 22, 1975.

In FR Doc. 75-5947 appearing on page 10491 of the issue of Thursday, March 6, 1975, the following correction as to serial number should be made:

Serial number in the heading should read (CA 2642).

WALTER L. HOLMES,
Acting Chief, Division of Technical Services.

[FR Doc.75-11382 Filed 4-30-75;8:45 am]

[NM 25117, 25244, 25245, 25246, 25247, 25248, 25249, 25250, 25251, 25252, 25253, 25255, 25256]

NEW MEXICO

Applications

APRIL 24, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Northwest Pipeline Corporation and El Paso Natural Gas Company have applied for 14 4½-inch and one 2⅜-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 30 N., R. 5 W.,
Sec. 7, S½NE¼;
Sec. 18, SW¼NE¼;
Sec. 20, N½NE¼.
T. 29 N., R. 9 W.,
Sec. 1, W½SE¼;
Sec. 13, lots 9 and 16.
T. 30 N., R. 9 W.,
Sec. 5, SW¼NE¼, SE¼NW¼;
Sec. 10, W½NE¼, NW¼SE¼;
Sec. 12, N½SW¼, S½NW¼, NE¼SE¼;
Sec. 20, W½NW¼;
Sec. 28, NW¼SW¼;
Sec. 29, NE¼SE¼, W½NW¼.
T. 31 N., R. 9 W.,
Sec. 35, lots 5, 6, 9 and 12.

T. 30 N., R. 10 W.,
Sec. 13, lot 15;
Sec. 24, lot 2.

These pipelines will convey natural gas across 3.346 miles of national resource lands in Rio Arriba and San Juan Counties, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-11461 Filed 4-30-75;8:45 am]

[NM 25259]

NEW MEXICO

Application

APRIL 25, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a 6⅝ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 23 S., R. 22 E.
Sec. 25, E½SE¼.
T. 22 S., R. 23 E.
Sec. 21, SW¼SW¼;
Sec. 28, W½SW¼;
Sec. 29, SE¼NE¼.
T. 23 S., R. 23 E.
Sec. 5, W½SE¼, E½SW¼;
Sec. 18, E½NE¼, SW¼SE¼;
Sec. 19, lot 4, W½NE¼, SE¼NW¼, E½SW¼;
Sec. 30, lots 1 and 2.

This pipeline will convey natural gas across 3.695 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, PO Box 1397, Roswell, NM 88201.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-11462 Filed 4-30-75;8:45 am]

[NM 25258]

NEW MEXICO

Application

APRIL 21, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 20 S., R. 37 E.,
Sec. 15, N½NW¼.

This pipeline will convey natural gas across .260 miles of national resource lands in Lea County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-11463 Filed 4-30-75;8:45 am]

[OR 13340 (Wash.)]

WASHINGTON

Opening of Land

APRIL 24, 1975.

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

In DA-220-Washington, the Federal Power Commission determined that the power value of the following described land, withdrawn in Power Site Classification No. 458, will not be injured or destroyed by restoration to location, entry, or selection under appropriate public land laws, subject to the provisions of section 24 of the Federal Power Act:

WILLAMETTE MERIDIAN

T. 5 N., R. 24 E.,
Sec. 24, S½.

The area described contains approximately 320 acres in Benton County.

At 10 a.m. on May 30, 1975, the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the provisions of section 24 of the Federal Power Act, supra.

All valid applications received at or prior to 10 a.m. on May 30, 1975 shall be considered as simultaneously filed at that time. Those received after that date shall be considered in the order of filing.

The land has been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws subject to provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 2965, Portland, Oregon 97208.

HAROLD A. BERENDS,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-11464 Filed 4-30-75;8:45 am]

Fish and Wildlife Service

DR. JAMES E. DEACON

Receipt of Endangered Species Permit Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant

Dr. James E. Deacon
Department of Biological Sciences
University of Nevada
Las Vegas, Nevada 89154

OMB NO. 43-R1575

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE
LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)

☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.

Research on the life history, ecology and distribution of the woundfin. Test the effects of the water from LaVerkin Spring on the woundfin. Take 150 specimens for rearing, toxicity, testing and examination of reproductive condition and food habits.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)

Dr. James E. Deacon
Dept. of Biological Sciences
University of Nevada
Las Vegas, Nevada 89154
702-739-3269

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

	HEIGHT	WEIGHT
☒ MR. ☐ MRS. ☐ MISS ☐ MS.	5'9"	170 lbs.
DATE OF BIRTH	COLOR HAIR	COLOR EYES
May 18, 1934	Brown	Brown
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER	
702-739-3269	503-30-9287	

OCCUPATION
Professor of Biology

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

University of Nevada, Las Vegas

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING.

EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION

Educational - Research

University of Nevada

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED.

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED

Virgin River System

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☐ NO
(If yes, list license or permit number)

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdictions and type of documents)

Nevada - Permit No. 492

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF $

10. DESIRED EFFECTIVE DATE: June 1, 1975

11. DURATION NEEDED: one year

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) James E. Deacon — DATE March 17, 1975

3-200 (5/74) James E. Deacon

UNIVERSITY OF NEVADA, LAS VEGAS

Mr. A. EUGENE HESTER,
Special Agent in Charge of Permits, U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. 20240

MARCH 17, 1975.

DEAR MR. HESTER:

The following information is supplied in response to your queries contained in FWS/LE PRT 8-135-C.

1. We anticipate killing up to 150 woundfin during the course of the study. This will have no effect on the population as they will be taken from scattered localities and throughout the year. In fact we believe our studies to date show that as many as 150 fish could be removed from the population at one time in at least two locations on the Virgin River without having any measurable effect on the population.

2. Up to 150 fish will be taken.

3. Habitat requirements will be defined by seining in many areas of the river. Fish will be examined and returned to the water. Life history information will be developed by observation of several populations along the river and by preserving up to 150 individuals for examination of gonads and stomach contents.

4. My collecting and examining of woundfins will result in some shock to some individuals and may cause a small amount of mortality. Past experience indicates that mortality will be minimal. My activities will have no discernable effect on the woundfin population in the wild.

Sincerely yours,

JAMES E. DEACON, Ph. D.,
Professor of Biology.

UNIVERSITY OF NEVADA, LAS VEGAS

NOVEMBER 27, 1974.

DIRECTOR (FWS/LE),
U.S. Fish and Wildlife Service,
U.S. Department of the Interior,
Washington, D.C. 20240

1. Applicant: Dr. James E. Deacon, Department of Biological Sciences, University of Nevada, Las Vegas, Nevada 89154.

2. Description of Applicant:
a. Date of birth: May 18, 1934.
b. Height: 5 feet 10½ inches.
c. Weight: 170 pounds.
d. Color of hair: brown.
e. Color eyes: brown.
f. Sex: male.
g. Institutional affiliation: Univ. of NV, L.V., NV.

3. Principal supervisor: Dr. Donald Baepler, President, University of Neveda, Las Vegas, Nevada. Phone: 702-739-3201.

4. Location of activity: Virgin River System, Utah, Arizona and Nevada.

5. This permit is requested under Part 17, section 23 of subchapter B.

The Bureau of Reclamation has proposed a diversion of spring flows from La Verkin Springs, a series of seep springs on the Virgin River. Purpose of this diversion is to assist in efforts to control salinity in the Lower Colorado River System. The Corps of Engineers has proposed a channelization project in the Virgin Piver to reduce the danger from flooding. Other local entities and State and Federal agencies have proposed other smaller manipulations such as construction of additional irrigation works, construction of camp grounds, installation of additional sewage systems, cooling towers for power plants, etc. The Virgin River contains the only surviving population of woundfin, *Plagopterus argentissimus* which appears on the U.S. List of Endangered Fauna. A project currently in progress is attempting to define habitat requirements and develop life history information on woundfin in an effort to establish criteria necessary to maintain woundfin populations in the face of these extensive proposed manipulations along the river. It is necessary to collect and examine woundfin periodically to fulfill the purposes of this federally funded project.

The work is being conducted by the University of Nevada, Las Vegas under the direction of Dr. James E. Deacon. Mr. Jeffrey Cross and Mr. Jerald Lockhart are graduate students working on the project and from time to time are assisted by various undergraduate or graduate students.

Progress reports are appended to this application for further clarification. The present phase of the project is proposed for termination on June 1, 1975. Additional work may be required but will involve a separate request for a permit.

6. Certification: I hereby certify that I have read and am familiar with the regulations contained in Title 50 Part 13, of the Code of Federal Regulations and the other applicable parts of Subchapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

7. Desired effective date and duration: Effective immediately and extending to July 1, 1975.

8. Date: November 27, 1974.

9. Signature of applicant:

DR. JAMES E. DEACON,
Department of Biological Sciences, University of Nevada, Las Vegas, Las Vegas, Nevada 89154.

Attachment: "Progress Report on Dispersion and Community Structure of Fishes of the Virgin River System".

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the

Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before June 2, 1975 will be considered.

Dated: April 28, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-11394 Filed 4-30-75;8:45 am]

Geological Survey

KNOWN GEOTHERMAL RESOURCES AREA

Geysers-Calistoga, Calif.

Pursuant to the authority vested in the Secretary of the Interior by section 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as additions to the Geysers-Calistoga Known Geothermal Resources Area, effective February 1, 1974:

(5) CALIFORNIA

GEYSERS-CALISTOGA KNOWN GEOTHERMAL RESOURCES AREA, MT. DIABLO MERIDIAN, CALIFORNIA

T. 10 N., R. 5 W.,
Sec. 19, lots 1, 2, 3, 4, NE¼, E½W½;
Sec. 20, E½, NW¼;
Sec. 21;
Sec. 28, N½.
T. 10 N., R. 6 W.,
Sec 1;
Secs. 11 through 14;
Secs. 20 through 27;
Secs. 35 and 36.
T. 13 N., R. 6 W.,
Secs. 5 through 8;
Secs. 13 and 14;
Secs. 17 through 32;
Secs. 34 through 36.
T. 14 N., R. 6 W.,
Secs. 3 through 8;
Sec. 9, N½;
Secs. 17 through 20;
Secs. 28 through 33.
T. 11 N., R. 7 W.,
Secs. 1 through 4;
Secs. 8 through 12;
Secs. 14 through 17;
Secs. 20, 21, 28, 29.
T. 13 N., R. 7 W.,
Secs. 1 through 3;
Secs. 11 through 14;
Secs. 24 and 25.
T. 14 N., R. 7 W.,
Secs. 1 through 30;
Secs. 33 through 36.
T. 15 N., R. 7 W.,
Secs. 16 through 18;
Secs. 21 through 28;
Secs. 32 through 36.
T. 14 N., R. 8 W.,
Secs. 1 through 5;
Sec. 6: lots 1 and 2, N½NE¼, SE¼;
Secs. 9 through 15;
Secs. 23 through 26.
T. 15 N., R. 8 W.,
Sec. 11;
Secs. 13 through 15;
Sec. 24: lots 3, 4, 5, 6.
T. 10 N., R. 9 W.,
Sec. 3: The unsurveyed northerly 78 acres of the section.
T. 12 N., R. 9 W.,
Secs. 5 through 8;
Secs. 17 through 20;
Secs. 29 through 32.
T. 11 N., R. 10 W.,
Sec. 2.
T. 12 N., R. 10 W.,
Secs. 1 through 3;
Sec. 8;
Secs. 10 through 17;
Secs. 21 through 28;
Secs. 35 and 36.

The area described aggregates 118,622 acres, more or less.

Dated: March 13, 1975.

HILLARY A. ODEN,
Acting Conservation Manager, Western Region.

[FR Doc.75-11448 Filed 4-30-75;8:45 am]

KNOWN GEOTHERMAL RESOURCES AREA

Mountain Home, Idaho

Pursuant to the authority vested in the Secretary of the Interior by sec. 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as the Mountain Home Known Geothermal Resources Area, effective February 1, 1974:

(12) IDAHO

MOUNTAIN HOME KNOWN GEOTHERMAL RESOURCES AREA
BOISE MERIDIAN, IDAHO

T. 3 S., R. 8 E.,
Secs. 34 and 35.
T. 4 S., R. 8 E.,
Secs. 1, 2, and 3.
T. 4 S., R. 9 E.,
Secs. 6 through 9, 17 through 21, and 33.

The area described aggregates 9,520.17 acres, more or less.

Dated: March 21, 1975.

HILLARY A. ODEN,
Acting Conservation Manager, Western Region.

[FR Doc.75-11447 Filed 4-30-75;8:45 am]

KNOWN GEOTHERMAL RESOURCES AREAS

New Mexico and Utah

Pursuant to the authority vested in the Secretary of the Interior by sec. 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as known geothermal resources areas, effective February 1, 1974:

(31) NEW MEXICO

RADIUM SPRINGS KNOWN GEOTHERMAL RESOURCES AREA

New Mexico Principal Meridian, New Mexico

T. 21 S., R. 1 W.,
Secs. 1 to 5, inclusive, 8 to 12, inclusive, 15, 17, and 20 to 23, inclusive.

The area described aggregates 9,812.68 acres, more or less.

(44) UTAH

ADDITION TO THERMO HOT SPRINGS KNOWN GEOTHERMAL RESOURCES AREA

Salt Lake Meridian, Utah

T. 29 S., R. 13 W.,
Secs. 26, 27, and 33 to 35, inclusive.
T. 30 S., R. 13 W.,
Sec. 17.
T. 31 S., R. 12 W.,
Secs. 3 to 7, inclusive.

The area described aggregates 8,097 acres, more or less.

Dated: April 10, 1975.

WILLIAM H. FELDMILLER,
Acting Conservation Manager, Central Region.

[FR Doc.75-11449 Filed 4-30-75;8:45 am]

National Park Service

FIRE ISLAND NATIONAL SEASHORE, N.Y.

Meeting

Notice is hereby given that the National Park Service, U.S. Department of the Interior, will hold two public meetings on the draft Master Plan and draft Environmental Impact Statement for Fire Island National Seashore, Patchogue, New York.

The purpose of the meetings is to obtain public reaction to, and comments on the proposed Master Plan and draft Environmental Impact Statement that will be helpful in shaping the final form of these documents.

The first meeting will be held at 7:30 p.m., Wednesday, May 21, in the auditorium of Saxton Street School, Patchogue, N.Y. The second meeting will be held at 7:30 p.m., Thursday, May 29, in the auditorium of the Graduate Center, City University of New York, 33 West 42nd Street, New York City, New York. Both meetings will continue until everyone present has had an opportunity to be heard.

Persons wishing to make an oral presentation are asked to send written notice to the Superintendent, Fire Island National Seashore, P.O. Box 229, Patchogue, New York 11772, at least 10 days in advance of the meeting(s).

Copies of the draft Master Plan and Environmental Impact Statement are available for public inspection at Fire Island National Seashore headquarters; The North Atlantic Region, National Park Service, 150 Causeway Street, Boston, Massachusetts 02114; or the New York Group, National Park Service, Federal Hall, 26 Wall Street, New York City, New York 10005.

Following the last scheduled public meeting the public will have 30 days to submit written comment on the draft documents.

The official review period for the Draft Environmental Statement is hereby extended to 30 days following the public meeting on May 29. If any additional public meetings are scheduled, a similar extension of the opportunity for public comment will be provided.

Further information may be obtained by calling Fire Island headquarters at (516) 289-4810.

Dated: April 18, 1975.

DAVID A. RICHIE,
Acting Regional Director,
North Atlantic Region.

[FR Doc.75-11378 Filed 4-30-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation No. A195]

ALABAMA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Alabama as a result of natural disasters consisting of:

Counties	Drought	Freeze	Excessive rainfall
De Kalb	June 10 to July 25, 1974	Oct. 3, 1974	Aug. 1 to Sept. 29, 1974.
Jackson	July 11 to July 23, 1974	Oct. 3 and Oct. 4, 1974	
Lawrence	June 23 to Sept. 1, 1974	Oct. 3, 1974	May 1 to May 27, 1974.
Madison	July 12 to Sept. 2, 1974	do	
Morgan	June 23 to Sept. 7, 1974	Oct. 3 and Oct. 4, 1974	

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor George C. Wallace that such designation be made.

Applications for Emergency loans must be received by this Department no later than June 16, 1975, for physical losses and January 19, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 23rd day of April, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-11329 Filed 4-30-75;8:45 am]

[Notice of Designation No. A196]

TENNESSEE

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in six counties in Tennessee as a result of various natural disasters. The following chart shows the counties, the natural disasters, and the dates during which the disasters occurred:

Tennessee—*6 Counties, 1974*

County	Excessive rainfall	Flooding	Cool weather with frosts and/or freezes	Dry and cool weather	Drought	Cool weather during month October 1974
Decatur	Apr. 1 to June 17.		Oct. 3, 1974	July 1 to 17		x
	Aug. 6 to Nov. 30 (cool).		Nov. 10 to 15			
	Dec. 1 to 14		Nov. 25 to 29			
Dyer	Apr. 30 to June 12.	Mar. 1 to Apr. 20.	Oct. 1		June 15 to July 15.	
Henderson	Apr. 1 to June 17.		Oct. 3	July 1 to 17		x
	Aug. 6 to Sept. 30. (cool).		Nov. 10 to 15			
	Dec. 1 to 14		Nov. 25 to 29			
Humphreys	Apr. 1 to June 17.		Oct. 3	July 1 to 17		x
	Aug. 6 to Sept. 30 (cool).		Nov. 10 to 15			
	Dec. 1 to 14		Nov. 25 to 29			
Lincoln	Apr. 1 to June 17.		Oct. 3	July 7 to Aug. 15.		x
	Aug. 16 to Sept. 30 (cool).		Nov. 10 to 15			
	Dec. 1 to 14		Nov. 25 to 29			
Wayne	Apr. 1 to June 17.		Oct. 3	July 1 to 17		x
	Aug. 6 to Sept. 30 (cool).		Nov. 10 to 15			
	Dec. 1 to 14		Nov. 25 to 29			

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Ray Blanton that such designation be made.

Applications for Emergency loans must be received by this Department no later than June 16, 1975, for physical losses and January 19, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 23rd day of April, 1976.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-11330 Filed 4-30-75;8:45 am]

[Notice of Designation Number A191]

MISSOURI

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Missouri:

Knox Scotland

The Secretary has found that this need exists as a result of a natural disaster consisting of a killing frost on October 1 and 2, 1974.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Christopher S. Bond that such designation be made.

Applications for Emergency loans must be received by this Department no later than June 16, 1975, for physical losses and January 19, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 24th day of April, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-11460 Filed 4-30-75;8:45 am]

[Notice of Designation Number A197]

NEBRASKA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Nebraska:

Hayes Polk

The Secretary has found that this need exists as a result of a natural disaster consisting of drought July 5, 1974, to February 21, 1975, and freezes September 3, 10 and 11, 1974, in Hayes County and drought June 10 to July 30, 1974, and freeze September 2, 1974, in Polk County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor J. James Exon that such designation be made.

Applications for Emergency loans must be received by this Department no later than June 20, 1975, for physical losses and January 22, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 24th day of April, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-11459 Filed 4-30-75;8:45 am]

Food and Nutrition Service

FREE AND REDUCED PRICE MEALS AND FREE MILK

Income Poverty Guidelines for Determining Eligibility

Pursuant to section 9 of the National School Lunch Act, as amended (42 U.S.C. 1758), and sections 3 and 4(e) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1772 and 1773(e)), the income poverty guidelines for determining eligibility for free and reduced-price meals in the National School Lunch Program, School Breakfast Program, commodity only schools, and for free milk in schools in the Special Milk Program during fiscal year 1976 are prescribed by the Secretary in the following tables.

Under the legislation, schools are required to serve free meals and free milk to all children from families whose income is at or below the applicable family size income level in the Secretary's guidelines. Each State educational agency is required to prescribe income guidelines for both free and reduced-price meals and free milk by family size, for use by schools in the State. The State guidelines may not be less than the applicable family size income level prescribed by the Secretary, and may not exceed the Secretary's guidelines by more than 25 percent, in the case of free meals and free milk, or 75 percent, in the case of reduced-price meals.

For the convenience of State educational agencies, the tables also show the Secretary's income poverty guidelines when increased by 25 percent and when increased by 75 percent. The increased figures represent the maximum levels to be prescribed by State educational agencies in determining eligibility for free meals and free milk, and reduced-price meals, respectively. The Secretary's guidelines remain the minimum level for free meals and free milk; all children at or below such levels shall be served a free meal and free milk. Guidelines for the Island of Guam are identical to those established for the State of Hawaii, due to comparable costs of living.

Income poverty guidelines fiscal year 1976

Family size	Secretary's guidelines fiscal year 1976	Guideline levels when increased by— 25 percent	75 percent
(48 States, District of Columbia, Territories excluding Guam)			
1	2,580	3,230	4,520
2	3,390	4,240	5,930
3	4,200	5,250	7,350
4	5,010	6,260	8,770
5	5,750	7,190	10,060
6	6,490	8,110	11,360
7	7,160	8,950	12,530
8	7,830	9,790	13,700
9	8,440	10,550	14,770
10	9,050	11,310	15,840
11	9,650	12,060	16,890
12	10,250	12,810	17,940
Each additional family member	600	750	1,050
(Alaska)			
1	3,050	3,810	5,330
2	4,000	5,000	7,000
3	4,950	6,190	8,670
4	5,900	7,380	10,330
5	6,780	8,470	11,860
6	7,650	9,560	13,380
7	8,440	10,550	14,770
8	9,230	11,540	16,160
9	9,940	12,430	17,400
10	10,650	13,320	18,640
11	11,360	14,210	19,880
12	12,070	15,090	21,120
Each additional family member	710	880	1,240
(Hawaii and Guam)			
1	2,890	3,610	5,050
2	3,790	4,740	6,630
3	4,690	5,870	8,210
4	5,590	6,990	9,790
5	6,420	8,020	11,220
6	7,240	9,050	12,650
7	7,990	9,990	13,980
8	8,740	10,920	15,290
9	9,420	11,770	16,480
10	10,100	12,620	17,670
11	10,780	13,470	18,860
12	11,460	14,320	20,050
Each additional family member	680	850	1,190

The Secretary's income poverty guidelines are based on the previous year's poverty level adjusted for the year-to-year change in the Consumer Price Index. This procedure is consistent with the basic procedure used by the Bureau of the Census in updating its latest statistics on poverty levels.

"Income," as the term is used in this notice, is similar to that defined in the Bureau of the Census report, "Characteristics of the Low-Income Population: 1971," Consumer Income, Current Population Reports, series P-60. No. 86, December 1972. "Income" means income before deductions for income taxes, employees' social security taxes, insurance premiums, bonds, etc. It includes the following:

(1) Monetary compensation for services, including wages, salary, commission, or fees; (2) net income from nonfarm self-employment; (3) net income from farm self-employment; (4) social security; (5) dividends or interest on savings or bonds, income from estates or trusts, or net rental income; (6) public assistance or welfare payments; (7) unemployment compensations; (8) Government civilian employee or military retirement or pensions or veterans' payments; (9) private pensions or annuities; (10) alimony or child support payments; (11) regular contributions from persons not living in the household; (12) net royalties; and (13) other cash income. Other cash income would include cash amounts received or withdrawn from any source including savings, investments, trust accounts, and other resources which would be available to pay the price of a child's meal.

"Income" as the term is used in this notice, does not include income received by volunteers for services performed in the National Older Americans Volunteer Program as stipulated in the 1973 amendments to the Older Americans Act of 1965, Pub. L. 93-29 (87 Stat. 30); nor does the term include income used for the following special hardship conditions which could not be reasonably anticipated or controlled by the household:

(1) Unusually high medical expenses; (2) shelter costs in excess of 30 percent of income as defined herein; (3) special education expenses due to the mental or physical condition of a child; and (4) disaster or casualty losses.

In applying guidelines, school food authorities may consider both the income of the family during the past 12 months and the family's current rate of income to determine which is the better indicator of the need for free and reduced-price meals.

Effective date. This notice shall be effective July 1, 1975.

Dated: April 25, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.75-11392 Filed 4-30-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

CENTRAL CONNECTICUT STATE COLLEGE

Duty-Free Entry of Scientific Article; Application Decision

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1974).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00307-33-46040. Applicant: Central Connecticut State College, 1615 Stanley Street, New Britain, Connecticut 06050. Article: Electron Microscope, Model HS-9. Manufacturer: Hitachi Limited, Japan. Intended use of article: The article is intended to be used for research on biological materials ranging from viruses, bacteria, blue-green algae and diatoms to multicellular plant and animal tissues. Specific interest lies in the organelles and structures involved in genetic transmission and in development of new stain techniques for wide microscopic applications. Research will also include studies involving Ehrlich ascites tumor cells. In addition, the article is intended to be used in the course Biology 472, Principles and Techniques of Electron Microscopy, to provide advanced undergraduate and graduate students with a grounding in the physical theories of transmission electron microscopy as well as the sequential operational procedures from specimen preparation and ultramicrotomy to darkroom techniques and interpretations of EM graphs they have made. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (May 7, 1974). Reasons: The foreign article is a relatively simple, medium resolution electron microscope providing 6 Angstroms (Å) point to point resolution, an accelerating voltage of 75 kilovolts, and low distortion magnifications at 500X through 100,000X with 200X for scanning which permits an overlap of light and electron microscopy. The article is also designed for confident use [through ease of operation] by beginning students with a minimum of detailed programming. Domestic instruments available at the time the article was ordered were the Model EMU-4C, supplied by the Adam David Company and the Model ETEM-101 manufactured by Elektros Incorporated. The Model EMU-4C is a relatively complex instrument designed for the use of an experienced operator which provides low distortion magnifications at 500X to 70,000X with a pole piece change. The Model ETEM-101 is a relatively simple low resolution instrument (10 Å point to point). The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated April 3, 1975 that for the applicant's intended uses that the magnification range of the article (without a pole-piece change) and simplicity and ease of operation are pertinent. HEW also advises that the Model EMU-4C is too complex for the applicant's intended educational purposes. In addition, HEW advises that neither the ETEM-101 nor the EMU-4C did not provide an equal magnification range. We, therefore, find that neither the Model EMU-4C nor the Model ETEM-101 was of equivalent scientific value to the foreign article for such purposes as the article is intended to be used at the time the article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.75-11366 Filed 4-30-75;8:45 am]

CHILDREN'S HOSPITAL MEDICAL CENTER

Duty-Free Entry of Scientific Article; Application Decision

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1974).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00311-33-46040. Applicant: Children's Hospital Medical Center, 300 Longwood Avenue, Boston, Massachusetts 02108. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used primarily for biomedical research in studies of animal (including human) calcifying tissues. The research will involve investigation of cells and subcellular components, as well as matrix and matrix components. The work will include: (1) Changes in cell structure and subcellular components of the different types of bone cells under influence of hormones and drugs; (2) structure of bone cells, subcellular components and matrix components in bone diseases; (3) changes in cellular and subcellular structure and matrix components of articular cartilage in experimental models and in arthritis; (4) the nature of the initial mineral deposits in bone matrix and their subsequent maturation; (5) the relationship between these mineral deposits and structures in the organic matrix, as well as between the mineral deposits and cellular components. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was filed with Customs (January 7, 1975). REASONS: The foreign article has a guaranteed resolving power of 3 Angstroms (Å) point to point and is equipped with a eucentric goniometer with a guaranteed point to point resolution of 8 Å. The most closely comparable domestic instrument is the Model EMU-4C electron microscope supplied by the Adam David Company. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 3, 1974 that the characteristics of the foreign article described above are pertinent to the applicant's research studies. HEW further advises that the EMU-4C did not have a scientifically equivalent goniometer stage nor resolution when the application was filed with Customs. We, therefore, find that the EMU-4C was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used when the application was filed with Customs.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the application was filed with Customs.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.75-11367 Filed 4-30-75;8:45 am]

DEPARTMENT OF LABOR, ET AL.

Duty-Free Entry of Scientific Articles; Applications

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in

triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before May 21, 1975.

Amended regulations issued under cited Act, as published in the March 18, 1975 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00477-84-46040. Applicant: U.S. Department of Labor, Occupational Health Laboratory, 390 Wakara Way, Salt Lake City, Utah 84108. Article: Electron Microscope, Model JEM 100C/SEG. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used to evaluate samples of airborne particulate materials collected in the workers breathing zone to determine compliance with the health standards of the Occupational Safety & Health Administration. The article will also be used for research on the identification and verification of the various mineral forms of asbestos. Application received by Commissioner of Customs: April 16, 1975.

Docket Number: 75-00478-33-90000. Applicant: University of Wisconsin Center for Health Sciences, Department of Radiology, 1300 University Avenue, Madison, Wisconsin 53706. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies of patients with neurologic disease such as brain atrophy, brain tumor, brain death, and various congenital brain disorders through computerized transaxial tomographs. The article will also be used to train diagnostic radiology physicians. Application received by Commissioner of Customs: April 16, 1975.

Docket Number: 75-00479-33-46040. Applicant: University of Nebraska-Lincoln, Laboratory for Electron Microscopy, School of Life Sciences, Lincoln, Nebraska 68508. Article: Electron Microscope, Model EM 201C. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used in the following biological research: (a) Study of the genetic control of pigment cell differentiation; (b) Observation of mouse mammary glands grown in organ culture under various hormonal and tumorigenic regimens to ascertain the effects of these treatments upon the formation of precancerous nodules and upon ribosomal number and profile in the alveolar cells; (c) Ultrastructural examination of normal, irradiated and irradiated-transplanted spleens; (d) Examination at the ultrastructural level of the varied responses of macrophages to different species and strains of leischmania and leishmania-like organisms; (e) Ultrastructural studies of the effects of plant hormones upon ribosomal configurations as separated by ultracentrifugation; (f) Determination of fine structure of several types of viruses, bacteria, and protozoans from both negatively stained and thin sectioned specimens; (g) Studies of membrane transport.

The article will also be used to train graduate students and even occasional undergraduates in use of the article as an investigative tool. Application received by Commissioner of Customs: April 16, 1975.

Docket Number: 75-00480-35-54500. Applicant: Indiana University, Purchasing Department, 1101 East 17th Street, Bloomington, Indiana 47401. Article: 1 Topcon Slit Lamp Haag-Streit type, Model SL-3 and 1 Haag-Streit Corneal Pachymeter No. 1. Manufacturer: Tokyo Kogaku Kikai K.K., Japan. Intended use of article: The article is intended to be used to study structural changes in the human cornea, especially changes in thickness, which accompany the wearing of contact lenses. The article will also be used in the courses V533 Contact Lenses and Subnormal Vision Aids, and V658 Specialty Clinics to provide optometry students with complete knowledge and experience in the fitting and evaluation of contact lenses made of various materials. Application received by Commissioner of Customs: April 16, 1975.

Docket Number: 75-00481-75-46040. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, New Mexico 87544. Article: Electron Microscope, Model JEM 200B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for (1) the examination of grain boundaries for precipitates, identification, and characterization, (2) determination of habit planes of martensite platelets effect of delta stabilizing elements on plutonium substructure determination of recovery and recrystallization behavior of alpha and delta plutonium (SICM); and (3) characterization of irradiation damage in Al_2O_3 and other refractories. Application received by Commissioner of Customs: April 16, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.75-11370 Filed 4-30-75;8:45 am]

NASA-JOHNSON SPACE CENTER, ET AL.

Duty-Free Entry of Scientific Articles; Applications

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before May 21, 1975.

Amended regulations issued under cited Act, as published in the March 18, 1975 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00470-33-42700. Applicant: NASA Johnson Space Center, Technical Support Procurement Branch/BB62, Houston, Texas 77058. Article: Oxygen Resonance Lamp and Nitrogen Resonance Lamp. Manufacturer: Intra-Space International Inc., Canada. Intended use of article: The foreign articles will be used to measure the global distributions of oxygen and nitrogen through the measurement of the ultraviolet absorption of these atoms between spacecraft circling the earth. Application received by Commissioner of Customs: April 9, 1975.

Docket Number: 75-00471-33-46500. Applicant: Louisiana State University Medical Center, 1452 Tulane Avenue, New Orleans, Louisiana 70112. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of cell culture in the presence of various metabolic inhibitors to synchrinize the viral replication cycle. In addition, techniques of immuno-electron microscopy, such as the use of ferritin-conjugated antibody, will be employed to identify the site of synthesis of components of replicating virus before their assembly into recognizable viral structures. The article will also be used in training of advanced graduate students who have a particular interest in techniques itilized in ultrastructural aspects of virus-host systems. Application received by Commissioner of Customs: April 9, 1975.

Docket Number: 75-00472-99-03400. Applicant: The University of Tennessee, Knoxville, Tennessee 37916. Article: Suvag II Auditory Training Unit. Manufacturer: Service Europeen De Diffusion Des Invention SA, France. Intended use of article: The article is intended to be used in the daily training of hearing impaired children and adults as well as in the training of clinicians and teachers. Application received by Commissioner of Customs: April 9, 1975.

Docket Number: 75-00473-00-46040. Applicant: Arizona State University, Tempe, Arizona 85281. Article: Goniometer Stage for Electron Microscope. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is an accessory to an existing electron microscope to be used to aid in the study of formation of ferrite particles in irradiated austenitic stainless steel in order to

determine the orientation relationships between the ferrite particles and the austenite matrix. Application received by Commissioner of Customs: April 9, 1975.

Docket Number: 75-00474-00-46040. Applicant: Presbyterian-University of Pennsylvania, Scheie Eye Institute, 51 North 39th Street, Philadelphia, Pa. 19104. Article: Scanning Device for Electron Microscope. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used for investigation of cell surfaces of normal, virus-infected cells and from optic tissue and neural tissue from both normal and diseased states. Artificial membranes, e.g. liposomes, as well as minomolecular films cast at an air-water interface will also be examined to study their surface parameters following appropriate preparation for scanning microscopy. In addition, the surface structure of viruses as they are being released from an infected cell surface are to be examined directly using secondary fluorescence and appropriate antibodies. The article will also be used for the course Molecular Biology 999 which is independent study as well as for teaching graduate students how to use a scanning microscope in the determination of surface structure. Application received by Commissioner of Customs: April 14, 1975.

Docket Number: 75-00475-88-15300. Applicant: U.S. Geological Survey—Office of Marine Geology, Procurement & Contract, 345 Middlefield Road, Menlo Park, California 94025. Article: Kiel Vibrocorer, VK 200. Manufacturer: Hydrowerkstatten, West Germany. Intended use of article: The article is intended to be used to obtain cores of up to 3 m in length of unconsolidated sediments, with a minimum of disturbance to sample characteristics. Application received by Commissioner of Customs: April 14, 1975.

Docket Number: 75-00476-33-90000. Applicant: The Queen's Medical Center, 1301 Punchbowl Street, Honolulu, Hawaii 96813. Article: EMI Scanner System with Diagnostic Display Console. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used primarily for non-invasive investigation and diagnosis of disorders of the brain i.e. direct patient care. In addition, the information obtained will be used for education of the medical staff and resident physicians by formal lecture and informal discussion. Research will relate to correlation of data obtained and clinical disease entities. Application received by Commissioner of Customs: April 14, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.75-11369 Filed 4-30-75;8:45 am]

TRENTON STATE COLLEGE

Duty-Free Entry of Scientific Article; Application Decision

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1974).

A copy of the record pertaining to this decision is available, for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00226-33-46040. Applicant: Trenton State College, Trenton, New Jersey 08625. Article: Electron Microscope, Model HS-9. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used in the following research projects: (1) The effects of drugs and ionic imbalance on mitochondrial ultrastructure of Purkinje fibers of canine heart; (2) The origin and development of C-body endosymbiont inclusions in mutant and normal oocytes of *Drosophila melanogaster* and *Drosophila virilis;* (3) An ultrastructural analysis of green and blue-green algae of New Jersey: Taxonomic differentiation; (4) The ultrastructure of amoebocytes and lymphocytes isolated from hard clam, Mercenaria mercenari in polluted and non-polluted environments; (5) Electron microscopic visualization of DNA isolated from *E. Coli* during ØX174 infection. The article will also be used to introduce the undergraduate Biology major to the theory and practical operation of the electron microscope. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (July 4, 1974). Reasons: The foreign article provides high quality micrographs over a magnification range from 500 to 100,000 magnifications (×) without a pole piece change. The most closely comparable domestic instrument available at the time the article was ordered was the Model EMU-4C currently available from the Adam David Company. The Model EMU-4C with its low magnification pole piece provides high quality micrographs over a magnification range from 500 to 70,000× and with the standard pole piece, 1400 to 24,000×. Therefore, in order for the Model EMU-4C to cover the range provided by the foreign article a pole piece change is required. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated March 3, 1975 that the low magnification operation and full range of magnifications without a pole piece change are pertinent to the applicant's intended uses in examining amoebocytes and lymphocytes and comparing them with color optical results, the taxonomic relatedness of algae, and the lesions of cristae. In addition, HEW advises that the EMU-4C does not adequately cover the magnification range of the article without a pole piece change and is more complex than the work requires. For these reasons, we find that the Model EMU-4C was not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, at the time the article was ordered. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.75-11368 Filed 4-30-75;8:45 am]

Maritime Administration

[Docket No. S-448]

ACHILLES MARINE CO.

Notice of Application

Notice is hereby given that Achilles Marine Company has filed an application dated January 14, 1975, under the Merchant Marine Act, 1936, as amended, for operating-differential subsidy on one 51,000 DWT tank vessel to be employed in U.S. foreign trade. Since Achilles-Marine Company is affiliated with Judge Oil Transport, Inc. (an affiliate of Worth Oil Transport Company in which two of the Officers of Achilles Marine Company have an interest) and since Judge Oil Transport, Inc. operates a barge in the coastwise trade, written permission of the Maritime Administration under section 805(a) of the Merchant Marine Act, 1936, as amended, will be required by Achilles Marine Company if its application for operating-differential subsidy is approved.

Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) and desiring to submit comments or views concerning the applications must, by close of business on May 14, 1975, file same with the Secretary, Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

By order of the Assistant Secretary for Maritime Affairs.

Dated: April 28, 1975.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-11465 Filed 4-30-75;8:45 am]

National Oceanic and Atmospheric Administration

MARINE MAMMALS

Issuance of Permit

On February 12, 1975, notice was published in the FEDERAL REGISTER (40 FR 6520), that an application had been filed with the National Marine Fisheries Service by J. Lawrence Dunn, D.V.M., General Manager and Staff Veterinarian, Mystic Marinelife Aquarium, P.O. Box 190, Mystic, Connecticut 06355, to take and import up to seven (7) Atlantic harbor seals (*Phoca vitulina concolor*) up to one hundred (100) blood samples from Atlantic harbor seals, up to one hundred (100) ectoparasites samples from these same animals, up to twenty (20) tissue parasite samples from harbor seals found dead, up to ten (10) skin biopsies from harbor seals showing lesions of seal pox, and up to ten (10) milk or colostrum samples from lactating harbor seals for the purpose of scientific research.

Notice is hereby given that, on April 18, 1975, 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 to J. Lawrence Dunn, D.V.M., 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, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Dated: April 18, 1975.

WALTER KIRKNESS,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-11397 Filed 4-30-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), that the next meeting of the National Advisory Council on Indian Education will be held May 30, 31 and June 1, 1975 at 9:00 AM at the Executive Tower Inn, 1405 Curtis, Denver, Colorado 80202.

The National Advisory Council on Indian Education is established under section 442 of the Indian Education Act (P.L. 92-318, Title IV, 20 U.S.C. 1221g). The Council, among other things, is directed to:

(1) advise the Commissioner of Education with respect to the administration (including the development of regulations and of administrative practices and policies) of any program in which Indian children or adults participate from which they can benefit, including sections 241aa to 241ff and 887c of this title and with respect to adequate funding thereof;

(2) review applications for assistance under sections 241aa to 241ff, 887c, and 1211a of this title, and make recommendations to the Commissioner with respect to their approval;

(3) evaluate program and projects carried out under any program of the Department of Health, Education, and Welfare in which Indian children or adults can participate or from which they can benefit, and disseminate the results of such evaluations;

(4) provide technical assistance to local educational agencies and to Indian educational agenices, institutions, and organizations to assist them in improving the education of Indian children;

(5) assist the Commissioner in developing criteria and regulations for the administration and evaluation of grants made under section 241bb(b) of this title; and

(6) to submit to the Congress not later than March 31 of each year a report on its activities, which shall include any recommendations it may deem necessary for the improvement of Federal education programs in which Indian children and adults participate, or from which they can benefit, which report shall include statement of the National Council's recommendations to the Commissioner with respect to the funding of any such programs.

The meetings on May 30 and 31, 1975 will be open to the public beginning at 9 a.m. The meeting on June 1, 1975 will be closed to the public, beginning at 9 a.m. These meetings will be held in the conference room of the Executive Tower Inn, 1405 Curtis, Denver, Colorado 80202.

The proposed agenda for May 30 and 31 includes:

(1) Budget Review.
(2) Regular Council Business.
(3) Discuss and make recommendations as to the approval of Part A applicants.
(4) Committee Reports.

The June 1 meeting will be closed to the public, beginning at 9 a.m. to interview candidates for the position of Executive Director of the National Advisory Council on Indian Education, under the authority of the Federal Advisory Committee Act (P.L. 92-463) and under the exemptions contained in the Freedom of Information Act, 5 U.S.C. section 552(b) (4) and (6), (Pub. L. 90-23), 45 CFR 5.71(a) and 5.71(b).

Records shall be kept of all Council proceedings (and shall be available for public inspection) at the Office of the National Advisory Council on Indian Education located at 425 13th Street NW., Suite 326, Washington, D.C. 20004.

Signed at Washington, D.C., on April 21, 1975.

DORRANCE D. STEELE,
Acting Executive Director, NACIE.

[FR Doc.75-11384 Filed 4-30-75;8:45 am]

NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the next meeting of the National Advisory Council on Indian Education will be held June 27, 28, 29, 1975 at 9 a.m. at the Radisson Hotel, 5th Avenue West and Superior Street, Duluth, Minnesota.

The National Advisory Council on Indian Education is established under section 442 of the Indian Education Act (Pub. L. 92-318, Title IV, 20 U.S.C. 1221g). The Council, among other things, is directed to:

(1) advise the Commissioner of Education with respect to the administration (including the development of regulations and of administrative practices and policies) of any program in which Indian children or adults participate from which they can benefit, including sections 241aa to 241ff and 887c of this title and with respect to adequate funding thereof;

(2) review applications for assistance under sections 241aa to 241ff, 887c, and 1211a of this title, and make recommendations to the Commissioner with respect to their approval;

(3) evaluate program and projects carried out under any program of the Department of Health, Education, and Welfare in which Indian children or adults can participate or from which they can benefit, and disseminate the results of such evaluations;

(4) provide technical assistance to local educational agencies and to Indian educational agencies, institutions, and organizations to assist them in improving the education of Indian children;

(5) assist the Commissioner in developing criteria and regulations for the administration and evaluation of grants made under section 241bb(b) of this title; and

(6) to submit to the Congress not later than March 31 of each year a report on its activities, which shall include any recommendations it may deem necessary for the improvement of Federal education programs in which Indian children and adults participate, or from which they can benefit, which report shall include statement of the National Council's recommendations to the Commissioner with respect to the funding of any such programs.

The meetings on June 27, 28, 29, 1975 will be open to the public beginning at 9 a.m. These meetings will be held in the conference room of the Radisson Hotel, 5th Avenue West and Superior Street, Duluth, Minnesota.

The proposed agenda includes:

(1) Re-organizing the National Advisory Council on Indian Education.

(2) Review of the fiscal year 1976 and 1977 budget.

(3) Re-evaluate NACIE's goals and objectives.

(4) Regular Council business.

Records shall be kept of all Council proceedings (and shall be available for public inspection) at the Office of the National Advisory Council on Indian Education located at 425 13th Street, NW., Suite 326, Washington, D.C. 20004.

Signed at Washington, D.C., on April 22, 1975.

DORRANCE D. STEELE,
Acting Executive Director, NACIE.

[FR Doc.75-11383 Filed 4-30-75;8:45 am]

STRENGTHENING DEVELOPING INSTITUTIONS; ADVANCED INSTITUTIONAL DEVELOPMENT PROGRAM

Extended Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Title III of the Higer Education Act of 1965, as amended (20 U.S.C. 1054), the Commissioner of Education has decided to provide additional funding to selected "developing" institutions of higher education which received grants under the Advanced Institutional Development Program in Fiscal Years 1973 and 1974, to enable such institutions to make greater progress in achieving both operational and fiscal stability and participation in the mainstream of American higher education. These awards will be made on a one-time only basis and will be made to those institutions whose progress in developing and implementing their final plan of operation has been deemed satisfactory.

Applications for grants will be evaluated on the basis of the criteria set forth in § 169.37 of the Title III regulations (45 CFR 169.37), and in selecting grantees under § 169.37, the Commissioner will give preferential consideration to those applications whose proposed activities are likely to best carry out one or more of the objectives listed in § 169.35 of the Title III regulations (45 CFR 169.35).

Eligible institutions desiring to receive additional funding must submit their applications to the U.S. Office of Education Application Control Center on or before May 6, 1975.

Background. On January 27, 1975 a notice of closing date was published in the FEDERAL REGISTER stating that, in order to receive consideration for this program, applications must be received by the U.S. Office of Education Application Control on or before March 17, 1975.

The number of institutions which are eligible for additional funding under the Advanced Institutional Development Program is limited to sixty-four. In order that each eligible institution of higher education will have an opportunity to submit an application for additional funding the Closing Date for the Receipt of Applications has been extended from March 17 to May 6, 1975.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202. Attention: 13.454. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Developing Institutions Program, U.S. Office of Education, Room 4060, 7th and D Streets, S.W., Washington, D.C. 20202.

(20 U.S.C. 1054)

(Catalog of Federal Domestic Assistance Number 13.454; Strengthening Developing Institutions)

Dated: April 23, 1975.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.75-11393 Filed 4-30-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD 270; FDAA-464-DR]

ALABAMA

Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on April 23, 1975, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Alabama resulting from severe storms and flooding beginning about April 9, 1975, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Alabama.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Thomas P. Credle, HUD Region IV, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas of the State of Alabama to have been adversely affected by this declared major disaster:

The Counties of:

Coffee.	Escambia.
Conecuh.	Geneva.
Covington.	Monroe.
Dale.	

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

Dated: April 23, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.75-11429 Filed 4-30-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 75-080]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

Correction

In FR Doc. 75-9240 appearing at page 16107 of the issue for Wednesday, April 9, 1975, in the third column on page 16107, correct the third paragraph under the heading "Inflatable Life Rafts" as follows:

1. The first line, reading "Approval No. 160.051/55/0, 8-person inflat-", should read "Approval No. 160.051/56/0, 10 person inflat-".
2. In the third line, "SPC-LRC-1002" should read "SPC-LRC-10002".

Federal Aviation Administration

[Docket No. 10494; Ref. Notice No. 75-15]

AIRCRAFT NOISE REQUIREMENTS: CIVIL SUPERSONIC AIRPLANES

Public Hearings

The Federal Aviation Administration will hold public hearings May 16 and 22, 1975, on proposed amendments to the Federal Aviation Regulations (14 CFR Chapter I) submitted to the FAA by the Environmental Protection Agency (EPA) under section 611(c)(1) of the Federal Aviation Act of 1958, as amended by the Noise Control Act of 1972 (Pub. L. 92-574). These hearings will afford interested persons the opportunity to present views, data, and arguments regarding the substance and issues raised in the proposals contained in Notice 75-15 "Aircraft Noise Requirements for Civil Supersonic Airplanes" (40 FR 14093; March 28, 1975).

The hearings will be conducted at the following times and locations:

May 16—Los Angeles, California: Convening at 9:30 a.m. at the Orville Wright Jr. High School, 6550 West 80th Street, Los Angeles, California.

May 22—Washington, D.C.: Convening at 9 a.m. in the Auditorium on the Third Floor, Federal Aviation Administration Building, 800 Independence Avenue SW., Washington, D.C.

In the event that the response to this notice exceeds the time allotted to either hearing date, that hearing will be continued to the following day (May 17 or May 23, respectively) at the same time and location as the previous day of the hearings.

The hearings will be informal in nature and will be conducted by a designated representative of the Administrator under 14 CFR 11.33.

Since the hearings will not be evidentiary or judicial in nature, there will be no cross-examination or other adjudicatory procedure applied to the presentations. However, interested persons wishing to make rebuttal statements will be given an opportunity to do so at the conclusion of the presentations in the same order in which initial statements are made.

Interested persons are invited to attend the hearings and to participate by making oral or written statements concerning the respective proposals. Written statements should be submitted in duplicate and will be made a part of the regulatory docket. Persons wishing to make oral statements at the hearings must notify the FAA that they desire to be heard, and indicate the amount of time requested for their initial statements. Presentations will be scheduled on a first-come-first-served basis, as time may permit. Requests to be heard should be made as follows:

For the hearing at Los Angeles, California—write:

Public Hearing on Notice No. 75-15, Attention: Bruce Chambers, AWE-4, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90260; or Telephone: (213) 536-6231.

For the hearing at Washington, D.C.—write:

Public Hearing on Notice No. 75-15, Attention: J. Steven Newman, Office of Environmental Quality (AEQ-220), Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; or Telephone: (202) 426-3396.

In addition to material presented for the purpose of the hearings, persons not participating in the hearings are invited to submit relevant written comments to the regulatory docket established for the notice of proposed rule making. As stated in the notice, such written comments should identify the notice or docket number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. The closing date for submitting written comments is May 30, 1975. All comments will be available for examination in the FAA Rules Docket both before and after the closing date for comments.

Notice No. 75-15 was issued by the FAA in accordance with section 611(c)(1) of the Federal Aviation Act of 1958, as amended by the Noise Control Act of 1972 (Pub. L. 92-574). The notice contains proposed regulations submitted to the FAA by EPA to provide such control and abatement of aircraft noise as EPA determines is necessary to protect the public health and welfare. The notice presents EPA's analysis of the background of the respective proposals and contains the material that is the subject of the public hearings. While all relevant comments are of interest, the FAA specifically invites relevant statements or comments concerning the following:

(a) Available data relating to aircraft noise, including the results of research, development, testing, and related evaluation activities.

(b) The views and positions of other Federal, State, and interstate agencies.

(c) Whether the proposed regulations would be consistent with the highest degree of safety in air commerce and air transportation in the public interest.

(d) Whether the proposed regulations would be—

(1) economically reasonable;

(2) technologically practicable; and

(3) appropriate for the particular types of aircraft, aircraft engines, appliances, or certificates to which they would apply.

(e) The extent to which the proposed regulations would contribute to providing protection to the public health and welfare by carrying out the purposes of section 611 of the Federal Aviation Act of 1958, as amended.

(f) The overall environmental impacts of the proposed regulations (including environmental factors other than noise).

Before taking further action under section 611(c) of the Federal Aviation Act of 1958, the FAA will consider all statements presented at the hearings and all relevant written statements and comments submitted to the regulatory docket. The specific terms and substance of proposals contained in the notice may be changed in the light of those statements and comments presented.

Transcripts of the hearings will be made and anyone may purchase copies from the reporter. A transcript of each hearing will be available for examination in the Rules Docket.

AUTHORITY: Secs. 307 (a) and (c), 313(a), 601, 603, and 611(c), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348 (a) and (c), 1354(a), 1421, 1423, and 1431(c)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 44 U.S.C. 1508.

Issued in Washington, D.C., on April 28, 1975.

CHARLES R. FOSTER,
Director, Office of Environmental Quality.

[FR Doc.75-11473 Filed 4-30-75;8:45 am]

National Highway Traffic Safety Administration

[Docket No. EX75-12; Notice 2]

CROWN COACH CORP.

Petition for Temporary Exemption From Federal Motor Vehicle Safety Standard

The National Highway Traffic Safety Administration has decided to deny the petition by Crown Coach Corporation for a temporary exemption from Motor Vehicle Safety Standard No. 121, *Air Brake Systems*.

Notice of the petition was published on March 17, 1975 (40 FR 12149) and an opportunity afforded for comment.

Crown manufactured 270 motor vehicles in 1974, generally buses and fire apparatus. It requested a 4-month exemption for its custom school coaches and modified coaches, an estimated production of 60 units. It also requested a 10-month exemption (September 1, 1975 to July 1, 1976) for its custom fire apparatus covering a production estimated at 35 units. Crown represented that its primary supplier has failed to deliver components necessary for conformance (axle and anti-skid components) as promised. It estimated that prototype testing and phase-out of non-complying buses will take place by July 1, 1975, and

for custom fire apparatus (which require 12 to 18 months for completion) by July 1, 1976. The company had a net profit in 1974 of $83,236 realized from gross sales of approximately $16,000,000. Denial of an exemption in Crown's view would cause a plant shut-down with a possible layoff of 300 or more workers, creating a situation in which the company's creditors might attempt to foreclose. Denial of petitioner's request would also leave it with an inventory of 95 noncomplying bus and fire apparatus axles worth over $368,000. It views an exemption as in the public interest since most of its sales are made to municipalities and school districts.

Mack Trucks, Inc., the sole commenter, opposed the request for exemption of fire apparatus. The effective date of Standard No. 121 for fire apparatus is over four months away. The NHTSA is considering extending this effective date. Such an action would have the same effect as granting a portion of Crown's petition. It is therefore denying Crown's petition on the assumption that the rulemaking action will be issued and will alleviate Crown's problem. If the rulemaking action is not issued, or if hardship exists, NHTSA will reconsider the matter.

The NHTSA has been informed that Crown's primary supplier has begun to ship conforming components. Crown therefore has an apparent present ability to manufacture conforming buses. The important remaining question is whether the inability to use 60 bus axle sets in new vehicle production would cause Crown substantial economic hardship. Assuming that bus and fire apparatus axles have the same value, the inventory of bus axles would have an estimated worth of approximately $232,500. While this figure may appear large in relation to the company's 1974 net profit of $83,275 it appears that the inventory could be used for replacement purposes, and for vehicles for the export market. Since petitioner's buses will be used in public transportation on a daily basis for many years, it is important that they be provided with all federally-mandated safety equipment at the earliest time practicable.

For the reasons discussed above, the Administrator finds that a sufficient showing has not been made that compliance with 49 CFR 571.121, Motor Vehicle Safety Standard No. 121, would cause Crown Coach Corporation substantial economic hardship, and its petition is hereby denied.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51)

Issued on April 24, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-11422 Filed 4-30-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 25761]

HAWAIIAN AIRLINES, INC. AND ALOHA AIRLINES, INC.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 27, 1975, at 2 p.m. (local time), in Room 404, Federal Building, 335 Merchant Street, Honolulu, Hawaii, before the undersigned administrative law judge.

Dated at Washington, D.C., April 25, 1975.

[SEAL] GREER M. MURPHY,
Administrative Law Judge.

[FR Doc.75-11425 Filed 4-30-75;8:45 am]

CITIZENS' ADVISORY COUNCIL ON THE STATUS OF WOMEN

MEETING

Correction

In FR Doc. 75-9742 appearing at page 16872 of the Tuesday, April 15, 1975 issue, the time stated in the fifth line of the second paragraph should be changed to 2 p.m.

COMMODITY FUTURES TRADING COMMISSION

CONTRACT MARKETS

Provisional Designations of Boards of Trade as Contract Markets

The Commodity Futures Trading Commission ("Commission") announced that pursuant to rule 1.52[1] under the Commodity Exchange Act, as amended, the Commission on April 18, 1975, entered orders granting the following provisional designations of boards of trade as contract markets for a 15-day period, expiring May 5, 1975:

(1) The Board of Trade of the City of Chicago as a contract market for plywood, stud lumber, silver, gold, and iced broilers;

(2) The Chicago Mercantile Exchange as a contract market for lumber and turkeys;

(3) The Commodity Exchange, Inc. as a contract market for gold, silver, copper, mercury, and rubber;

(4) The International Monetary Market of the Chicago Mercantile Exchange as a contract market for gold, United States Silver Coins, Canadian Silver Coins, copper, German Deutsche Marks, Japanese Yen, Swiss Francs, French Francs, Canadian Dollars, Mexican Pesos, Dutch Guilders, and Pounds Sterling;

(5) The MidAmerica Commodity Exchange as a contract market for silver, United States Silver Coins, and gold;

(6) The New York Cocoa Exchange, Inc. as a contract market for cocoa and natural rubber;

(7) The New York Coffee and Sugar Exchange, Inc., as a contract market for coffee and sugar;

(8) The New York Mercantile Exchange as a contract market for aluminum, apples, British Pound, Canadian Dollar, Deutsche Mark, Dutch Guilder, heating oil, industrial fuel oil, Italian Lira, Japanese Yen, Mexican Peso, nickel, plywood, Swiss Franc, Belgian Franc, gold, palladium, platinum, and U.S. Silver Coins;

(9) The Pacific Commodities Exchange, Inc. as a contract market for silver; and

(10) The Petroleum Associates of the New York Cotton Exchange, Inc. as a contract market for crude oil and liquified propane gas.

In addition, on April 19, 1975, the Commission entered an order denying the application of The American Board of Trade, Inc. for designation as a contract market for all the commodities in which it was seeking designation. This denial was without prejudice to the filing of additional information to supplement the contents of The American Board of Trade's designation application.

Issued in Washington, D.C. on April 28, 1975.

By the Commission.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.75-11458 Filed 4-30-75;8:45 am]

[1] *See* 40 FR 17407, 17408 (April 18, 1975).

FEDERAL POWER COMMISSION

[Docket No. G-10083, etc.]

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Applications, Abandonment of Service and Petitions To Amend[1]

APRIL 23, 1975.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 21, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-10083 D 4-4-75	Texaco, Inc., P.O. Box 2420, Tulsa, Okla. 74102.	Northern Natural Gas Co., Hugoton Field, Finney County, Kans.	Certain properties have expired or been released.	--------
G-12363 (NPC) C 4-9-75	Amoco Production Co., Security Life Bldg., Denver, Colo. 80202.	Northwest Pipeline Corp., Basin Dakota Field, Rio Arriba County, N. Mex.	[1] 60.811	14.73
CI61-1319 D 4-2-75	Odessa Natural Gasoline Co., P.O. Box 3908, Odessa, Tex. 79760.	Transwestern Pipeline Co., Follett, North Morrow Field, Lipscomb County, Tex.	Certain leases never produced, others depleted.	--------
CI74-397 CF 4-3-75	Union Texas Petroleum, a division of Allied Chemical Corp., P.O. Box 2120, Houston, Tex. 77001.	Columbia Gas Transmission Corp., Orange Grove Field, Terrebonne Parish, La.	[2] 51.0	14.73
CI75-580 (G-16371) F 3-27-75	American Petrofina, Inc. (successor to R. M. Hodges), P.O. Box 2159, Dallas, Tex. 75221.	United Gas Pipe Line Co., Cotton Valley Field, Webster Parish, La.	17.052	15.025
CI75-583 (CI62-1535) B 3-31-75	Anadarko Production Co., P.O. Box 1330, Houston, Tex. 77001.	Panhandle Eastern Pipe Line Co., Northeast Postle Field, Texas County, Okla.	Depleted	--------
CI75-587 A 4-7-75	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221.	Pacific Alaska LNG Co., Beluga River Field, Cook Inlet Area, Alaska.	49.0	14.65
CI75-588 A 4-7-75	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	Columbia Gas Transmission Corp., West Delta Block 117 Field, offshore Louisiana.	[3] [4] 75.0	15.025
CI75-589 A 4-7-75	Tenneco Oil Co., P.O. Box 2511, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Keota Field, Haskell County, Okla.	[5] 54.5909	14.65
CI75-593 (CI72-125) B 4-3-75	Edwin L. Cox, 3800 First National Bank Bldg., Dallas, Tex. 75202.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Adams Ranch Field, Meade County, Kans.	Depleted	--------
CI75-595 (G-9529) B 4-4-75	Clark Fuel Producing Co., 727 Houston Club Bldg., Houston, Tex. 77002.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Sullivan City and Nichols Fields, Hidalgo County, Tex.	Leases expired	--------
CI75-596 (CI66-500) B 4-7-75	Phillips Petroleum Co., Bartlesville, Okla. 74004.	Lone Star Gas Co., North Henderson Field, Rusk County, Tex.	(6)	--------
CI75-597 A 4-7-75	Monsanto Co., 5051 Westheimer, 1300 Post Oak Tower, Houston, Tex. 77027.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Madden Field (Deep), Fremont and Natrona Counties, Wyo.	[2] 55.6178	14.65
CI75-598 A 4-8-75	Union Oil Co., of California, P.O. Box 7600, Los Angeles, Calif. 90051.	Pacific Alaska LNG Co., Beaver Creek Unit, Cook Inlet Area, Alaska.	[2] 49.0	14.65
CI75-599 A 4-8-75	Champlin Petroleum Co., P.O. Box 9365, Fort Worth, Tex. 76107.	Cities Service Gas Co., Buffalo Wallow Area, Hemphill County, Tex.	[2] 60.15	14.65
CI75-600 (CI62-1295) B 4-7-75	Texas Oil & Gas Corp., 2700 Fidelity Union Tower, Bldg., Dallas, Tex. 75201.	United Gas Pipe Line Co., South Weesatche Field, Goliad County, Tex.	Well has been plugged and abandoned and lease has expired.	--------

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI75-601 (G-18608) B 4-9-75	Bright & Schiff, 2355 Stemmons Bldg., Dallas, Tex. 75207.	South Texas Natural Gas Gathering Co., Whitted Field, Hidalgo County, Tex.	Depleted	
CI75-604 A 4-11-75	McCulloch Oil Corp., 10880 Wilshire Blvd., Los Angeles, Calif. 90024.	Montana-Dakota Utilities Co., Pumpkin Creek Field, Custer and Powder River Counties, Mont.	[1] 57.09	15.025
CI75-605 A 4-11-75	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	El Paso Natural Gas Co., acreage in Eddy County, N. Mex.	[2] [4] 80.0	14.73
CI75-606 A 4-11-75	do	Transwestern Pipeline Co., Burton Flats Area, Eddy County, N. Mex.	[2] [4] 80.0	14.73

[1] Includes 5.529 cents per Mcf upward Btu adjustment and 4.285 cents per Mcf tax reimbursement.
[2] Subject to upward and downward Btu adjustment.
[3] Subject to upward and downward Btu adjustment; estimated upward adjustment is 0.53 cent per Mcf.
[4] Applicant is willing to accept a certificate in accordance with Opinion No. 699.
[5] Includes 3.8679 cents per Mcf tax reimbursement and is subject to upward and downward Btu adjustment.
[6] As a result of the rearrangement of Lone Star's system, the gas is now sold intrastate.
[7] Includes 6.24 cents per Mcf tax reimbursement and 0.28 cent per Mcf downward Btu adjustment.

[FR Doc.75-11284 Filed 4-30-75;8:45 am]

[Rate Schedule Nos. 419, etc.]

RATE CHANGE FILINGS

APRIL 23, 1975.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable area new gas or national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 639, issued December 12, 1972, and in Opinion No. 699-H, issued December 4, 1974.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filing should on or before May 13, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
Mar. 31, 1975	Mobile Oil Corp., 3 Greenway Plaza East, Suite 890, Houston, Tex. 77046.	419	Trunkline Gas Co.	Texas Gulf Coast.
Apr. 4, 1975	Shell Oil Co., 2 Shell Plaza, P.O. Box 2099, Houston, Tex. 77001.	334	El Paso Natural Gas Co.	Permian Basin.
Apr. 7, 1975	Terra Resources Inc., P.O. Box 2329, Tulsa, Okla. 74101.	1	United Gas Pipe Line Co.	Other southwest.
Apr. 10, 1975 [1]	Marathon Oil Co., Findlay, Ohio 45840.	16	do	Do.
Apr. 14, 1975	Continental Oil Co., P.O. Box 2197, Houston, Tex. 77001.	128	Tennessee Gas Pipeline Co.	South Louisiana.
Do	Hassie Hunt, Inc., 1401 Elm St., Dallas, Tex. 75202.	29	Texas Gas Transmission Corp.	Do.

[1] Involves gas sold under Supplement No. 38 to subject rate schedule.

[FR Doc.75-11283 Filed 4-30-75;8:45 am]

[Rate Schedule No. 1]

H. & S. TRANSMISSION CO., PARTNERSHIP

Rate Change Filing

APRIL 23, 1975.

Take notice that the producer listed in the Appendix attached hereto has filed a proposed increased rate to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699-H, issued December 4, 1974.

The information relevant to this sale is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filing should on or before May 5, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
Apr. 11, 1975	H. & S. Transmission Co., partnership, P.O. Box 1527, Shreveport, La. 71165.	1	Southern Natural Gas Co.	Other southwest.

[FR Doc.75-11282 Filed 4-30-75;8:45 am]

[Docket No. RP75-80]

ALABAMA-TENNESSEE NATURAL GAS CO.

Order Accepting for Filing and Suspending Substitute Revised Tariff Sheets and Establishing Hearing Procedures

APRIL 24, 1975.

On March 25, 1975, Alabama-Tennessee Natural Gas Company (A-T), tendered for filing proposed changes to A-T's FPC Gas Tariff, Third Revised Volume No. 1.[1] The proposed sheets reflect an increase in jurisdictional revenues of approximately $822,760.47, based upon the base period of the 12-months ended December 31, 1974, as adjusted for known and measurable changes through September 30, 1975.

A-T also filed on March 25, 1975, substitute tariff sheets to its FPC Gas Tariff, Third Revised Volume No. 1[2] which are to become effective only in the event the Commission allows the rates contained in Tennessee Gas Pipeline Company's Alternate Second Substitute Seventh Revised Sheet No. 12-A to become effective March 15, 1975 in Docket No. RP75-13. A-T states that the substitute tariff sheets reflect an increase in jurisdictional revenues of approximately $824,016.10 for the 12 month period ended December 31, 1974, as adjusted for known and measurable changes through September 30, 1975. The proposed effective date of both sets of tariff sheets is April 25, 1975.

In support of the proposed increase, A-T cites the need to recover fixed costs over the reduced volumes of gas available for sale. A-T is also seeking an increase in its overall rate of return to 11.48 percent reflecting a return on common equity of 14.00 percent. Additionally, A-T states that it is proposing to increase its depreciation rate from 3.2 percent to 5.5 percent. A-T's March 25, 1975, filing was noticed on March 31, 1975, with comments, protests and petitions to date due on or before April 18, 1975.

We note that the test period cost-of-service reflect the unmodified Seaboard method of cost classification and allocation. In Opinion No. 671 we expressed our concern over the worsening gas supply situation and particularly as it existed on United's system. Based upon the record in that case we concluded that more weight should be given to annual use of United's pipeline system than is characteristic of the unmodified Seaboard methodology. Therefore, we assigned 75 percent of fixed costs to the commodity component of two-part rates and to the straight-line rates. Part of our rationale was that in view of the gas supply shortage, low priority usage should be discouraged and the price gap between natural gas and alternative fuels in the interruptible industrial market should, at the minimum, be narrowed.

In light of our policy of considering competitive fuel prices in setting commodity rate levels and of the present supply and market conditions on the A-T system, all parties to this proceeding should direct their attention, and file any evidence they wish to submit, as to the propriety of the continued use of the Seaboard method of cost classification and allocation and A-T's rate design proposal on A-T's system as well as the propriety of the use of alternate methods of cost classification allocation and rate design which may more closely reflect or implement the Commission's objectives in this area.[3]

As previously noted, A-T's request for increased rates is based in part upon the fact that its deliverability of gas from connected sources is declining. The present gas shortage in this country, to which this Commission has often called attention, is a problem which is shared by most if not all major interstate transmission pipelines in varying degrees of magnitude. The effect upon the risk of capital invested in gas pipeline operations resulting from inadequate and declining gas supplies as well as the uncertainties and contingencies inherent in possible supplemental sources of supply are of direct and primary concern to us. It also seems clear that the gas shortage may result in situations where the useful or economic life of gas pipeline facilities may be substantially less than their physical life. Accordingly, we request that the evidence in this proceeding, including that to be filed by our Staff, give full and careful consideration to these factors in the development of recommendations on the issues of rate of return and depreciation so as to enable this Commission to formulate sound regulatory policies in these areas.

Based on our review of A-T's proposed rate increase, including the documents, information and studies submitted therewith as required by the Commission's regulations, we find that the requested increase may be excessive or otherwise unlawful under the Natural Gas Act, and that accordingly the proposed increase should be accepted for filing, suspended for the full statutory period and set for hearing. In this regard, we note that we accepted for filing, subject to refund, Tennessee's Alternate Second Substitute Tariff Sheet Nos. 12A and 12B to become effective March 15, 1975.[4] Accordingly, we shall accept for filing the tariff sheets listed in footnote 2 of this order and suspend said tariff sheets for the full statutory period and establish hearing procedures to determine their justness and reasonableness.

The Commission finds: (1) The proposed changes in A-T's FPC Gas Tariff, as listed in Footnote 2 of this order, should be accepted for filing, suspended, and the use thereof deferred until September 25, 1975.

(2) It is necessary and proper in the interest and to aid in the enforcement of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of A-T's FPC Gas Tariff, as proposed to be amended in this docket.

(3) The disposition of this proceeding should be expedited in accordance with the procedures set forth below.

The Commission orders: (A) Pending a hearing and decision thereon, A-T's proposed tariff sheets as listed in Footnote 2 of this order, filed on March 25, 1975, are hereby accepted for filing and suspended for the full statutory period and the use thereof deferred until September 25, 1975, or until such time as they are made effective in the manner provided in the Natural Gas Act, subject to refund.

(B) Pursuant to authority of the Natural Gas Act, particularly sections 4 and 5 thereof, the Commission's rules and regulations (18 CFR Ch. I), a hearing for purposes of cross-examination concerning the lawfulness and reasonableness of the rates and charges in A-T's FPC Gas Tariff, as proposed to be amended herein, shall be held commencing on September 23, 1975, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

(C) On or before August 5, 1975, the Commission staff shall serve its prepared testimony and exhibits. Any intervenor evidence will be filed on or before August 26, 1975. Any rebuttal evidence by the company shall be served on or before September 9, 1975.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5 (d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding

[1] Ninth Revised Sheet No. 3-A, First Revised Sheet No. 5, First Revised Sheet No. 11, First Revised Sheet No. 14 and Second Revised Sheet No. 36-F.

[2] Substitute Ninth Revised Sheet No. 3-A, Substitute First Revised Sheet No. 5, Substitute First Revised Sheet No. 11, Substitute First Revised Sheet No. 14, and Second Revised Sheet No. 36-F.

[3] See: Footnote 3 in our order of May 31, 1974, in Columbia Gas Transmission, et al., Docket Nos. RP74-82 and RP74-81.

[4] Tennessee Gas Pipeline Company, Docket No. RP75-13, order issued April 8, 1975.

in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

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

[FR Doc.75-11401 Filed 4-30-75;8:45 am]

[Docket No. RP74-14]

CASCADE NATURAL GAS CORP.

Tariff Sheet Filing

APRIL 24, 1975.

Take notice that on April 15, 1975 Cascade Natural Gas Corporation, pursuant to § 154.62 of the regulations under the the Natural Gas Act, filed Sixth Revised Sheet No. 2 to its FPC Gas Rate Schedule No. 1. Cascade states that the filed tariff sheet relates to the unrecovered purchased gas cost account of the purchased gas adjustment provision authorized by the Commission's order issued November 28, 1973 in Docket Nos. RP74-14 and RP74-34. More specifically, the tariff sheet reflects a net increase over that currently being collected of 12.81 cents per Mcf to be effective June 1, 1975.

Any person desiring to be heard and to make any protest with reference to said filing should on or before May 13, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedures (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing must file petitions to intervene in accordance with the Commission's Rules. Cascade's tariff filing is on file with the Commission and available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-11402 Filed 4-30-75;8:45 am]

[Dockets Nos. E-8885, E-8546]

CINCINNATI GAS AND ELECTRIC CO.

Notice of Further Extension of Procedural Dates

APRIL 24, 1975.

On April 7, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 30, 1974, as most recently modified by notice issued February 6, 1975, in the above-designated matter.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, May 6, 1975.
Service of Intervenor's Testimony, May 13, 1975.
Service of Company Rebuttal, June 10, 1975.
Hearing, June 24, 1975 (10 a.m. e.d.t.)

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-11403 Filed 4-30-75;8:45 am]

[Docket No. CP73-206]

CONSOLIDATED GAS SUPPLY CORP. ET AL.

Petition To Amend; Correction

APRIL 17, 1975.

In the Notice of Petition to Amend issued April 9, 1975, and Published in the FEDERAL REGISTER on April 16, 1975, 40 FR 17076, Page 17077, Footnote 1, line 6: Change "could" to "cannot".

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-11404 Filed 4-30-75;8:45 am]

[Docket No. RP72-6]

EL PASO NATURAL GAS CO.

Correction

MARCH 24, 1975.

In the order denying motions for reconsideration, granting request for hearing on limited issue, granting conditional interventions, deferring decision on other requests, setting hearing on limited issue and prescribing procedures issued March 21, 1975, and published in the FEDERAL REGISTER on March 31, 1975, 40 FR 14367, Page 14370, Paragraph (J), Line 9: Change "March 21, 1975" to "March 27, 1975".

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-11405 Filed 4-30-75;8:45 am]

[Docket No. CI75-602]

ROY M. HUFFINGTON, INC.

Application

APRIL 24, 1975.

Take notice that on April 9, 1975, Roy M. Huffington, Inc. (Applicant), Floor 3600, The 1100 Milam Building, Houston, Texas 77002, filed in Docket No. CI75-602 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon a sale of natural gas in interstate commerce to Michigan Wisconsin Pipe Line Company (Mich Wis) from the Lawson Field, Acadia Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it holds two leases in the Lawson Field from the City of Crowley, Louisiana (Crowley), both of which call for a royalty equal to 30.2 percent of all gas produced and saved or utilized from the leased premises and that it also holds a lease in the Lawson Field from the State of Louisiana Board of Highways covering State Agency Tract No. 9231, which lease calls for a royalty of 30.0 percent. Applicant further states that the service from said lease was originally authorized in Docket No. CI67-201 and is continuing under its small producer certificate granted in Docket No. CS72-842. Applicant explains that Crowley has demanded that Applicant agree to pay as royalty the "* * * current market price for all gas produced, which price is presumed to be that paid by Cities Service Company to its lessors, such payments to be retroactive to the dates of increases voluntarily made by Cities Service Oil Company. * * *" Applicant further explains that its failure to comply with Crowley's demand will result in a lawsuit by Crowley for cancellation of Applicant's leases. Applicant claims that Cities Service Oil Company is presently paying 95.1 cents per Mcf, including tax reimbursement, for gas purchased by-it from the Lawson Field. The application indicates that because Applicant currently sells the subject gas to Mich Wis at a rate of 21.625 cents per Mcf (14.7 psia) the royalties demanded by Crowley would make it economically unfeasible for Applicant to continue service to Mich Wis.

In order that Applicant may continue to deliver the gas produced from the subject leases, Applicant suggests the following alternative actions by the Commission:

(a) The Commission grant permission for and approval of abandonment to Applicant conditioned upon Applicant's entering into a contract with Mich Wis on the same terms and conditions as that contract for the sale authorized in Docket No. CI67-201, except that such contract cover only the working interest gas, and further except that Applicant be permitted to receive 150 percent of the national area rate for sales from its working interest portion of such gas.

(b) The Commission grant permission for and approval of abandonment conditioned upon Applicant's entering into a contract with Mich Wis covering sales from the working interest portion of the gas covered by its Lawson Field leases on the same terms and conditions as the contract for the sale authorized in Docket No. CI67-201, except that Applicant would be permitted to receive the national area rate presently in effect for new gas subject to such increase as may hereafter be permitted by the Commission for small producer sales.

Applicant states that alternative (a) above would permit Applicant's lessors to take their gas in kind and separately market such gas at prices negotiated by them and would permit Applicant to comply with the retroactive adjustment demanded by its lessors and to continue to deliver its working interest portion of the gas under its contract with Mich Wis.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 15, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests

filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11406 Filed 4-30-75;8:45 am]

[Docket No. RP74-26]

LOUISIANA-NEVADA TRANSIT CO.

Refund Report

APRIL 24, 1975.

Take notice that on April 16, 1975, Louisiana-Nevada Transit Company (LNTC) tendered for filing a copy of a letter from LNTC to the City of DeQueen, Arkansas, dated April 9, 1975, transmitting LNTC's refund check in the amount of $83,387.02. The check was sent to DeQueen pursuant to ordering paragraph (B) of Commission order issued April 1, 1975, in the above-referenced proceeding. Also filed was a copy of the worksheet used to calculate the refund due DeQueen of 5¢ per Mcf, at seven percent interest, for volumes sold from November 2, 1973 through February 18, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 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 May 12, 1975. 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 filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11407 Filed 4-30-75;8:45 am]

[Dockets Nos. RP72-149, PGA75-8]

MISSISSIPPI RIVER TRANSMISSION CORP.

Order Rejecting Filing

APRIL 24, 1975.

On March 10, 1975, Mississippi River Transmission Corporation (MRT) tendered for filing Twenty-Ninth Revised Sheet No. 3A to its FPC Gas Tariff, First Revised Volume No. 1. The March 10, 1975, filing was tendered pursuant MRT's Purchased Gas Cost Adjustment (PGA) clause in order to reflect rate change filings of Natural Gas Pipe Line Company of America (Natural) and Trunkline Gas Company (Trunkline) and to reflect a change in MRT's deferred gas cost account. The pipeline supplier increases sought to be tracked by MRT amounts to approximately $918,350, together with a surcharge to recover a balance of $2,355,097 in MRT's deferred purchase gas cost account. MRT requests waiver of the notice requirements contained in § 154.38 of the Commission's regulations and section 17 of the general terms and conditions of MRT's tariff in order to permit an effective date of April 1, 1975.

MRT's March 10, 1975, filing was noticed on March 21, 1975, with comments, protests and petitions to intervene due on or before April 10, 1975. On April 10, 1975, Laclede Gas Company (Laclede) filed a "Protest And Petition To Intervene". Laclede's Petition states that MRT's March 10, 1975, filing is intended in part to enable MRT to recover a loss which MRT is currently incurring as a result of selling gas purchased in the Mills Ranch field to Natural at a price which is lower than the price MRT is currently required to pay producers in the field. Laclede alleges that MRT's March 10, 1975, filing with respect to the off-system sale to Natural was not the type of adjustment contemplated in section 17 of the general terms and conditions of MRT's tariff. Furthermore, Laclede states that MRT's treatment of the Natural off-system sale violates § 154.38 (4) of the Commission's regulations.

Our review of MRT's March 10, 1975, filing indicates that the off-system sale to Natural under Volume No. 2 of MRT's tariff is made at a contract price of 45.15¢ per Mcf which is lower than the average price of 48.41¢ per Mcf which is paid MRT's producer suppliers. We agree with Laclede that MRT, in order to avoid a loss from this off-system sale, is seeking to recover this difference from its jurisdictional customers by crediting its cost of purchased gas with off-system revenues that are smaller than the amount it is required to pay producers for such gas in the field. This procedure for recouping such a loss is contrary to section 17 of the general terms and conditions of MRT's tariff. Accordingly, we shall reject MRT's March 10, 1975, filing without prejudice to MRT's right to submit a filing which treats the Natural off-system sale in accordance with MRT's tariff. Because of this rejection, it is not necessary to rule on the propriety of Laclede's petition to intervene.

The Commission finds: Good cause exists to reject MRT's filing of March 10, 1975.

The Commission orders: (A) MRT's Twenty-Ninth Revised Sheet No. 3A to its FPC Gas Tariff, First Revised Volume No. 1, filed on March 10, 1975, is hereby rejected.

(B) This rejection is without prejudice to MRT's right to submit a PGA filing which treats the Natural off-system sale in conformance with section 17 of the general terms and conditions of MRT's tariff.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11408 Filed 4-30-75;8:45 am]

[Docket No. E-9384]

MONTANA-DAKOTA UTILITIES CO.

Application

APRIL 24, 1975.

Take notice that on April 17, 1975, Montana-Dakota Utilities Co. filed an application pursuant to section 204 of the Federal Power Act seeking an order authorizing the issuance of up to $30 million in promissory notes.

Applicant is incorporated under the laws of the State of Delaware with its principal business office at Bismarck, North Dakota, and is engaged in the gas and electrical utility business in the States of Montana, North Dakota, South Dakota, and Wyoming.

The maximum of $30,000,000 of Promissory Notes proposed to be issued will be ordinary unsecured promissory notes, dated as of the dates of their respective issue, which will be not later than December 31, 1976, due not more than one year (270 days for commercial paper) after the dates of their respective issue and not later than December 31, 1977. The Notes in the form of commercial paper will bear interest at the prevailing commercial paper rates for Prime-1 companies and the other Notes will bear interest at the best rate for bank loans available to comparable companies on the date such Notes are issued (which presently is the prime commercial rate). The Notes in the form of commercial paper will be issued to A. G. Becker & Co., Inc. or other recognized investment bankers in an amount not exceeding $10,000,000 outstanding at any one time. Other Notes will be issued to commercial banks.

The notes issued directly to the purchasing commercial banks will be due

not more than one year after the dates of their respective issue. The Notes issued as commercial paper will be issued in bearer form to A. G. Becker & Co. or other recognized investment bankers at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and like maturities. Applicant proposes to sell commercial paper only so long as the discount rate or the effective cost for such commercial paper does not exceed the equivalent cost of borrowings from commercial banks on the date of sales. The commercial paper will have varying maturities of not more than 270 days after the date of issue and will be issued and sold in varying denominations of not less than $100,000 and not more than $1,000,000.

The purpose for which such Notes are to be issued is to provide temporary financing for part of the cost of the 1975 and 1976 Construction Programs. Applicant presently intends to pay all or substantially all of the Notes from the proceeds from the sale of long-term debt tentatively scheduled for the first half of 1976, provided, however, that market conditions indenture restrictions and other factors may affect the decision as to what long-term securities are to be sold and may cause the postponement of such sales until later in 1976 or 1977. Applicant presently plans to file an application for authority to issue such securities early in 1976.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 16, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11409 Filed 4-30-75;8:45 am]

[Docket No. CP67-344]

NORTHERN NATURAL GAS CO.

Petition To Amend

APRIL 24, 1975.

Take notice that on April 17, 1975, Northern Natural Gas Company (Petitioner), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP67-344 a petition to amend the certificate of public convenience and necessity issued in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing Petitioner to continue previously authorized service to Pioneer Natural Gas Company (Pioneer) pursuant to the terms and conditions of Petitioner's proposed Rate Schedule X-43, all as more fully set forth in the petition to amend, which is on file with the Commission and open to public inspection.

Pursuant to the Commission's order issued September 21, 1967, in Docket No. CP67-344, Petitioner was authorized, inter alia, to render natural gas service to Pioneer from the Plains to Dumas pipeline (Dumas Line) of El Paso Natural Gas Company (El Paso). Since inception, Petitioner has continued this arrangement with El Paso to provide Dumas Line service to Pioneer.

Petitioner's currently effective Rate Schedule X-42 of its FPC Gas Tariff, Original Volume No. 2 provided for the delivery of up to 85,000 Mcf per day during the period April 1, 1974, to October 1, 1974, and up to 75,000 Mcf per day during the period April 1, 1975, to October 1, 1975, limited to 2.5 million Mcf annually. Certificate authority for such service was granted to Petitioner by the Commission's order issued July 15, 1974, in Docket No. CP67-344.

The new agreement between Petitioner and Pioneer, proposed Rate Schedule No. X-43, is proposed to become effective on April 1, 1976, and to continue in force until October 1, 1980. Under the terms of the new agreement Petitioner would sell and cause to be delivered to Pioneer such volumes as Pioneer might request, up to the maximum daily quantity as follows:

75,000 Mcf for the billing year 1976.
70,000 Mcf for the billing year 1977.
65,000 Mcf for the billing year 1978.
60,000 Mcf for the billing year 1979.
60,000 Mcf for the billing year 1980.

Such volumes would not exceed 2.5 million Mcf during any one contract year.

The gas delivered to Pioneer under the proposed rate schedule would be resold by Pioneer primarily for irrigation pump engine fuel and would be delivered to Pioneer by El Paso for Petitioner's account. No additional facilities are said to be required.

Pioneer, according to Petitioner, would pay Petitioner for the gas at the applicable rate per Mcf as set forth on Sheet 1c of Petitioner's FPC Gas Tariff, Original Volume No. 2, as may be effective from time to time.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 15, 1975, 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. PLUMB,
Secretary.

[FR Doc.75-11410 Filed 4-30-75;8:45 am]

[Docket No. E-9388]

PHILADELPHIA ELECTRIC CO.

Proposed Change in Rates

APRIL 24, 1975.

Take notice that on April 18, 1975, Philadelphia Electric Company (PEC) filed proposed changes in rates in the Tri-Partite Agreement dated May 1, 1972 for supply to Conowingo Power Company (Conowingo). The proposed changes would increase revenues from jurisdictional sales and service by $4,735,694 based on the twelve month period ending December 31, 1975. The third party to the Agreement is Susquehana Electric Company (Susquehana). The Agreement is on file as:

PEC Rate Schedule FPC No. 36.
Susquehana Rate Schedule FPC No. 2.

Susquehana has filed Certificate of Concurrence in PEC's proposed rate change for electric service to Conowingo.

The filing includes a fuel adjustment clause which PEC states conforms with the Commission Order No. 517. A copy of the filing has been sent to Conowingo and the Public Service Commission of Maryland. The proposed effective date is June 18, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 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 May 14, 1975. 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 filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11411 Filed 4-30-75;8:45 am]

[Project No. 2750]

SPRINGFIELD, VERMONT

Application for Preliminary Permit; Correction

APRIL 11, 1975.

In the notice of application for preliminary permit issued April 9, 1975 and published in the FEDERAL REGISTER on April 16, 1975, 40 FR 17081, Page 17081, Paragraph 4, line 3, change due date for

filing of any protests or petitions to intervene from "June 2, 1975," to "June 9, 1975."

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11412 Filed 4-30-75;8:45 am]

[Docket Nos. CI75-45, etc.]

TENNECO OIL CO., ET AL.

Order Granting Petitions To Intervene, Consolidating Proceedings for Hearing and Decision, and Establishing Procedures; Correction

APRIL 16, 1975.

In the matter of Tenneco Oil Company, CI75-45; Placid Oil Company, CI75-59; Hunt Petroleum Corporation, CI75-66; Hunt Industries, CI75-67; Hunt Oil Company, CI75-68; Kewanee Oil Company, CI75-69; Tenneco Oil Company, CI75-105; Shell Oil Company, CI75-107; Ashland Oil, Inc., CI75-122; TransOcean Oil, Inc., CI75-138; Tennessee Gas Pipeline Company, a Division of Tenneco, Inc., CP73-339; Trunkline Gas Company, CP75-19; Tennessee Gas Pipeline Company, CP75-23, CP75-119; Trunkline Gas Company, CP75-120; Southern Natural Gas Company, CP75-149, CP75-151; Southern Natural Gas Company, CP75-152; United Gas Pipe Line Company and Florida Gas Transmission Company, CP75-153; Southern Natural Gas Company, CP75-163; Tennessee Gas Pipeline Company, a Division of Tenneco Inc., and Tenneco Chemicals, Inc., CP75-258; Ammonia Enterprises Pipeline, Inc., CP75-268 (Published in the FEDERAL REGISTER on April 18, 1975, 40 FR 17338).

Page 17344, Paragraph (F) Line 3: Change "June 5, 1975" to "June 5, 1974".

Page 17344, Paragraph (G), Line 1: Change "hearing examiner" to "Administrative Law Judge".

Page 17344, Paragraph (G), Line 2: Change "Chief Examiner" to "Chief Administrative Law Judge".

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11413 Filed 4-30-75;8:45 am]

[Docket No. CI75-553]

TEXACO, INC.

Extension of Procedural Dates

APRIL 24, 1975.

On April 18, 1975, Texaco, Inc. filed a motion to extend the procedural dates fixed by order issued April 11, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Company's and any supporting intervenor's testimony, May 19, 1975.
Hearing June 10, 1975 (10 a.m. e.d.t.)

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11414 Filed 4-30-75;8:45 am]

[Docket No. RP74-89]

TRUNKLINE GAS CO.

Certification of Settlement Agreement

APRIL 24, 1975.

Take notice that on April 18, 1975, the presiding Administrative Law Judge certified to the Commission a proposed settlement agreement, together with the transcript and exhibits 1 through 60, all of which were received in evidence.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 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 May 8, 1975. 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 filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11415 Filed 4-30-75;8:45 am]

[Docket No. E-9390]

UNION ELECTRIC CO.

Filing of Letter Agreement and Request for Waiver

APRIL 24, 1975.

Take notice that on April 18, 1975, the Union Electric Company (Union) tendered for filing a letter agreement dated February 27, 1975, setting forth provisions for a temporary supply of electric service under the terms of the Electric Service Agreement for Wholesale Electric Service between Union and Citizens Electric Corporation (Citizens) dated June 6, 1963, as amended.[1]

Union states that because of right-of-way problems, Citizens will be temporarily unable to construct transmission facilities needed to meet expected load requirements in the Attenburg, Missouri area. Union further states that the letter agreement proposed herein provides a temporary supply through facilities of Missouri Utilities Company to meet such requirements.

Union states that inasmuch as the connection is expected to go in service May 1, 1975, a waiver of the thirty day notice requirement of this Commission's rules and regulations is requested to allow an effective date of May 1, 1975.

Union additionally states that copies of this filing have been sent to Citizens, St. Genevieve, Missouri, and to the Missouri Public Service 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, 825 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 May 8, 1975. 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 are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11416 Filed 4-30-75;8:45 am]

[1] FPC Electric Tariff—Rate Schedule W-2.

[Docket No. CP73-260]

EL PASO NATURAL GAS COMPANY; REFUGIO-WAHA PIPELINE PROJECT

Availability of Staff Final Environmental Impact Statement

APRIL 30, 1975.

Notice is hereby given in the above docket, that on April 30, 1975, as required by § 2.82(b) of Commission Order No. 415-C, a Final Environmental Statement prepared by the staff of the Federal Power Commission was made available. This final statement deals with an application by El Paso Natural Gas Company in Docket No. CP73-260 for certificate of public convenience and necessity under section 7(c) of the Natural Gas Act authorizing construction and operation of 418.5 miles of 24-inch natural gas pipeline, five compressor stations with a combined output of 50,716 hp of compression, and other miscellaneous appurtenant facilities. These facilities would be located in 15 counties of the State of Texas.

This final statement has been circulated to Federal, state, and local agencies, has been placed in the public files of the Commission, and is available for public inspection both in the Commission's office of Public Information, Room 1000, 825 North Capitol Street NE, Washington, D.C. 20426 and at its regional office located at 730 Peachtree Building, Room 500, Atlanta, Georgia 30308. Copies are available in limited quantities from the Federal Power Commission's Office of Public Information, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-11545 Filed 4-30-75;10:02 am]

FEDERAL RESERVE SYSTEM

COMMERCE BANCSHARES, INC.

Acquisition of Bank

Commerce Bancshares, Inc., Kansas City, Missouri, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Commerce Bank of

Grandview, N.A., Grandview, Missouri, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 27, 1975.

Board of Governors of the Federal Reserve System, April 23, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-11380 Filed 4-30-75;8:45 am]

FIRST SECURITY CORP.

Acquisition of Bank

First Security Corporation, Salt Lake City, Utah, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3) to acquire 100 percent (less directors' qualifying shares) of the voting shares of First Security State Bank of Helper, Helper, Utah. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 27, 1975.

Board of Governors of the Federal Reserve System, April 23, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-11381 Filed 4-30-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-265]

COMMONWEALTH EDISON CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 9 to Facility Operating License No. DPR-30 issued to Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company) which revised Technical Specifications for operation of the Quad Cities Nuclear Power Station Unit 2 located in Rock Island County, Illinois. The amendment is effective as of its date of issuance.

The amendment authorizes operation of Quad Cities Unit 2 using 8x8 fuel assemblies, replacement of a relief valve with a relief/safety valve, and changes to the reactor vessel relief and safety valve setpoints in accordance with the application by Commonwealth Edison Company dated December 13, 1974, as supplemented.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. No request for a hearing or petition for leave to intervene was filed following the Notice of Proposed Issuance of Amendment published in the FEDERAL REGISTER on January 7, 1975 (40 FR 1291).

For further details with respect to this action, see (1) the application for amendment dated December 13, 1974, and supplements thereto dated December 20, 1974, February 20 and 27, 1975, and March 27, 1975, (2) Amendment No. 9 to License No. DPR-30, with Change No. 24, and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. and at the Moline Public Library at 504—17th Street, Moline, Illinois 61265. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 21st day of April 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Division of Reactor Licensing.

[FR Doc.75-11243 Filed 4-30-75;8:45 am]

[Docket Nos. 50-254 and 50-265]

COMMONWEALTH EDISON CO. AND IOWA-ILLINOIS GAS AND ELECTRIC CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 15 and 11 to Facility Operating License Nos. DPR-29 and DPR-30 (respectively) issued to the Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company) which revised Technical Specifications for operation of the Quad Cities Units 1 and 2 located in Rock Island County, Illinois. These amendments are effective as of their date of issuance.

The amendments (1) incorporate operating limits in the Technical Specifications based on the new General Electric Thermal Analysis Basis in accordance with the Commonwealth Edison's request dated December 13, 1974, as supplemented December 20, 1974, January 27, 1975, March 14 and 27, 1975, and April 9, 1975, and (2) authorize changes to the Average Power Range Monitor (APRM) flux scram and APRM Rod Block Limits in accordance with Commonwealth Edison's request dated May 15, 1974, as supplemented October 22 and December 5, 1974.

The applications for these amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with item (1) above was published in the FEDERAL REGISTER on February 10, 1975 (40 FR 6240). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action. Prior public notice of item (2) above is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to these actions, see (1) the applications for these amendments dated December 13, 1974 (as supplemented December 20, 1974, January 27, 1975, March 14 and 27, 1975, and April 9, 1975), and May 15, 1974 (as supplemented October 22, 1974 and December 5, 1974), (2) Amendment Nos. 15 and 11 to License Nos. DPR-29 and DPR-30, with Change No. 26, and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Moline Public Library, at 504 17th Street in Moline, Illinois 60265. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 21st day of April 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Division of Reactor Licensing.

[FR Doc.75-11242 Filed 4-30-75;8:45 am]

[Docket Nos. 50-280 and 50-281]

VIRGINIA ELECTRIC AND POWER CO.

Proposed Issuance of Amendments to Facility Operating Licenses

The Nuclear Regulatory Commission (the Commission) is considering the issuance of amendments to Facility Operating Licenses Nos. DPR-32 and DPR-37 issued to Virginia Electric and Power

Company (the licensee) for operation of the Surry Power Station Units 1 and 2 pressurized water reactors located in Surry County, Virginia.

The amendments would revise provisions in the Technical Specifications in accordance with the licensee's application for license amendments dated April 15, 1975. The amendments would modify operating limits in the Technical Specifications based upon an evaluation model that conforms to the requirements of the Commission's regulations in 10 CFR Part 50, § 50.46. The amendments would modify various limits established in accordance with the Commission's Interim Acceptance Criteria and would, with respect to Surry Power Station Units 1 and 2, terminate the further restrictions imposed by the Commission's December 27, 1974 Order for Modification of License and would impose instead limitations established in accordance with the Commission's Acceptance Criteria for Emergency Core Cooling Systems for Light Water Nuclear Power Reactors, 10 CFR Part 50, § 50.46.

In addition, the amendments would revise provisions in the Technical Specifications in accordance with the licensee's application for license amendments dated March 12, 1975, related to the replacement of 84 of 157 fuel assemblies in the core of Surry Power Station Unit 2 constituting refueling of the core for second cycle operation.

Prior to issuance of the proposed license amendments, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By June 2, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendments to the subject facility operating licenses. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714 and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Michael W. Maupin, Esquire, Hunton, Williams, Gay and Gibson, Post Office Box 1535, Richmond, Virginia 23213, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission, or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see (1) the application for amendments dated April 15 and March 12, 1975, (2) supplemental information dated March 26, 1975, (3) the Commission's Order for Modification of License and the documents referred to in the order dated December 27, 1974 [published in the FEDERAL REGISTER on January 9, 1975 (40 FR 1779)], and (4) notice and document referenced therein on related matters published in the FEDERAL REGISTER on November 20, 1974 (39 FR 40810), relating to the refueling of Surry Unit 1 for second cycle operation, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. and at the Swem Library, College of William and Mary, Williamsburg, Virginia 23185. The license amendments and the Safety Evaluation, when issued, may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 24th day of April 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-11244 Filed 4-30-75;8:45 am]

[Docket No. 50-315]

INDIANA AND MICHIGAN ELECTRIC CO., INDIANA AND MICHIGAN POWER CO. (DONALD C. COOK NUCLEAR PLANT UNIT 1)

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 4 to Facility Operating License No. DPR-58 issued to Indiana and Michigan Electric Company and Indiana and Michigan Power Company. The amendment revises the Technical Specifications for operation of the Donald C. Cook Nuclear Plant Unit 1 located in Berrien County, Michigan, and is effective as of its date of issuance.

The amendment changes certain Technical Specifications to clarify their intent, to correct proofreading errors, to make specifications consistent with each other, to correct inadvertent restrictions on plant operation, and to up-date reporting requirements.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings required by the Act and the Commission's rules and regulations in 10 CFR Chapter I. These findings are set forth in the license amendment. Prior public notice of this amendment is not required because the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the applications for amendment dated November 20, 1974; December 24, 1974; January 17, 1975; and March 3, 1975, (2) Amendment No. 4 to License No. DPR-58, with Change No. 4, and (3) the Commission's related safety evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the St. Joseph Public Library, 500 Market Street, St. Joseph, Michigan 49085. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 15th day of April 1975.

For the Nuclear Regulatory Commission.

KARL KNIEL,
Chief, Light Water Reactors Branch 2-2, Division of Reactor Licensing.

[FR Doc.75-11398 Filed 4-30-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL ON WEATHER MODIFICATION

Notice of Establishment and Determination

The National Science Foundation is establishing an Advisory Panel on Weather Modification. It is determined that this action is consistent with the public interest and is necessary in performance of duties imposed upon the National Science Foundation by the National Science Foundation Act of 1950, as amended and other applicable laws. The establishment procedure has been executed in accordance with the Federal Advisory Committee Act (Pub. L. 92-463) and the Office of Management and Budget (OMB) Circular No. A-63, Revised.

1. *Name of Panel:* Advisory Panel on Weather Modification.

2. *Purpose:* To provide advice and recommendations concerning research in Weather Modification, advise the Foundation on the state-of-the-art, and identify new directions and possible future trends in Weather Modification. At the request of the Chairman, the panel will review and evaluate borderline proposals for possible funding.

3. *Effective Date of Establishment and Duration:* The Advisory Panel on Weather Modification is established 15 days after the publication of this Notice and after the charter has been filed with the standing committees of Congress having legislative jurisdiction of the National Science Foundation. The panel shall be operative no longer than two calendar years from the establishment date, unless formally continued by the Director of the National Science Foundation in accordance with the Federal Advisory Committee Act.

4. *Membership:* The membership of the Advisory Panel on Weather Modification shall be fairly balanced in terms of points of view represented and the panel's function. Members will be selected from the scientific and user community. There will be no discrimination on the basis of race, color, national origin, religion, or sex.

5. *Panel Operation:* The panel will operate in accordance with provisions of the Federal Advisory Committee Act; OMB Circular No. A-63, Revised; policy and procedures of the National Science Foundation; and other directives and instructions issued in implementation of the Act.

H. GUYFORD STEVER,
Director.

[FR Doc.75-11399 Filed 4-30-75;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[Docket No. SA-449]

AIRCRAFT ACCIDENT

Accident Investigation Hearing

Notice is hereby given that the National Transportation Safety Board will convene an accident investigation hearing at 9:30 a.m., (local time) on May 20, 1975, in the Mardi Gras Room of the Ramada Inn Motel, Casper, Wyoming.

The public hearing will be held in connection with the Safety Board's investigation of an accident involving a Western Air Lines, Inc., Boeing 737, N4527W, which occurred March 31, 1975, on the Natrona County International Airport, Casper, Wyoming.

JAMES W. KUEHL,
Hearing Officer.

APRIL 25, 1975.

[FR Doc.75-11433 Filed 4-30-75;8:45 am]

[1425; 1425-A, 1497, 1504; 1333, 1473]

SPECIAL STUDY; SAFETY RECOMMENDATIONS AND RESPONSES

Notice of Availability and Receipt

The National Transportation Safety Board announces the release of the following special study:

Report No. NTSB-AAS-74-4, "Turbine Engine Rotor Disk Failures," released April 22, 1975. The Safety Board studied 41 case histories of turbine engine rotor disk failures from 1962 through early 1973, ranging from instances of relatively minor damage to two near-catastrophic accidents on or near the ground and a third in which a passenger was ejected through a cabin window at cruise altitude as the result of projectile damage from a failed engine.

This special study is available to the general public. Single copies may be obtained without charge by writing to the Publications Unit, National Transportation Safety Board, Washington, D.C. 20594. Multiple copies may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

SAFETY RECOMMENDATIONS

Pursuant to section 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2172 (49 U.S.C. 1906)), the National Transportation Safety Board announces the release of the following safety recommendations:

A-75-16, issued April 22, 1975, to the National Aeronautics and Space Administration. The recommendation, resulting from the Safety Board's special study, "Turbine Engine Rotor Disk Failures," urges NASA to provide the Federal Aviation Administration as soon as possible with technological guidelines from NASA's Rotor Burst Protection Program. The guidelines would assist FAA "in establishing a requirement to contain three rotor blades and their included disk serrations or fragments."

R-75-16, issued April 24, 1975, to the Federal Railroad Administration as a result of the Safety Board's investigation of the explosion of a tank carload of monomethylamine nitrate solution at Wenatchee, Washington, on August 6, 1974. The Safety Board recommends that FRA identify all liquids now transported in tank cars which are capable of detonation, determine whether detonation or other dangerous chemical reactions can be initiated by conditions and circumstances encountered by those liquids in railroad transportation, and issue regulations to control the risks identified.

A-75-35 through 38, issued April 25, 1975, to the Federal Aviation Administration as a result of the Safety Board's investigation of the midair collision between a Cessna-150H and a USAF T-29D at Newport News, Virginia, on January 9, 1975. Recommendations to the FAA are to establish a Group II traffic control area to encompass certain airports in the Tidewater area, and to extend the approach gates to runways 7-25 at Langley Air Force Base to a distance of 12 nmi. The Safety Board further recommends that the FAA-DOD Joint Review Group determine which other military bases or areas require the establishment of either a terminal control area or terminal radar service area and establish them; also, initiate action to enable DOD to establish and maintain Group I type terminal control areas around selected military facilities.

Single copies of these recommendations may be obtained without charge by writing to the Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

RESPONSES TO SAFETY RECOMMENDATIONS

Pursuant to section 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2172 (49 U.S.C. 1906)), the National Transportation Safety Board announces the receipt of the following responses to safety recommendations which it has recently issued:

The U.S. Coast Guard, in response dated 2 April 1975 to Safety Board recommendation M-74-28, states: "Commandant Notice 5941 dated 26 February 1975 sets forth the requirement for Coast Guard marine inspectors to thoroughly examine fresh air breathing apparatus at required vessel inspections." The recommendation was contained in the Board's marine casualty report No. USCG/NTSB-MAR-74-6, released 26 September 1974, "SS WILLIAM T. STEELE: death of three ships officers at Guayanilla, Puerto Rico on 18 November 1972."

The New York Metropolitan Transportation Authority responded to Safety Board recommendations R-75-6 and 7 resulting from investigation of the collision between two Penn Central commuter trains in New York City on January 2, 1975. Regarding the first recommendation—to install a cab signal-automatic speed control system on the Harlem and Hudson lines—MTA indicates that detailed engineering for such system is under way. However, with respect to the second recommendation, namely, that "stop-and-proceed" signals be obeyed pending installation of the speed control system, MTA details serious questions raised with respect to the efficacy of the solution and the operating workability of the proposed procedure.

Copies of these responses may be obtained by writing to the Publications Unit, National Transportation Safety Board, Washington, D.C. 20594. A $4 user-service charge for each response will be made, in addition to a charge of 10¢ per page for reproduction.

MARGARET L. FISHER,
Federal Register Liaison Officer.

APRIL 28, 1975.

[FR Doc.75-11432 Filed 4-30-75;8:45 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

[Docket No. 75-1]

TRADE POLICY STAFF COMMITTEE

Notice of Hearings

Notice of public hearings relating to International Trade Negotiations and to the Generalized System of Preferences.

TIMETABLE

I. Requests to present oral testimony must be received by Friday, May 23, 1975.

II. Due date for all briefs is Friday, May 30, 1975.

III. Hearings are expected to begin by early June in Washington and other locations to be selected depending on the number of requests received. Exact times and places of hearings will be announced later.

1. *Notice of Public Hearings.* Pursuant to sections 133 and 503(a) of the Trade Act of 1974 (Pub. L. 93-618, 88 Stat. 1978) and to § 2002.2(b) of the Regulations regarding the Office of the Special Representative for Trade Negotiations, published in the Federal Register of April 28, 1975, the Trade Policy Staff Committee, chaired by the Office of the Special Representative for Trade Negotiations, has ordered public hearings to be held concerning (1) the Notice of International Trade Negotiations and of Articles which may be Affected by such Negotiations, published in the FEDERAL REGISER of January 14, 1975 (40 FR 2659) and (2) the Notice of Articles which will be considered for Designation as Eligible Articles for Purposes of the Generalized System of Preferences, published in the FEDERAL REGISTER of March 26, 1975 (40 FR 13457).

2. *Subject Matter of Public Hearings.* The terms or reference for these public hearings are set forth in section 133 of the Trade Act of 1974. That section provides that the President shall afford an opportunity for any interested person to present his views concerning (i) any article which has been listed as being under consideration for modification or continuance of United States duties, continuation of United States duty-free or excise treatment, or additional duties, (ii) any article which should be so listed, or (iii) any other matter relevant to proposed trade agreements. The President also is to afford an opportunity for any interested person to present such views with respect to articles which have been listed as being under consideration for designation as eligible articles for purposes of the United States Generalized System of Preferences.

The lists of articles to which the preceding paragraph refers have been published. Articles which are being considered for inclusion in international trade negotiations were listed in the notice published in the FEDERAL REGISTER of January 14, 1975, referred to in section 1 above. Articles which are being considered for designation as eligible articles for purposes of the Generalized System of Preferences were listed in the notice published in the FEDERAL REGISTER of March 26, 1975, also referred to in section 1 above.

The Trade Policy Staff Committee will receive briefs and testimony on any matter relevant to the international negotiations or the Generalized System of Preferences. However, to avoid duplication and to provide interested parties with guidance as to the materials that will be most useful to the Committee, it is suggested that persons appearing before the Committee or submitting briefs devote particular attention to the following:

(a) Reductions in rates of duty which the United States should seek from other nations participating in the negotiations.

(b) Articles upon which the United States should consider for modifications, eliminations, reductions or continuances of present rates of duty in the negotiations.

(c) Nontariff barriers of the United States and other countries which should be eliminated, modified or continued.

(d) Any matter relevant to the generalized system of preferences.

The International Trade Commission, in accordance with sections 131(b) and 503(a) of the Trade Act, will advise the President of its judgement as to the probable economic effects on domestic industries producing like or directly competitive products and or consumers of modifications or continuances of U.S. duties, and of the provision of duty-free treatment for eligible articles from designated beneficiary developing countries pursuant to the Generalized Systems of Preferences. The Commission currently is holding public hearings so as to assist it in the preparation of its advice to the President. Since briefs and testimony presented to the International Trade Commission for this purpose will be made available to the Trade Policy Staff Committee, the same material need not be submitted to the Committee.

3. *Time and Place of Public Hearings.* The Committee will hold hearings in Washington, D.C., and in other locations depending upon the number of requests to present testimony which are received.

The exact times and addresses of such hearings will be announced in the FEDERAL REGISTER shortly after May 23, 1975.

The Committee has no prearranged schedule for the presentation of subject matter but will try to arrange appearances so that those interested in a particular subject will be scheduled to appear on the same day.

4. *Requests To Present Oral Testimony.* All requests to present oral testimony must be received by the Secretary of the Trade Policy Staff Committee, Room 729, 1800 G Street NW., Washington, D.C. 20506, not later than close of business Friday, May 23, 1975. The schedule for the proposed hearings will be formulated on the basis of request to appear received as of that date. Requests to present oral testimony must conform with the regulations of the Committee which appeared in the FEDERAL REGISTER of Monday, April 28, 1975.

Pursuant to the regulations referred to in the preceding sentence, a request to present oral testimony will be granted only if a written brief is submitted before the deadline for submitting such briefs (in this instance, May 30, 1975). The requirements for written briefs are described in section 5 below.

Requests to present oral testimony must state briefly the interest of the applicant in the subject matter and the position to be taken by the applicant.

The requirements described in the two preceding paragraphs may be waived by the Special Representative for Trade Negotiations, the Deputy Special Representative for Trade Negotiations, or the Chairman of the Trade Policy Staff Committee, for reasons for equity and the public interest.

In addition, requests to present oral testimony should include the following information:

(a) The name, address, telephone number, and official position (if applicable) of the party submitting the request.

(b) The description and, if possible, the tariff item number(s), whether foreign or domestic, of the commodity or commodities in which the party has an interest.

(c) The subject or subjects to be dealt with in the proposed testimony, listed individually and, in the case of import restrictions other than duties, described with sufficient particularity to identify the restriction to be discussed.

(d) The name, address, and telephone number of the person (or persons) who will present oral testimony.

(e) The amount of time requested for the presentation of oral testimony, and if more than 15 minutes is requested, the reasons therefore.

Each person scheduled to appear before the Committee will be notified of the date and the amount of time allotted for his presentation. If such time is inconvenient to the person requesting appearance, the Committee will consider rescheduling that person. The Committee reserves the right to restrict the time allotted for oral presentation and to deny requests when it determines that the proposed testimony is not relevant to the hearings.

5. *Submission of Written Briefs.* Any interested party may submit a written brief to the committee concerning the subject matter of the hearings. Each party presenting oral testimony must also file a brief.

Briefs must conform to the Committee's regulations, published in the FEDERAL REGISTER of April 28, 1975. Briefs must be submitted in 20 copies, one of which must be made under oath or affirmation. In addition, each brief shall clearly designate on the first page the name and address of the party submitting the brief, the subject matter of the brief and the item number of the commodity (or commodities) in the Tariff Schedules of the United States to which the brief pertains, if any.

Every written brief must present in nonconfidential form a statement of the party's position and supporting arguments sufficient to inform any other party of the arguments he must meet in order to oppose the position taken in the brief.

6. *Suggestions on the Preparation of Written Briefs And Oral Testimony.* While there are no formal regulations on the format or content of the material submitted (other than those mentioned

in paragraph 5 of this Notice), the Committee suggests that those preparing testimony or briefs for submission to the Committee include the following points in their submission.

(a) An introductory summary statement indicating the interest of the witness or person on whose behalf the brief is submitted.

(b) A description of the product(s) of interest, including where possible the name of the product (both trade and generic), its material content, and its use unless such facts are obvious to the average person. Brochures and advertising material frequently serve these purposes.

(c) The numerical identification of the product in the various nomenclatures of tariffs and statistical systems such as the Tariff Schedules of the United States (TSUS), the Brussels Tariff Nomenclature (BTN), the Standard Industrial Classification (SIC), the Standard International Trade Classification (SITC), the Schedule B (Statistical Classification of Domestic and Foreign Commodities Exported From the United States), and any other relevant numbers which would help in the identification of the product.

(d) If a foreign tariff or other type of trade restriction is involved, the countries of interest should be identified. U.S. negotiators find it very difficult to deal with requests lacking specificity.

(e) The Committee is interested in views on whether the form of a duty (U.S. or foreign) should be changed. For example, should a specific rate of duty, such as 4 cents per pound, be converted to an ad valorem rate, or vice versa.

(f) If possible, submissions should contain information on the characteristics of the foreign market, such as data for several recent years on consumption, production, imports and exports of the product in the foreign country concerned; how the petitioner sells his product (i.e., through a middleman, or directly to the consumer) and a description of present sales efforts and problems encountered; the extent of competition in export markets from domestic producers and other foreign suppliers, including comparative delivered prices and competition from similar but not identical products; and any other relevant information which might appear to be useful to U.S. negotiators.

(g) The Committee would find it useful for briefs to include suggestions of possible solutions to the trade barrier of concern. Such suggested solutions should, if possible, take into account circumstances and conditions in the United States or foreign country which the United States will have to deal with in negotiations.

(h) An assessment or judgment and basis therefor of the increase in imports or exports which could be anticipated under foreseeable economic and commercial conditions if the suggested solution to the barrier could be negotiated.

While the Committee welcomes the full presentation of oral testimony, it is preferable that such testimony not duplicate material submitted in writing since both will be reviewed by the Committee. Instead, oral presentations should emphasize the salient points of the briefs submitted, expand upon their contents when necessary, cover any developments since the briefs were submitted, or emphasize materials not easily susceptible of explanation in writing. Extensive statistical material to be presented should accompany briefs.

In general, witnesses should confine their presentations to factual information pertinent to the specific matters under consideration and their interpretations and conclusions therefrom.

7. *Rebuttal Briefs.* In order to assure parties the opportunity to contest the information provided by other interested parties, the Committee will entertain rebuttal briefs filed by any party within one month after the close of the hearings. Rebuttal briefs must conform, in form and number, to the regulations of the Committee and the provisions of this notice applicable to written briefs. Rebuttal briefs should be limited to demonstrating errors of fact or analysis not pointed out in the briefs or hearings, and should be as concise as possible.

8. *Information Exempt from Public Inspection.* Parties are referred to § 2003.6 of the Committee's regulations, published in the FEDERAL REGISTER of April 28, 1975 (40 FR 18419), for the rules concerning information labelled "Business Confidential" and exempt from public inspection.

Oral testimony should contain no confidential information. Any business confidential information should be attached to briefs and be easily separable. If the Committee determines that it cannot accord confidential treatment to information submitted, that material will be returned to the addressee.

9. *Public Inspection of Written Materials.* Subject to the regulations of the Committee all written materials filed with the Committee in connection with these hearings will be open to public inspection, by appointment, at the office of the Trade Policy Staff Committee, Room 729, 1800 G Street NW., Washington, D.C. 20506.

10. *Transcripts of the Hearings.* All oral testimony before the Committee will be recorded and transcribed. Persons giving testimony before the Committee may correct errors of form or expression in their testimony, but may not change substance. All corrections must be approved by the Secretary of the Committee. The cost of making such corrections will be the responsibility of the person requesting the corrections.

Transcripts of the hearings will be available for inspection or purchase.

11. *Attendance at the Hearings.* The hearings will be open to the public. Heavy or disruptive equipment, such as television equipment, will not be admitted to the hearings without the permission of the Chairman.

12. *Communications.* All communications with regard to these hearings should be addressed to: Secretary, Trade Policy Staff Committee, Office of the Special Representative for Trade Negotiations, 1800 G Street NW., Room 729, Washington, D.C. 20506. The telephone number of the Secretary of the Committee is (202) 395-3395.

ALLEN H. GARLAND,
Chairman.

[FR Doc.75-11371 Filed 4-30-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 1132]

FLORIDA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of April, because of the effects of a certain disaster, damage resulted to property located in the State of Florida;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Holmes, Jackson, Okaloosa, Walton, and Washington Counties and adjacent affected areas, suffered damage or destruction resulting from flooding which occurred April 11, 1975. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

OFFICE

Small Business Administration,
District Office,
400 West Bay Street,
Jacksonville, Florida 32202.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to June 19, 1975. EIDL applications will not be accepted subsequent to Jan. 19, 1976.

Dated: April 18, 1975.

RONALD G. COLEMAN,
Acting Administrator.

[FR Doc.75-11450 Filed 4-30-75;8:45 am]

GLOBE CAPITAL CORP.

Notice of License Surrender

Notice is hereby given that the corporation listed below has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended (Act); 15 U.S.C. 661 et seq.

Name: Globe Capital Corporation.
Location: 303 Fifth Avenue, New York, New York 10001.
Date Licensed: August 22, 1962.
License No.: 02/02-0182.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender of the license was accepted, effective April 21, 1975, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

Dated: April 22, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-11455 Filed 4-30-75;8:45 am]

[Declaration of Disaster Loan Area 1133]

IDAHO

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of March, because of the effects of a certain disaster, damage resulted to property located in the State of Idaho;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Oneida County and adjacent affected areas, suffered damage or destruction resulting from an earthquake which occurred March 27, 1975. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

OFFICE

Small Business Administration, District Office, 216 North Eighth Street, Boise, Idaho 83701.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to June 23, 1975. EIDL applications will not be accepted subsequent to Jan. 22, 1976.

Dated: April 22, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-11451 Filed 4-30-75;8:45 am]

[Notice of Disaster Loan Area 1123; Amdt. 2]

KENTUCKY

Amendment to Notice of Disaster Relief Loan Availability

As a result of the President's declaration of the State of Kentucky as a major disaster area following severe storms and flooding beginning about March 10, 1975, applications for disaster relief loans will be accepted by the Small Business Administration from disaster victims in the following additional Counties: Fulton, and adjacent affected areas. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines. (See 40 FR 16256 and 17653).

Applications may be filed at the:

Small Business Administration
District Office
Federal Office Building—Room 188
600 Federal Place
Louisville, Kentucky 40202

and at such temporary offices as are established. Such addresses will be announced locally.

Applications for disaster loans under this announcement must be filed not later than June 13, 1975. EIDL applications will not be accepted subsequent to January 14, 1976.

Dated: April 17, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-11452 Filed 4-30-75;8:45 am]

[Notice of Disaster Loan Area 1121, Amdt. 3]

TENNESSEE

Amendment to Notice of Disaster Relief Loan Availability

As a result of the President's declaration of the State of Tennessee as a major disaster area following flooding beginning on or about March 11-16, 1975, applications for disaster relief loans will be accepted by the Small Business Administration from disaster victims in the following additional County: Henry and adjacent affected areas. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines. (See 40 FR 16257 and 17653)

Applications may be filed at the:

Small Business Administration
District Office
Parkway Towers—Room 1012
Nashville, Tennessee 37219

and at such temporary offices as are established. Such addresses will be announced locally.

Applications for disaster loans under this announcement must be filed not later than June 2, 1975. EIDL applications will not be accepted subsequent to January 2, 1976.

Dated: April 4, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-11453 Filed 4-30-75;8:45 am]

[Declaration of Disaster Loan Area 1131]

VIRGINIA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of April, because of the effects of a certain disaster, damage resulted to property located in the State of Virginia;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Frederick and Shenandoah Counties and adjacent affected areas, suffered damage or destruction resulting from high wind which occurred April 3-4, 1975.

OFFICE

Small Business Administration, District Office, Federal Building, Room 3015, 400 North Eighth Street, Richmond, Virginia 23240.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to June 19, 1975. EIDL applications will not be accepted subsequent to January 19, 1976.

Dated: April 18, 1975.

RONALD G. COLEMAN,
Acting Administrator.

[FR Doc.75-11454 Filed 4-30-75;8:45 am]

DEPARTMENT OF LABOR

Bureau of Labor Statistics

BUSINESS RESEARCH ADVISORY COUNCIL'S COMMITTEE ON MANPOWER AND EMPLOYMENT

Meeting

The BRAC Committee on Manpower and Employment will meet at 10 a.m., May 13, 1975, at the General Accounting Office Building, 441 G Street NW., Room 2106, Washington, D.C. the agenda for the meeting is as follows:

1. Program Proposals in 1976 Budget Submission.
2. Local Area Unemployment Estimates—Further developments.
3. Analysis of the Current Employment-Unemployment Situation, including the "Discouraged Workers" and Part-time Employment.
4. Special Studies—e.g., the insured unemployed; family composition, earnings loss due to unemployment.
5. Net Spendable Earnings—Current status.
6. Improvement in Bureau's Manpower Supply Estimates—Report on research into geographic and occupational mobility of workers.

This meeting is open to the public. It is suggested that persons planning to attend this meeting as observers contact Kenneth G. Van Auken, Executive Secretary, Business Research Advisory Council on (Area Code 202) 961-2559.

Signed at Washington, D.C. this 23d day of April 1975.

JULIUS SHISKIN,
Commissioner of Labor Statistics.

[FR Doc.75-11364 Filed 4-30-75;8:45 am]

Manpower Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

Notice of Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Manpower, 601 D Street, NW, Washington, D.C. 20213.

Signed at Washington, D.C. this 28th day of April, 1975.

BEN BURDETSKY,
Deputy Assistant Secretary for Manpower.

APPLICATIONS RECEIVED DURING THE WEEK ENDING APRIL 25, 1975

Name of applicant	Location of enterprise	Principal product or activity
Granite Business Forms, Inc	Berlin, N.H	Manufacture of business forms.
Viking Distribution & Mfg., Inc	Sparta, N.J	Manufacture of industrial plastic pipe insulation.
Monongahela Power Co. (tenant of city of Belmont).	Belmont, W. Va	Generation of electric power.
Perdue Inc	Murfreesboro, N.C	Poultry processing.
Real Estate Two, Inc	Calvert City, Ky	Development of building lots.
Ace Hardware	Union Point, Ga	Hardware/building supplies.
Contempora Fabrics (tenant of county of Robeson).	Lumberton, N.C	Manufacture of textile products.
B. C. Cook & Sons Enterprises, Inc	Haines City, Fla	Distribution of citrus fruit.
Marshfield Airways	Marshfield, Wis	Airline passenger and freight service.
Edmore Grain & Lumber Co	Edmore, Mich	Processing and marketing of grain.
Clifton L. & Viola M. Riley	Mineral Point, Wis	Bowling alley.
Loudspeaker Component Corp	Lancaster, Wis	Manufacture of stereo components.
Harmar House, Inc	Marietta, Ohio	Nursing home.
Venturi Inc	Wayne City, Ill	Concrete and cement construction.
Huntingburg Nursing Home	Huntingburg, Ind	Nursing home.
Medallion Kitchens, Inc	Fergus Falls, Minn	Manufacture kitchen cabinets and bathroom vanities.
The Foster Manufacturing Co	Ada, Okla	Manufacture of ice machines.
Mid-America Homes, Inc	Scottsbluff, Neb	Manufacture of mobile and modular houses.
Santa Cruz Tile Co	Santa Cruz, Calif	Tile contracting operation.
Citizen Publishing Co., Inc	Preston, Idaho	Printing plant.

[FR Doc.75-11418 Filed 4-30-75;8:45 am]

Occupational Safety and Health Administration

[V-75-4]

LEITELT BROTHERS, INC.

Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of Application.* Notice is hereby given that Leitelt Brothers, Inc. 7721 South Chicago Avenue, Chicago, Illinois 60619 has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR 1905.11 for a variance and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.215 (a)(4) Abrasive Wheel Machinery—Work Rests.

The address of the place of employment that will be affected by the application is as follows:

Leitelt Brothers Inc.
7721 South Chicago Avenue
Chicago, Illinois 60619

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it is providing a place of employment as safe as that required by § 1910.215(a)(4) which requires that a work rest meeting specific requirements shall be utilized on offset grinding machine operations.

The applicant states that two stationary stand, double end snagging grinders have been designated to perform certain snag grinding operations without a work rest during the production of metal castings. This operation involves the grinding of excess material from aluminum, al-bronze and bronze castings of various sizes and shapes. This work is performed in the cleaning room on a grinder with an abrasive wheel 12" in diameter x 1½" face, 20 grit grade and bond Q5V11, at 1750 RPM. The applicant states a work rest is used whenever possible in this operation and at all times on other grinding operations at the facility.

The applicant alleges that the use of a work rest creates a hazard to workers because of complex shaping of the castings and the presence of thin and elongated fins. The applicant contends that the fins can and do become jammed against the grinding wheel because they are from 1/32" to 3/16" thick and protrude at random about the castings. It also contends that castings of complex shapes contact the work rest before the areas to be ground can reach the face of the grinding wheel. This causes the operator to attempt to hand hold the casting in an awkward and hazardous position while trying to reach the grinding wheel with the castings. The applicant states that it does use work rests on bench grinders used for sharpening tool bits and drills in the machine shop.

The applicant alleges that by removing the work rest in certain snag grinding operations, because of the size and configuration of the rough castings, that a

place of employment is being provided which is as safe as the requirements of the standard from which a variance is sought.

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 1726 M Street, NW, Room 210, Washington, D.C. 20210, and at the following Regional and Area Offices:

Assistant Regional Director
U.S. Department of Labor
Occupational Safety and Health Administration
32d Floor—Room 3259
230 South Dearborn Street
Chicago, Illinois 60604

Area Director
U.S. Department of Labor
Occupational Safety and Health Administration
230 South Dearborn—10th Floor
Chicago, Illinois 60604

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than May 30, 1975.

In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than May 30, 1975, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

II. *Interim Order.* It appears from the application for a variance and interim order, and from the results of a variance inspection of the operations that an interim order is necessary to prevent undue hardship to the applicant pending a decision on the variance application. Therefore it is ordered, pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.11(c) that Leitelt Brothers be, and it is hereby, authorized to operate two designated stationary stands double and snagging grinders without work rests in its snag grinding of rough castings operation provided the following conditions are met:

1. The operator shall wear safety shoes and goggles.
2. The operator shall wear a leather apron and leather gloves.
3. A work rest shall be used on the two designated stationary stands, double and snagging grinders whenever possible during snag grinding of rough castings and at all times during other grinding operations.

Leitelt Brothers shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

Effective Date. This interim order shall be effective as of April 30, 1975, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 24th day of April, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-11362 Filed 4-30-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 34]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

APRIL 25, 1975.

The following applications are governed by Special Rule 1100.247 of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the Federal Register. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method — whether by joinder, interline, or other means— by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. *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.*

Evidence respecting how equipment is expected to be returned to an origin point, as well as other data relating to operational feasibility (including the need for dead-head operations), must be presented as part of an applicant's initial evidentiary presentation (either at oral hearing or in its opening verified statement under the modified procedure) with respect to all applications filed on or after December 1, 1973.

If an applicant states in its initial evidentiary presentation that empty or partially empty vehicle movements will result upon a grant of its application, applicant will be expected (1) to specify the extent of such empty operations, by mileages and the number of vehicles, that would be incurred, and (2) to designate where such empty vehicle operations will be conducted.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 1936 (Sub-No. 42), filed April 2, 1975. Applicant: B & P MOTOR EXPRESS, INC., 720 Gross Street, Pittsburgh, Pa. 15224. Applicant's representative: John A. Vuono, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant site of the S.S. Kresge Company, located at Canton Township, Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 2366 (Sub-No. 5), filed March 31, 1975. Applicant: WILLIAM CORBITT, INC., 129 Davidson Avenue, Somerset, N.J. 08873. Applicant's representative: Marcel R. Perusso (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric controllers and instruments*, which because of size or weight requires the use of special equipment, from

Salem, Va., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority can be tacked with its existing authority at Salem, Va., to serve all states except Alaska, Hawaii, Delaware, New York, New Jersey, Pensylvania, Maryland, Virginia, Rhode Island, Connecticut, Massachusetts, and the District of Columbia. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Newark, N.J.

No. MC 2860 (Sub-No. 146), filed April 3, 1975. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: W. Randall Tye, 1400 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen foodstuffs* (except in bulk), from Owensboro, Ky., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Louisiana, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, and West Virginia, restricted to traffic originating at the plantsites and warehouse facilities of Ragu Foods, Inc., at or near Owensboro, Ky., and destined to points in the above-named destination states.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 29886 (Sub-No. 323), filed April 2, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled draglines, shovels and drills, and accessories, attachments, and parts*, for self-propelled draglines, shovels, and drills; and (2) *material, equipment, and supplies*, used or useful in the manufacture, sale, and distribution of the commodities in (1) above, between points in the United States (including Alaska but excluding Hawaii), restricted to shipments originating at or destined to the plants, warehouses, storage and other facilities owned, operated or used by Marion Power Shovel Co., Inc.

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. 468), filed April 1, 1975. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Charles Pieroni, 4000 West Sample Street, South Bend, Ind. 46627. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, *and parts thereof*, when moving therewith in secondary movements, in truckaway and driveaway service, from points in the St. Paul-Minneapolis, Minn., Commercial Zone, to points in Wisconsin, Iowa, Minnesota, North Dakota and South Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 30844 (Sub-No. 537), filed March 27, 1975. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat by-products, articles distributed by meat packing plants, and foodstuffs* (except hides and commodities in bulk), from the plant site and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Ottumwa, Iowa, to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the named origin and destined to the named destinations; and (2) *meat, meat products, meat by-products, articles distributed by meat packing plants, foodstuffs, packing plant materials, equipment and supplies* (except hides and commodities in bulk), from points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, to the plant site and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Ottumwa, Iowa, restricted to traffic originating at the named states and destined to named destination.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 33511 (Sub-No. 2), filed April 2, 1975. Applicant: JOHNSTONE MACHINERY MOVERS, INC., 5050 North Detroit Ave., Toledo, Ohio 43612. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate Applicant's representative: Paul F. as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which because of size or weight require special handling, or the use of special equipment; *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith; and *building and contractor's equipment, supplies and materials*, between points in Monroe, Lenawee, Hillsdale, Jackson, Ingham, Livingston, Oakland, Wayne, and Washtenaw Counties, Mich., and Lucas, Fulton, Henry, Putnam, Hancock, Wood, Seneca, Sandusky, and Ottawa Counties, Ohio, on the one hand, and, on the other, points in Michigan, Ohio, Indiana, Illinois, Kentucky, and Pennsylvania.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Toledo, Ohio.

No. MC 33641 (Sub-No. 120), filed April 2, 1975. Applicant: IML FREIGHT, INC., 2175 South 3270 West, Salt Lake City, Utah 80217. 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 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, other than grain and livestock feed, and commodities requiring special equipment), serving the plant site of the Warner Valley Power Station, located in Washington County, Utah, as an off-route point in connection with carrier's regular route operations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 41116 (Sub-No. 51), filed March 27, 1975. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp*, in rolls, from Pineville, La. to Lake Charles, La., having a subsequent movement by water, under a continuing contract or contracts with Pineville Kraft Corporation.

NOTE.—Applicant holds common carrier authority in MC 123993 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Baton Rouge or New Orleans, La.

No. MC 52465 (Sub-No. 45), filed April 2, 1975. Applicant: RICE TRUCK LINES, 1627 Third Street Northwest, Great Falls, Mont. 59404. Applicant's representative: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 59403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Methanol, glycol and antifreeze*, in bulk, from points in Missoula County, Mont., to points in North Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held in any city in the state of Montana.

No. MC 61396 (Sub-No. 285), filed April 4, 1975. Applicant: HERMAN BROS. INC., 2565 St. Marys Avenue, P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid phosphatic fertilizer solutions*, in bulk, in tank vehicles, from Red Oak, Iowa, to points in Nebraska, Kansas, Missouri, Wisconsin, Minnesota, North Dakota, South Dakota, and Illinois.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 61592 (Sub-No. 347), filed April 2, 1975. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, R.R. 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Ave., Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wood and steel shelving, wood products, parts, and accessories* thereto; and (2) *materials, equipment and supplies* used in the manufacture and distribution of the above specified commodities (except commodities in bulk), between Jacksonville, Ill., on the one hand, 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, the applicant requests it be held at Chicago, Ill.

No. MC 62162 (Sub-No. 6), filed April 3, 1975. Applicant: DAVE CAMPBELL, doing business as CAMPBELL TRUCK LINE, Lake City, Iowa 51449. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Detasseling machines, loading equipment, and harvesting machines*, on shipper-owned trailers, between points in Iowa, Kansas, Missouri, Nebraska, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 69492 (Sub-No. 46), filed April 3, 1975. Applicant: HENRY EDWARDS, doing business as HENRY EDWARDS TRUCKING COMPANY, P.O. Box 97, Clinton, Ky. 42301. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer*, from Humboldt, Tenn., to Clinton and Mayfield, Ky., and points in Hickman and Graves Counties, Ky.; and (2) *malt beverages, and related advertising materials*, from Detroit, Mich., to Memphis, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn., Memphis, Tenn., or Louisville, Ky.

No. MC 102567 (Sub-No. 185), filed March 27, 1975. Applicant: McNAIR TRANSPORT, INC., 4295 Meadow Lane, P.O. Box 5357, Bossier City, La. 71010. Applicant's representative: Joe C. Day, 2040 N. Loop West, Suite 208, Houston, Tex. 77017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Water based paints, paints, stains or varnishes*, from Celotex Corporation located at Marrero, La. to the Celotex Corporation located at Paris, Tenn.; (2) *blackstrap molasses* mixed with not to exceed 10% urea, and with or without not to exceed 6% of other ingredients, from Gretna, La. to points in Alabama, Florida, Georgia, Arkansas, and Mississippi; and (3) *Petroleum products*, from Norphlet, Ark. to Bowansville, N.Y., all in bulk, in tank vehicles.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New Orleans, La. or Dallas, Tex.

No. MC 105461 (Sub-No. 92), filed April 2, 1975. Applicant: HERR'S MOTOR EXPRESS, INC., P.O. Box 8, Quarryville, Pa. 17566. Applicant's representative: Robert R. Herr (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, and *materials and supplies*, used in the sale or processing of foodstuffs (except frozen foods and commodities in bulk), from points in Orleans, Monroe, Wayne, Cayuga, Oswego, Onondaga, Seneca, Yates, Ontario, Livingston, and Genessee Counties, N.Y., to points in Delaware, Maryland, New Jersey, New York (except points north of the northern boundaries of Sullivan, Ulster, and Dutchess Counties, N.Y.), and points in Pennsylvania, Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106497 (Sub-No. 114), filed March 27, 1975. Applicant: PARKHILL TRUCK COMPANY, a corporation, P.O. Box 912 (Bus. Rte I-44 east), Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs, P.O. Box 113, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles and aluminum products*, including but not limited to tubing and couplers, from points in Twin Falls County, Idaho, to points in Washington, Oregon, Colorado, Nebraska, Utah, Nevada, Montana, Wyoming, California, Arizona, and New Mexico.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 107882 (Sub-No. 39), filed April 2, 1975. Applicant: ARMORED MOTOR SERVICE CORPORATION, a corporation, 160 Ewingville, Trenton, N.J. 08638. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bullion*, from San Francisco, Calif., to New York, N.Y., under a continuing contract or contracts with General Services Administration.

NOTE.—Applicant holds common carrier authority in MC 125729 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Trenton, N.J., or Washington, D.C.

No. MC 108248 (Sub-No. 13), filed April 2, 1975. Applicant: SHAW TRUCKING, INCORPORATED, P.O. Box 84, Brockway, Pa. 15824. Applicant's representative: James W. Patterson, 2107 The Fidelity Bldg., 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded polystyrene* (styrofoam) (except in bulk), from the facilities of Poly Ultra Plastics, Inc., in Ridgway Township (Elk County), Pa., to points in that part of New York on and west of a line beginning at the New York-Pennsylvania State line, and extending along U.S. Highway 11 to Binghamton, N.Y., and thence along New York Highway 12 to Utica, N.Y., thence south of a line beginning at Utica, N.Y., and extending along New York Highway 49 to Rome, N.Y., thence along New York Highway 69, to Mexico, N.Y., and thence along U.S. Highway 104 to Oswego, N.Y., and that part of Ohio bounded by a line beginning at Cleveland, Ohio, and extending along U.S. Highway 322 to the Ohio-Pennsylvania State line, thence south along the Ohio-Pennsylvania and the Ohio-West Virginia State lines to junction U.S. Highway 40, thence along U.S. Highway 40 to Columbus, Ohio, thence along U.S. Highway 23 to Delaware, Ohio, and thence along U.S. Highway 42 to Cleveland, Ohio, including points on the indicated portions of the highway specified.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 108382 (Sub-No. 25), filed April 4, 1975. Applicant: SHORT FREIGHT LINES, INC., 459 South River Road, Bay City, Mich. 48706. Applicant's representative: Michael M. Briley, 300 Madison Avenue, Toledo, Ohio 43604. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*: Serving the warehouse facilities of S. S. Kresge Company, located in Canton Township, Wayne County, Mich., as an off-route point in connection with applicant's regular route service to and from Detroit, Mich.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio, or Washington, D.C.

No. MC 109689 (Sub-No. 286), filed April 3, 1975. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, from Mesa County, Colo., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 110287 (Sub-No. 5), filed April 4, 1975. Applicant: SARLO TRUCKING SERVICE, INC., 820 Jersey Avenue, Gloucester City, N.J. 08030. Applicant's representative: Alan Kahn,

1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste paper for recycling*, from the New York, N.Y. commercial zone as defined in *Commercial Zones and Terminal Areas*, 54 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of Section 203(b)(8) of the Interstate Commerce Act, and points in Westchester County, N.Y., to Gloucester City, N.J.,

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 110988 (Sub-No. 321), filed April 3, 1975. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Amorphous polypropylene*, from Crowley, La., 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 111375 (Sub-No. 74), filed March 31, 1975. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., P.O. Box 3358, Madison, Wis. 53704. Applicant's representative: Charles E. Dye (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Meats, meat products, meat by-products, dairy products and articles distributed by meat packinghouses* as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk); and (b) *foodstuffs* when moving with commodities described in (a) above from the plant site and storage facilities of Oscar Mayer & Company located at or near Sherman, Tex., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the above origin and destined to the above named destinations; and (2) *commodities* as described in 1 (a) and (b) above and *materials, equipment and supplies* used in the manufacture, sale or distribution of commodities in (a) and (b) above, between the plant site and storage facilities of Oscar Mayer & Company located at or near Sherman, Tex., and points in Illinois, Iowa, and Wisconsin, restricted to traffic originating at or destined to the plant site and storage facilities of Oscar Mayer & Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 111375 (Sub-No. 76), filed April 2, 1975. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., P.O. Box 3358, Madison, Wis. 53704. Applicant's representative: Charles E. Dye (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa, to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the plantsite and storage facilities of and used by Land O'Lakes, Inc., and destined to the above named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn., or Washington, D.C.

No. MC 111401 (Sub-No. 446), filed April 3, 1975. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600, Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from the plantsite of Georgia-Pacific Corporation located at or near Plaquemine, La., to points in the United States (except Alaska and Hawaii), restricted to the transportation of shipments originating at the named origin and destined to the above-named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New Orleans, La., or Houston, Tex.

No. MC 111672 (Sub-No. 10), filed April 3, 1975. Applicant: R & M TRUCK LINE, INC., P.O. Box 422, Oskaloosa, Iowa 52577. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured prills* (except in bulk), from Oskaloosa, Iowa, to points in Missouri.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa.

No. MC 111729 (Sub-No. 531), filed March 31, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, audit and accounting media* of all kinds, (a) between Cleveland, Ohio and Carpentersville, Ill.; (b) between Cincinnati, Ohio and Danville, Ill.; and (c) between Cincinnati, Ohio and Murfreesboro, Tenn.; (2) *exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies, and advertising literature* (except motion picture film used primarily for commercial theatre and television exhibition), Between Cincinnati, Ohio and Danville, Ill.; (3) *laboratory specimens, clinical pathology and blood samples*, between Toledo, Ohio and Adrian, Mich.; (4) *replacement and repair parts* for aircraft, restricted against the transportation of packages or articles weighing more than 50 pounds from one consignor to one consignee on any one day, from Pittsburgh, Pa. to Cleveland and Youngstown, Ohio, on traffic having an immediately prior movement by air; (5) *machine repair parts; production machine tools; sample automotive and machinery parts*, restricted against the transportation of packages or articles weighing more than 100 pounds from one consignor to one consignee on any one day, (a) between Hillsdale and Jonesville, Mich., on the one hand, and, on the other, airports serving Detroit, Mich. and Chicago, Ill., on traffic having an immediately prior or subsequent movement by air; and (b) between Hillsdale and Jonesville, Mich., on the one hand, and, on the other, points in Illinois, Indiana and Ohio; and (6) *drugs, narcotics, pharmaceuticals, toiletries, sundries, proprietaries, and other items* related to drug stores and hospitals, restricted against the transportation of articles or packages weighing more than 50 pounds per shipment or 100 pounds in the aggregate from one consignor to one consignee on any one day, between Toledo, Ohio, on the one hand, and, on the other, points in Allen, DeKalb, Elkhart, Kosciusko, LaGrange, Noble, Steuben, and Whitley Counties, Ind.; and Branch, Genesee, Hillsdale, Ingham, Jackson, Kent, Lenawee, McComb, Monroe, Oakland, St. Joseph, and Washtenaw Counties, Mich.

NOTE.—Common control may be involved. Applicant holds contract carrier authority in MC 112750 and subs thereunder, therefore dual operations may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Cincinnati, Ohio.

No. MC 112822 (Sub-No. 371), filed March 28, 1975. Applicant: BRAY LINES INCORPORATED, a corporation, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Meats, meat products, meat by-products, dairy products and articles distributed by meat packinghouses* as described in Section A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk); and (B) *foodstuffs*, when moving with commodities described in (A) above, from the plant site and storage facilities of Oscar Mayer & Co., at or near Sherman, Tex., to points in Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oregon, Utah, Washington and Wisconsin, restricted to traffic originating at the above origin and destined to the above named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at the same time and place as those seeking similar authority.

No. MC 113459 (Sub-No. 97), filed April 3, 1975. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: J Michael Alexander, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, aluminum articles, iron and steel tanks, aluminum tanks, and parts, attachments, and accessories* for iron and steel tanks and aluminum tanks, between points in Liberty County, Tex., on the one hand, and, on the other, points in Louisiana, Arkansas, Oklahoma, New Mexico, Kansas, Missouri and Mississippi.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Birmingham, Ala., or Washington, D.C.

No. MC 113855 (Sub-No. 315), filed March 28, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particle board, flakeboard, and hardboard*, from Martell, Calif., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held on a consolidated record with the application filed by Hunt Transportation, Inc.

No. MC 114969 (Sub-No. 52), filed March 27, 1975. Applicant: PROPANE TRANSPORT, INC., P.O. Box 232, 1734 State Route 131, Milford, Ohio 45150. Applicant's representative: James R. Stiverson, 1396 West Fifth Avenue, P.O. Box 12241, Columbus, Ohio 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas and natural gasoline*, in bulk, in tank vehicles, from points in Roane and Lincoln Counties, W. Va., to points in Greenup County, Ky.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Columbus, Ohio.

No. MC 115331 (Sub-No. 390) filed April 1, 1975. Applicant: TRUCK TRANSPORT INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed supplement, drugs and insecticides*, in containers, from Lee's Summit, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Nebraska, Ohio, Pennsylvania, Tennessee, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, or Kansas City, Mo.

No. MC 115904 (Sub-No. 38), filed April 1, 1975. Applicant: LOUIS GROVER, 1710 West Broadway, Idaho Falls, Idaho 83401. Applicant's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, and gypsum products*, from points in Bernalillo County, N. Mex., to points in Arizona, Colorado and Kansas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho, or Salt Lake City, Utah.

No. MC 116544 (Sub-No. 155), filed April 3, 1975. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 2619 "N" Street, P.O. Box 7364, South Omaha, Nebr. 68107. Applicant's representative: Roland Rice, 1111 E Street NW., Suite 618, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa, to points in Iowa, Nebraska, Missouri, Kansas, Mississippi, Louisiana, Florida, Alabama, Georgia, Colorado, South Carolina, North Carolina, Tennessee, Texas, Arkansas, and Oklahoma, restricted to the transportation of traffic for the account of Land O'Lakes, Inc., originating at the plant sites and facilities of and used by Land O'Lakes, Inc., and destined to the above-named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis, or St. Paul, Minn.

No. MC 116544 (Sub-No. 156), filed April 3, 1975. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 2619 "N" Street, P.O. Box 7364, South Omaha, Nebr. 68107. Applicant's representative: Roland Rice, 1111 E Street NW., Suite 618, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from points in Minnesota and Wisconsin to points in Colorado, Iowa, Nebraska, Missouri, Kansas, Mississippi, Louisiana, Florida, Alabama, Georgia, South Carolina, North Carolina, Tennessee, Texas, Arkansas, and Oklahoma, restricted to the transportation of traffic for the account of Land O'Lakes, Inc., originating at the plant sites and facilities of and used by Land O'Lakes, Inc., and destined to the above-named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis, or St. Paul, Minn.

No. MC 116947 (Sub-No. 39), filed March 31, 1975. Applicant: SCOTT TRANSFER CO., INC., 920 Ashby Street SW., Atlanta, Ga. 30310. Applicant's representative: William Addams, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, metal container ends, and equipment, materials and supplies* used in the manufacture, sale and distribution of metal containers and metal container ends, between the plant site of National Can Corporation located at Bishopville, S.C., to points in Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, Tennessee, North Carolina, Kentucky, Kansas, and Missouri, under a continuing contract or contracts with National Can Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 116947 (Sub-No. 40), filed April 2, 1975. Applicant: SCOTT TRANSFER CO., INC., 920 Ashby Street SW., Atlanta, Ga. 30310. Applicant's representative: William Addams, Ste 212, 5299 Roswell Road NE., Atlanta, Ga. 30342. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic buckets*, from Lithonia, Ga., to points in Mississippi, under contract with Bennett Industries.

NOTE.—Applicant holds common carrier authority in MC 117956 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 117815 (Sub-No. 245), filed March 31, 1975. Applicant: PULLEY FREIGHT LINES, INC., 405 SE. 20th Street, Des Moines, Iowa 50317. Appli- March 31, 1975. Applicant: PULLEY cant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the facilities of Prince Macaroni of Michigan located at or near Warren, Mich., to Chicago, Ill., restricted to traffic originating at the named origin and destined to the destination point.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 117851 (Sub-No. 17) (Amendment), filed January 8, 1975, published in the FEDERAL REGISTER issue of February 6, 1975, and republished as amended this issue. Applicant: JOHN R. CHESSEMAN, 501 North First Street, Fort Recovery, Ohio 45846. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioners, heaters, and parts and accessories* used in the manufacture thereof, from the plantsite of Evans Products Company at or near Tifton, Ga., to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies* used in the manufacture of air conditioners, heaters, and parts and accessories thereof, from points in the United States (except Alaska and Hawaii), to the plantsite of

Evans Products Company at or near Tifton, Ga., under a continuing contract or contracts with Evans Products Company.

NOTE.—The purpose of this republication is to indicate applicant's request to broaden its request for authority by removing the limitation to mobile home commodities in (1) and (2) above. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 117940 (Sub-No. 160), filed March 28, 1975. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa, to points in Arkansas, Oklahoma, Texas, and Shreveport, La., restricted to traffic for the account of Land O' Lakes, originating at the plant sites and facilities of and used by Land O' Lakes, Inc., and destined to the above named destinations.

NOTE.—Applicant holds contract carrier authority in MC-114789 Sub No. 1 and Subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119531 (Sub-No. 157), filed April 3, 1975. Applicant: SUN EXPRESS, INC., 1835 West Main Street, Zanesville, Ohio 43701. 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: *Metal containers, metal container ends, and accessories and equipment* used in the manufacture and distribution of metal containers, from the plantsite and warehouses of National Can Corporation located at or near Zanesville and Archbold, Ohio, to points in Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, Pennsylvania, Wisconsin, and West Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 119777 (Sub-No. 319), filed April 2, 1975. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: John B. Ratliff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled draglines, shovels, and drills;* and (2) *materials, equipment, and supplies*, used or useful in the manufacture, sales or distribution of the commodities, in (1) above, between points in the United States (including Alaska, but excluding Hawaii), restricted to shipments originating at or destined to the plants, warehouses, storage, and other facilities owned, operated, or used by Marion Power Shovel Company, Incorporated.

NOTE.—Applicant holds contract carrier authority in MC 126970 and subs thereunder, 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 Louisville, Ky., or Nashville, Tenn.

No. MC 121420 (Sub-No. 6), filed April 4, 1975. Applicant: DART TRUCKING COMPANY, INC., 61 Railroad Street, Canfield, Ohio 44406. Applicant's representative: Paul F. Berry Co., Ninth Floor, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, from Branchton, Pa., to points in West Virginia, Ohio, and New York.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123255 (Sub-No. 50), filed April 3, 1975. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Firelogs*, from the plantsite and warehouse facilities of Eastern Firelog Corporation located at or near Fairless Hills, Pa., to points in Illinois, Indiana, Kentucky, Ohio, Michigan, Tennessee, West Virginia and that portion of New York on and west of a line starting at Hancock, New York, thence northeast along New York Highway 17 to the intersection of New York Highway 10, thence north on New York Highway 10 to the intersection of New York Highway 8, thence north on New York Highway 8 to Utica, N.Y., thence north on New York Highway 12 to Clayton, N.Y.

NOTE.—Applicant holds contract carrier authority in MC 81968 Sub 19 and subs thereunder, 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 Columbus, Ohio.

No. MC 124211 (Sub-No. 261), filed March 17, 1975. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, Downtown Station, Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor vehicle parts, accessories, and supplies*, from points in Seward County, Nebr., to Salt Lake City, Utah; and (2) *commodities* intended for use or sale by producers or distributors of beverages (except in bulk), between Yankton, S. Dak., on the one hand, 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, the applicant requests it be held at Omaha, Nebr.

No. MC 124328 (Sub-No. 79), filed April 4, 1975. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill. 60616. Applicant's representative: Chandler L. Van Orman, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Precious metals, and precious metal items, including toxic and corrosive metals, and other items* of unusual value, between Newark, and Careret, N.J.; and Attleboro and Plainville, Mass., on the one hand, and, on the other, points in the United States (including Alaska, but excluding Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Illinois, New Jersey, or Washington, D.C.

No. MC 124821 (Sub-No. 16), filed April 1, 1975. Applicant: WILLIAM GILCHRIST, 105 N. Keyser Avenue, Old Forge, Pa. 18518. Applicant's representative: Kenneth R. Davis, 121 S. Main Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery and related advertising matter*, from the plantsite of Cadbury Corporation located at or near Humboldt Industrial Park (Hazle Township), Pa., to Detroit, Mich.; Dallas, Tex.; Denver, Colo.; Salt Lake City, Utah; Kansas City, Kans.; Kansas City, Mo.; Chicago, Ill.; Seattle, Wash.; Los Angeles, Emeryville, and Hayward, Calif., restricted to shipments originating at the above-named origin and destined to the above-named destination points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 125777 (Sub-No. 154), filed April 3, 1975. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. 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: (1) *Salt*, in dump vehicles; and (2) *broken glass* for recycling (cullett) in dump vehicles, from the ports of entry on the International Boundary line between the United States and Canada, located in Michigan and New York, to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 126091 (Sub-No. 3), filed April 2, 1975. Applicant: K. J. FRALEY AND E. W. SCHILLING, a partnership, doing business as FRALEY AND SCHILLING, Rushville, Ind. 46173. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal and metal alloys*, (A) From the plant sites and facilities of Foote Mineral Company at or near Byesville, Ohio, and Graham, W. Va., to points in Iowa, Minnesota, and Missouri; and (B) From the plant site and facilities of Foote Mineral Company at or near Mingo Junction, Ohio, to points in Illinois, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West

Virginia, Wisconsin, Iowa, Minnesota, and Mssouri; (2) *metal and metal alloys, ores,* chemicals and unbaked carbon mixture, from points in Iowa, Minnesota, and Missouri; (2) *metal and metal alloys,* ities of Foote Mineral Company at or near Byesville, Ohio, and Graham, W. Va., under a continuing contract or contracts with Foote Mineral Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 126622 (Sub-No. 4), filed April 2, 1975. Applicant: AUDET AND MEGANTIC TRANSPORT LTEE, P.O. Box 1330, Lac Megantic, Province of Quebec, Canada, Applicant's representative: Marshall Kragen, Suite 805, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Granite,* from ports of entry on the International Boundary line, between the United States and Canada at or near Jackman, Coburn, Gore, Maine; Pittsburg, N.H.; Norton, Derby Line, North Troy, Richford, and Highgate Springs, Vt.; and Rouses Point, N.Y., to points in Maine, Massachusetts, Vermont, New Hampshire, New York, Connecticut, Rhode Island, New Jersey, and Illinois, restricted to traffic originating in the County of Frontenac, Quebec, Canada, limited to a transportation service to be performed, under a continuing contract, or contracts, with the following shippers: Frontenac Granite, Inc., Lac Drolet, Mafer Inc., Bussieres Granite, Inc., and Lacroix & Fils Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass., or Washington, D.C.

No. MC 126622 (Sub-No. 5), filed April 2, 1975. Applicant: AUDET & MEGANTIC TRANSPORT LTEE, P.O. Box 1330, Lac Megantic, Province of Quebec, Canada. Applicant's representative: Marshall Kragen, Suite 805, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Wood chips,* in bulk, and *lumber,* from ports of entry on the International Boundary line between the United States and Canada located at or near Jackman, Coburn Gore, Maine; Pittsburg, N.H.; Norton, Derby Line, North Troy, Richford, and Highgate Springs, Vt.; and Rouses Point, N.Y., to points in Connecticut, Maine, Massachusetts, Rhode Island, Vermont, New Hampshire, New Jersey, and New York, restricted to the transportation of traffic originating at Woburn and Lac Megantic, Quebec, Canada, limited to a transportation service to be performed under a continuing contract, or contracts, with Megantic Manufacturing Company, Lac Megantic, Industries Lac Megantic, Inc., Lac Megantic, J. A. Fontaine & Fils, Inc., and Henri-Georges, doing business as Grondin & Fils Ltee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass., or Washington, D.C.

No. MC 127042 (Sub-No. 158), filed March 27, 1975. Applicant: HAGEN, INC., 3232 Highway 75 North, P.O. Box 98, Leeds Station, Sioux City, Iowa 51108. 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: *Frozen prepared foods,* from the plant site and facilities of Roman Meal Frozen Foods, Co., Inc. at or near Decatur, Ind., to points in Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Fort Wayne, or Indianapolis, Ind.

No. MC 127042 (Sub-No. 159), filed March 28, 1975. Applicant: HAGEN, INC., 3232 Highway 75 North, P.O. Box 98, Leeds Station, Sioux City, Iowa 51108. 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: (1) (a) *Meats, meat products, meat by-products, dairy products and articles distributed by meat packinghouses* as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), and (b) *foodstuffs* when moving with commodities described in (a) above from the plantsite and storage facilities of Oscar Mayer & Co. at or near Sherman, Tex. to points in Colorado, Indiana, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, and Wyoming; restricted to traffic originating at the above origin and destined to above named destinations: and (2) *commodities* as described in part (1) (a) and (b) above and *materials, equipment and supplies* used in the manufacture, sale, or distribution of commodities in (a) and (b) above, between the plant site and storage facilities of Oscar Mayer & Co. at or near Sherman, Tex. and points in Illinois, Iowa, and Wisconsin, Kansas, and Michigan, restricted to traffic originating at or destined to the plant site and storage facilities of Oscar Mayer & Co. at or near Sherman, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis.

No. MC 127115 (Sub-No. 10), filed March 31, 1975. Applicant: MILLER'S TRANSPORT, INC., 510 West Third North, Hyrum, Utah 84319. Applicant's representative: Harry D. Pugsley, 315 East 2nd South, Suite 400, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Foam and cellular expanded plastics and rubber,* and; (2) *accessories* for (1) above when transported at the same time and in the same vehicle with the commodities named in (1) above, from La-Mirada, Calif., to points in Utah, those in Idaho south of the southern boundary line of Idaho County, Idaho, Portland, Oreg., and Reno, Nev., under a continuing contract with E. R. Carpenter Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 127812 (Sub-No. 21), filed April 3, 1975. Applicant: TYSON TRUCK LINES, INC., 185-5th Ave. SW., New Brighton, Minn. 55112. Applicant's representative: Anthony C. Vance, Suite 501, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Packinghouse products and articles* dealt in by wholesale and retail grocery houses, between Minneapolis-St. Paul, Minn., on the one hand, and, on the other, points in Minnesota, and points in Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, La Crosse, Oneida, Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Trempealeau, Washburn, and Vilas Counties, Wis.

NOTE.—Applicant indicates it intends to tack the authority requested herein in combination with its existing certificates in order to extend its operations to points within the 300-mile exemption of 49 CFR § 1065.1(b). If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 128555 (Sub-No. 8), filed March 27, 1975. Applicant: MEAT DISPATCH, INC., 2103 17th Street East, Palmetto, Fla. 33561. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Unfrozen foodstuffs* (except in bulk) and *materials, supplies and equipment* used in the manufacture, sale or distribution of unfrozen foodstuffs, (except in bulk), between Owensboro, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to traffic originating at or destined to the plantsite of Ragu Foods, Inc., under a continuing contract or contracts with Ragu Foods, Inc.

NOTE.—Applicant holds common carrier authority in MC 136123, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Buffalo or Rochester, N.Y.

No. MC 128772 (Sub-No. 10), filed April 3, 1975. Applicant: STAR BULK TRANSPORT, INC., 821 North Front Street, New Ulm, Minn. 56073. Applicant's representative: Val M. Higgins,

1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from New Wilmington, Pa.; Kahoka, Mo.; Nauvoo, Ill.; Hartington, Nebr., and points in Ohio, New York, and Iowa to Rochester, Minn., under a continuing contract with Pace Dairy Foods Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 133377 (Sub-No. 6), filed April 1, 1975. Applicant: COMMERCIAL SERVICE, INC., 114 Memorial Road, Storm Lake, Iowa 50588. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat by-products, articles distributed by meat packing plants and foodstuffs* (except hides and commodities in bulk), from the plant site and/or warehouse facilities utilized by Geo. A. Hormel & Co. at or near Ottumwa, Iowa, to points in Illinois, Minnesota, Missouri, Nebraska, South Dakota and Wisconsin, restricted to traffic originating at named origin and destined to named states, and (2) *meat, meat products, meat by-products, articles distributed by meat packing plants, foodstuffs, packing plant materials, equipment and supplies* (except hides and commodities in bulk), from points in Illinois, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin, to the plant site and/or warehouse facilities utilized by Geo. A. Hormel & Co. at or near Ottumwa, Iowa, restricted to traffic originating at named states and destined to named destination.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 133604 (Sub-No. 3), filed April 3, 1975. Applicant: LYNN'S POULTRY, INC., 712 South 11th Street, Oskaloosa, Iowa 52577. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat by-products, articles distributed by meat packing plants and foodstuffs* (except hides and commodities in bulk), from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., located at or near Ottumwa, Iowa, to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee, restricted to traffic originating at the above-named origin and destined to the above-named states; and (2) *meat, meat products, meat by-products, articles distributed by meat packing plants, foodstuffs, packing plant materials, equipment, and supplies* (except hides and commodities in bulk), from points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee, to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., at or near Ottumwa, Iowa, restricted to traffic originating at the above-named states and destined to the above-named destination.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul Minn.

No. MC 134068 (Sub-No. 17), filed April 4, 1975. Applicant: KODIAK REFRIGERATED LINES, INC., 3336 East Fruitland Avenue, Vernon, Calif. 90058. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sauces*, in nonrefrigerated equipment, from the plantsite and warehouse facilities of Kikkoman Foods, Inc., at or near Walworth, Wis., to points in California, Arizona, and Colorado.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Milwaukee, Wis., or Omaha, Nebr.

No. MC 134415 (Sub-No. 4), filed April 4, 1975. Applicant: PERDUE INCORPORATED, P.O. Box 1537, Salisbury, Md. 21801. Applicant's representative: Wendy J. Phillips (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, in special operations, from points in Worcester, Wicomico, and Somerset Counties, Md., to Perdue Incorporated, Accomac, Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Salisbury, Md.

No. MC 134922 (Sub-No. 119), filed March 31, 1975. Applicant: B. J. MCADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chairs and office supplies*, from Sturgis, Mich., to points in Florida, Texas, New Mexico, Arizona, Colorado, Utah, California, Oregon, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich., or Little Rock, Ark.

No. MC 135291 (Sub-No. 2), filed April 3, 1975. Applicant: ROSS & HOGLUND, INC., 1522 Occidental Ave. South, Seattle, Wash. 98134. Applicant's representative: Georeg Kargianis, 2120 Pacific Bldg., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from the Ports at Los Angeles, Wilmington, and Long Beach, Calif., to points in Oregon and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 135437 (Sub-No. 5), filed April 4, 1975. Applicant: TRI NORTHEASTERN TRANSPORT, INC., South Main Street, Lyndonville, N.Y. 14098. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen foodstuffs* (except in bulk), and *materials, supplies and equipment*, used in the manufacture, sale or distribution of unfrozen foodstuffs (except in bulk), between Owensboro, Ky., on the one hand, and, on the other, points in Jefferson, St. Charles and St. Louis Counties, Mo., and those points in Indiana and Illinois north of Route 70, restricted to traffic originating at or destined to the plantsite of Ragu Foods, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Buffalo, or Syracuse, N.Y.

No. MC 136689 (Sub-No. 4), filed April 1, 1975. Applicant: SLAUGHTER TRANSPORTATION CORPORATION, 10910 Lane Street, Houston, Tex. 77029. Applicant's representative: Jo E. Shaw, 816 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid cooking oils; animal litter; and bleaching and cleaning compounds*, in containers, from Houston, Tex., to points in Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex., or New Orleans, La.

No. MC 136786 (Sub-No. 72), filed April 2, 1975. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Blvd., Minneapolis, Minn. 55416. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Magazines, periodicals and catalogs, and parts thereof, and printed matter*, between the plant site and warehouse facilities of Meredith/Burda, Inc., located at Lynchburg, Va., on the one hand, and, on the other, the plant site and warehouse facilities of Meredith Corporation located at Des Moines, Iowa; and (2) *magazines, periodicals, catalogs and books, and parts thereof, and printed matter*, from Des Moines, Iowa and Lynchburg, Va., to points in Arizona, California, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 138299 (Sub-No. 5), filed April 3, 1975. Applicant: TRAILS TRUCKING, INC., 719 Union Street, Montebello, Calif. 90640. Applicant's representative: William J. Monheim, P.O. Box 1756, Whittier, Calif. 90609. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool and*

mineral wool products; insulating material; insulated air duct; and products, utilized in the installation of the described commodities, from La Mirada and Union City, Calif., to points in Arizona, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming, under contract with Certain-Teed Products Corporation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138850 (Sub-No. 2), filed March 31, 1975. Applicant: OHIO VALLEY TRANSPORT, INC., 762 Marion Road, Cincinnati, Ohio 45215. Applicant's representative: Norbert B. Flick, 715 Executive Bldg., Cincinnati, Ohio 45202. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Paper and paper products,* between Florence, Ky., and points in Ohio, under a continuing contract or contracts with The Equitable Bag Co., Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Cincinnati, Ohio.

No. MC 139378 (Sub-No. 1), filed April 1, 1975. Applicant: LLOYD C. BUSBEE, 550 Mohawk Street, Mobile, Ala. 36606. Applicant's representative: John W. Cooper, 1314 City Federal Bldg., Birmingham, Ala. 35203. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bananas,* from Mobile, Ala., to points in Mississippi, Alabama, Tennessee, Georgia, Florida, Indiana, Michigan, Wisconsin and Louisiana.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Birmingham, or Mobile, Ala.

No. MC 139432 (Sub-No. 3), filed March 24, 1975. Applicant: SUNRISE TRANSPORTATION, INC., 9850 East Highway 120, Manteca, Calif. 95336. Applicant's representative: Thomas M. Loughran, 100 Bush Street, 21st floor, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Molasses,* in bulk, in tank truck equipment, between the plantsite of Amstar Corporation, Spreckels Sugar Division, at or near Woodland, Manteca, Spreckels and Mendota, Calif., on the one hand, and, on the other, the Amstar Corporation, Spreckels Sugar Division plantsite at or near Serape, Ariz., under a continuing contract or contracts with Amstar Corporation, Spreckels Sugar Division.

NOTE.—Applicant holds common carrier authority in MC 119912 Sub No. 1, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 139495 (Sub-No. 53), filed April 3, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Chemicals,* in containers, from Lewes, Del., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 55), filed April 4, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Coffee,* from New Orleans, La., and Houston, Tex., to Omaha, Nebr.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 140243 (Sub-No. 4), filed April 4, 1975. Applicant: APPLE HOUSE, INC., 3726 Birney Avenue, Scranton, Pa. 18505. Applicant's representative: Kenneth R. Davis, 121 South Main Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Pizza crust,* in vehicles equipped with mechanical refrigeration, from Carbondale, Pa., to Charlotte, N.C.; Atlanta, Ga.; and Tampa and Orlando, Fla.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Scranton, Pa.

No. MC 140290 (Sub-No. 2), filed April 4, 1975. Applicant: KESSEL TRUCKING CO., INC., 615 North Main, Blue Earth, Minn. 56013. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Precast concrete floorings and columns* used in the construction of livestock buildings; and (2) *precast concrete feed bunks,* from Winnebago, Minn., to points in Iowa, Nebraska, North Dakota, South Dakota, Wisconsin, Illinois, Kansas, and Missouri, under a continuing contract with Winebago Concrete Products Company, a Division of Condux International, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 140361 (Sub-No. 2), filed April 4, 1975. Applicant: COLUMBUS PARCEL SERVICE, INC., 1009 Joyce Avenue, Columbus, Ohio 43219. Applicant's representative: James Duvall, P.O. Box 97, 220 West Bridge Street, Dublin, Ohio 43017. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Flowers, plants, decorative greens, and fruit,* having a prior or subsequent out-of-state movement by air, rail or motor vehicle, when moving at the same time and in the same vehicle with commodities, the transportation of which is subject to economic regulation, between points in Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 140540 (Sub-No. 1), filed April 1, 1975. Applicant: L. MONTGOMERY, INC., 4 Tilton Avenue, Red Bank, N.J. 07721. Applicant's representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, N.J. 08904. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Styrofoam products, plastic lids, plastic tumblers, plastic plates, and plastic utensils,* from the plantsite of Thompson Industries Co., at New Shrewsbury, N.J., to points in Connecticut, Delaware, Maryland, New York, and Pennsylvania, under contract with Thompson Industries Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or Philadelphia, Pa.

No. MC 140617 (Sub-No. 2), filed April 3, 1975. Applicant: KERN COUNTY TRANSFER, INC., P.O. Box 1641, Bakersfield, Calif. 93302. Applicant's representative: William J. Monheim, P.O. Box 1756, Whittier, Calif. 90609. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Grape concentrate and wine* (except in bulk), moving in Sea-Land Service, Inc. containers, from the plant site of California Wine Association at or near Delano, Calif., to the facilities of the Sea-Land Service, Inc. at the Port of Long Beach, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 140815, filed March 21, 1975. Applicant: MELVIN W. HUIBREGTSE, doing business as, HUIBREGTSE TRUCKING SERVICE, 124 South 40th Street, Yakima, Wash. 98901. Applicant's representative: Douglas A. Wilson, 303 East D Street, Suite No. 2, Yakima Legal Center, Yakima, Wash. 98901. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Coir yarn and hop cloth, and hop ranch supplies,* from ports of entry at Seattle and Tacoma, Wash., to points in Yakima and Benton Counties, Wash., restricted to shipments having a prior movement by water.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at either Seattle, Wash., or Portland, Oreg.

No. MC 140819, filed March 28, 1975. Applicant: DORSEY LABEAN JR., doing business as, SABER TRANSPORT, 3461 South Main Road, Standish, Mich. 48658. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, Mich. 48933. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Products* of Semco, Incorporated, from West Branch, Mich., to points in Maryland, Virginia, New Jersey and the District of Columbia; and (2) *materials and supplies*, from Toledo, Ohio and Chicago, Ill., to West Branch, Mich., under a continuing contract or contracts with Sempco, Incorporated; and (3) *products, materials and supplies*, between West Branch, Mich., on the one hand, and, on the other, points in Ohio, Pennsylvania, New Jersey and the port of entry on the International Boundary line between the United States and Canada located at Detroit, Mich., under a continuing contract or contracts with Franklin Forge Manufacturing Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lansing or Detroit, Mich.

No. MC 140825, filed April 3, 1975. Applicant: WINDSOR AUTOMOTIVE & TIRE, INC., 595 Windsor Avenue, Windsor, Conn. 06095. Applicant's representative: Seymour A. Rothenberg, 843 Main Street, Manchester, Conn. 06040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Disabled and replacement motor vehicles, and the towing of motor vehicles*, from points in Connecticut, to points in Massachusetts, New Hampshire, Vermont, Maine, Rhode Island, New York, New Jersey and Pennsylvania.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC 140829, filed April 3, 1975. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 60 Park Place, Newark, N.J. 07102. 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 packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Kansas, Missouri, Montana Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming, restricted to the transportation of traffic originating at the above origin, and destined to the above-named destinations.

NOTE.—Applicant holds contract carrier authority in MC 136408 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Kansas City, Mo.

No. MC 140830, filed April 4, 1975. Applicant: SNO-FLITE, INC., 2 North 17th Street, Fort Dodge, Iowa 50501. Applicant's representative: David A. Opheim, seventh floor, Snell Bldg., Fort Dodge, Iowa 50501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat by-products, articles distributed by meat packing plants, and foodstuffs* (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Ottumwa, Iowa, to points in Illinois, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin; and (2) *meat, meat products, meat by-products, articles distributed by meat packing plants, foodstuffs, packing plant materials, equipment and supplies* (except hides and commodities in bulk), from points in Illinois, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, to the plantsite and warehouse facilites utilized by Geo. A. Hormel & Co., at or near Ottumwa, Iowa, restricted to traffic originating at named origin and destined to named destination.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

PASSENGER APPLICATIONS

No. MC 15364 (Sub-No. 18), filed March 20, 1975. Applicant: WISCONSIN-MICHIGAN COACHES, INC., 725 Smith Street, Green Bay, Wis. 54302. Applicant's representative: Rolfe E. Hanson, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and newspapers* in the same vehicle with passengers, between Green Bay and Milwaukee, Wis., serving no intermediate points: (1) from Green Bay over Wisconsin Highway 57 to junction U.S. Highway 141, thence over U.S. Highway 141 and also Wisconsin Highway 57 to Milwaukee, and return over the same routes; and (2) from Green Bay over U.S. Highway 141 and also Interstate Highway 43 (now under construction), to Milwaukee, and return over the same routes.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Green Bay, or Milwaukee, Wis., or Chicago, Ill.

No. MC 123473 (Sub-No. 8), filed April 1, 1975. Applicant: WEST HUNTERDON TRANSIT CO., INC., Routes 202 and 69, Flemington, N.J. 08822. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. 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, Between Doylestown, Pa., and New Hope Borough, Pa.: From Doylestown, Pa., over U.S. Highway 611 to junction Pennsylvania Highway 313, thence over Pennsylvania Highway 313 to junction Swamp Road, thence over Swamp Road to junction U.S. Highway 202, thence over U.S. Highway 202 to New Hope, Pa., and return over the same routes, serving all intermediate points.

NOTE.—Common control may be involved. The carrier proposes to join the above-described route to its existing authority in Docket No. MC 123473 and sub numbers thereunder, between New Hope, Pa., and New York, N.Y., in order to provide direct service between points on the proposed routes and New York, N.Y., as well as other points in New Jersey which the carrier is already authorized to serve. If a hearing is deemed necessary, the applicant requests it be held at New Hope, Pa., or Flemington, N.J.

No. MC 140822, filed April 2, 1975. Applicant: HAMMOND TRANSPORTATION LIMITED, lot 13, plan 521, Macaulay Ward, Bracebridge, Ontario, Canada POB 1CO. Applicant's representative: Orvil Keith Hammond, 178 Maple Street, Box 441, Bracebridge, Ontario, Canada POB 1CO. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in group round-trip charter operations, beginning and ending at the Province of Ontario, Canada and operating through points on the International Boundary line between the United States and Canada along the Province of Ontario, Canada, and extending to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Pennsylvania, Ohio, Michigan, Rhode Island, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, Indiana, Wisconsin, Illinois, North Carolina, South Carolina, Georgia, Florida, Alabama and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Buffalo, N.Y. or Detroit, Mich.

BROKER APPLICATION

No. MC 130309, filed March 28, 1975. Applicant: GREAT AMERICAN TOURS, INC., 25 West 19th Street, Chattanooga, Tenn. 37408. Applicant's representative: Maxwell A. Howell, 1511 K Street NW., Washington, D.C. 20005. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Chattanooga, Tenn., to sell or offer to sell the transportation of *Passengers and their baggage*, in round-trip charter and special operations, in sightseeing and pleasure tours, by motor, air, water and rail carriers, beginning and ending at points in Tennessee and extending to points in the United States, including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chattanooga, Tenn.

WATER CARRIER APPLICATION

No. W-1286-EX (Correction), filed December 19, 1974, published in the FEDERAL REGISTER issues of February 13, 1975, March 20, 1975, and April 10, 1975, and republished, as corrected, this issue. Applicant: B. F. DIAMOND CONSTRUCTION, CO., INC., 645 Indian Street, P.O.

Box 727, Savannah, Ga. 31402. Applicant's representative: William P. Jackson, 919 18th Street NW., Washington, D.C. 20006. Applicant seeks authority by order under the provisions of Section 302 (e) of the Interstate Commerce Act exempting the furnishing for compensation, under a charter, lease or other agreement, of *tugs and barges* to Diamond Manufacturing Company, Inc., to be used by that company in the transportation of its manufactured, rebuilt, or repaired products, and its own equipment, materials and supplies, between ports and points along the Atlantic coastline, the Gulf of Mexico Coastline, and their inland tributary waterways, nonradially.

NOTE.—The purpose of this republication is to more correctly indicate the exemption sought. If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga.

By the Commission.

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

[FR Doc.75-11342 Filed 4-30-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

APRIL 25, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before May 12, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 2368 (Sub-No. E49) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER February 25, 1975. Republished in the FEDERAL REGISTER April 3, 1975. Applicant: BRALLEY-WILLETT TANK LINES, P.O. Box 495, Richmond, Va. 23204. Applicant's representative: Ward W. Johnson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils* (except liquid cocoa butter), in bulk, in tank vehicles, from points in that part of Virginia on, east and north of a line beginning at the Virginia-Maryland State line and proceeding south along U.S. Highway 15 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction Interstate Highway 64, thence along Interstate Highway 64 to junction Interstate Highway 264, thence along Interstate Highway,264 to the Atlantic Ocean, to points in South Carolina on and south of Interstate Highway 26. The purpose of this filing is to eliminate the gateway of Richmond, Va. The purpose of this correction is to include Virginia as the origin State. The purpose of this republication is to clarify the territorial destination.

No. MC 5470 (Sub-No. E42), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals*, in dump vehicles, between points in Michigan, on the one hand, and, on the other, points in Connecticut and New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties, N.J.). The purpose of this filing is to eliminate the gateways of Erie, Pa., any railhead in Ashtabula County (Conneaut), Ohio, and Oil City, Pa.

No. MC 5470 (Sub-No. E48), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron, scrap metal, alloys*, and *ores*, in dump vehicles; (a) between points in Wisconsin, on the one hand, and, on the other, points in Pennsylvania (except points in Washington County, Pa.); (b) between points in Arkansas, Alabama (except ores from and to points in Colbert and Lauderdale Counties), Florida, Georgia, Louisiana, Mississippi (except ores from and to points in Tishomingo County), Missouri, Tennessee on and west of Interstate Highway 75 (except ores from and to points in Wayne and Hardin Counties), and Wisconsin, on the one hand, and, on the other, points in Pennsylvania within a radius of 60 miles of the railhead of Pittsburgh, Pa.; and (c) between points in Arkansas, Louisiana, points in Mississppi on and north of U.S. Highway 82 (except ores from and to points in Tishomingo County), Missouri, and points in Tennessee on and west of Interstate Highway 65 (except ores from and to points in Wayne and Hardin Counties), on the one hand, and, on the other, points in Pennsylvania north and east of a line beginning at the Pennsylvaia-Ohio State line, thence along Interstate Highway 80 to junction U.S. Highway 322, thence along U.S. Highway 322 to Harrisburg, Pa., thence along Pennsylvania Highway 230 and 283 to Lancaster, Pa., thence along U.S. Highway 222 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateways of: in (a) and (c) above, any railhead in Ashtabula County (Conneaut), Ohio, and points in Pennsylvania within 60 miles of such railhead (Erie, Pa.); and (b) railhead of Pittsburgh (Allegheny County), Pa.

No. MC 5470 (Sub-No. E50), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock salt*, in bulk, in dump vehicles, from Louisville, Ky., to points in Virginia on and east of Virginia Highway 100. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 5470 (Sub-No. E55), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in dump vehicles, from any railhead in Allegheny, Beaver and Butler Counties, Pa., to points in Maryland (except points in Allegany, Garrett, and Morgan Counties), Virginia, and points in West Virginia in and south of Cabell, Lincoln, Kanawha, Fayette, and Greenbrier, Counties. The purpose of this filing is to eliminate the gateways of any points in Pennsylvania within the radius of 60 miles of such railheads (New Kensington, Pa.).

No. MC 5470 (Sub-No. E60), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand, filter sand* and *sandblast sand*, in bulk, in dump vehicles; (a) from any railhead in Ashtabula, Trumbull, Mahoning, Portage, Summit, Cuyahoga, and Geauga Counties, Ohio, to points in that part of Indiana in and east of Lagrange, Noble, Whitley, Huntington, Wells, Blackford, Delaware, Henry, Fayette, Franklin, and Dearborn Counties, and points in that part of Michigan in and east of Bay, Saginaw, Gratiot, Clinton, Eaton, Calhoun, and Branch Counties; and (b) from any railhead in Ashtabula, Trumbull, Mahoning, Portage, Summit, Cuyahoga, and Geauga Counties, Ohio, to points in West Virginia, west and south of a line beginning at the West Virginia-Virginia State line, extending along West Virginia Highway 39 to junction West Virginia Highway 16, thence along West Virginia Highway 16 to junction West Virginia Highway 4, thence along West Virginia Highway 4 to Charleston, thence along Interstate Highway 77 to the West Virginia-Ohio State line; and (c) from any railhead in Ashtabula, Trumbull, Portage, Summit, Cuyahoga, and Geauga Counties, Ohio, to points in

Pennsylvania on and east of U.S. Highway 15. The purpose of this filing is to eliminate the gateways of: in (a) above, points in Ohio within the radius of 60 miles of such railhead (Geauga Lake, Ohio) *; and in (b) and (c) above, points in Ohio within the radius of 60 miles of such railhead (Garrettsville, Ohio).

No. MC 5470 (Sub-No. E62), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys, ores, dry fertilizer, clay, petroleum coke, coal tar pitch, pitch prell,* and *scrap metal*, in bulk, in dump vehicles, between Beverly, Ohio, and points in New York on and west of U.S. Highway 15 (except points in Allegany, Steuben, Cattaraugus, and Chautauqua Counties). The purpose of this filing is to eliminate the gateways of Erie, Pa. (points in Pennsylvania within the radius of 60 miles of any railhead in Ashtabula County, Ohio); and the railhead of Conneaut (Ashtabula County), Ohio.

No. MC 5470 (Sub-No. E63), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum skimmings*, in bulk, in dump vehicles, and aluminum scrap, loose and not in containers, in dump vehicles, from Jackson and Saginaw, Mich., Kokomo, Ind., Chicago, Ill., and St. Louis, Mo., to points in Pennsylvania on and east of U.S. Highway 15, New York, New Jersey, (except points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties), Connecticut, Delaware, and Maryland (except Baltimore and points in its commercial zone, and points in the counties of Garrett and Allegany). The purpose of this filing is to eliminate the gateways of Cleveland, Ohio, Ashtabula County, Ohio, and Erie, Pa.

No. MC 5470 (Sub-No. E64), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals*, in dump vehicles, from points in Connecticut, Delaware, (except from points in Sussex County), New Jersey (except points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties), and New York, to Calvert City, Ky. The purpose of this filing is to eliminate the gateway of Erie, Pa.

No. MC 5470 (Sub-No. E65), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, in dump vehicles; (a) from points in New York on and west of U.S. Highway 15 to points in Michigan, Indiana, and Kentucky; and (b) from points in New York on and west of U.S. Highway 15 and on and north of Interstate Highway 90 to points in Ohio and West Virginia (except points in Hancock, Brooke, Ohio, Marshall, Tucker, Grant, Mineral, Hardy, Hampshire, Morgan, Berkeley, and Jefferson Counties, W. Va.). The purpose of this filing is to eliminate the gateways of a rail head in Ashtabula County (Conneaut), Ohio, and Erie Pa. (points in Pennsylvania within the radius of 60 miles of a railhead in Ashtabula County, Ohio).

No. MC 5470 (Sub-No. E72), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligat, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys, ores, dry fertilizer, clay, petroleum coke, coal tar pitch, pitch prell,* and *scrap metal*, in bulk, in dump vehicles; (a) between points in New York on and west of U.S. Highway 15, on the one hand, and, on the other, points in Michigan; and (b) between points in New York on and west of U.S. Highway 15 and on and north of Interstate Highway 90, from Buffalo, N.Y., on the one hand, and, on the other, points in Ohio, and points in West Virginia south and west of a line beginning at the Virginia-West Virginia State line, thence along U.S. Highway 60 to Charleston, thence along Interstate Highway 77 to the West Virginia-Ohio State line. The purpose of this filing is to eliminate the gateways of any railhead in Ashtabula County (Conneaut), Ohio, and points in Pennsylvania within 60 miles of such railhead (Erie, Pa.).

No. MC 5470 (Sub-No. E73), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligart, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Bridgeport, Conn., Newark, N.J., and Newport News, Va., to points in Michigan. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 12138 (Sub-No. E1), filed May 16, 1974. Applicant: PADRE FREIGHT LINES, P.O. Box 6849, Phoenix, Ariz. 85005. Applicant's representative: Robert R. Digby, 2131 West Roosevelt St., Phoenix, Ariz. 85009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except household goods as defined by the Commission, commodities in bulk, logs, livestock, articles of unusual value, and commodities requiring special equipment, between points in the Los Angeles Territory (as described below) on the one hand, and, on the other points on and within 15 miles of U.S. Highway 80 and Interstate Highway 8, extending from the eastern boundary of the San Diego Territory to the California-Arizona State line. *Los Angeles Territory includes that area embraced by the following boundary: beginning at the intersection of Sunset Boulevard and U.S. Highway 101 Alternate; thence northeasterly on Sunset Boulevard to California Highway 118 through and including the City of San Fernando; continuing northeasterly and southeasterly along California Highway 118 to and including the City of Pasadena; easterly along U.S. Highway 66 to California Highway 19, southerly along California Highway 19 to Lower Azusa Road; easterly on Lower Azusa Road to its intersection with the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue to the City of Whittier; southerly on Painter Avenue to California Highway 26 westerly along California Highway 26 to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway; westerly on Imperial Highway to California Highway 19; southerly along California Highway 19 to its intersection with U.S. Highway 101. The purpose of this filing is to eliminate the gateway of San Diego, Calif.

No. MC 20992 (Sub-No. E2), filed May 30, 1974. Applicant: DOTSETH TRUCK LINE, INC., Knapp, Wisc. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products* (including snow fencing and cribbing composed of wood and wire), except commodities requiring special equipment (1) from Hastings, Minn., to points in Iowa located on and east of a line beginning at the Iowa-Missouri State line, thence along U.S. Highway 63 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 1, thence along Iowa Highway 1 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Iowa Highway 38, thence along Iowa Highway 38 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Iowa Highway 136, thence along Iowa Highway 136 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Dubuque-Clayton County line, thence east along the Dubuque-Clayton County line to the Iowa-Wisconsin State line; (2) from Minneapolis and South St. Paul, Minn., to points in Iowa located on and east of a line beginning at the Iowa-Missouri State line, thence along Iowa Highway 5 to junction Iowa Highway 137, thence along Iowa Highway 137 to junction Iowa Highway 92, thence along Iowa Highway 92 to junction Iowa Highway 21, thence along Iowa Highway 21 to junction Iowa Highway 22, thence along Iowa Highway 22 to junction Iowa

Highway 149, thence along Iowa Highway 149 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Iowa Highway 109, thence along Iowa Highway 109 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Iowa Highway 13, thence along Iowa Highway 13 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 136, thence along Iowa Highway 136 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Dubuque-Clayton County line, thence along the Dubuque-Clayton County line to the Iowa-Wisconsin State line; (3) between St. Paul, Minn., on the one hand, and, on the other, points in that part of Iowa located on and south of a line beginning at the Nebraska-Iowa State line, thence along U.S. Highway 275 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 48, thence along Iowa Highway 48 to junction Iowa Highway 2, thence along Iowa Highway 2 to Mount Ayr, Iowa, thence south from Mount Ayr, Iowa along U.S. Highway 169 to the Iowa-Missouri State line, thence along the Iowa-Missouri State line to junction Iowa Highway 5, thence along Iowa Highway 5 to junction Iowa Highway 137, thence along Iowa Highway 137 to junction Iowa Highway 92, thence along Iowa Highway 92 to junction Iowa Highway 21, thence along Iowa Highway 21 to junction Iowa Highway 8, thence along Iowa Highway 8 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction Iowa Highway 101, thence along Iowa Highway 101 to junction Iowa Highway 150, thence along Iowa Highway 150 to junction U.S. Highway 20, thence long U.S. Highway 20 to junction Iowa Highway 187, thence along Iowa Highway 187 to the Clayton-Delaware County line, thence along the Clayton-Delaware County line to the Iowa-Wisconsin State line; and (4) from Stillwater, Minn., to points in Iowa located on and south of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 75 to junction Iowa Highway 10, thence along Iowa Highway 10 to junction Iowa Highway 143, thence along Iowa Highway 143 to junction Iowa Highway 3, thence along Iowa Highway 3 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Iowa Highway 7, thence along Iowa Highway 7 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 17, thence along Iowa Highway 17 to junction Iowa Highway 175, thence long Iowa Highway 175 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Iowa Highway 9, thence along Iowa Highway 9 to junction Iowa Highway 139, thence along Iowa Highway 139 to the Minnesota-Iowa State line. The purpose of this filing is to eliminate the gateways of points within 25 miles of Knapp, Wisc., located in St. Croix and Dunn Counties, Wisc.

No. MC 25798 (Sub-No. E26), filed May 2, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Frozen meats* and *frozen meat products,* in containers, in vehicles equipped for temperature control, from points in Texas on, south and west of a line formed by the following highways: beginning on U.S. Highway 75 at the Gulf of Mexico and north to its intersection with U.S. Highway 290; thence west on U.S. Highway 290 to its intersection with U.S. Highway 183; thence north on U.S. Highway 183, to its intersection with Interstate Highway 20; thence west on Interstate Highway 20 to its intersection with U.S. Highway 84; thence northwest on U.S. Highway 84 to the Texas-New Mexico State line, to points in West Virginia and points in Greenup, Carter, Boyd, Elliott, Morgan, Lawrence, Johnson, Wolfe, Magoffin, Martin, Breathitt, Floyd, Pike, Knott, Perry, Leslie, Letcher, and Harlan Counties, Kentucky. The purpose of this filing is to eliminate the gateway of Hendersonville, N.C.

No. MC 25798 (Sub-No. E14), filed April 28, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Frozen strawberries,* in containers, from points in Tennessee, to points in South Carolina. The purpose of this filing is to eliminate the gateway of Hendersonville, N.C.

No. MC 25798 (Sub-No. E20), filed May 2, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Frozen berries,* in containers, from points in Maine, to points in Tennessee and points in South Carolina on and west of U.S. Highway 601 beginning at the South Carolina-North Carolina State line to its intersection with U.S. Highway 521, thence along U.S. Highway 521 to the Atlantic Ocean. The purpose of this filing is to eliminate the gateway of Hendersonville, N.C.

No. MC 25798 (Sub-No. E27), filed May 2, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Canned mushrooms,* from Kenneth Square, Pa., to points in Georgia, Florida, North Carolina (on and east of U.S. Highway 301) and South Carolina. The purpose of this filing is to eliminate the gateway of Hopeton, Va.

No. MC 28067 (Sub-No. E1) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER December 10, 1974. Applicant: WILLIAMS MOTOR TRANSFER, INC., Barre, Vt. 05641. Applicant's representative: James E. Wilson, Suite 1032, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (A) *Granite,* (1) from Barre, Vt., to Westerly, R.I. (points in Connecticut) *, (2) from Montpelier, Barre, Northfield, and Ryegate, Vt., to points in Delaware, the District of Columbia, and Cape May, N.J. (Westerly, R.I., and points in Connecticut) *; and (B) *Granite memorials and monuments,* from Barre, Vt., to points in Providence County, R.I. (Franklin, Mass.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to include (B) above.

No. MC 34631 (Sub-No. E1), filed May 15, 1974. Applicant: A. ARNOLD & SON TRANSFER & STORAGE CO., Louisville, Ky. 40211. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Household goods,* as defined by the Commission in *Practices in Motor Common Carriers of Household Goods,* 17 M.C.C. 467; (1) between points in Florida, on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Nebraska, West Virginia, and Wisconsin (Kentucky) *; (2) between points in Georgia, on the one hand, and, on the other, points in Wisconsin, Nebraska, Minnesota, Michigan, Colorado, Iowa, and Kansas (Kentucky) *; (3) between points in Indiana, on the one hand, and, on the other, points in Alabama, Arkansas, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, and Texas (Kentucky) *; (4) between points in Ohio, on the one hand, and, on the other, points in Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas (Kentucky) *; (5) between points in Pennsylvania, on the one hand, and, on the other, points in Alabama, Arkansas, Kansas, Louisiana, Mississippi, Oklahoma, and Texas (Kentucky) *; (6) between points in Virginia, on the one hand, and, on the other, points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Nebraska, Oklahoma, Texas, and Wisconsin (Kentucky) *; (7) between points in Missouri, on the one hand, and, on the other, points in Connecticut, District of Columbia, Maryland, Massachusetts, North Carolina, Rhode Island, South Carolina, and West Virginia (Kentucky) *; (8) between points in New Jersey, on the one hand, and, on the other, points in Wisconsin, Texas, Oklahoma, Nebraska, Mississippi, Minnesota, Louisiana, Kansas, Iowa, Colorado, Arkansas, and Alabama (Kentucky) *; (9) between points in New York, on the one hand, and, on the other, points in Texas, Oklahoma, Nebraska,

Mississippi, Louisiana, Colorado, Kansas, Arkansas, and Alabama (Kentucky) *; (10) between points in Tennessee, on the one hand, and, on the other, points in Rhode Island, Wisconsin, Minnesota, Michigan, Massachusetts, Iowa, District of Columbia, Delaware, and Connecticut (Kentucky) *; (11) between points in Illinois, on the one hand, and, on the other, points in Connecticut, Louisiana, Mississippi, Alabama, North Carolina, South Carolina, and Rhode Island (Kentucky) *; (12) between points in Maryland, on the one hand, and, on the other, points in Colorado, Kansas, Louisiana, Mississippi, Nebraska, Oklahoma, and Texas (Kentucky) *; and (13) between the District of Columbia, on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Iowa, Louisiana, Kansas, Minnesota, Mississippi, Nebraska, Oklahoma, and Texas (Virginia and Kentucky) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 43963 (Sub-No. E1), filed April 2, 1975. Applicant: CHIEF TRUCK LINES, INC., Joliet Rd. & 79th St., Hindale, Ill. 60521. Applicant's representative: James C. Hardman, Suite 2108, 33 N. LaSalle St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel-angles, bars, channels, conduits, fencing, flooring, joists, lath, mesh, piling, pipe, parts, rails, rods, roof bolt mats, roofing, strip, structurals*, tank parts, tubing and wire in coils, which because of size or weight, require specialized handling or rigging; (1) from points in Wisconsin to points in Will, Kankakee, Iroquois, Ford, Vermilion, Champaign, Douglas, Edgar, Coles, Clark, Cumberland, Effingham, Jasper, Crawford, Clay, Richland, Lawrence, Wayne, Edwards, Wabash, Hamilton, White, Franklin, Williamson, Saline, Gallatin, Johnson, Pope, Hardin, Pulaski, and Massac Counties, Ill., points in Alexander and Jefferson Counties, Ill., on and east of Interstate Highway 57, and points in Indiana on and north of U.S. Highway 40; (2) from points in Milwaukee County, Wis., to points in Illinois (except points in Jo Daviess, Stephenson, Ogle, Winnebago, Boone, McHenry, Cook, Du Page, De Kalb, Carroll, Whiteside, Rock Island, Henry, Lee, Bureau, and Lake Counties, and in Kane County north of Illinois Highway 38), and points in Indiana on and north of U.S. Highway 40; (3) from points in Waukesha, Milwaukee, Racine, and Kenosha Counties, Wis., to points in Illinois (except points in Jo Davies, Carroll, Stephenson, Whiteside, Rock Island, Henry, Mercer, Henderson, Warren, Knox, Lee, Ogle, Winnebago, Boone, McHenry, Lake, Cook, De Kalb, Kane, Du Page, Kendall, and Will Counties); and (4) from points in Waukesha, Milwaukee, Racine, and Kenosha Counties, Wis., to points in Will County, Ill., on and south of Interstate Highway 80 and points in Indiana on and north of U.S. Highway 40. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 43963 (Sub-No. E2), filed April 6, 1975. Applicant: CHIEF TRUCK LINES, INC., Joliet Road & 79th St., Hindale, Ill. 60521. Applicant's representative: James C. Hardman, Suite 2108, 33 North La Salle St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel-angles, bars, channels, conduits, fencing, flooring, joists, lath, mesh, piling, pipe, parts, rails, rods, roof bolt mats, roofing, strip, structurals, tank parts, tubing and wire in coils*, which because of size and weight require specialized handling or rigging, (1) from points in Wisconsin (except points in St. Croix, Dunn, Pierce, Pepin, Buffalo, Trempealeu, La Crosse, Vernon, Crawford, Richland, Sauk, Grant, Iowa, Lafayette, Green, Rock, Walworth, Racine, Kenosha, Milwaukee, Waukesha, Jefferson Counties and those in Dane County south of U.S. Highway 18) to points in Piatt, Moultrie, Shelby, Christian, Montgomery, Macoupin, Greene, Calhoun, Jersey, Madison, Bond, Fayette, Marion, Clinton, St. Clair, Monroe, Randolph, Perry, Jefferson, Jackson, Union, and Alexander Counties, Ill., and points in Indiana on and north of U.S. Highway 40. (2) from points in Wisconsin on and east of the western borders of Vilas, Oneida, Lincoln, Marathon, Portage, Waushara, Marquette, Columbia, Jefferson and Rock Counties and those in Dane County on and east of U.S. Highway 51 to points in Moultrie, Shelby, Washington, Fayette, Bond, Madison, St. Clair, Monroe, Clinton, Marion, Jefferson, Randolph, Perry, Jackson, Union and Alexander Counties, Ill., points in Cook County, Ill. on and south of U.S. Highway 30 and points in Indiana on and north of U.S. Highway 40. (3) from points in Florence, Marinette, Oconto, Door, Kewaunee, Brown, Outagamie, Manitowoc, Calumet, Winnebago, Fond Du Lac, Sheboygan, Ozaukee, and Milwaukee Counties, Wis., points on and east of Wisconsin Highway 55 in Menominee and Shawno Counties, Wis. and Racine, Wis. to points in Illinois (except points in Lake, McHenry, Boone, Winnebago, Stephenson, Jo Daviess, Carroll, Ogle, De Kalb, Whiteside, Lee, Rock Island, Henry, Bureau, Putnam, Marshall, Woodford, Stark, Peoria, Tazewell, Knox, Mercer, Henderson, Warren, Fulton, McDonough, Hancock, Adams, Brown, Schyler, Cass, Mason, and Menard Counties and points in Cook and Kane Counties, north of Illinois Highway 38) and points in Indiana on and north of U.S. Highway 40. (4) from points in Wisconsin south of a line beginning at Lake Michigan and extending along the northern boundaries of Manitowac, Calumet, Winnebago, Waushara, Adams, Juneau, Monroe, and La Crosse Counties, to the Minnesota-Wisconsin State line to points in Kendall, Grundy, Livingston, McLean, DeWitt, Piatt, Macon, Moultrie, Shelby, Christian, Fayette, Bond, Marion, Clinton, Washington, Jefferson, Randolph, Perry, Jackson, Union and Alexander Counties, Ill., points in Kane, DuPage, and Cook Counties, Ill. on and south of Illinois Highway 64 and points in Indiana on and north of U.S. Highway 40. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 51146 (Sub-No. E18), filed May 23, 1974. Applicant: SCHNEIDER TRANSPORT, P.O. Box 2298, Green Bay, Wis. 54306. Applicant's representative: D. F. Martin (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal containers, container ends*, utilized by food business houses (except commodities in bulk), from points in Washington, Oregon, Idaho, Montana, North Dakota, Minnesota (except points in Winona, Olmsted, Mower, Fillmore, and Houston Counties, Minn.), points in South Dakota on, north, and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to the intersection of South Dakota Highway 47, along South Dakota Highway 47 to the South Dakota-Nebraska State line, points in Wyoming on and north of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the intersection of Interstate Highway 80, thence along Interstate Highway 80 to the Wyoming-Utah State line, points in Utah on and west of a line beginning at the Wyoming-Utah State line and extending along Interstate Highway 80 to the intersection of U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line, points in Nevada on and north of U.S. Highway 91, and points in California on and north of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to the intersection of Interstate Highway 5, thence along Interstate Highway 5 to the California-Mexico border, to points in Ohio. (Green Bay, Wis.) *;

(2) *Metal containers, container ends*, utilized by food business houses (except commodities in bulk), from points in Washington, Oregon, California, Nevada, Idaho, Utah, Montana, Wyoming, North Dakota, Minnesota, points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to the intersection of South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line, points in Colorado on and west of a line beginning at the Wyoming-Colorado State line and extending along U.S. Highway 87 to the intersection of U.S. Highway 285, thence along U.S. Highway 285 to the intersection of U.S. Highway 50, thence along U.S. Highway 50 to the intersection of U.S. Highway 550, thence along U.S. Highway 550 to the Colorado-New Mexico State line, and points in Arizona on and west of a line beginning at the Utah-Arizona State line and extending south over unnumbered highway to the intersection of Arizona Highway 63, thence

along Arizona Highway 63 to the intersection of U.S. Highway 66, thence along U.S. Highway 66 to the intersection of U.S. Highway 180, thence along U.S. Highway 180 to the Arizona-New Mexico State line, to points in New York, Pennsylvania and New Jersey, (Green Bay, Wis.) *;

(3) *Metal containers, container ends,* utilized by food business houses (except commodities in bulk) from points in Washington, Oregon, Montana, North Dakota, points in Minnesota on and north of Minnesota Highway 60, points in South Dakota on and north of U.S. Highway 16, points in Wyoming on and north of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 16 to the intersection of U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Montana State line, points in Idaho on, north and west of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 191, to the intersection of U.S. Highway 30N, thence along U.S. Highway 30N to the intersection of U.S. Highway 30, thence along U.S. Highway 30 to the intersection of U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line, points in Nevada on and west of a line beginning at the Idaho-Nevada State line and extending along U.S. Highway 93 to the intersection of U.S. Highway 6, thence along U.S. Highway 6 to the Nevada-California State line, and points in California in and north of Mono, Tuolumne, Stanislaus, Santa Clara and Santa Cruz Counties, Calif. to points in Kentucky on and east of Interstate Highway 65, (Green Bay, Wis.) *;

(4) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment), from points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, points in Colorado on and west of U.S. Highway 85, and points in New Mexico on and West of a line beginning at the Colorado-New Mexico State line and extending along U.S. Highway 85 to the intersection of U.S. Highway 84, thence along U.S. Highway 84 to the New Mexico-Texas State line, to the lower peninsula of Michigan, (Neenah, Wis.) *;

(5) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, requires the use of special equipment), from points in Washington, Oregon, California, Nevada, Montana, points in Wyoming on and north of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 16 to the intersection of U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Montana State line, points in Idaho on and west of U.S. Highway 191, points in Utah on and west of U.S. Highway 91, to points in Illinois on, north and east of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 51 to the intersection of Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, (Neenah, Wis.) *;

(6) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, requires the use of special equipment), from Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, points in Colorado on and west of U.S. Highway 85, in New Mexico on and west of a line beginning at the Colorado-New Mexico State line and extending along U.S. Highway 85 to the intersection of U.S. Highway 84, thence along U.S. Highway 84 to the New Mexico-Texas State line, to Chicago, Ill. (Neenah, Wis.) *;

(7) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment), from points in Washington, Oregon, Montana, points in Wyoming on and north of U.S. Highway 20, points in Idaho on and west of U.S. Highway 191, points in Nevada on and north of U.S. Highway 6, and points in California in and north of Mono, Madera, Merced, Santa Clara, and Santa Cruz Counties, Calif., to points in Indiana, (Neenah, Wis.) *;

(8) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, requires the use of special equipment), from points in Washington, Oregon, California, Nevada, Idaho, Montana, points in Wyoming on, north and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 26 to the intersection of Wyoming Highway 220, thence along Wyoming Highway 220 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, points in Utah on, north and west of a line beginning at the Colorado-Utah State line and extending along U.S. Highway 50 to the intersection of U.S. Highway 89, thence along U.S. Highway 89 to the Utah-Arizona State line, points in Arizona on and west of U.S. Highway 89, to points in Indiana on and north of U.S. Highway 24, (Neenah, Wis.) *;

(9) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment), from points in Washington, Oregon, California, Nevada, Idaho, Montana, points in Wyoming on, north and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 26 to the intersection Wyoming Highway 220, thence along Wyoming Highway 220 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, and points in Utah on, north and west of a line beginning at the Colorado-Utah State line and extending along U.S. Highway 6 to the intersection of U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line, to points in Ohio, (Neenah, Wis.) *;

(10) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment), from points in Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Arizona, and points in Colorado on, north and west of a line beginning at the Nebraska-Colorado State line and extending along Colorado Highway 71 to the intersection of U.S. Highway 24, thence along U.S. Highway 24 to the intersection of U.S. Highway 285, thence along U.S. Highway 285 to the Colorado-New Mexico State line, to points in New York, Pennsylvania, and New Jersey, (Neenah, Wis.) *;

(11) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment), from points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut, (Neenah, Wis.) *;

(12) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products, (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment), from points in Washington, points in Idaho on and north of U.S. Highway 12, and points in Montana, on and north of a line beginning at the Wyoming-Montana State line and extending along U.S. Highway 212 to the intersection of U.S. Highway 10, thence along U.S. Highway 10 to the Montana-Idaho State line, to points in Kentucky, (Neenah, Wis.) *;

(13) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products (except commodities in bulk and commodities which, because of size or weight, require the use of special equipment), from points in Washington, Oregon, Idaho, Montana, Wyoming, points in Utah on, north and west of a line beginning at the Colorado-Utah State line and extending along U.S. Highway 50 to the intersection of U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line, points in Nevada on and north of U.S. Highway 91, and points in California on and north of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to

the intersection of Interstate Highway 10, thence along Interstate Highway 10 to the Pacific Ocean at Los Angeles, Calif., to points in West Virginia, Maryland, Delaware, Virginia and the District of Columbia (Neenah, Wis.)*;

(14) *Plastic pallets* produced or distributed by manufacturers and converters of paper and paper products (except commodities in bulk and require the use of special equipment), from points in Oregon, California, Nevada, Utah, Colorado, Arizona, New Mexico, points in Washington on and west of a line beginning at the United States-Candian Boundary and extending along U.S. Highway 395 to the intersection of U.S. Highway 10, thence along U.S. Highway 10 to the Washington-Idaho State line, points in Idaho and south of U.S. Highway 26, and points in Wyoming on and south of U.S. Highway 26, to points in the Upper Peninsula of Michigan, and to points in Wisconsin on, north and east of a line beginning at the Michigan-Wisconsin State line and extending along U.S. Highway 51 to the intersection of U.S. Highway 18, thence along U.S. Highway 18 to Lake Michigan at Milwaukee, Wis. (Neenah, Wis.)*;

(15) *Metal containers* (except containers which because of size or weight require the use of special equipment), and container ends utilized by food business houses (except commodities in bulk), from Rockford, Ill. and Kankakee, Ill., to points in Washington, Oregon, Montana, Minnesota (except points south of a line beginning at the Canadian-Minnesota boundary and extending along U.S. Highway 71 to the intersection of Minnesota Highway 34, thence along Minnesota Highway 34 to the intersection of U.S. Highway 10, thence along U.S. Highway 10 to the Minnesota-North Dakota State line), North Dakota (except points south and east of a line beginning at the Minnesota-North Dakota State line and extending along U.S. Highway 10 to the intersection of U.S. Highway 281, thence along U.S. Highway 281 to the North Dakota-South Dakota State line), South Dakota (except points south and east of a line beginning at the North Dakota-South Dakota State line and extending along U.S. Highway 281 to the intersection of U.S. Highway 212, thence along U.S. Highway 212 to the North Dakota-Wyoming State line), Wyoming (except points south of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 14 to the intersection of U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Idaho State line), Idaho (except points south and east of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 191 to the intersection of U.S. Highway 30, thence along U.S. Highway 30 to the intersection of U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line), Nevada (except points south of Interstate Highway 15), and California (except points east of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to the intersection of Interstate Highway 5, thence Interstate Highway 5 to the California-Mexican boundary), (Ashwaubenon, Wis.)*;

(16) *Metal containers and container ends* utilized by food business houses (except commodities in bulk), from Chicago, Ill., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, North Dakota, Montana, Minnesota (except points south of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 12 to the intersection of U.S. Highway 212, thence along U.S. Highway 212 to the Minnesota-South Dakota State line), South Dakota (except points south of U.S. Highway 14), Wyoming (except points south and east of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to the intersection of Wyoming Highway 220, thence along Wyoming Highway 220 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line), Colorado (except points east of Colorado Highway 789), and New Mexico (except points east of U.S. Highway 285), (Ashwaubenon, Wis.)*;

(17) *Metal containers, metal container ends* utilized by food business houses (except commodities in bulk), from Livonia, Mich.; Cleveland, Marion and Hamilton, Ohio, to points in Washington, Oregon, Idaho, Montana, North Dakota, Minnesota (except points in Winona, Olmsted, Mower, Filmore and Houston Counties, Minn.), points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to the intersection of South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line, points in Wyoming on and north of a line beginning at the Nebraska-Wyoming state line and extending along U.S. Highway 20 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the intersection of Interstate Highway 80, thence along Interstate Highway 80 to the Wyoming-Utah State line, points in Utah on and west of a line beginning at the Wyoming-Utah State line and extending west along Interstate Highway 80 to the intersection of U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line, points in Nevada on and north of U.S. Highway 91, and points in California on and north of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to the intersection of Interstate Highway 5, thence along Interstate Highway 5 to the California-Mexican border, (Ashwaubenon, Wis.)*;

(18) *Metal containers* (except those which because of size or weight require the use of special equipment) and *metal container ends and accessories* therefor, utilized by food business houses (except commodities in bulk), from the plant and warehouse sites of Crown Cork and Seal Company, Inc., at Baltimore, Md.; Salisbury, Md.; North Bergen, N.J.; and Philadelphia, Pa., and from the plant and warehouse sites of National Can Corporation at Baltimore and Cambridge, Md., Danbury, Conn.; Edison, N.J.; Fairless and Hanover, Pa., and within that part of New York Commercial Zone, as defined in the fifth supplemental report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemptions provided by Section 203(b)(8) of the Act (the exempt zone), to points in Washington, Oregon, California, Nevada, Idaho, Utah, Wyoming, North Dakota, Minnesota, points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to the intersection of South Dakota Highway 47, thence along South Dakota Highway 47 to South Dakota-Nebraska State line, points in Colorado on and west of a line beginning at the Wyoming-Colorado State line and extending along U.S. Highway 87 to the intersection of U.S. Highway 285, thence along U.S. Highway 285 to the intersection of U.S. Highway 50, thence along U.S. Highway 50 to the intersection of U.S. Highway 550, thence along U.S. Highway 550 to the Colorado-New Mexico State line, and points in Arizona on and west of a line beginning at the Utah-Arizona State line thence south over unnumbered highway to the intersection of Arizona Highway 63, thence along Arizona Highway 63 to the intersection of U.S. Highway 66, thence along U.S. Highway 66 to the intersection of U.S. Highway 180, thence along U.S. Highway 180 to the Arizona-New Mexico State line. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the above described facilities. (Ashwaubenon, Wis.)*;

(19) *Canned goods, frozen vegetables, cheese foods and meats* utilized by food business houses as materials and supplies (except commodities in bulk), from points in Washington, Montana, North Dakota, points in Minnesota on and north of U.S. Highway 12, points in South Dakota on and north of U.S. Highway 14, and points in Idaho on and north of U.S. Highway 12, to points in Alabama, Georgia, and Florida, (Green Bay, Wis.)*.

(20) (a) *Such products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products (except commodities in bulk, in tank or hopper-type equipment and except drums, pails or cans), from the plant and warehouse sites of Personal Products Co. and Cel Fibe, Inc., at or near Wilmington, Ill., to points in Washington, Oregon, California, Nevada, Idaho, Montana, points in Utah on and west of U.S. Highway 89 and points in Arizona on and west of U.S. Highway 89; (b) *Returned shipments* of the above described commodities from the above-named destination area to the above-named origin points. (Green Bay, Wis.)*.

(21) (a) *Such merchandise* as is dealt in by department stores (except foodstuffs, furniture and commodities in bulk), and (b) *foodstuffs* (except frozen foods and commodities in bulk), and *furniture*, moving in mixed loads with the commodities in (a) above, from points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Kentucky, Tennessee, North Carolina, South Carolina, Florida, Alabama, Georgia, Mississippi, points in New York on and east of Interstate Highway 81, points in Maryland on and east of Interstate Highway 95, points in West Virginia on and south of U.S. Highway 60, points in Virginia, on, south and east o fa line beginginia, on, south and east of a line beginextending along U.S. Highway 60 to the intersection of Interstate Highway 95, thence along Interstate Highway 95 to the Virginia-Maryland State line, points in Indiana on and west of a line beginning at the Michigan-Indiana State line and extending along U.S. Highway 31 to the intersection of U.S. Highway 35, thence along U.S. Highway 35 to the Indiana-Ohio State line, points in Ohio on and south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 27 to the intersection of Ohio Highway 73, thence along Ohio Highway 73 to the Ohio-Kentucky State line, and the District of Columbia, to points in the Upper Peninsula of Michigan, on and west of a line beginning at Lake Superior at Grand Marais, Mich., thence along Michigan Highway 77 to the intersection of U.S. Highway 2, thence along U.S. Highway 2 to Gulliver, Mich., thence south over unnumbered highway from Gulliver to Lake Michigan. Restriction: The authority granted herein is restricted to traffic destined to the stores or other facilities of Shopko Stores, Inc., located at the described destination points (Green Bay, Wis.) *.

(22) (a) *Such merchandise* as is dealt in by department stores (except foodstuffs, furniture and commodities in bulk), and (b) *foodstuffs* (except frozen foods and commodities in bulk), and *furniture*, moving in mixed loads with the commodities in (a) above, from points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Ohio, the Lower Peninsula of Michigan, points in Indiana on and east of a line beginning at Lake Michigan at Michigan City, Ind., and extending south along U.S. Highway 421 to the intersection of Indiana Highway 43, thence south along Indiana Highway 43 to the intersection of U.S. Highway 231, thence south along U.S. Highway 231 to the Indiana-Kentucky State line, points in Kentucky on and east of U.S. Highway 431, points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line and extending south along U.S. Highway 431 to the intersection of Interstate Highway 65, thence south along Interstate Highway 65 to the Tennessee-Alabama State line, points in Alabama on, south and east of a line beginning at the Tennessee-Alabama State line and extending south along Interstate Highway 65, to the intersection of U.S. Highway 11, thence southwest along U.S. Highway 11 to Alabama-Mississippi State line, and to points in Mississippi on and south of U.S. Highway 11 to St. Cloud and Mankato, Minn. Restriction: The authority granted herein is restricted to traffic destined to the stores or other facilities of Shopko Stores, Inc., located at the described destination points (Green Bay, Wis.) *.

(23) *Cellulose materials and products, paper and paper products, materials and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between points in New York on and south of Interstate Highway 84 and points in New Jersey on and north of a line beginning at Camden, N.J., and extending along New Jersey Highway 70 to the intersection of New Jersey Highway 88, thence along New Jersey Highway 88 to the Atlantic Ocean at Point Pleasant Beach, New Jersey, on the one hand, and, on the other, to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, points in New Mexico on and west of U.S. Highway 85. Restriction: The operations authorized above are restricted against the transportation of traffic originating from Riegelsville, Milford, Hughesville, and Warren Glen, N.J. (Paxinos, Pa., and Green Bay, Wis.) *.

(24) *Cellulose materials and products, paper and paper products, and materials, equipment, and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between points in New Jersey south of a line beginning at Camden, N.J., and extending along New Jersey Highway 70 to the intersection of New Jersey Highway 88, thence along New Jersey Highway 88 to the Atlantic Ocean at Point Pleasant, N.J., and Delaware, on the one hand, and on the other, points in Illinois (except points in the Chicago Commercial Zone as defined by the Commission, points in that part of the St. Louis-East St. Louis Commercial Zone within Illinois, and points in Illinois on and south of U.S. Highway 460), Indiana (except points in the Evansville Commercial Zone as defined by the Commission), Iowa, Michigan, Minnesota, Wisconsin, points in Pennsylvania on, north and west of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 15 to the intersection of U.S. Highway 220, thence along U.S. Highway 220, to the intersection of Interstate Highway 80, thence along Interstate Highway 80 to the Pennsylvania-Ohio State line, points in Ohio on, north and west of a line beginning at the Pennsylvania-Ohio State line and extending along Interstate Highway 80 to intersection of Interstate Highway 76, thence along Interstate Highway 76 to the intersection of Interstate Highway 71, thence south along Interstate Highway 71 to the intersection of U.S. Highway 23, thenie along U.S. Highway 23 to intersection of U.S. Highway 50, thence along U.S. Highway 50 to the Ohio-Indiana State line, points in Kentucky on and west of a line beginning at the Ohio-Kentucky State line and extending along Interstate Highway 75 to the intersection of U.S. Highway 68, thence along U.S. Highway 68 to the intersection of U.S. Highway 31W, thence along U.S. Highway 31W to the Kentucky-Tennessee State line, and to points in Tennessee in and west of Henry, Carroll, Madison, and Hardeman Counties, Tenn. (except points in Tennessee in the Memphis Commercial Zone). Restriction: The authority granted above is restricted against the transportation of (a) paper and paper products originating at Lockland, Hamilton, Cincinnati, Middletown, and Cleveland, Ohio, and Florence, Ky., and points in their commercial zones as defined by the Commission, and (b) cardboard cartons from points in the described portion of Tennessee and Kentucky (Pacinos, Pa.) *.

(25) (a) *Paper and paper products* (except commodities in bulk), from points in New Jersey south of a line beginning at Camden, N.J., and extending along New Jersey Highway 70 to the intersection of New Jersey Highway 88, thence along New Jersey Highway 88 to the Atlantic Ocean at Point Pleasant, N.J., and Delaware, to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, New Mexico, and points in all those States west thereof, Missouri, points in Illinois on and south of U.S. Highway 460, points in Arkansas on and west of a line beginning at the Missouri-Arkansas State line and extending along U.S. Highway 67 to the intersection of U.S. Highway 167, thence along U.S. Highway 167 to the Arkansas-Louisiana State line, points in Texas on and west of a line beginning at the Louisiana-Texas State line and extending along Interstate Highway 20 to the intersection of U.S. Highway 59, thence along U.S. Highway 59 to the intersection of U.S. Highway 75, thence along U.S. Highway 75 to the Gulf of Mexico at Galveston, Tex., and to East St. Louis, Ill., and Evansville, Ind. (b) *Materials and supplies* used in the manufacture and distribution of paper and paper products from points in the above-named destination area to points in the above-named origin area. Restriction: The operations authorized herein are restricted against the transportation of commodities in bulk (Paxinos, Pa. and Muncie, Ind.) *.

(26) *Cellulose materials and products, paper and paper products, and materials, equipment, and supplies* used in the production and distribution of the above-described commodities (except those commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between

points in New Jersey south of a line beginning at Camden, N.J., and extending along New Jersey Highway 70 to the intersection of New Jersey Highway 88, thence along New Jersey Highway 88 to the Atlantic Ocean at Point Pleasant, N.J., and Delaware, on the one hand, and, on the other, Chicago, Ill. (Paxinos, Pa., and Chicago Heights, Ill.) *.

(27) *Cellulose materials products, paper and paper products, and materials and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk) between points in New Jersey south of a line beginning at Camden, N.J., and extending along New Jersye Highway 70 to the intersection of New Jersey Highway 88, thence along New Jersey Highway 88 to the Atlantic Ocean at Point Pleasant, N.J., and Delaware, on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Idaho, Utah, Montana, Wyoming, points in Arizona on and west of U.S. Highway 89, and points in Colorado on, north and west of a line beginning at the Wyoming-Colorado State line and extending along U.S. Highway 85 to the intersection of U.S. Highway 6, thence along U.S. Highway 6 to the Colorado-Utah State line (Paxinos, Pa., and Green Bay, Wis.) *.

(28) *Rolls of paper and corrugated cartons,* from points in North Carolina on and east of U.S. Highway 301, to points in Washington, Oregon, Nevada, Utah, Idaho, Montana, Wyoming, North Dakota, points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to the intersection of U.S. Highway 81, thence along U.S. Highway 81 to the South Dakota-Nebraska State line, points in Nebraska on, north and west of a line beginning at the South Dakota-Nebraska State line and extending along U.S. Highway 81 to the intersection of Nebraska Highway 91, thence along Nebraska Highway 91 to the intersection of Nebraska Highway 2, thence along Nebraska Highway 2 to the intersection of Nebraska Highway 61, thence along Nebraska Highway 61 to the Nebraska-Kansas State line, points in Colorado on and north of a line beginning at the Kansas-Colorado State line and extending along U.S. Highway 36 to the intersection of U.S. Highway 285, thence along U.S. Highway 285 to the intersection of U.S. Highway 50, thence along U.S. Highway 50 to the Colorado-Utah State line, and points in California on and north of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to the intersection of Interstate Highway 5, thence along Interstate Highway 5 to the California-Mexico border (Mechanicsburg, Pa. and Muncie, Ind.) *.

(29) *Rolls of paper and corrugated cartons,* from points in North Carolina on and east of U.S. Highway 301, to points in Minnesota, points in Michigan on and north of a line beginning at Lake Michigan at Ludington, Mich., and extending along U.S. Highway 10 to Bay City, Mich., thence from Bay City, Mich., over Michigan Highway 247 to the Saginaw Bay, points in Wisconsin on and north of a line beginning at the Michigan-Wisconsin State line and extending along Wisconsin Highway 64 to the intersection of U.S. Highway 51, thence along U.S. Highway 51 to the intersection of Wisconsin Highway 54, thence along Wisconsin Highway 54 to the Wisconsin-Minnesota State line, and to points in Iowa on, north, and west of a line beginning at the Wisconsin-Iowa State line and extending along U.S. Highway 18 to the intersection of U.S. Highway 69, thence along U.S. Highway 69 to the intersection of Interstate Highway 80, thence along Interstate Highway 80 to the Iowa-Nebraska State line (Mechanicsburg, Pa.) *.

(30) *Such expanded plastic articles* as are manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from Frederick, Md., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, points in Colorado on, north and west of a line beginning at the Nebraska-Colorado State line and extending along U.S. Highway 385 to the intersection of U.S. Highway 24, thence along U.S. Highway 24 to the intersection of U.S. Highway 285, thence along U.S. Highway 285 to the Colorado-New Mexico State line, and to points in New Mexico on and west of a line beginning at the Colorado-New Mexico State line and extending along U.S. Highway 285 to the intersection of U.S. Highway 85, thence along U.S. Highway 85 to the New Mexico-Texas State line (Green Bay, Wis.) *.

(31) *Such expanded plastic artibles* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products, from Frederick, Md., to points in North Dakota, South Dakota, and points in Arkansas on and west of a line beginning at the Missouri-Arkansas State line and extending along Arkansas Highway 25 to the intersection of U.S. Highway 67, thence along U.S. Highway 67 to the intersection of U.S. Highway 167, thence along U.S. Highway 167 to the Arkansas-Louisiana State line (Wilmington, Ill.) *.

(32) Expanded plastic articles as are manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper and paper products (except commodities in bulk in tank or hopper-type equipment and except drums, pails or cans), from Frederick, Md., to points in Minnesota, Iowa, points in Missouri on and west of Missouri Highway 51, and to Omaha, Nebr. (Wilmington, Ill.) *.

(33) *Glassware and glass containers,* from Gas City, Ind., to points in Minnesota, and points in Iowa on, north and west of a line beginning at the Illinois-Iowa State line and extending along U.S. Highway 34 to the intersection of Iowa Highway 5, thence along Iowa Highway 5 to the Iowa-Missouri State line (Plainfield, Ill.) *.

(34) *Plastic containers,* with or without caps or stoppers, when moving in mixed loads with glass containers, utilized by food business houses (except commodities in bulk) from Gas City, Ind., to points in Wisconsin on and north of U.S. Highway 10, and to points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich. and extending along U.S. Highway 41 to the Michigan-Wisconsin State line. Restriction: Service to Wisconsin is restricted to movement through Streator, Ill., on the route next above (Ashwaubenon, Wis.) *.

(35) *Plastic containers,* with or without caps or stoppers, when moving in mixed loads with glass containers, utilized by food business houses (except commodities in bulk), from Gas City, Ind., to points in Washington, Oregon, California, Nevada, Idaho, Montana, North Dakota, points in Minnesota on and north of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 14, to the intersection of Minnesota Highway 60, thence along Minnesota Highway 60 to the intersection of U.S. Highway 16, thence along U.S. Highway 16 to the Minnesota-South Dakota State line, points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to the intersection of South Dakota Highway 73, thence along South Dakota Highway 73 to the South Dakota-Nebraska State line, points in Wyoming on, north and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 26, to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, and points in Utah on and west of a line beginning at the Wyoming-Utah State line and extending along U.S. Highway 189 to the intersection of U.S. Highway 6, thence along U.S. Highway 6 to the intersection of U.S. Highway 163, thence along U.S. Highway 163 to the Utah-Arizona State line, and to points in Arizona on and west of a line beginning at the Nevada-Arizona State line and extending along U.S. Highway 93 to the intersection of Arizona Highway 93, thence along Arizona Highway 93 to the Arizona-Mexico border. Restriction: Service is restricted to movement through Streator, Ill., on the route next above (Ashwaubenon, Wis.) *.

(36) *Such products* manufactured or distributed by manufacturers or converters of paper and paper products (except commodities in bulk), from Hudson Falls, N.Y., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, and New Mexico (Green Bay, Wis.) *.

(37) *Paper and paper products* (except commodities in bulk), from Hudson Falls, N.Y., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Arkansas, Mississippi, and to points in all States south and west thereof (except points in Alaska and Hawaii) (Muncie, Ind.) *.

(38) *Cellulose materials and products,* and *paper and paper products* manufactured or distributed by manufacturers or converters of paper and paper products (except commodities in bulk), from Hudson Falls, N.Y., to points in Alabama (except Mobile and points in its Commercial Zone as defined by the Commission, and points on and north of U.S. Highway 78, including points in the commercial zones of points on U.S. Highway 78, as defined by the Commission), points in Tennessee on and west of Tennessee Highway 70 (except points in Tennessee in the Memphis Commercial Zone), points in West Virginia on and west of U.S. Highway 19, and to points in Pennsylvania on and west of a line beginning at the Ohio-Pennsylvania State line and extending along Pennsylvania Highway 51 to the intersection of U.S. Highway 119, thence along U.S. Highway 119 to the Pennsylvania-West Virginia State line (Ashtabula, Ohio) *.

(39) *Paper and paper products* (except commodities in bulk), from Hudson Falls, N.Y., to points in Alabama on, north and west of a line beginning at the Tennessee-Alabama State line and extending south along Interstate Highway 65 to the intersection of U.S. Highway 78, thence along U.S. Highway 78 to the Alabama-Mississippi State line, and to Mobile, Ala. and Memphis, Tenn. (South Bend, Ind.) *.

(40) *Cellulose materials and products, paper and paper products, and materials, equipment, and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between Baltimore, Md., on the one hand, and on the other, points in Minnesota, Wisconsin, Iowa, Michigan, Illinois (except points in the Chicago Commercial Zone as defined by the Commission, points in that part of the St. Louis-East St. Louis Commercial Zone within Illinois, and points in Illinois on and south of U.S. Highway 460), points in Indiana on and north of U.S. Highway 24, and points in Ohio on and north of U.S. Highway 24 (Paxinos, Pa.) *.

(41) (a) *Paper and paper products* (except commodities in bulk), from Baltimore, Md., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, New Mexico, and points in all those States west thereof, except Alaska and Hawaii, Missouri, points in Illinois on and south of U.S. Highway 460, points in Arkansas on and west of a line beginning at the Missouri-Arkansas State line and extending along U.S. Highway 67 to the intersection of U.S. Highway 167, thence along U.S. Highway 167 to the Arkansas-Louisiana State line, points in Texas on and west of a line beginning at the Louisiana-Texas State line and extending along Interstate Highway 20 to the intersection of U.S. Highway 59, thence along U.S. Highway 59 to the intersection of U.S. Highway 75, thence along U.S. Highway 75 to the Gulf of Mexico at Galveston, Tex., and to East St. Louis, Ill., and Evansville, Ind.; (b) *Materials and supplies,* Used in the manufacture and distribution of the commodities in (a) above, from points in the above-described destination area to points in the above-described origin area (Paxinos, Pa., and Muncie, Ind.) *.

(42) *Cellulose materials and products, paper and paper products, and materials, equipment, and supplies* used in the production and distribution of the above described commodities (except those commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between Baltimore, Md., on the one hand, and, on the other, Chicago, Ill. (Paxinos, Pa. and Chicago Heights, Ill.) *.

(43) *Cellulose materials and products, paper and paper products, and materials, and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between Baltimore, Md., on the one hand, and on the other, points in Washington, Oregon, California, Nevada, Idaho, Montana, points in Wyoming on and north of U.S. Highway 26, points in Utah on, north and west of a line beginning at the Colorado-Utah State line and extending along Interstate Highway 70 to the intersection of U.S. Highway 89, thence along U.S. Highway 89 to the Utah-Arizona State line, and points in Arizona, on, north and west of a line beginning at the Utah-Arizona State line and extending along U.S. Highway 89 to the intersection of U.S. Highway 80, thence along U.S. Highway 80 to the Arizona-California State line (Paxinos, Pa. and Green Bay, Wis.) *.

(44) *Cellulose materials and products, paper and paper products, materials, equipment, and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between points in Maryland on and east of Interstate Highway 81 and west of the Susquehanna River and the Chesapeake Bay (except Baltimore, Md.), on the one hand, and on the other, points in Minnesota, Iowa, the Upper Peninsula of Michigan, points in Illinois on and north of Illinois Highway 2, points in Wisconsin on, north and west of a line beginning at Lake Michigan at Milwaukee, Wis., and extending along U.S. Highway 18 to the intersection of U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line (Paxinos, Pa.) *.

(45) *Paper and paper products* (except commodities in bulk) from points in Maryland on and east of Interstate Highway 81 and west of the Susquehanna River and the Chesapeake Bay (except Baltimore, Md.), to points in North Dakota, South Dakota, Nebraska, Kansas, Colorado, New Mexico, and points in all those states west thereof (except Alaska and Hawaii), points in Missouri on and west of U.S. Highway 69, points in Oklahoma on and west of U.S. Highway 77, points in Texas on, north and west of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 66 to the intersection of U.S. Highway 87, thence along U.S. Highway 87 to the intersection of U.S. Highway 80, thence along U.S. Highway 80 to the Texas-New Mexico State line. (b) *Materials and supplies,* used in the manufacture and distribution of the commodities in (a) above (except commodities in bulk), from the above-described destination area to the above-described origin area (Paxinos, Pa. and Muncie, Ind.) *.

(46) *Rolls of paper and corrugated cartons,* from Riegelsville, Milford, Hughesville, and Warren Glen, N.J., to points in Minnesota, Iowa, Wisconsin, Michigan, Illinois (except points in the Chicago Commercial Zone, as defined by the Commission, points in that part of the St. Louis-East St. Louis Commercial Zone within Illinois and points in Illinois on and south of U.S. Highway 460), Indiana (except points in the Evansville Commercial Zone as defined by the Commission), Ohio, Kentucky, and Tennessee (except points in Tennessee in the Memphis Commercial Zone) (Mechanicsburg, Pa.) *.

(47) *Rolls of paper and corrugated cartons,* from Riegelsville, Milford, Hughesville, and Warren Glen, N.J., to points in North Dakota, South Dakota, Nebraska, Missouri, Arkansas, Louisiana, and points in all States west thereof, and to points in Mississippi on and west of a line beginning at the Alabama-Mississippi State line and extending along U.S. Highway 11 to the intersection of the U.S. Highway 49, thence along U.S. Highway 49 to the Gulf of Mexico (Mechanicsburg, Pa. and Muncie, Ind.) *.

(48) *Rolls of paper and corrugated cartons,* from points in Arlington, Fairfax, Loudoun, Prince William, Clarke, and Fauquier Counties, Va., to points in Minnesota, Iowa, Wisconsin, points in Michigan on, north and west of a line beginning at Saginaw Bay at Bay City, Mich., and extending along U.S. Highway 10 to the intersection of U.S. Highway 131, thence along U.S. Highway 131 to the intersection of Interstate Highway 94, thence along Interstate Highway 94 to the intersection of U.S. Highway 31, thence along U.S. Highway 31 to the Michigan-Indiana State line, points in Indiana on, north and west of a line beginning at the Michigan-Indiana State line and extending along U.S. Highway 31 to the intersection of Indiana Highway 25, thence along Indiana Highway 25 to the intersection of U.S. Highway 24, along U.S. Highway 24 to the Indiana-Illinois State line, and points in Illinois on, north and west of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 24 to the intersection of Interstate Highway 57, thence along Interstate Highway 57 to the intersection of U.S. Highway 50, thence along U.S. Highway 50 to the Illinois-Missouri State line (except points in the Chicago Commercial Zone as defined by the Commission, and points in that part of the St. Louis-East St. Louis Commercial Zone within Illinois) (Mechanicsburg, Pa.) *.

(49) *Rolls of paper and corrugated cartons*, from points in Arlington, Fairfax, Loudoun, Prince William, Clarke, and Fauquier Counties, Va., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Kansas, Nebraska, points in Missouri on and west of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 66 to the intersection of U.S. Highway 63, thence along U.S. Highway 63 to the Missouri-Arkansas State line, points in Oklahoma on, north and west of a line beginning at the Arkansas-Oklahoma State line and extending along Interstate Highway 40 to the intersection of U.S. Highway 77, thence along U.S. Highway 77 to the Oklahoma-Texas State line, and to points in Texas on and west of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 81 to the intersection of U.S. Highway 181, thence south along U.S. Highway 181 to the Gulf of Mexico at Corpus Christy, Tex. (Mechanicsburg, Pa. and Muncie, Ind.) *.

(50) *Such ground bentonite clay* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products (except commodities in bulk), from points in Cook, Weston, and Campbell Counties, Wyo., to points in Minnesota, Wisconsin, Michigan, Ohio, Indiana, Illinois, Iowa, Missouri, Kentucky, Tennessee, Arkansas, points in Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 281 to the intersection of U.S. Highway 183, thence along U.S. Highway 183 to the Oklahoma-Texas State line, and to points in Texas on and south of U.S. Highway 62 (facilities utilized by International Minerals & Chemical Corporation and the Baroid Division of National Lead Co., both located at or near Colony, Wyo.) *.

(51) *Such ground bentonite clay* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products (except commodities in bulk), from points in Washington, to points in Michigan, Ohio, Indiana, Kentucky, Tennessee, Illinois, Wisconsin, Iowa, Missouri, Arkansas, Louisiana, Oklahoma, Kansas, Nebraska, points in Minnesota on and south of a line beginning at the Minnesota-Canadian Boundary and extending along U.S. Highway 71 to the intersection of Minnesota Highway 34, thence along Minnesota Highway 34 to the intersection of U.S. Highway 10, thence along U.S. Highway 10 to the Minnesota-North Dakota State line, and to points in Texas on and east of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 87 to the intersection of Texas Highway 163, thence along Texas Highway 163 to the intersection of U.S. Highway 90, thence over U.S. Highway 90 to the Texas-Mexico border at Del Rio, Tex. (facilities of International Minerals & Chemicals Corporation and the Baroid Division of National Lead Co., at or near Colony, Wyo.) *.

(52) Such ground bentonite clay as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products (except commodities in bulk), from points in Oregon, to points in Minnesota, Wisconsin, Michigan, Ohio, Indiana, Illinois, Kentucky, Tennessee, points in Iowa on and north of a line beginning at the Nebraska-Iowa State line and extending along U.S. Highway 20 to the intersection of U.S. Highway 69, thence along U.S. Highway 69 to the intersection of Interstate Highway 80, thence along U.S. Highway 80 to the Iowa-Illinois State line (facilities of International Minerals & Chemical Corporation and the Baroid Division of National Lead Co., at or near Colony, Wyo.) *.

(53) *Such ground bentonite clay* as is manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk), from points in California on, and, west of a line beginning at the Pacific Ocean near McKinleyville, Calif., and extending along California Highway 299 to the intersection of California Highway 99, thence along California Highway 99 to the intersection of Interstate Highway 5 near Wheeler Ridge, Calif., thence along Interstate Highway 5 to Los Angeles, Calif., to points in Minnesota, Wisconsin, Michigan, Ohio, points in Iowa on, north and east of a line beginning at the Nebraska-Iowa State line and extending along U.S. Highway 6 to the intersection of Interstate Highway 35, thence along Interstate Highway 35 to the intersection of Iowa Highway 2, thence along Iowa Highway 2 to the Iowa-Illinois State line near Ft. Madison, Iowa, points in Illinois on and north of a line beginning at the Iowa-Illinois, State line and extending along U.S. Highway 136 to the intersection Illinois Highway 97, thence along Illinois Highway 97 to the intersection of U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Indiana State line, and to points in Indiana on, north and east of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to the intersection of U.S. Highway 31, thence along U.S. Highway 31 to the Indiana-Kentucky State line (facilities of International Minerals & Chemical Corporation and the Baroid Division of National Lead Co., at or near Colony, Wyo.) *.

(54) *Rolls of paper and corrugated cartons* (except commodities in bulk), from Nashua, Merrimack, N.H.; Lincoln, Millinocket, East Millinocket, Rumford, Westbrook, and Woodland, Maine; and Gillman, Vt., to points in North Dakota, South Dakota, Nebraska, Missouri, Arkansas, Mississippi, and points in all States west thereof (except Alaska and Hawaii) (Mechanicsburg, Pa. and Muncie, Ind.) *.

(55) *Rolls of paper and corrugated cartons* (except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), from Nashua and Merrimack, N.H.; Lincoln, Millinocket, East Millinocket, Rumford, Westbrook, and Woodland, Maine; and Gillman, Vt., to points in Minnesota, Wisconsin, Iowa, Illinois (except points in that part of the St. Louis-East St. Louis Commercial Zone within Illinois and points in Illinois on and south of U.S. Highway 460), Kentucky, Tennessee (except points in Tennessee in the Memphis Commercial Zone), points in Michigan on and north of a line beginning at the Port Huron, Mich., and extending along Michigan Highway 21 to the intersection of Michigan Highway 52, thence along Michigan Highway 52 to the intersection of Michigan Highway 78, thence along Michigan Highway 78 to the intersection of Michigan Highway 66, thence along Michigan Highway 66 to the Michigan-Indiana State line near Sturgis, Mich., points in Indiana on and west of a line beginning at the Michigan-Indiana State line and extending along Indiana Highway 9 to the intersection of U.S. Highway 30, thence along U.S. Highway 30 to the Indiana-Ohio State line (except points in the Evansville Commercial Zone as defined by the Commission), and points in Ohio on and south of U.S. Highway 30 (Mechanicsburg, Pa. Muncie, Ind., and Chicago Heights, Ill.) *.

(56) *Such wooden boards, panels, and wooden sheets, and parts, materials, and accessories*, to be used in connection therewith, as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, and commodities requiring special equipment); from Gaylord, Mich., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, and New Mexico (Green Bay, Wis.) *.

(57) *Rolls of paper and corrugated cartons* (except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), from Lee, Mass., and New Milford, Conn., to points in Minnesota, Iowa, Wisconsin, Michigan, Ohio, West Virginia, Kentucky, Tennessee (except points in Tennessee in the Memphis Commercial Zone), Indiana (except points in the Evansville Commercial Zone as defined by the Commission), and Illinois (except points in that part of the St. Louis-East St. Louis Commercial Zone within Illinois, and points in Illinois on and south of U.S. Highway 460) (Mechanicsburg, Pa. and Chicago Heights, Ill.) *.

(58) *Rolls of paper and corrugated cartons*, from Lee, Mass. and New Milford, Conn., to points in North Dakota, South Dakota, Nebraska, Missouri, Arkansas, Mississippi, and points in all States west thereof (except Alaska and

Hawaii) (Mechanicsburg, Pa., and Muncie, Ind.) *.

(59) (a) *Paper and paper products* (except commodities in bulk), from points in Minnesota, to points in Ohio, Indiana, Kentucky, points in Michigan on and south of Michigan Highway 21, and points in Illinois on and east of U.S. Highway 51; (b) *materials and supplies*, used in the manufacture or distribution of paper and paper products (except commodities in bulk), from points in the destination area above to points in Minnesota. Restriction: The authority granted above is restricted against the transportation of drums, pails, and cans (Columbus, Wis., and Chicago Heights, Ill.) *.

(60) *Cellulose materials and products, paper and paper products, and materials and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between points in Maryland on and east of Interstate Highway 81 and west of the Susquehanna River and the Chesapeake Bay (except Baltimore, Md.), on the one hand, and on the other, points in Washington, Oregon, Idaho, Montana, points in Utah on and north of Interstate Highway 80, points in Nevada on and north of Interstate Highway 15, and points in California on and north Interstate Highway 15 (Paxinos, Pa., and Green Bay, Wis.) *.

(61) *Paper and paper products and nonpaper accessories thereto* used in the production and distribution of paper and paper products and *paper bags* (except in each instance restricted against the transportation of commodities in bulk), from the facilities of St. Regis Paper Company at Houston, Tex. (not including points within the commercial zone thereof), to points in Michigan, Wisconsin, points in Minnesota on, north and east of a line beginning at the South Dakota-Minnesota State line and extending along U.S. Highway 12 to the intersection of U.S. Highway 71, thence along U.S. Highway 71 to the Minnesota-Iowa State line, and points in Iowa on, north and east of a line beginning at the Minnesota-Iowa State line and extending along U.S. Highway 69 to the intersection of U.S. Highway 34, thence along U.S. Highway 34 to the intersection of U.S. Highway 63, thence along U.S. Highway 63 to the Iowa-Missouri State line. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the above-named facility, and further restricted against the transportation of pulpboard, pulpboard products and waste paper to points in Minnesota, and to points in Michigan on and south of Michigan Highway 21 (Quincy, Ill.) *.

(62) *Paper and paper products and non-paper accessories* thereto used in the production and distribution of paper and paper products and *paper bags* (except in each instance restricted against the transportation of commodities in bulk), from the facilities of St. Regis Paper Company at Houston, Tex. (not including points within the commercial zone thereof), to points in West Virginia, and to points in Kentucky on, north and east of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 41 to the intersection of Kentucky Highway 80, thence along Kentucky Highway 80 to the intersection of U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the above-named facility, and further restricted against the transportation of pulpboard, pulpboard products and waste paper to points in Kentucky (Princeton, Ind.) *.

(63) *Paper and paper products and non-paper accessories thereto* used in the production and distribution of paper and paper products and *paper or cellulose bags*, from the facilities of St. Regis Paper Company at Houston, Tex. (not including points within the commercial zone thereof), to points in Wyoming and Nevada. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the above-named facility (Hobbs, N. Mex.) *.

(64) *Paper and paper products* (except commodities in bulk), from the facilities of St. Regis Paper Company at Houston, Tex. (not including points within the commercial zone thereof) to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Delaware, Maryland, and points in Virginia on and north of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 250 to the intersection of Virginia Highway 20, thence along Virginia Highway 20 to the intersection of U.S. Highway 17, thence along U.S. Highway 17 to the intersection of U.S. Highway 360, thence along U.S. Highway 360 to the Chesapeake Bay, and to the District of Columbia. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the above-named facility (Muncie, Ind.) *.

(65) (1) *Glass containers, and* (2) *closures, caps, and/covers for glass containers, and packing cartons* therefor, when moving in mixed loads with glass containers, that are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment and except drums, pails, and cans), from Winchester, Ind., to points in North Dakota, South Dakota, Minnesota, Iowa, and points in Missouri on and north of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 69 to the intersection of U.S. Highway 136, thence along U.S. Highway 136 to the Missouri-Iowa State line (Wilmington, Ill.) *.

(66) *Flour* utilized by food business houses as a material or supply (except commodities in bulk), from Chicago, Ill., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, North Dakota, the Upper Peninsula of Michigan, points in Minnesota on and north of U.S. Highway 212, to points in South Dakota, on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 14 to the intersection of South Dakota Highway 37, thence along South Dakota Highway 37 to the intersection of U.S. Highway 16, thence along U.S. Highway 16 to the South Dakota-Wyoming State line, points in Wyoming on, north and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to the intersection of Wyoming Highway 220, thence along Wyoming Highway 220 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, points in Colorado on and west of a line beginning at the Wyoming-Colorado State line and extending along Colorado Highway 789 to the intersection of U.S. Highway 550, thence along U.S. Highway 550 to the Colorado-New Mexico State line, and points in New Mexico on and west of U.S. Highway 285 (facilities of Haskon, Bingham/Risdon Division at Ashwaubenon, Wis.) *.

(67) *Flour* utilized by food business houses as a material or supply (except commodities in bulk), from Chicago Heights and Riverdale, Ill., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, North Dakota, points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Grand Marais, Mich., and extending along Michigan Highway 77 to the intersection of U.S. Highway 2, thence along U.S. Highway 2 to Gulliver, Mich., thence along unnumbered highway to Lake Michigan, points in Minnesota on and north of U.S. Highway 212, points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 14 to the intersection of South Dakota Highway 37, thence along South Dakota Highway 37 to the intersection of U.S. Highway 16, thence along U.S. Highway 16 to the South Dakota-Wyoming State line, and points in Wyoming on, north and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the intersection of Interstate Highway 80, thence along Interstate Highway 80 to the Wyoming-Utah State line (facilities of Haskon, Bingham/Risdon Division at Ashwaubenon, Wis.) *.

(68) *Such glass products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment and, except drums, pails or cans), from Gas City, Ind., to points in North Dakota, South Dakota, Minnesota, Iowa, Wisconsin, and to Omaha, Nebr. (Wilmington, Ill.) *.

(69) *Such glass products* as are manufactured or distributed by manufacturers

or converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment and, except drums, pails or cans), from Terre Haute, Ind., to points in North Dakota, South Dakota, Minnesota, Wisconsin, and points in Iowa on and north of U.S. Highway 6, and to Omaha, Nebr. (Wilmington, Ill.) *.

(70) *Such glass products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment, and, except drums, pails or cans), from Evansville, Ind., to points in North Dakota, South Dakota, Minnesota, Wisconsin, and to points in Iowa on and north of U.S. Highway 6, and to Omaha, Nebr. (Wilmington, Ill.) *.

(71) *Such glass products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment, and, except drums, pails, or cans), from Winchester, Ind., to points in North Dakota, South Dakota, Minnesota, Iowa, and Wisconsin, and to Omaha, Nebr. (Wilmington, Ill.) *.

(72) *Paper and paper products* (except commodities in bulk, in tank or hopper-type equipment, and except drums, pails, and cans), from Calhoun, Tenn., to points in Minnesota, North Dakota, and South Dakota, and Omaha, Nebr. Restriction: Restricted to traffic originating at the facilities of Bowaters Southern Paper Corporation (Wilmington, Ill.) *.

(73) *Farm machinery and twine* utilized by food business houses as equipment, materials and supplies (except commodities in bulk), from Chicago, Ill., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, North Dakota, points in the Upper Peninsula, points in Wisconsin on, north and west of a line beginning at the Michigan-Wisconsin State line and extending along U.S. Highway 41 to the intersection of U.S. Highway 10, thence along U.S. Highway 10 to the intersection of Wisconsin Highway 13, thence along Wisconsin Highway 13, to the intersection of Wisconsin Highway 64, thence along Wisconsin Highway 64 to the Wisconsin-Minnesota State line, points in Minnesota on and north of U.S. Highway 212, points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 14 to the intersection of South Dakota Highway 37, thence along South Dakota Highway 37 to the intersection of U.S. Highway 16, thence along U.S. Highway 16 to the South Dakota-Wyoming State line, points in Wyoming on, north and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to the intersection of Wyoming Highway 220, thence along Wyoming Highway 220 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, points in Colorado on and west of a line beginning at the Wyoming-Colorado State line and extending along Colorado Highway 789 to the intersection of U.S. Highway 550, thence along U.S. Highway 550 to the Colorado-New Mexico State line, and to points in New Mexico on and west of U.S. Highway 285 (Green Bay, Wis.) *.

(74) *Paper mill products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products (except commodities in bulk, in tank or hopper-type equipment, and except drums, pails, or cans), from Hamilton, Ohio, to points in Wisconsin, Minnesota, Iowa, and Omaha, Nebraska (Wilmington, Ill.) *.

(75) *Paper and paper products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, and chemicals), from Covington, Va., to points in North Dakota and South Dakota (Wilmington, Ill.) *.

(76) *Such plastic bags, liners, and films, and textile bags* as are manufactured or distributed by manufacturers and converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment and, except drums, pails and cans), from Sibley, Iowa, to points in Ohio and Pennsylvania (Wilmington, Ill.) *.

(77) *Such plastic bags, liners, and films, and textile bags* as are manufactured or distributed by manufacturers and converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment and, except drums, pails and cans), from Sibley, Iowa, to points in California, Nevada, Utah, Arizona, New Mexico, points in Wyoming on and south of Interstate Highway 80, points in Idaho on and south of a line beginning at the Wyoming-Idaho State line and extending along U.S. Highway 26 to the intersection of U.S. Highway 91, thence along U.S. Highway 91 to the intersection of U.S. Highway 30N, thence along U.S. Highway 30N, to the Idaho-Oregon State line, points in Oregon on and west of a line beginning at the Idaho-Oregon State line and extending along Interstate Highway 80N to the intersection of U.S. Highway 395, thence along U.S. Highway 395 to the Oregon-Washington State line, and points in Washington on, south and west of a line beginning at the Oregon-Washington State line and extending along U.S. Highway 395 to the intersection of U.S. Highway 12, thence along U.S. Highway 12 to the intersection of Interstate Highway 5, thence along Interstate Highway 5 to the United States-Canada International Boundary line (Sterling, Colo.) *.

(78) *Such paper and paper products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment and, except drums, pails and cans), from the plantsite and storage facilities of Union Camp Corporation in Isle of Wight County, Va., at or near Franklin, Va., to points in North Dakota, South Dakota, Iowa, and Minnesota. Restriction: The operations authorized herein are restricted to transportation of traffic originating at the above-specified plantsite and storage facilities (Wilmington, Ill.) *.

(79) *Cellulose materials and products, paper and paper products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products, from Wilmington, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Delaware, points in Maryland on and east of Interstate Highway 81 and west of the Susquehanna River and Chesapeake Bay, and points in New York on and east of a line beginning at the International Boundary between New York and Canada, and extending along New York Highway 30 to the intersection of New York Highway 28, thence along New York Highway 28 to the intersection of Interstate Highway 90, thence along Interstate Highway 90 to the intersection of Interstate Highway 81, thence along Interstate Highway 81 to the New York-Pennsylvania State line (Paxinos, Pa.) *.

(80) *Dairy products* utilized by food business houses as materials and supplies (except commodities in bulk), from points in Washington, Oregon, Idaho, Montana, North Dakota, points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich., and extending along U.S. Highway 41 to the Michigan-Wisconsin State line, points in Wisconsin on and north of U.S. Highway 10, points in Minnesota on, north and west of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 14 to the intersection of U.S. Highway 218, thence along U.S. Highway 218 to the Minnesota-Iowa State line, points in South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to the intersection of U.S. Highway 183, thence along U.S. Highway 183 to the South Dakota-Nebraska State line, points in Wyoming on, north and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the intersection of Interstate Highway 80, thence along Interstate Highway 80 to Wyoming-Utah State line, points in Utah on and west of a line beginning at the Wyoming-Utah State line, and extending along Interstate Highway 80 to the intersection of U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line, points in Nevada on and west of U.S. Highway 91 and points in California on and west of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to the Intersection of Interstate Highway 5, thence along Interstate Highway 5 to the

International Boundary between California and Mexico, to points in Ohio (Ashwaubenon, Wis.) *.

(81) (1) *Such cosmetic, medical, pharmaceutical, fibrous, textile, and veterinarian products, insecticides and filters* as are manufactured or distributed by manufacturers or converters of cellulose materials or products, and paper products (except commodities in bulk, in tank or hopper-type equipment), from the sites of the plants and warehouses of Kendall Company at or near Griswoldville and Walpole, Mass., and Windham, Conn., to points in North Dakota, South Dakota, Missouri, and Arkansas (Wilmington, Ill.) *.

(82) *Such paper and paper products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper products (except commodities in bulk, in tank or hopper-type equipment, and except drums, pails or cans) from Escambia County, Fla., to points in North Dakota, South Dakota, Minnesota, points in Iowa on and north of a line beginning at the Illinois-Iowa State line and extending along Iowa Highway 92 to the intersection of Iowa Highway 5, thence along Iowa Highway 5 to the intersection of U.S. Highway 6, thence along U.S. Highway 6 to the Iowa-Nebraska State line, points in Michigan on and south of Michigan Highway 21, and to Milwaukee, Kenosha and Racine, Wis. and Omaha, Nebr. Restriction: The authority granted herein is restricted to the transportation of traffic originating at Escambia County, Fla. (Wilmington, Ill.) *.

(83) *Glue* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from Chicago, Ill., to points in Washington, Oregon, California, Nevada, Arizona, Utah, Idaho, Montana, points in Wyoming on, north, and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 26 to the Intersection of Wyoming Highway 220, thence along Wyoming Highway 220 to the intersection of Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, points in Colorado on and west of Colorado Highway 789, and points in New Mexico on and west of a line beginning at the Colorado-New Mexico State line and extending along U.S. Highway 550 to the intersection of New Mexico Highway 44, thence along New Mexico 44 to the intersection of U.S. Highway 66, thence along U.S. Highway 66 to the intersection of U.S. Highway 285, thence along U.S. Highway 285 to the New Mexico-Texas State line (Green Bay, Wis.) *.

(84) *Glue* produced or distributed by manufacturers and converters of paper and paper products (except commodities in bulk, in tank or hopper-type vehicles), from Chicago, Ill., to points in North Dakota, points in Minnesota on and north of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 63 to the intersection of Minnesota Highway 19, thence along Minnesota Highway 19 to the Minnesota-South Dakota State line, and points in South Dakota on and north of U.S. Highway 16 (Mosinee, Wis.) *.

(85) *Paper and paper products,* and *fibre and materials* used in the manufacture of these commodities, from Richmond, Wis., to points in Pennsylvania, Ohio, West Virginia, Kentucky, Tennessee, Arkansas, points in Missouri on and south of U.S. Highway 36, points in Illinois on and south of a line beginning at the Missouri-Illinois State line and extending along U.S. Highway 36 to the intersection of U.S. Highway 66, thence along U.S. Highway 66 to the intersection of Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, points in Indiana on and south of Indiana Highway 14, and points in Michigan on and east of a line beginning at Lake Michigan at Muskegon, Mich., and extending along Interstate Highway 96 to the intersection of Michigan Highway 37, thence along Michigan Highway 37 to the intersection of Michigan Highway 89, thence along Michigan Highway 89 to the intersection of Interstate Highway 94, thence along Interstate Highway 94 to the intersection of U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line (except points in the Upper Peninsula of Michigan). Restriction: The above authority is restricted against the transportation of commodities in bulk, in tank or hopper-type equipment and the transportation of drums, pails or cans) (Wilmington, Ill.) *.

(86) *Paper and paper products,* and *fibre and materials* used in the manufacture of these commodities, from De Pere, Wis., to points in Pennsylvania, Ohio, West Virginia, Kentucky, Tennessee, Missouri, Arkansas, points in Michigan on, south and east of a line beginning at the Indiana-Michigan State line and extending along U.S. Highway 131 to the intersection of Michigan Highway 46, thence along Michigan Highway 46 to Lake Huron, points in Indiana on, south and east of a line beginning at the Michigan-Indiana State line and extending along Indiana Highway 15 to the intersection of Indiana Highway 14, thence along Indiana Highway 14 to the Indiana-Illinois State line, and points in Illinois on and south of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 24 to the intersection of Illinois Highway 116, thence along Illinois Highway 116 to the intersection of U.S. Highway 34, thence along U.S. Highway 34 to the Illinois-Iowa State line. Restriction: The above authority is restricted against the transportation of commodities in bulk, in tank or hopper-type equipment and the transportation of drums, pails or cans (Wilmington, Ill.) *.

(87) *Paper and paper products,* and *fibre and materials* used in the manufacture of these commodities, from Shawano, Wis., to points in Pennsylvania, Ohio, West Virginia, Kentucky, Tennessee, Missouri, Arkansas, points in Michigan on and south of Michigan Highway 46, points in Indiana on, south and east of a line beginning at the Michigan-Indiana State line and extending along U.S. Highway 421 to the intersection of Indiana Highway 14, thence along Indiana Highway 14 to the Indiana-Illinois State line, and points in Illinois on, south and east of a line beginning at the Indiana-Illinois State line and extending along Illinois Highway 17 to the intersection of U.S. Highway 51, thence along U.S. Highway 51 to the intersection of Illinois Highway 9, thence along Illinois Highway 9 to the Illinois-Iowa State line. Restriction: The above authority is restricted against the transportation of commodities in bulk in tank or hopper-type equipment and the transportation of drums, pails or cans (Wilmington, Ill.) *.

(88) *Cellulose materials and products, and paper and paper products* (except in each instance commodities in bulk), from points in Pennsylvania, Ohio, West Virginia, Kentucky, Indiana (except points in the Evansville Commercial Zone as defined by the Commission), points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 45E to the intersection of U.S. Highway 45, thence along U.S. Highway 45 to the Tennessee-Mississippi State line, points in Illinois on and east of a line beginning at the Wisconsin-Illinois State line and extending along Illinois Highway 59 to the intersection of U.S. Highway 66, thence along U.S. Highway 66 to the intersection of U.S. Highway 51, thence along U.S. Highway 51 to the intersection of U.S. Highway 460, thence along U.S. Highway 460 to the Illinois-Indiana State line (except points in the Chicago Commercial Zone as defined by the Commission, points in that part of the St. Louis-East St. Louis Commercial Zone within Illinois, and points in Illinois and south of Highway 460), and points in Michigan on and south of a line beginning at Lake Michigan at Ludington, Mich., and extending along U.S. Highway 10 to Bay City, Mich., and thence along Michigan Highway 247 to Saginaw Bay, to points in North Dakota and South Dakota. Restriction: The authority granted above is restricted against the transportation of (a) pulpboard, pulpboard products, and waste paper from points in Illinois, Indiana, Ohio, Kentucky, and points in that part of Michigan on and south of Michigan Highway 21; (b) paper and paper products originating at Lockland, Hamilton, Cincinnati, Middletown and Cleveland, Ohio, and Florence, Kentucky, and points in their Commercial Zones as defined by the Commission and (c) cardboard cartons from points in Tennessee and Kentucky (Wilmington, Ill.) *.

(89) (a) *Cellulose materials and products, and paper and paper products* (except in each instance commodities in bulk), from points in the Lower Peninsula of Michigan, points in the Upper

Peninsula of Michigan on and east of a line beginning at Lake Superior at Marquette, Mich. and extending along U.S. Highway 41 to the Michigan-Wisconsin State line, points in Wisconsin on and east of a line beginning at the Michigan-Wisconsin State line and extending along U.S. Highway 41 to the intersection of U.S. Highway 141, thence along U.S. Highway 141 to the intersection of U.S. Highway 45, thence along U.S. Highway 45 to the Wisconsin-Illinois State line, points in Illinois on, east and north of a line beginning at the Wisconsin-Illinois State line and extending along Illinois Highway 59 to the intersection of U.S. Highway 66, thence along U.S. Highway 66 to the intersection of Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, points in Indiana on and north of U.S. Highway 6, points in Ohio on and north of Interstate Highway 80, and points in Pennsylvania on and north of Interstate Highway 80, to points in Missouri and Arkansas. Restriction: The authority granted above is restricted against the transportation of (*a*) pulpboard, pulpboard products, and waste paper from points in Illinois, Indiana, Ohio, and points in that part of Michigan on and south of Michigan Highway 21; (*b*) paper and paper products originating at Cleveland, Ohio; (b) *materials and supplies* used in the manufacture of cellulose materials and products, and paper and paper products, from points in Arkansas to points in the above-described origin area (Wilmington, and Chicago Heights, Ill.) *.

(90) (a) *Cellulose materials and products, and paper and paper products* (except in each instance commodities in bulk), from points in Michigan, Wisconsin, points in Minnesota on and east of U.S. Highway 71, points in Iowa on and east of a line beginning at the Wisconsin-Iowa State line and extending along U.S. Highway 61 at the intersection of U.S. Highway 30, thence along U.S. Highway 30 to the Iowa-Illinois State line, points in Illinois on, north and east of a line beginning at the Iowa-Illinois State line and extending along U.S. Highway 30 to the intersection of U.S. Highway 51, thence along U.S. Highway 51 to the intersection of Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, points in Indiana on and north of Indiana Highway 14, points in Ohio on and north of a line beginning at the Indiana-Ohio State line and extending along Ohio Highway 18 to the intersection of Interstate Highway 271, thence along Interstate Highway 271 to the intersection of Interstate Highway 80, thence along Interstate Highway 80 to the Ohio-Pennsylvania State line, and points in Pennsylvania on and north of Interstate Highway 80, to Memphis, Tenn. Restriction: The authority granted above is restricted against the transportation of (*a*) pulpboard, pulpboard products, and waste paper from points in Illinois, Indiana, Ohio, and points in that part of Michigan on and south of Michigan Highway 21; (*b*) paper and paper products originating Cleveland, Ohio. (b) *Materials and supplies* used in the manufacture of cellulose materials and products, and paper and paper products, from Memphis, Tenn., to points in the above-described origin area (Wilmington and Chicago Heights, Ill.) *.

(91) (a) *Paper and paper products* (except commodities in bulk), from points in the Lower Peninsula of Michigan, on, north and west of a line beginning at Lake Huron and extending along Michigan Highway 55 to the intersection of U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line, to points in North Carolina, points in Virginia on and south of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 60 to the intersection of U.S. Highway 29, thence along U.S. Highway 29 to the intersection of U.S. Highway 460, thence east along U.S. Highway 460 to the intersection of U.S. Highway 13, thence along U.S. Highway 13 to the Virginia-Maryland State line. (b) *Materials and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), from points in the above-described destination to points in the above-described origin area. Restriction: The authority granted above is restricted against the transportation of pulpboard, pulpboard products, and wastepaper between points in the described portion of Michigan lying on and south of Michigan Highway 21 and the destination territory described in (a) above (Munice, Ind.) *.

(92) (a) *Paper and paper products* (except commodities in bulk), from points in Indiana on and east of a line beginning at the Michigan-Indiana State line and extending along Indiana Highway 9 to the intersection of Indiana Highway 7, thence along Indiana Highway 7 to the Indiana-Kentucky State line, to points in Missouri on and south of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 36 to the intersection of U.S. Highway 71, thence along U.S. Highway 71 to the intersection of U.S. Highway 40, thence along U.S. Highway 40 to the Missouri-Illinois State line; (b) *materials and supplies* used in the production and distribution of paper and paper products (except commodities in bulk), from points in the above-described destination area to points in the above-described origin area. Restriction: The authority granted above is restricted against the transportation of pulpboard, pulpboard products and waste paper (Columbus, Ind.) *.

(93) *Building, paving, or roofing materials and supplies* as follows: *Asbestos*, scrap. *Asphalt*, liquid or solid in packages. *Automobile body panels*, fiberboard, not convered, with cut-outs, or of shape other than rectangular, painted or not painted, loaded on platforms or wooden skids. *Blocks*, mastic (asphalt flooring, compound). *Boards*, fiberboard and/or pulpboard (impregnated with asphalt), in rectangular shapes, without cut-outs, painted or not painted, loaded on wooden platforms or wooden skids. *Board*, wall, asbestos. *Board*, wall, fiberboard, pulpboard or strawboard. *Burlap*, bituminized, in packages, *Caps*, roofing, tin, in packages. *Carpet lining*, paper, including felt paper plain, other than indented. *Cement*, asbestos, in packages. *Cement*, composition or asbestos. *Cements*, furnace in packages. *Cement*, tile, liquid. *Cement*, roofing, in packages. *Cement*, magnesia. *Clamps*, metal, in packages. *Coating*, roof, having asbestos, pitch tar or rosin base, in packages. *Cloth*, cotton, saturated with asbestos. *Conduits*, bituminized fiber. *Creosote*, in packages. *Eave filler strips*, asphalt composition. *Fasteners*, metal, in packages. *Felt*, building or roofing, saturated or unsaturated. *Felts*, paper, fabrics saturated and/or coated. *Flashing blocks*, asphalt composition. *Insulating material*, asbestos or felt paper, in forms or shapes other than solid flat blocks or solid flat sheets. *Millboard*, asbestos, in packages. *Mineral wool* (rock or slag wool) metal reinforced, in packages, or without paper backs, in bats or other than bats, in packages. *Mortar or cement*, high temperature bonding, N.O.I., in packages. *Nails*, in packages. *Packing*, asbestos, braid or wick, in packages. *Paint*, asphaltum, in packages.

Paint, coal tar, in packages. *Paper*, asbestos, and/or other than asbestos, building, roofing, or sheathing, plain or saturated. *Paper*, building or roofing or sheathing, saturated or unsaturated. *Paving joints*, expansion (asphalt or asphalt base). *Pipe*, cement, containing asbestos fiber. *Pitch*, roofing, in packages. *Planks*, asphalt composition, paving or flooring. *Ridge rolls*, asbestos, in packages. *Roofing*, composition, or prepared. *Roofing or sheathing*, asbestos hard, corrugated. *Sheathing*, asbestos, hard flat, ornamented or not ornamented, polished or shaped, with or without fiberboard center or back, and/or air cell paper center. *Shingles*, asbestos, hard (artificial stone shingles or slate). *Shingles*, asbestos. *Shingles*, asphalt, asbestos or composition. *Sheathings*. *Shorts*, asbestos. *Siding*, asbestos. *Siding*, asphalt, *Straps*, tin, with fasteners, in packages. *Tar*, roofing, in packages. *Tile*, asphalt, composition, floor. *Wood preservatives*, in packages (except commodities of unusual value, commodities in bulk, commodities requiring special equipment, and commodities injurious or contaminating to other lading), from Chicago, Ill. to points in Wisconsin (except Madison and Milwaukee, Wis., and points south of Milwaukee within five miles of Lake Michigan) (Chicago Heights, Ill.) *.

(94) (a) *Paper and paper products* (except commodities in bulk), from points in Michigan on, south and west of a line beginning at the Lake Michigan at Muskegon, Mich., and extending along Michigan Highway 46 to the intersection of Michigan Highway 66, thence along Michigan Highway 66 to the Michigan-Indiana State line, to points in North Carolina, Virginia, Delaware, points in New Jersey on, south and east of a line beginning at the Pennsylvania-New Jersey State line and extending along Interstate Highway 78 to the intersection

U.S. Highway 202, thence along U.S. Highway 202 to the New Jersey-New York State line, points in Maryland on, south and east of a line beginning at the Virginia-Maryland State line and extending along U.S. Highway 15 to the intersection of U.S. Highway 40, thence along U.S. Highway 40 to the Maryland-Delaware State line. (b) *Materials and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), in the above-described destination area to points from points in the above described origin area. Restriction: The authority granted above is restricted against the transportation of pulpboard, pulpboard products and waste paper between points in that part of Michigan on and south of Michigan Highway 21 and the destination territory described in (a) above (Muncie, Ind.) *.

(95) (a) *Paper and paper products,* from Otsego, Mich., to points in Kansas on and west of U.S. Highway 77, points in Oklahoma on and west of U.S. Highway 81, and points in Texas on and west of U.S. Highway 75. (b) *Materials and supplies* used in the manufacture or distribution of paper and paper products, from the above-described destination area to Otsego, Mich. Restriction: The authority granted herein is restricted against the transportation of commodities in bulk and drums, pails and cans (Columbus, Wis.) *.

(96) *Materials and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), from points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Virginia, North Carolina, points in New York on and east of a line beginning at Lake Ontario and extending south along unnumbered highway to Rochester, N.Y., thence along U.S. Highway 15 to the New York-Pennsylvania State line, and the District of Columbia, to points in Minnesota, Wisconsin, Iowa, points in Illinois on and north of U.S. Highway 136, and points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich. and extending along U.S. Highway 41 to the Michigan-Wisconsin State line. Restriction: The authority granted above is restricted against the transportation of pulpboard, pulpboard products, and waste paper to points in Minnesota and the described portion of Illinois (Muncie, Ind., and Chicago Heights, Ill.) *.

(97) *Materials and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), from points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and all points in those States west thereof (except Alaska and Hawaii), and points in Minnesota on and west of a line beginning at the International Boundary between Minnesota and Canada and extending along U.S. Highway 71 to the intersection of Minnesota Highway 60, thence along Minnesota Highway 60 to the Minnesota-Iowa State line, to points in Ohio. Restriction: The authority granted above is restricted against the transportation of pulpboard, pulpboard products, and waste paper to points in Ohio. (Muncie, Ind.) *.

(98) *Materials and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), from points in Minnesota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and points in all States west thereof (except Alaska and Hawaii), to points in Pennsylvania (Muncie, Ind.) *.

(99) *Materials and supplies* used in the manufacture and distribution of paper and paper products, from points in California, Nevada, Utah, Arizona, New Mexico, Oklahoma, Texas, points in Oregon on and south of U.S. Highway 20, points in Idaho on and south of a line beginning at the Oregon-Idaho State line and extending along U.S. Highway 20 to the intersection of U.S. Highway 30, thence along U.S. Highway 30 to the intersection of U.S. Highway 30N, thence along U.S. Highway 30N to the Idaho-Wyoming State line, points in Colorado on, south and west of a line beginning at the Wyoming-Colorado State line and extending along U.S. Highway 287 to the intersection of U.S. Highway 36, thence along U.S. Highway 36 to the Colorado-Kansas State line, points in Kansas on, south and east of a line beginning at the Colorado-Kansas State line and extending along U.S. Highway 36 to the intersection of U.S. Highway 183, thence along U.S. Highway 183 to the intersection of U.S. Highway 40, thence along U.S. Highway 40 to the intersection of U.S. Highway 81, thence along U.S. Highway 81 to the intersection of U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line, to points in the Lower Peninsula of Michigan. Restriction: The authority granted above is restricted against the transportation of pulpboard, pulpboard products, and waste paper to points in that part of Michigan on and south of Michigan Highway 21 (Muncie, Ind.). The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC 52022 (Sub-No. E2), filed March 16, 1975. Applicant: THE SANTINI BROS. INTERNATIONAL MOVERS, 1405 Jerome Ave., New York, N.Y. 10452. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Household goods,* as defined by the Commission; (1) between points in that part of Connecticut located on and southwest of a line beginning at the New York-Connecticut State line, thence along Connecticut Highway 33 to Westport, Conn., on the one hand, and, on the other, points in that part of Maine located on and north of a line beginning at the New Hampshire-Maine State line, thence along Maine Highway 33 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction Alternate U.S. Highway 1, thence along Alternate U.S. Highway 1 to junction Maine Highway 3, thence along Maine Highway 3 to Trenton, Maine (Newark, N.J.) *; (2) between points in that part of Connecticut located on and south of a line beginning at the New York-Connecticut State line, thence along Connecticut Highway 33 to Westport, Conn., on the one hand, and, on the other, points in that part of New Hampshire located on and north of a line beginning at the Vermont-New Hampshire State line, thence along U.S. Highway 2 to the New Hampshire-Maine State line (Newark, N.J.) *; (3) between points in that part of Connecticut located on and south of a line beginning at the New York-Connecticut State line, thence along Connecticut Highway 33 to Westport, Conn., on the one hand, and, on the other, points in that part of Vermont located on and north of a line beginning at the New York-Vermont State line, thence along U.S. Highway 2 to the Vermont-New Hampshire State line (Newark, N.J.) *.

(4) Between points in Kent and New Castle Counties, Del., on the one hand, and, on the other, points in that part of North Carolina located on or south of a line beginning at Manteo, N.C., thence along U.S. Highway 64 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction North Carolina Highway 86, thence along North Carolina Highway 86 to the North Carolina-Virginia State line (points in New York and New Jersey) *; (5) between points in New Castle County, Del., on the one hand, and, on the other, points in that part of Virginia located on and west of a line beginning at the North Carolina-Virginia State line, thence along U.S. Highway 220 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Virginia-West Virginia State line (points in New York and New Jersey) *; (6) between points in New Castle County, Del., on the one hand, and, on the other, points in that part of West Virginia located in and west of a line beginning at the Virginia-West Virgina State line, thence along U.S. Highway 60 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction West Virginia Highway 69, thence along West Virginia Highway 69 to the West Virginia-Pennsylvania State line (points in New York and New Jersey) *; (7) (a) between points in Florida, on the one hand, and, on the other, points in that part of New York located on and east of a line beginning at Rochester, N.Y., thence along U.S. Highway 15 to the New York-Pennsylvania State line, (b) between points in that part of Florida located on and south of a line beginning at Clearwater, Fla., thence along Florida Highway 60 to junction Interstate Highway 4, thence along Interstate Highway 4 to junction Florida Highway 50, thence along Florida Highway 50 to the Atlantic Ocean, on the one hand, and, on the

other, points in that part of New York located on and east of a line beginning at Buffalo, N.Y., thence along New York Highway 16 to junction New York Highway 243, thence along New York Highway 243 to junction New York Highway 19, thence along New York Highway 19 to the Pennsylvania-New York State line (New York, N.Y.) *.

(8) Between points in Florida, on the one hand, and, on the other, points in that part of Pennsylvania located on and east of a line beginning at the Maryland-Pennsylvania State line, thence along Pennsylvania Highway 10 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line (New York, N.Y.) *; (9) between points in that part of Georgia located on and south of a line beginning at the Alabama-Georgia State line, thence along Georgia Highway 8 to junction U.S. Highway 278, thence along U.S. Highway 278 to the Georgia-South Carolina State line, on the one hand, and, on the other, points in New Jersey (New York, N.Y.) *; (10) between points in Georgia, on the one hand, and, on the other, points in that part of New York located on and east of a line beginning at the Pennsylvania-New York State line, thence along Interstate Highway 81 to junction New York Highway 57, thence along New York Highway 57 to Lake Ontario (New York, N.Y.) *; (11) between points in that part of Georgia located on and south of a line beginning at the Alabama-Georgia State line, thence along Georgia Highway 8 to junction U.S. Highway 278, thence along U.S. Highway 278 to the Georgia-South Carolina State line, on the one hand, and, on the other, points in that part of Pennsylvania located on and east of a line beginning at the New Jersey-Pennsylvania State line, thence along Pennsylvania Highway 422 to junction Pennsylvania Turnpike Extension, thence along the Pennsylvania Turnpike Extension to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line (New York, N.Y.) *.

(12) (a) between points in Illinois, on the one hand, and, on the other, points in that part of Maryland located on and east of a line beginning at the Pennsylvania-Maryland State line, thence along Interstate Highway 83 to junction Interstate Highway 695, thence along Interstate Highway 695 to junction Interstate Highway 95, thence along Interstate Highway 95 to junction Maryland Highway 4, thence along Maryland Highway 4 to junction Maryland Highway 408, thence along Maryland Highway 408 to junction Maryland Highway 2, thence along Maryland Highway 2 to junction U.S. Highway 50, thence along U.S. Highway 50 to Ocean City, Md., and (b) between points in that part of Illinois located on and north of a line beginning at Chicago, Ill., thence along Illinois Highway 4A to junction Interstate Highway 80, thence along Interstate Highway 80 to the Illinois-Iowa State line, on the one hand, and, on the other, points in Maryland on and east of U.S. Highway 220 (points in New York and New Jersey) *; (13) (a) between points in that part of Illinois located on and west of a line beginning at Chicago, Ill., thence along U.S. Highway 45 to junction Interstate Highway 57, thence along Interstate Highway 57 to the Illinois-Kentucky State line, on the one hand, and, on the other, points in that part of Pennsylvania located on and east of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 6 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to junction U.S. Highway 422, thence along U.S. Highway 422 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Pennsylvania Highway 56, thence along Pennsylvania Highway 56 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line, and (b) between points in Illinois, on the one hand, and, on the other, points in that part of Pennsylvania located east of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 6 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-Maryland State line (points in New York and New Jersey) *.

(14) Between points in that part of Illinois located on and north of a line beginning at the Indiana-Illinois State line, thence along Illinois Highway 17 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Iowa State line, on the one hand, and, on the other, points in West Virginia on and east of U.S. Highway 522 (points in New York and New Jersey) *; (15) between Chicago, Ill., and points within 10 miles thereof, on the one hand, and, on the other, points in that part of Maryland located on and east of U.S. Highway 220 (points in New York and New Jersey) *; (16) between Chicago, Ill., and points within 10 miles thereof, on the one hand, and, on the other, points in that part of Pennsylvania located on and east of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 6 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to junction U.S. Highway 422, thence along U.S. Highway 422 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Pennsylvania Highway 56, thence along Pennsylvania Highway 56 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line (points in New York and New Jersey) *; (17) (a) between points in that part of Indiana located on and west of a line beginning at Elkhart, Ind., thence along Indiana Highway 19 to junction Interstate Highway 65, thence along Interstate Highway 65 to the Indiana-Kentucky State line, on the one hand, and, on the other, points in that part of New York located on and east of a line beginning at Trout River, N.Y., thence along New York Highway 30 to junction New York Highway 17, thence along New York Highway 17 to the New York-New Jersey State line (New York, N.Y., and/or Chicago, Ill.) *, and (b) between points in Indiana, on the one hand, and, on the other, points in that part of New York located on and east of a line beginning at the Vermont-New York State line, thence along New York Highway 7 to junction Interstate Highway 87, thence along Interstate Highway 87 to junction U.S. Highway 209, thence along U.S. Highway 209 to the New York-New Jersey State line (New York, N.Y.) *.

(18) Between points in that part of Indiana located on and west of a line beginning at Gary, Ind., thence along Indiana Highway 55 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Indiana Highway 59, thence along Indiana Highway 59 to junction Indiana Highway 157, thence along Indiana Highway 157 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Indiana-Kentucky State line (New York, N.Y.) *; (19) between points in that part of Kentucky located on and west of a line beginning at the Indiana-Kentucky State line, thence along Kentucky Highway 91 to junction Kentucky Highway 139, thence along Kentucky Highway 139 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in that part of New Hampshire located on and north of a line beginning at the Vermont-New Hampshire State line, thence along U.S. Highway 302 to junction U.S. Highway 3, thence along U.S. Highway 3 to junction New Hampshire Highway 25, thence along New Hampshire Highway 25 to the New Hampshire-Maine State line (Chicago, Ill., points in New York and New Jersey, and Newark, N.J.) *; (20) between points in that part of Kentucky located on and west of a line beginning at the Tennessee-Kentucky State line, thence along U.S. Highway 62 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Kentucky-Indiana State line, on the one hand, and, on the other, points in that part of New Jersey located on and east of a line beginning at the New York-New Jersey State line, thence along New Jersey Highway 23 to junction New Jersey Highway 94, thence along New Jersey Highway 94 to junction U.S. Highway 206, thence along U.S. Highway 206 to junction Interstate Highway 287, thence along Interstate Highway 287 to junction New Jersey Highway 18, thence along New Jersey Highway 18 to junction New Jersey Highway 9, thence along New Jersey Highway 9 to junction New Jersey Highway 33, thence along New Jersey Highway 33 to Ocean Grove, N.J. (Chicago, Ill.) *.

(21) Between points in that part of Kentucky located on and west of a line

beginning at the Indiana-Kentucky State line, thence along U.S. Highway 431 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in that part of New York located on and east of a line beginning at Oswego, N.Y., thence along New York Highway 57 to junction U.S. Highway 11, thence along U.S. Highway 11 to the New York-Pennsylvania State line (Chicago, Ill) *; (22) between points in Kentucky located on and west of U.S. Highway 45, on the one hand, and, on the other, points in that part of Vermont located on and south of a line beginning at the New York-Vermont State line, thence along U.S. Highway 2 to junction Vermont Highway 18, thence along Vermont Highway 18 to the Vermont-New Hampshire State line (Chicago, Ill., Newark, N.J., and points in New York and New Jersey) *; (23) between points in that part of Maine located on and south of Maine Highway 25, on the one hand, and, on the other, points in Nassau, Suffolk, New York, Westchester, Rockland, Orange, Putnam, Sullivan, Broome, Delaware, Tioga, Chemung, Steuben, Allegany, Cattaraugus, Chautauqua, and Schuyler Counties, N.Y. (Newark, N.J.) *; (24) (a) between points in the southern peninsula of Michigan, on the one hand, and, on the other, points in that part of Maryland located on and east of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to junction U.S. Highway 340, thence along U.S. Highway 340 to the Maryland-West Virginia State line, and (b) from points in the northern peninsula of Michigan to points in Maryland (points in New York and New Jersey) *.

(25) Between points in that part of Maryland located on and east of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to junction U.S. Highway 340, thence along U.S. Highway 340 to the Maryland-West Virginia State line, on the one hand, and, on the other, points in that part of Missouri located on and north of a line beginning at the Illinois-Missouri State line, thence along U.S. Highway 24 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Missouri-Kansas State line (Chicago, Ill., and points in New York and New Jersey) *; (26) between points in that part of Maryland located on and east of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to junction U.S. Highway 340, thence along U.S. Highway 340 to the Maryland-West Virginia State line, on the one hand, and, on the other, points in Ohio on and north of U.S. Highway 24 (points in New York and New Jersey) *; (27) between points in that part of Michigan located on and north of a line beginning at Bay City, Mich., thence along Michigan Highway 13 to Michigan Highway 46, thence along Michigan Highway 46 to junction Michigan Highway 66, thence along Michigan Highway 66 to junction Michigan Highway 21, thence along Michigan Highway 21 to junction U.S. Highway 131, thence along U.S. Highway 131 to the Michigan-Indiana State line, on the one hand, and, on the other, points in Pennsylvania located on and east of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 6 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line (points in New York and New Jersey) *.

(28) Between points in Pennsylvania, on the one hand, and, on the other, points in that part of Minnesota located on and north of a line beginning at the Wisconsin-Minnesota State line, thence along U.S. Highway 212 to junction Minnesota Highway 23, thence along Minnesota Highway 23 to junction Minnesota Highway 30, thence along Minnesota Highway 30 to the Minnesota-South Dakota State line (Chicago, Ill., and points in New York and New Jersey) *; (29) between points in Kittson County, Minn., on the one hand, and, on the other, points in North Carolina on and east of a line beginning at the Virginia-North Carolina State line, thence along Interstate Highway 95 to junction U.S. Highway 301, thence along U.S. Highway 301 to junction U.S. Highway 117, thence along U.S. Highway 117 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 258, thence along U.S. Highway 258 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction North Carolina Highway 50, thence along North Carolina Highway 50 to Surf City, N.C. (Chicago, Ill., and New York, N.Y.) *; (30) between points in Kittson County, Minn., on the one hand, and, on the other, points in that part of Virginia located on and east of a line beginning at Washington, D.C., thence along U.S. Highway 29 to junction Virginia Highway 3, thence along Virginia Highway 3 to junction Interstate Highway 95, thence along Interstate Highway 95 to the Virginia-North Carolina State line (points in Indiana and New York, N.Y.) *; (31) between points in Missouri, on the one hand, and, on the other, points in that part of Pennsylvania located on and east of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 6 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-Maryland State line (Chicago, Ill., and points in New York and New Jersey) *.

(32) (a) Between points in New Hampshire on and north of U.S. Highway 2, on the one hand, and, on the other, points in that part of New York located on and south of a line beginning at the Pennsylvania-New York State line, thence along New York Highway 97 to junction Interstate Highway 84, thence along Interstate Highway 84 to the New York-Connecticut State line, (b) between points in that part of New Hampshire located on and south of a line beginning at the Vermont-New Hampshire State line, thence along New Hampshire Highway 9 to junction U.S. Highway 202, thence along U.S. Highway 202 to the New Hampshire-Maine State line, on the one hand, and, on the other, Jamestown, N.Y., and (c) between points in that part of New Hampshire located on and east of a line beginning at the Massachusetts-New Hampshire State line, thence along Interstate Highway 93 to junction New Hampshire Highway 28, thence along New Hampshire Highway 28 to junction U.S. Highway 202, thence along U.S. Highway 202 to the New Hampshire-Maine State line, on the one hand, and, on the other, Westfield, N.Y. (Newark, N.J.) *; (33) (a) between points in that part of New Hampshire located on and south of a line beginning at the Vermont-New Hampshire State line, thence along New Hampshire Highway 9 to junction U.S. Highway 202, thence along U.S. Highway 202 to the New Hampshire-Maine State line, on the one hand, and, on the other, points in that part of Pennsylvania located on and west of a line beginning at the New Jersey-Pennsylvania State line, thence along Pennsylvania Highway 320 to junction U.S. Highway 202, thence along U.S. Highway 202 to junction U.S. Highway 422, thence along U.S. Highway 422 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line, and (b) between points in Coos County, N.H., on the one hand, and, on the other, points in that part of Pennsylvania located on and southeast of a line beginning at the New York-Pennsylvania State line, thence along Pennsylvania Highway 652 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction Pennsylvania Highway 54, thence along Pennsylvania Highway 54 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction U.S. Highway 422, thence along U.S. Highway 422 to junction U.S. Highway 202, thence along U.S. Highway 202 to junction Pennsylvania Highway 320, thence along Pennsylvania Highway 320 to the Pennsylvania-New Jersey State line (Newark, N.J., and points in New York and New Jersey) *.

(34) Between points in Ohio, on the one hand, and, on the other, points in that part of Pennsylvania located on and north and east of a line beginning at Erie, Pa., thence along U.S. Highway 19 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 309, thence along Pennsylvania Highway 309 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction Pennsylvania Highway 10,

thence along Pennsylvania Highway 10 to the Pennsylvania-Maryland State line (points in New York and New Jersey) *; (35) between points in that part of Ohio located on and west of a line beginning at Toledo, Ohio, thence along Ohio Highway 65 to junction Ohio Highway 108, thence along Ohio Highway 108 to the Ohio-Indiana State line, on the one hand, and, on the other, the District of Columbia (points in New York and New Jersey) *; (36) between points in that part of Pennsylvania located on and east of a line beginning at the New York-Pennsylvania State line, thence along Interstate Highway 81 to junction Pennsylvania Turnpike, thence along the Pennsylvania Turnpike to the Pennsylvania-New Jersey State line, on the one hand, and, on the other, points in that part of South Carolina located on and south of a line beginning at Myrtle Beach, S.C., thence along U.S. Highway 501 to junction U.S. Highway 378, thence along U.S. Highway 378 to junction U.S. Highway 76, thence along U.S. Highway 76 to junction Interstate Highway 20, thence along Interstate Highway 20 to the South Carolina-Georgia State line (New York, N.Y.) *.

(37) (a) Between points in that part of Pennsylvania located west and south of a line beginning at the Maryland-Pennsylvania State line, thence along Interstate Highway 83 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Pennsylvania Highway 358, thence along Pennsylvania Highway 358 to the Pennsylvania-Ohio State line, on the one hand, and, on the other, points in Vermont, (b) between points in that part of Pennsylvania beginning at Philadelphia, Pa., thence along U.S. Highway 422 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Pennsylvania Highway 220, thence along Pennsylvania Highway 220 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line, on the one hand, and, on the other, points in Vermont on and north of U.S. Highway 4, and (c) between points in that part of Pennsylvania beginning at the New York-Pennsylvania State line, thence along Pennsylvania Highway 611 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Pennsylvania Highway 309, thence along Pennsylvania Highway 309 to junction Pennsylvania Highway 118, thence along Pennsylvania Highway 118 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction U.S. Highway 422, thence along U.S. Highway 422 to Philadelphia, Pa., on the one hand, and, on the other, points in Essex, Orleans, Franklin, Lamoille, and Caledonia Counties, Vt. (Newark, N.J.) *.

(38) Between points in that part of Alabama located on and south of a line beginning at the Georgia-Alabama State line, thence along Alabama Highway 30 to junction Alabama Highway 51, thence along Alabama Highway 51 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 98, thence along U.S. Highway 98 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in that part of Connecticut located on and south of a line beginning at the New York-Connecticut State line, thence along Connecticut Highway 15 to junction Connecticut Highway 66, thence along Connecticut Highway 66 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Connecticut Highway 12, thence along Connecticut Highway 12 to the Connecticut-Massachusetts State line (Perry, Fla., and New York, N.Y.) *; (39) between points in that part of Alabama located on and south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 82 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in Massachusetts east of Massachusetts Highway 32 (Perry, Fla., and New York, N.Y.) *; (40) between points in that part of Alabama located on and south of a line beginning at the Georgia-Alabama State line, thence along Alabama Highway 10 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in that part of New Jersey located on and north of a line beginning at Perth Amboy, N.J., thence along New Jersey Highway 501 to junction Interstate Highway 287, thence along Interstate Highway 287 to junction U.S. Highway 206, thence along U.S. Highway 206 to junction Interstate Highway 80, thence along Interstate Highway 80 to the New Jersey-Pennsylvania State line (Perry, Fla., and New York, N.Y.) *.

(41) Between points in that part of Alabama located on and south of a line beginning at the Georgia-Alabama State line, thence along Alabama Highway 52 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 98, thence along U.S. Highway 98 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in that part of New York located on and east of a line beginning at the New Jersey-New York State line, thence along New York Highway 42 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 28, thence along New York Highway 28 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 194, thence along New York Highway 194 to junction New York Highway 185, thence along New York Highway 185 to junction New York Highway 37, thence along New York Highway 37 to the United States-Canada International Boundary line (Perry, Fla., and New York, N.Y.) *; (42) between points in that part of Alabama located south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 84 to junction Alabama Highway 33, thence along Alabama Highway 33 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Alabama-Florida State line, on the one hand, and, on the other, points in that part of Pennsylvania located on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 209 to junction Pennsylvania Highway 191, thence along Pennsylvania Highway 191 to junction Pennsylvania Highway 412, thence along Pennsylvania Highway 412 to junction Pennsylvania Highway 611, thence along Pennsylvania Highway 611 to junction U.S. Highway 202, thence along U.S. Highway 202 to the Pennsylvania-New Jersey State line (Perry, Fla., and New York, N.Y.) *.

(43) Between points in Alabama located on and south of U.S. Highway 80, on the one hand, and, on the other, points in that part of Vermont located on and north of a line beginning at the New York-Vermont State line, thence along Vermont Highway 313 to junction U.S. Highway 7, thence along U.S. Highway 7 to junction Vermont Highway 11, thence along Vermont Highway 11 to the Vermont-New Hampshire State line (Perry, Fla., Newark, N.J., and New York, N.Y.) *; and (44) (a) between points in Wisconsin, on the one hand, and, on the other, points in that part of Pennsylvania located on and east of a line beginning at the Ohio-Pennsylvania State line, thence along Interstate Highway 76 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line, and (b) between points in Wisconsin on and north of U.S. Highway 151, on the one hand, and, on the other, points in that part of Pennsylvania located on, north, and east of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 322 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line (Chicago, Ill., and points in New York and New Jersey) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 64932 (Sub-No. E18), filed May 10, 1974. Applicant: ROGERS

CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petro chemicals), in bulk, in tank vehicles, from Cleveland, Ohio, to points in Alabama, Mississippi, Oregon, South Dakota, and those in Tennessee on and west of a line beginning at the Tennessee-Virginia State line and extending along Tennessee Highway 70 to junction U.S. Highway 11E, thence along U.S. Highway 11E to junction Tennessee Highway 70, thence along Tennessee Highway 70 to the Tennessee-North Carolina State line. The purpose of this filing is to eliminate the gateway of Swanton, Ohio.

No. MC 64932 (Sub-No. E20), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from East St. Louis, Ill., and St. Louis, Mo., to points in Connecticut, Delaware, Florida, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and those in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along Interstate Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Marshall, Ill.

No. MC 64932 (Sub-No. E22), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 Louisville, Ky., to points in Arkansas. The purpose of this filing is to eliminate the plant sites of the Olin-Mathieson Chemical Corporation at or near Ordill, Ill.

No. MC 64932 (Sub-No. E29), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, from Cahokia, Ill., and points within two miles of Cahokia, to points in Connecticut, Delaware, Florida, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and those in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along Interstate Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateways of St. Louis, Mo., and Marshall, Ill.

No. MC 64932 (Sub-No. E30), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60543. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, from Wood River, Ill., to points in Connecticut, Delaware, Florida, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and those in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along Interstate Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateways of St. Louis, Mo., and Marshall, Ill.

No. MC 64932 (Sub-No. E31), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 S. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, from Hartford, Ill., to points in Connecticut, Delaware, Florida, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Michigan, Virginia, and those in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along Interstate Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateways of St. Louis, Mo., and Marshall, Ill.

No. MC 64932 (Sub-No. E32), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, from Roxanna, Ill., to points in Connecticut, Delaware, Florida, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and those in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along Interstate Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateways of St. Louis, Mo., and Marshall, Ill.

No. MC 64932 (Sub-No. E57), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum products, as defined by the Commission, in bulk, in tank vehicles), from Joliet, Ill., to points in Mississippi, South Carolina, Tennessee, Virginia, and those in New Mexico on and east of U.S. Highway 85. The purpose of this filing is to eliminate the gateway of Marshall, Ill.

No. MC 64932 (Sub-No. E69), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, from East Chicago, Ind., and all points within ten miles of East Chicago, Ind., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, those in Colorado and New Mexico on and east of U.S. Highway 85, and those in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along Interstate Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Marshall, Ill.

No. MC 64932 (Sub-No. E89), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and paint*, in bulk, in tank vehicles, from points in Alabama, Georgia, and Tennessee to points in Michigan on and east of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of Ferndale, Mich.

No. MC 64932 (Sub-No. E97), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Michigan on and east of U.S. Highway 27 to points in Kansas, Nebraska, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateways of Ferndale, Mich., and Chicago Heights, Ill.

No. MC 76177 (Sub-No. E82), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives, and blasting supplies*, from points in Georgia, North Carolina, and South Carolina to points in Nebraska. The purpose of this filing is to eliminate the gateways of (1) points in Alabama and (2) the plantsite of Trojan-U.S. Powder, division of Commercial Solvents Corporation, at or near Ordill, Ill.

No. MC 95540 (Sub-No. E111), filed April 19, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from those points in California on and south of a line beginning at the Pacific Ocean and extending along Interstate Highway 80 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction California Highway 89, thence along California Highway 89 to junction California Highway 88, thence along California Highway 88 to the California-Nevada State line, to those points in Massachusetts east of Interstate Highway 91. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 95540 (Sub-No. E196), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from those points in Delaware, Maryland, and Virginia, which are in the Delmarva Peninsula to points in Oklahoma. The purpose of this filing is to eliminate the gateways of points in Pike and Spalding Counties, Ga.

No. MC 95540 (Sub-No. E203), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Frederick, Md., to those points in Kansas on and southwest of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 83/270 to junction U.S. Highway 160/270, thence along U.S. Highway 160/270 to the Kansas-Colorado State line. The purpose of this filing is to eliminate the gateways of points in Pike and Spalding Counties, Ga.

No. MC 95540 (Sub-No. E302), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products*, and *meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from those points in California south of a line beginning at the Pacific Ocean and extending along U.S. Highway 101 to junction California Highway 36, thence along California Highway 36 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction unnumbered highway, thence along unnumbered highway to the California-Nevada State line, to points in Virginia. The purpose of this filing is to eliminate the gateway of Dothan, Ala.

No. MC 95540 (Sub-No. E305), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Pittsburgh, Pa., to those points in New Mexico south of a line beginning at the New Mexico-Arizona State line and extending along Interstate Highway 10 to junction Nevada Highway 81, thence along Nevada Highway 81 to the United States-Mexico International Boundary line. The purpose of this filing is to eliminate the gateways of Richmond, Va., and Kingsport, Tenn.

No. MC 95540 (Sub-No. E728), filed May 17, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from those points in New York on and east of a line beginning at the New Jersey-New York State line and extending along U.S. Highway 9W to junction U.S. Highway 202, thence along U.S. Highway 202 to junction Interstate Highway 684, thence along Interstate Highway 684 to junction Interstate Highway 84, thence along Interstate Highway 84 to the New York-Connecticut State line, to those points in New Mexico on and south of a line beginning at the Arizona-New Mexico State line and extending along U.S. Highway 82 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateways of Jacksonville, Fla., and Gulfport, Miss.

No. MC 95540 (Sub-No. E729), filed May 17, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from those points in New Jersey on and south of a line beginning at the Atlantic Ocean and extending along New Jersey Highway 33 to the New Jersey-Pennsylvania State line, those points in California on and south of a line beginning at the Nevada-California State line and extending along Interstate Highway 40 through Barstown to junction California Highway 58, thence along California Highway 58 to junction California Highway 152, thence along California Highway 152 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction Interstate Highway 280, thence along Interstate Highway 280 to the Pacific Ocean. The purpose of this filing is to eliminate the gateways of Jacksonville, Fla., and Gulfport, Miss.

No. MC 95540 (Sub-No. E730), filed May 17, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from those points in New York on and east of U.S. Highway 9/9W to those points in Louisiana on and south of a line beginning at the Mississippi-Louisiana State line and extending along U.S. Highway 65/84 to junction Louisiana Highway 500, thence along Louisiana Highway 500 to junction Louisiana Highway 34, thence along Louisiana Highway 34 to junction Louisiana Highway 122, thence along Louisiana Highway 122 to junction Louisiana Highway 1, thence along Louisiana Highway 1 to junction Louisiana Highway 6, thence along Louisiana Highway 6 to the Louisiana-Texas State line. The purpose of this filing is to eliminate the gateways of Jacksonville, Fla., and Gulfport, Miss.

No. MC 95540 (Sub-No. E732), filed May 17, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from those points in New York, on and east of a line beginning at the New York-New Jersey State line and extending U.S. Highway 9/9W to junction U.S. Highway 44, thence along U.S. Highway 44 to the New York-Connecticut State line, to those points in Texas on and south of a line beginning at the Louisiana-Texas State line and extending along U.S. Highway 84 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction Texas Highway 22, thence along Texas Highway 22 to junction U.S. Highway 84/183, thence along U.S. Highway 84/183 to junction U.S. Highway 67,

thence along U.S. Highway 67 to junction Texas Highway 158, thence along Texas Highway 158 to junction County Road 181, thence along County Road 181 to junction Texas Highway 115, thence along Texas Highway 115 to junction Texas Highway 128, thence along Texas Highway 128 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateways of Jacksonville, Fla., and Gulfport, Miss.

No. MC 95540 (Sub-No. E733), filed May 17, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from those points in New York on and east of a line beginning at the New York-New Jersey State line and extending along U.S. Highway 9/9W to junction U.S. Highway 44, thence along U.S. Highway 44 to the New York-Connecticut State line, thence along the New York-Connecticut State line to those points in California on and south of a line beginning at the California-Nevada State line, and extending along Interstate Highway 10 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 138, thence along California Highway 138 to junction California Highway 14, thence along California Highway 14 to junction California Highway 58, thence along California Highway 58 to junction California Highway 99, thence along California Highway 99 to junction California Highway 46, thence along California Highway 46 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction California Highway 1, thence along California Highway 1 to the Pacific Ocean. The purpose of this filing is to eliminate the gateways of Jacksonville, Fla., and Gulfport, Miss.

No. MC 95540 (Sub-No. E734), filed May 17, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from those points in North Carolina on and south of a line beginning at the North Carolina-South Carolina State line and extending along U.S. Highway 301 to junction North Carolina Highway 211, thence along North Carolina Highway 211 to junction U.S. Highway 74/76, thence along U.S. Highway 74/76 to junction U.S. Highway 421, thence along U.S. Highway 5421 to the Atlantic Ocean, to points in Utah. The purpose of this filing is to eliminate the gateway of Jacksonville, Fla.

No. MC 104654 (Sub-No. E7), filed May 14, 1974. Applicant: COMMERCIAL TRANSPORT, INC., South 20th Street, Belleville, Ill. 62222. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles (except petroleum products requiring heat in transit to maintain liquid form), from Evansville, Ind., to points and places in that part of Missouri on, east, and south of a line beginning at St. Louis, Mo., extending along Interstate Highway 44 to Lebanon, Mo., thence along Missouri Highway 5 to the Missouri-Arkansas State line. The purpose of this filing is to eliminate the gateway of Gale or Cairo, Ill.

By the Commission.

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

[FR Doc.75-11430 Filed 4-30-75;8:45 am]

[Notice 754]

ASSIGNMENT OF HEARINGS

APRIL 28, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 139614, Erin Tours, Inc., now assigned April 29, 1975 at Washington, D.C., is canceled and reassigned May 21, 1975 (3 days) in B-2231, 26 Federal Plaza, New York, N.Y.

MC 53965 Sub 100, Graves Truck Line, Inc., now being assigned September 8, 1975, at Oklahoma City, Oklahoma; in a hearing room to be designated later.

MC 118431 Sub 18, Denver Southwest Express, Inc., now assigned May 8, 1975, at Washington, D.C., is cancelled and application dismissed.

MC 108393 Sub 84, Signal Delivery Service, Inc., now being assigned July 8, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 3647 Sub 459, Transport of New Jersey, now being assigned September 30, 1975, at Newark, New Jersey; in a hearing room to be designated later.

MC 134716 Sub 5, Rush Trucking, Inc., now being assigned September 8, 1975, at Tallahassee, Florida in a hearing room to be later designated.

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

[FR Doc.75-11435 Filed 4-30-75;8:45 am]

[Notice 755]

ASSIGNMENT OF HEARINGS

APRIL 28, 1975.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

CORRECTION

MC 115162 Sub 294, Poole Truck Line, Inc.; MC 121664 Sub 6, G. A. Hornady, Cecil M. Hornady, and B. C. Hornady, DBA Hornady Brothers Truck Line and MC 126305 Sub 61, Boyd Brothers Transportation; now assigned June 5, 1975 at Birmingham, Ala., will be held in The GSA Conference Room, 345 Federal Building and U.S. Courthouse, 1800 5th Avenue North, instead of now assigned June 6.

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

[FR Doc.75-11434 Filed 4-30-75;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

APRIL 28, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before May 16, 1975.

FSA No. 42980—*Joint Water-Rail Container Rates—Showa Line, Ltd.* Filed by Showa Line, Ltd. (No. 14), for itself and interested rail carriers. Rates on general commodities, from rail stations on the U.S. Atlantic and Gulf Seaboard, to ports in India and Thailand.

Grounds for relief—Water competition.

By the Commission.

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

[FR Doc.75-11436 Filed 4-30-75;8:45 am]

[Notice 280]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MAY 1, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment

resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before May 21, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–75743. By order of April 11, 1975, the Motor Carrier Board approved the transfer to Telestar Transfer Corp., Huntington Station, N.Y., of the operating rights in Certificates Nos. MC–49328 and MC–49328 (Sub-No. 2) issued June 22, 1956, and August 22, 1961, respectively, to William Geis Trucking Corp., Long Island City, N.Y., authorizing the transportation of steam fittings, building material and equipment, and scaffoldings, between New York, N.Y., on the one hand, and, on the other, points in Hudson, Union, Bergen, and Essex Counties, N.J., and those in that part of Passaic County, N.J., south of U.S. Highway 202; bronze building materials and fixtures, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and the District of Columbia, and spiral air conduit of galvanized steel, uncrated from New York, N.Y., to points in the states named immediately above. Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102, attorney for applicants.

No. MC–FC–75758. By order of April 14, 1975, the Motor Carrier Board approved the transfer to Let's Travel Tours, Inc., Tacoma, Wash., of the License in No. MC–130141 issued April 9, 1973, to Howard A. Shaffer, Dorothy J. Landis, and Russell W. Landis, a partnership, doing business as Let's Travel Service, Tacoma, Wash., authorizing the holder to engage in operations as a broker at Tacoma, Wash., in connection with the transportation of passengers and their baggage, in sightseeing and pleasure tours, both as individuals and as groups, beginning and ending at points in Washington west of the Cascade Mountains and extending to points in the United States (including Alaska and Hawaii). David D. Gordon, 1100 Puget Sound Bank Building, Tacoma, Wash. 98402, attorney for applicants.

No. MC–FC–75759. By order entered April 14, 1975, the Motor Carrier Board approved the transfer to Dubuque Sand & Gravel Company and R. S. and D., Inc., a partnership, doing business as Allied Stone Company, Lancaster, Wisconsin, of the operating rights set forth in Certificates Nos. MC–26012 and MC–26012 (Sub-No. 1), issued November 13, 1950, and June 18, 1963, respectively, to Nelson J. Huske, doing business as N.J. Huske, Hazel Green, Wis., authorizing the transportation of livestock, sand, and gravel, between specified points in Wisconsin, on the one hand, and, on the other, a specified area in Illinois; sand and gravel, between Dubuque County, Iowa, on the one hand, and, on the other, points in Grant and Lafayette Counties, Wis.; and coal, from Galena, Ill., to points in Grant and Lafayette Counties, Wis. Frank M. Coyne, 25 W. Main St., Madison, Wis. 53703, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75–11431 Filed 4–30–75;8:45 am]

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PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

Treatment of Payment Under State Equalization Programs

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 115]

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

Treatment of Payments Under State Equalization Programs

Pursuant to the authority contained in section 5(d) of Pub. L. 81-874 (20 U.S.C. 240(d)), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 115 of the Code of Federal Regulations by adding a new subpart G to read as set forth below.

1. *Program purpose.* The purpose of sections 1 through 5 of Pub. L. 81-874 is to provide assistance for local educational agencies in areas affected by Federal activities. Section 5(d) provides for adjustment in entitlements, of local educational agencies under sections 2, 3, and 4 of such Act, when among other things, payments under Title I of such Act are taken into consideration in determination of eligibility for, or the amount of, State aid.

2. *Effect of Pub. L. 93-380.* Sections 304(c) (effective for fiscal year 1975) and 305(a)(2) (effective for fiscal year 1976 and thereafter) of Pub. L. 93-380 have amended section 5(d)(2) of Pub. L. 81-874 to permit States to take into account payments under Title I of that Act in determining the relative financial resources available to local educational agencies and relative financial need of such agencies (notwithstanding section 5(d)(2) of the Act) if the State has in effect a program of State aid for free public education designed to equalize expenditures among local educational agencies in the State, but only in the proportion that local revenues covered by such programs are of total local revenues for education.

As mandated by the statute, these regulations implement the amendments to Pub. L. 81-874 by establishing standards for determining whether a State has in effect such a program, by defining certain terms, by establishing procedures for determinations pursuant to section 5(d)(3), and by setting forth the procedure for a hearing regarding such determinations.

3. *General Rules.* Under § 115.61(b)(1) of the proposed rule, only a State whose program of State aid meets the standards set forth in proposed § 115.62 may be excepted from the operation of section 5(d)(2) of the Act. However, such States may take into consideration only the proportion of Pub. L. 81-874 funds as permitted under proposed § 115.63. In light of the many recent cases in State courts relative to the validity of State systems of school finance, the proposed rule in § 115.61(b)(2) states that no State aid program may qualify under these regulations if a State court has ruled that such program violates law and such final ruling is not under appeal.

4. *Proposed qualifying standards.* Section 115.62 proposes to establish standards under which the Commissioner shall determine, for purposes of section 5(d)(3) of the Act, whether a State has a program of State aid designed to equalize expenditures among local educational agencies within that State. Such standards have been developed in light of the legislative history of section 5(d)(3) of the Act which indicates that the Commissioner should promulgate regulations which afford only a limited and carefully constructed exception to the existing rule under section 5(d)(2).

(*Congressional Record*, daily edition, May 20, 1974, S 8607 and July 31, 1974, H 7401, 7412.) Further reliance has been made upon: House Report No. 93-805; at pages 42-43; Senate Report No. 93-763 at pages 55-56; Senate Report No. 93-1026 at pages 162-163; and statements in the *Congressional Record* of March 27, 1974 at H 2228-2233, May 20, 1974 at S 8502-8505, 8604-8608, July 24, 1974 at S 13384, and July 31, 1974 at H 7396, 7401 and 7412. The House Committee on Education and Labor print, *Public Law 874 and State Equalization Plans* (March 1974), specifically mentioned in House Report 93-805 for this purpose, has been used as a reference in establishing the evaluative standards.

Any State aid program in effect which apportions payments on a relative shared-cost basis among local educational agencies in the State will be considered an equalization "type" program to which these regulations may be applied. A test of the equalization effect of the program in terms of equalizing expenditures is then applied under § 115.62(b) by means of a disparity standard. If there is a disparity of no more than 20 percentum in revenues per pupil (or other unit of pupil need used in the State program) available to the 95th and 5th percentile school districts (ranked in order of revenue per pupil), the program would be deemed to qualify under section 5(d)(3). A disparity standard has been chosen because it is a method of evaluating school finance programs in terms of equalization that has been used both by the courts and authorities in the field of school finance, and because it is believed that the phrase "equalize expenditures" focuses upon the relative amounts of funds available to local educational agencies for educating the children within their school systems. "Revenue" data, as well as "expenditure" data is used because revenues generally reflect the amounts of funds available for expenditure in a school and because revenue data is more accessible for current fiscal year evaluation. In calculating the disparity revenues or expenditures attributable to capital outlay or debt service are to be excluded. It is felt that such expenditures should not be included because Pub. L. 81-874 is a current expenditures program and because capital expenditures are likely to fluctuate considerably from year to year. The exclusion of the upper and bottom 5 percentile school districts is based upon the accepted principle of statistical evaluation that such percentiles usually represent unique or noncharacteristic situations.

An exception clause in § 115.62(c) provides that State programs which do not meet the above numerical test may still be considered for the exemption if certain other conditions are fulfilled. Such clause then allows for a determination by the Commissioner in reference to specified evaluative criteria.

It is further provided that, in applying the standards for qualification as an equalization program, disparities with respect to revenue per pupil in a State which are attributable to special education services shall not be considered in an adverse manner. This exclusive treatment of special education costs is mandated by the statutory amendment.

5. *Proposed proportionality determination.* Section 115.63 sets forth the statutory formula (with examples) for determining what proportion local revenues under a State equalization program are of total local revenues for education. The amendments to section 5(d)(2) prohibit a State from taking Pub. L. 81-874 payments into account in excess of this proportion.

6. *Assurances.* A number of assurances are required of both State and local educational agencies with regard to the taking into consideration of Pub. L. 81-874 payments under a State aid program.

7. *Proposed determination procedures.* Provision is made in proposed § 115.65 for proceedings to obtain determinations by the Commissioner under section 5(d)(3) at the initiation of an affected State or local educational agency or at the initiation of the Office of Education. Where the State educational agency, for example, desires an authoritative determination by the Commissioner as to whether (and the extent to which) section 5(d)(3) permits it to take into consideration Pub. L. 81-874 payments in determining State aid, it may file with the Office of Education a submission seeking such determination. Likewise, where a local educational agency in a State that does take into consideration Pub. L. 81-874 payments is adversely affected by such action, it may seek a determination as to the status of such State practice under section 5(d)(2) and 5(d)(3). The adverse effect contemplated in such a case would be the loss of State aid monies which the local agency would have received but for the State's action. (In such a situation, the concerned State agency would, of course, be asked to respond.) Finally, the Office of Education itself, where it believes that a State may be acting in noncompliance with section 5(d), may initiate proceedings leading to an appropriate determination. Determinations will be

applicable only for the fiscal years in issue.

At the same time, the proposed regulation would provide that a determination by OE that taking into consideration SAFA payments under section 5(d)(3) is authorized would not have to be obtained before a State could commence such action, if it were done in compliance with section 5(d)(3). For example, if a State has, since the effective date of section 5(d)(3), been taking into consideration SAFA payments under a State equalization program which qualifies under section 5(d)(3) and the regulations thereunder and such taking into consideration is in the appropriate proportion for each local educational agency in the State, the fact that a determination by the Commissioner with respect to the legality of such practice was not obtained in advance would not defeat the operation of section 5(d)(3) in providing an exception for such State under section 5(d)(2). This proposed rule, however, would not preclude the Commissioner from determining that a State had been in noncompliance with section 5(d)(2) during the time it acted without an advance determination.

In addition, provision is made for advance consultation with the Office of Education for States contemplating the adoption of equalization programs which would take into consideration Pub. L. 81-874 payments.

8. *Proposed hearing procedures.* Proposed § 115.66 establishes what parties may request a hearing, the time and place of hearings, the right to counsel for all parties, the conduct of the hearing and the procedure for a final decision by the Commissioner. It further proposes that there shall be no reduction or termination of Pub. L. 81-874 payments prior to a final decision and that, if a State found to be in noncompliance will cease and desist in its improper action and will make appropriate restitution to any local educational agency adversely affected by such action, there shall be no such reduction or termination of Pub. L. 81-874 payments.

9. *Citations of legal authority.* As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232(a)) a citation of the regulations has been placed in parentheses on the line following the text of the section. On occasion, a citation appears at the end of a subdivision that appears in that section above the citation. When the citation appears only at the end of the section, it applies to the entire section.

10. *Opportunity for public comment.* Parties interested in commenting on the published materials, should submit such comments to the Office of Education, 400 Maryland Avenue SW., Room 2069, Washington, D.C. 20202, Attention: Mr. William Stormer.

All relevant material received on or before June 2, 1975, will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 8:30 a.m. and 4 p.m. Monday through Friday of each week.

(Catalog of Federal Domestic Assistance No. 13.478—School Assistance in Federally Affected Areas—Maintenance and Operation.)

Dated: April 11, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 28, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

It is proposed to add a new Subpart G to 45 CFR Part 115 to read as follows:

Subpart G—Determinations Under Section 5(d)(2) and (3)

Sec.
115.60 Scope and purpose.
115.61 Programs of State aid designed to equalize expenditures.
115.62 Qualifying programs.
115.63 Proportion in which funds under the Act may be taken into consideration.
115.64 Assurances.
115.65 Submission and consultation.
115.66 Notice and opportunity for hearing.

Subpart G—Determinations Under Section 5(d)(2) and (3)

§ 115.60 Scope and purpose.

(a) *Scope.* This subpart applies to determinations pursuant to sections 5(d)(2) and (3) of the Act as amended by Pub. L. 93-380.

(b) *Purpose.* The sole purpose of the regulations in this subpart is to implement the provisions of section 5(d)(3) of the Act. The definitions and standards contained herein have been developed with respect to the particular intent of the amendment made to section 5(d) of the Act by sections 304(c) and 305(a)(2) of Pub. L. 93-380 and should not be construed as establishing definitions and standards for any other purpose.

(20 U.S.C. 240(d)(2)(3); 120 Cong. Rec. S 8505, 8507 (daily ed. May 20, 1974))

§ 115.61 Programs of State aid designed to equalize expenditures.

(a) *Statutory provisions.*

(1) Section 5(d)(2) of the Act provides that, except as provided in section 5(d)(3), no payments may be made to any local educational agency within a State which takes into consideration payments under section 5 of the Act in determining the eligibility of such agency for State aid, or the amount of such aid, with respect to free public education during the fiscal year of such payments or the preceding fiscal year, or which makes aid available in such a manner as to result in less State aid to such agency which is eligible for payments under the Act than such agency would receive if it were not so eligible.

(2) Section 5(d)(3) of the Act provides that, notwithstanding section 5(d)(2), if a State has in effect a program of State aid for free public education for any fiscal year, which is designed to equalize expenditures for free public education among the local educational agencies of that State, payments under the Act may be taken into consideration by such State in determining (i) the relative financial resources available to local educational agencies in that State and (ii) the relative financial need of such agencies for the provision of free public education for children served by such agencies, subject to the provisions in such section.

(3) For fiscal years after fiscal year 1975, references to section 5(d)(2) are to section 5(d)(1) and references to section 5(d)(3) are to section 5(d)(2).

(20 U.S.C. 240(d)(2)(3); secs. 304(c), 305(a)(2), Pub. L. 93-380, 88 Stat. 484)

(b) *General rules.* (1) Except as provided in paragraph (b)(2) of this paragraph, a State may take into consideration payments under the Act in making the determinations described in paragraph (a)(2) if such State has a program of State aid which qualifies under § 115.62 except that such payments may be taken into consideration for each affected local educational agency only in the proportion described in § 115.63.

(2) No program of State aid may qualify under this subpart if a court of that State has determined by final order, not under appeal, that such program fails to equalize expenditures for free public education among local educational agencies within the State or otherwise violates law.

(c) *Definitions.* For the purposes of this subpart, the following terms shall have the meanings indicated below:

(1) "State aid" means any contribution, no repayment for which is expected, which is made by a State to or on behalf of local educational agencies within the State for current expenditures in the provision of free public education;

(2) "Equalize expenditures" means to meet the standards set forth in § 115.62;

(3) "Current expenditures" means the total charges incurred for the benefit of the school year, exclusive of capital outlay and debt service for capital outlay;

(4) "Revenue" means an addition to assets which does not increase any liability, does not represent the recovery of an expenditure, does not represent the cancellation of certain liabilities without a corresponding increase in other liabilities or a decrease in assets, and does not represent a contribution of fund capital in food service or pupil activity funds.

(20 U.S.C. 240(d)(3))

§ 115.62 Qualifying programs.

(a) *General standard.* A program of State aid shall be deemed to be a program of State aid for free public education, which is designed to equalize expenditures for free public education among local educational agencies in that State within the meaning of section 5(d)(3) of the Act and this subpart if such program—

(1) Is authorized by State law in effect for the fiscal year for which the determination under this subpart is made;

(2) Provides for the apportionment of State aid among local educational agencies in the State in order to carry out the objectives of such programs;

(3) Provides that in determining the amount to be apportioned to each local educational agency in the State, the State will take into consideration the relative financial resources available to local educational agencies in that State for such program; and

(4) Meets the standard of paragraph (b) or (c).

Under the provisions of this section, the term "equalize expenditures" shall not be construed in any manner adverse to a program of State aid for free public education which provides for taking into consideration the additional cost of providing free public education for particular groups or categories of pupils in meeting the special educational needs of such children as handicapped children, economically disadvantaged, those who need bilingual education, and gifted and talented children.

(b) *Disparity standard.* (1) Except as provided in paragraph (c), a program of State aid described in paragraph (a) shall be deemed to qualify under this section if, for the fiscal year for which the determination under this subpart is made, the disparity in the amount of current expenditures or revenue per pupil among local educational agencies in the State is no more than 20 per centum (determined after excluding from a ranking on the basis of current expenditures or revenue per pupil the local agencies which fall above the 95th and below the 5th percentile of such agencies, in terms of the number of pupils in attendance in the schools of such agencies.)

(2) For the purposes of this paragraph, the term current expenditures or revenue per pupil shall be computed on the basis of the total number of pupils enrolled in the public schools of the local educational agencies of the State (determined by whatever standard measurement of enrollment is used in such State).

(3) If a program of State aid subject to a determination under this subpart uses a "weighted" pupil or other unit of pupil need in determining allocations of State aid in order to reflect cost differentials associated with pupils having special educational needs (such as handicapped children, economically disadvantaged children, those in need of bilingual education, and gifted and talented children) and cost differentials associated with sparsity or density of population, cost of living, or special socioeconomic characteristics, computations under this paragraph may be made on the basis of such "weighted" pupils or other units of pupil need. In computing current expenditures or revenue per pupil for all programs other than those described in the preceding sentence, such computation shall include all revenues for education from State and local sources applied or contributed for current expenditures in local educational agencies within the State and all Federal funds for which such local educational agencies have no obligation to account to the Federal government for the particular use thereof, but such computation shall identify and then exclude those State and equalized local funds applied or contributed outside a program of State aid subject to this subpart for the free public education of children in need of special education services, such as those referenced in the preceding sentence. Federal funds shall be included in such computations only to the extent that such funds are taken into consideration by a State under a State aid program conforming to the requirements of section 5(d)(3) of the Act and the regulations under this subpart.

(4) The determination as to the disparity in current expenditures or revenue per pupil shall be made by subtracting the lower current expenditure or revenue per pupil figure from the higher and dividing the difference by the lower figure. (For example, if the per pupil revenue of the LEA at the 95th percentile is $1,000 and the per pupil revenue of the LEA at the 5th percentile is $840, the percentage disparity is 19% ($1,000–$840=$160÷$840).

(5) Determinations under this subpart may be made (i) on the basis of data for the preceding fiscal year if the same program was then in effect, or (ii) on the basis of estimates of data for the fiscal year of determination. Data submitted shall be the most currently available and complete data, whether based on revenues or current expenditures. Estimates submitted by a State educational agency or other appropriate State agency shall set forth the assumptions upon which such estimates are founded, shall be accompanied by an assurance as to their accuracy and shall be adjusted by actual data for the fiscal year of determination as soon as available for the purpose of verification.

(c) *Exception in case of programs not qualifying under paragraph (b).* (1) A State program which does not meet the requirements of paragraph (b) of this section may, nevertheless, qualify under this section if the Commissioner determines on the basis of information submitted by the State, that (i) a decision not to apply the exact disparity standard specified in paragraph (b) of this section to the program submitted by the State would be justifiable because of exceptional circumstances within the State related to disparities in current expenditures or revenue per pupil for education, (ii) current expenditures or revenues for education in such State will not be less equalized if payments under the Act are taken into consideration under this subpart than if they are not, and (iii) the program meets the requirements of paragraph (c)(2) of this section.

(2) A program of State aid considered under this paragraph shall not be determined to be a program designed to equalize expenditures among local educational agencies in the State unless the Commissioner finds that, in addition to meeting the requirements of the preceding subparagraph—

(i) The amount of the revenue available to local educational agencies in the State is not predominantly a function of the wealth of individual local educational agencies;

(ii) Such program is designed to ensure the provision of financially adequate educational programs and supportive services for every pupil in the State who is enrolled in public schools;

(iii) In the determination of the relative financial need of local educational agencies, such program (*a*) makes provision for identifying those pupils with special educational needs (such as handicapped children, economically disadvantaged children, children with limited English-speaking ability), (*b*) takes into consideration the additional costs of providing free public education for such children or categories of children; and (*c*) takes into consideration the costs of providing education which might be associated with such factors as sparsity or density of population, cost of living, and socio-economic characteristics of the local educational agencies; except that nothing in this clause shall be construed to require any particular system of weighting of pupils.

(iv) Such program involves a substantial percentage of school revenues;

(v) Such program is designed to provide systems and procedures for evaluating the degree to which the program is achieving its stated objectives.

(20 U.S.C. 240(d)(3); S. Rep. No. 763, 93d Cong., 2d Sess. 56 (1974); H.R. Rep. 805, 93d Cong., 2d Sess. 42–44 (1974); 102 Cong. Rec. S 8604–8607 (daily ed., May 20, 1974); *Id.*, H 7401 (daily ed., July 31, 1974); Congressional Research Service, *Public Law 874 and State Equalization Plans* 30–34 (H.R. Comm. on Education and Labor Print (March 1974))

§ 115.63 Proportion in which funds under the Act may be taken into consideration.

(a) *Provision of law.* Section 5(d)(3)(A)(ii) of the Act provides that a State may consider as local resources funds received under the Act only in proportion to the share that local revenues covered under a State equalization program are of total local revenues. Such determinations of proportionality shall be made on a case-by-case, school district by school district basis, for each local educational agency affected and not on the basis of a general rule to be applied throughout a State.

(20 U.S.C. 240(d)(3)(A)(ii); S. Rep. No. 1026, 93d Cong., 2d Sess., 163)

(b) *Computation of proportion.* In computing the share that local revenues covered under a State equalization program are of total local revenues for a local educational agency with respect to a program qualifying under § 115.62, the proportion shall be obtained by dividing (1) the amount of local revenues covered under the equalization program by (2) the total local revenues attributable to current expenditures for free public education within such agency.

(c) *Local revenues.* For the purposes of this section—

(1) "Local revenues covered under a State equalization program" means those revenues for current expenditures produced within the boundaries of a local educational agency contributed to

or taken into consideration under this subpart, excluding all revenues from State and Federal sources.

(2) "Total local revenues" means all revenues for current expenditures of a local educational agency, including revenues for education programs for children needing special services, vocational education, transportation, and the like during the period in question but excluding all revenues from State and Federal sources.

(d) *Application of proportion to payments under the Act.* (1) The proportion established under this section for any local educational agency receiving payments under the Act may be applied by a State to actual receipts of such payments or to the prorated entitlements provided for under section 5 of the Act and § 115.24 of this part, subject to any further requirements of this subpart and other law.

(2) Such proportion may not be applied to any portion of a payment under the Act made to a local educational agency on the basis of low-rent housing pupils or handicapped children of uniformed services personnel after fiscal year 1975.

(e) *Examples.*

Example 1. State A has an equalization program under which each LEA is guaranteed $900 per pupil, less the LEA contribution based on a uniform tax levy. LEA X contributes $700 per pupil and the State contributes the $200 difference. No other local revenues are applied to current expenditures for education by LEA X. The percentage of funds under the Act which may be taken into consideration by State A for LEA X is 100%. (700/700) If LEA X receives $100 per pupil in Pub. L. 81-874 funds, $100 per pupil may be taken into consideration by State A in determining LEA X's relative financial resources and needs under the program. LEA X is regarded as contributing $800 and State A now contributes the $100 difference.

Example 2. The initial facts are the same as in Ex. 1, except that LEA X, under a permissible additional levy outside the equalization program, raises an additional $100 per pupil. The percentage of Pub. L. 81-874 funds which may be taken into consideration is 87.5% (700/800). If LEA X receives $100 per pupil in Pub. L. 81-874 funds, $87.50 per pupil may be taken into consideration. LEA X is now regarded as contributing $787.50 per pupil under the program and State A now contributes $112.50 per pupil as the difference.

Example 3. Under the same equalization program as in Ex. 1 LEA Y only contributes $400 per pupil to the program, but raises $100 per pupil outside the program. The percentage is 80% (400/500). If LEA Y receives $100 per pupil in Pub. L. 81-874 funds, $80 per pupil may be taken into consideration. LEA Y is regarded as contributing $480 per pupil under the program and State A contributes $420 as the difference.

(20 U.S.C. 240(d)(3); 102 Cong. Rec. H7412 (daily ed., July 31, 1974))

§ 115.64 Assurances.

(a) *By applicants.* Each applicant for financial assistance under the Act shall set forth an assurance in its application either (1) that the State in which it is situated is not taking payments to such applicant under the Act into consideration with regard to a program of State aid, or (2) that, if such State is taking such payments into consideration with regard to its program of State aid, the State is doing so, for such applicant, in conformity with § 115.63 of this subpart.

(b) *By State educational agencies.* Each State educational agency which certifies an application for financial assistance under the Act, as provided for in § 115.10 of this part, shall submit to the Commissioner an assurance with such application either (1) that such State is not taking payments under the Act into consideration with regard to a program of State aid, or (2) that such State is taking such payments into consideration with regard to a program of State aid in conformity with section 5(d)(3) of the Act and this subpart.

(c) *State guarantee of payments.* Any State which does take payments under the Act into consideration with regard to its program of State aid shall submit an adequate assurance with every application that it certifies for financial assistance under the Act in accordance with § 115.10 of this part, that the State will pay to any local educational agency whose payments under the Act have been or will be taken into consideration with regard to such program, the full amount of such payments taken into consideration but not in fact received by such agency by the time of final payment under the Act for the fiscal year of determination. Such assurance shall also constitute a part of any submission for determination made by a State under § 115.65 of this subpart.

(d) *Failure to provide assurances.* A failure on the part of any local or State educational agency to set forth the assurances required by this section shall constitute sufficient cause for an initiation of proceedings by the Commissioner, as provided for in § 115.65 of this subpart, but shall not result in a suspension or termination of payments under the Act with respect to such agencies prior to the rendering of a final decision under this subpart.

(20 U.S.C. 240(d)(2)(3); S. Rep. No. 1026, 93d Cong., 2d Sess. 163 (1974))

§ 115.65 Submission and consultation.

(a) *Initiation.* (1) A proceeding under this subpart leading to a determination by the Commissioner as to whether, or the extent to which a State may take into consideration payments under the Act in determining relative financial resources or need under a program of State aid may be initiated (i) by the State educational agency or other appropriate agency of the State; (ii) by a local educational agency which is or would be adversely affected by such taking into consideration; or (iii) by the Commissioner, if he has reason to believe that such taking into consideration is in violation of section 5(d)(2) of the Act and that payments to local educational agencies in the State should therefore be terminated under section 5(d)(2) of the Act.

(2) Nothing in this subpart shall be construed to prohibit a State which has not obtained a prior determination from the Commissioner under this subpart from taking into consideration payments under the Act as provided for in section 5(d)(3) of the Act if such action is in conformity with §§ 115.62 and 115.63 of this subpart.

(20 U.S.C. 240(d)(3); H.R. Rep. No. 805, 93d Cong., 2d Sess. 42-43 (1974))

(b) *Submission.* (1) A submission by a State or local educational agency under this section shall be made upon such forms as may be furnished by the Commissioner containing such information and assurances as may be required by him in order to carry out his functions under the Act and this subpart.

(2) A State educational agency in any such submission shall (i) demonstrate how its program of State aid comports with the criteria and standards in § 115.62 and (ii) indicate for each local educational agency receiving funds under the Act the proportion of such funds which will be taken into consideration in accordance with § 115.63.

(3) A local educational agency shall in such submission demonstrate how it is affected by the action of the State which is the subject of such submission and the applicability of the standards set forth in this subpart to such action.

(4) Whenever the Commissioner initiates a proceeding under this subpart, the Commissioner may request from a State the data deemed necessary to make a determination under this subpart. A failure on the part of a State to comply with such request within a reasonable period of time shall result in a summary determination by the Commissioner that the program of State aid of such State does not comport with the regulations under this subpart.

(c) *Advance consultation.* States shall be afforded an opportunity upon request to consult with the Office of Education regarding the possible application of the requirements of this subpart to relevant proposed legislation (such as legislation providing for taking into account funds under the Act in determining the amount of State aid) prior to the adoption of such legislation.

(20 U.S.C. 240(d)(2)(3))

§ 115.66 Notice and opportunity for hearing.

(a) *General requirements.* Reasonable notice of a determination under this subpart and opportunity for a hearing with respect thereto shall be afforded any State educational agency or local educational agency adversely affected by such determination. Such notice and opportunity shall be afforded, and such hearing (if requested) shall take place prior to the implementation by the Commissioner of any such determination. Such notice shall set forth the reasons for the determination in sufficent detail to enable such agencies to respond.

(b) *Requests for hearing.* (1) A State or local educational agency which is adversely affected by a determination under section 5(d) (2) (3) of the Act and this subpart and which desires a hearing regarding such determination shall submit a written request for such a hearing within 30 days after appropriate notice to such agency. The time within which such a request must be filed will not be extended unless the time for filing such request is extended in writing by the Commissioner or his designee at the time notice of the determination is given.

(2) A request for a hearing in accordance with this section must specify the issues of fact and law to be considered. Where the requesting party is not a State educational agency, a copy of such request shall be furnished to the appropriate State educational agency by such party.

(c) *Time and place of hearing.* The hearing shall be held at a time and place fixed by the Commissioner or his designee (with due regard to the mutual convenience of the parties).

(d) *Counsel.* In all proceedings under this section, all parties shall have the right to be represented by counsel.

(e) *Proceedings.* The Commissioner may refer the matter in controversy to a hearing officer or to a hearing panel designated by the Commissioner for such purpose. Such hearing officers or hearing panel may consist of or include persons who are employees of the Department, employees of other Federal departments and agencies, and persons who are not such employees.

(f) *Procedural rules.* (1) If in the opinion of the hearing officer or panel no dispute exists as to a material fact the resolution of which would be materially assisted by oral testimony, the hearing officer or panel shall take appropriate steps to afford each party to the proceeding an opportunity for presenting his case at the option of the hearing officer or panel (i) in whole or in part in writing or (ii) in an informal conference which shall afford each party sufficient notice of the issues to be considered (where such notice has not previously been afforded).

(2) With respect to hearings involving a dispute as to a material fact the resolution of which would be materially assisted by oral testimony, the hearing officer or panel shall afford each party, in addition to provisions required by paragraph (f) (1) (ii) of this paragraph, the following:

(i) An opportunity for a record of the proceedings;

(ii) An opportunity to present witnesses on the party's behalf; and

(iii) An opportunity to cross-examine other witnesses either orally or through written interrogatories.

(g) *Decisions.* When a hearing officer or panel is designated to consider the matter, such officer or panel shall make an initial decision based upon written findings, which shall be forwarded to the Commissioner, who may, by appropriate notification to the parties, determine to review it or certify it as the final decision of the Commissioner without further proceedings. Written notice of the initial decision shall be sent to all parties. In any case in which the Commissioner modifies or reverses the initial decision, such action shall be accompanied by a written statement of the grounds for such reversal or modification. Notice of the final decision of the Commissioner shall be served upon all parties to the hearing, the hearing panel and any local educational agency which may be adversely affected thereby.

(h) *Effect on payments.* (1) Subject to the provisions of subparagraph (a) when an appropriate request for a hearing under this section has been made, payments to a local educational agency under the Act shall not be reduced or terminated by the Commissioner by virtue of the operation of section 5(d) (2) of the Act until a final decision with respect to the matter in controversy has been made under this subpart.

(2) If a State has been finally determined, after notice and opportunity for hearing, to have been taking into consideration payments under the Act with respect to a program of State aid in violation of sections 5(d) (2) and (3) of that Act, the Commissioner shall terminate payments under the Act to all local educational agencies in that State unless such State agency provides satisfactory assurances that it will restore to all affected local agencies all amounts which were taken into account in determining State aid for such agencies in excess of the amount permitted under sections 5(d) (2) and (3) of the Act and that it will thereafter take into account only such amounts as are permitted under the Act and this subpart.

(20 U.S.C. 240(d) (2) (3); S. Rep. No. 1030, 93d Cong., 2d Sess. 163 (1974))

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PART III

FEDERAL ENERGY ADMINISTRATION

■

REFINERS' MONTHLY COST ALLOCATION REPORT FORM FEA-P110-M-1

Proposed Revision

FEDERAL ENERGY ADMINISTRATION

REFINERS' MONTHLY COST ALLOCATION REPORT FEA-P110-M-1

Proposed Revision

The Federal Energy Administration hereby gives notice of a proposal to issue Form FEA-P110-M-1, Refiners' Monthly Cost Allocation Report, with schedules and instructions. The Form FEA-P110-M-1 will replace Form FEO-96. The purpose of this notice is to give firms which are required to file the form an opportunity to comment on the proposed Form FEA-P110-M-1, its supporting schedules and instructions. Comments should be directed to specific items on the form, schedules or instructions, and not to the substantive provisions of 10 CFR Part 212.

Form FEA-P110-M-1 has six schedules, A through F. Schedules A through D correspond to Parts II through V of the current Form FEO-96. Schedule E is to provide information on non-product cost increases that are allocated to covered product prices in accordance with 10 CFR 212.83 and 212.87. Schedule F is to provide information on allowable price increases for natural gas liquid products, pursuant to 10 CFR Part 212, Subpart K, and for propane, pursuant to 10 CFR Part 212, Subparts E and K.

The major differences between the information required by the current Form FEO-96 and the proposed Form FEA-P110-M-1 are as follows:

ADDITIONAL INFORMATION REQUIRED ON FORM FEA-P110-M-1

I. Form FEA-P110-M-1 Summary Sheet.
1. Summary of crude oil costs.
2. Summary of cost elements.

II. Schedule A (Corresponds to Part II, Form FEO-96).
1. Cost and quantity of old and new crude oil, 10 CFR 212.72.
2. Amount of crude oil entitlements, 10 CFR 211.67.
3. Cost and quantity of crude oil used for refinery fuel, 10 CFR 212.87(c)(1).
4. Crude oil resale data.

III. Schedule B (Corresponds to Part III, Form FEO-96).
1. Amount of includable commissions paid to consignee-agents, 10 CFR 212.83(c)(2)(iii).
2. Price maintenance amount, 10 CFR 212.83(e)(5)(i).
3. 10 percent of unrecouped increased product costs, 10 CFR 212.83(e)(5)(ii).

IV. Schedule C (Corresponds to Part IV, Form FEO-96).
1. Amount of includable commissions paid to consignee-agents, 10 CFR 212.83(c)(2)(iii).
2. Retail gasoline adjustment, 10 CFR 212.83(c)(2)(iii).

V. Schedule D (Corresponds to Part V, Form FEO-96).
1. Amount of includable commissions paid to consignee-agents, 10 CFR 212.83(c)(2)(iii).
2. Price maintenance amount, 10 CFR 212.83(e)(5)(i).
3. 10 percent of unrecouped increased product costs, 10 CFR 212.83(e)(5)(ii).
4. Benzene, toluene adjustment, 10 CFR 212.83(c)(2)(iii).

VI. Schedule E.
1. Calculation of non-product cost increases for allocation to covered products, 10 CFR 212.87.

VII. Schedule F.
1. Calculation of cost and price data for natural gas liquid products and propane, 10. CFR 212, Subparts E and K.

INFORMATION NO LONGER REQUIRED ON FORM FEA-P110-M-1

I. Schedule B (Corresponds to Part III, Form FEO-96).
1. Data and computations of refiners' incentive factors as previously required by 10 CFR 212.84.

Interested persons are invited to submit comments with respect to the proposed Form FEA-P110-M-1, its supporting schedules and instructions to Executive Communications, Room 3309, Federal Energy Administration, Box CU, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to Executive Communications, FEA, with the designation "Form FEA-P110-M-1." Fifteen copies should be submitted. All comments received by May 12, 1975, and all relevant information will be considered by the Federal Energy Administration.

Pursuant to § 7(i)(1)(c), the FEA is required to hold public hearings with respect to rulemaking proceedings if a proposed rule is likely to have a "substantial impact on the Nation's economy or large numbers of individuals or businesses * * *." The FEA has determined that inasmuch as the proposed Form FEA-P110-M-1 does not change the substantive requirements of FEA price regulations, but is for the purpose of gathering information which is currently being reported to the FEA on Form FEO-96, the issuance of the new form does not constitute a rulemaking proceeding and, in any event, will have no "substantial impact on the Nation's economy or large numbers of individuals or businesses." Accordingly, the FEA will only receive written comments and will not hold public hearings with respect to the proposed Form FEA-P110-M-1.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, proposed Form FEA-P110-M-1, as set forth below, is issued for comments.

Issued in Washington, D.C., April 24, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

P110-M-1

FEDERAL ENERGY ADMINISTRATION

For Internal Use Only

Refiners' Monthly Cost Allocation Report

PART I: IDENTIFICATION DATA

(1) Name: _____

(2) Street: _____

(3) City, State, Zip Code: _____

(4) Chief Executive Officer: _____

(5) Employer Identification Number: _____

(6) Reporting Period: _____

(7) Is this a resubmission? Yes ☐ No ☐

(8) Individual to be Contacted for Additional Information: _____

(9) Street: _____

(10) City, State, Zip Code: _____

(11) Telephone: ____-____-_____

PART II: CERTIFICATION

I certify that the information submitted on and with this form is factually correct, complete, and in accordance with Federal Energy Regulations (Title 10 Code of Federal Regulations) and instructions to Form P110-M-1.

(12) Typed Name of Authorized Executive Officer: _____

(13) Typed Title of Authorized Executive Officer: _____

(14) Date: _____

(15) Signature of Authorized Executive Officer: _____

PART III: SUMMARY OF CRUDE OIL COSTS

(a) Item	(b) Description	(c) Total Cost	(d) Total Quantity	(e) Cost Per Barrel
(16)	Domestic Uncontrolled	$	bbls	$/bbl
(17)	Domestic Controlled	$	bbls	$/bbl
(18)	Imported	$	bbls	$/bbl
(19)	Allocated	$	bbls	$/bbl
(20)	Entitlements	$		
(21)	Total	$	bbls	$/bbl
(22)	Resold	$	bbls	$/bbl

PART IV: SUMMARY OF COST ELEMENTS

(a) Item	(b) Description	(c) No. 2 Oils	(d) Gasoline	(e) General Refinery Products Other Than Propane	(f) Propane	(g) Other Natural Gas Liquids	(h) Blank	(i) Blank	(j) Total
	Costs Computed Pursuant 10 to CFR Part 212 Subpart E								
(23)	Allocable Increased Cost of Crude Oil	$	$	$	$				$
(24)	Cost Increases of Purchased Products	$	$	$	$				
(25)	Carryover of Increased Product Costs	$	$	$	$				$
(26)	Cost Increases Reallocated Among Covered Products	$	$	$	$				$
(27)	Allocable Increase of Non-Product Costs	$	$	$	$				$
(28)	Other		$	$					
(29)	Blank								
	Costs Computed Pursuant to 10 CFR Part 212 Subpart K								
(30)	Allocable Product and Non-Product Cost Increases				$	$			$
(31)	Cost Increases Reallocated Between Covered Products				$	$			$
(32)	Blank								
(33)	Blank								
(34)	Total (Items (23) through (33))	$	$	$	$	$			$
(35)	Permissable Increase per Gallon	$	$		$				
(36)	Actual Increase to be Applied per Gallon	$	$		$				
(37)	Actual Increase Applied per Gallon During the Month of Measurement	$	$		$				

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SCHEDULE A CALCULATION OF INCREASED CRUDE OIL COSTS

PART I: IDENTIFICATION DATA

(1) Name _____

(2) Employer Identification Number _____

(3) Reporting Period _____

(4) Is this a resubmission? Yes [ ] No [ ]

PART II: CRUDE OIL COST DATA

(5) Total Cost of Uncontrolled Domestic Crude Oil Purchased During the Month of Measurement.....$_____

(6) Total Cost of Controlled Domestic Crude Oil Purchased During the Month of Measurement.....$_____

(7) Total Cost of Imported Crude Oil Purchased During the Month of Measurement.....$_____

(8) Total Cost (Revenue) Applicable to Allocation Transactions Affecting Crude Oil During the Month of Measurement.....$_____

(9) Total Cost (Revenue) Applicable to Crude Oil Entitlement Transactions During the Month of Measurement.....$_____

(10) Total Cost of Crude Oil Used for Refinery Fuel During the Month of Measurement.....$_____

(11) Total Cost of Crude Oil Purchased During the Month of Measurement for Refining (Item(5) + Item(6) + Item(7) + Item(8) + Item(9) - Item(10)).....$_____

(12) Total Cost of Domestic Crude Oil Purchased During the Month of May 1973.....$_____

(13) Total Cost of Imported Crude Oil Purchased During the Month of May 1973.....$_____

(14) Total Cost of Crude Oil Used for Refinery Fuel During the Month of May 1973.....$_____

(15) Total Cost of Crude Oil Purchased During the Month of May 1973 for Refining (Item(12) + Item(13) - Item(14)).....$_____

(16) Total Quantity of Uncontrolled Domestic Crude Oil Purchased During the Month of Measurement.....____bbls

SCHEDULE A

(17) Total Quantity of Controlled Domestic Crude Oil Purchased During the Month of Measurement..... _____ bbls

(18) Total Quantity of Imported Crude Oil Purchased During the Month of Measurement..... _____ bbls

(19) Total Quantity of Crude Oil Purchased (Sold) Applicable to Allocation Transactions During the Month of Measurement..... _____ bbls

(20) Total Quantity of Crude Oil Used for Refinery Fuel During the Month of Measurement..... _____ bbls

(21) Total Quantity of Crude Oil Purchased During the Month of Measurement for Refining (Item(16) + Item(17) + Item(18) + Item(19) - Item(20))..... _____ bbls

(22) Total Quantity of Domestic Crude Oil Purchased During the Month of May 1973..... _____ bbls

(23) Total Quantity of Imported Crude Oil Purchased During the Month of May 1973..... _____ bbls

(24) Total Quantity of Crude Oil Used for Refinery Fuel During the Month of May 1973..... _____ bbls

(25) Total Quantity of Crude Oil Purchased During the Month of May 1973 for Refining (Item(22) + Item(23) - Item(24))..... _____ bbls

(26) Weighted Average Cost of Crude Oil Purchased During the Month of Measurement for Refining (Item(11) ÷ Item(21))..... _____ $/bbl

(27) Weighted Average Cost of Crude Oil Purchased During the Month of May 1973 for Refining (Item(15) ÷ Item(25))..... _____ $/bbl

(28) Crude Oil Cost Differential per Barrel (Item(26) - Item(27))..... _____ $/bbl

(29) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining (Item(28) X Item(21))..... $_____

(30) Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of No. 2 Oils During the Current Month..... _____ %

(31) Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of Gasoline During the Current Month..... _____ %

SCHEDULE A - 3 -

(32) Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of General Refinery Products Other Than Propane During the Current Month....._____%

(33) Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of Propane Refined From Crude Oil During the Current Month....._____%

(34) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to No. 2 Oils (Item(29) X Item(30)).....$_____

(35) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Gasoline (Item(29) X Item(31)).....$_____

(36) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to General Refinery Products Other Than Propane (Item(29) X Item(32)).....$_____

(37) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Propane Refined from Crude Oil (Item(29) X Item(33)).....$_____

PART III: OTHER CRUDE OIL DATA

(38) Total Revenue from Crude Oil Resales Not Pursuant to Allocation Transactions During the Month of Measurement.....$_____

(39) Total Quantity of Crude Oil Resales Not Pursuant to Allocation Transactions During the Month of Measurement....._____bbls

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SCHEDULE B NO. 2 OILS PRICE ADJUSTMENT CALCULATIONS

PART I: IDENTIFICATION DATA

(1) Name _____

(2) Employer Identification Number _____

(3) Reporting Period _____

(4) Is this a resubmission? Yes [ ] No [ ]

PART II: NO. 2 OILS PRICE ADJUSTMENT CALCULATIONS

(5) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to No. 2 Oils (Item(34), Part II, Schedule A).....$_____

(6) Net Cost of No. 2 Oils Purchased During the Month of Measurement.....$_____

(7) Total Cost of No. 2 Oils Purchased During the Month of May 1973.....$_____

(8) Total Quantity of No. 2 Oils Purchased During the Month of Measurement..... _____ gal

(9) Total Quantity of No. 2 Oils Purchased During the Month of May 1973..... _____ gal

(10) Weighted Average Unit Cost of No. 2 Oils Purchased During the Month of May 1973..... _____ $/gal

(11) Lowest Price At or Above Which at Least 10% of No. 2 Oils Were Priced in Transactions During the Month of May 1973..... _____ $/gal

(12) Increase in Costs of Purchased No. 2 Oils Incurred in the Month of Measurement [Item(6) - Item(7) - {Item(10 or 11) X [Item(8) - Item(9)]}].....$_____

(13) Total Increased Product Costs Attributable to No. 2 Oils from August 1, 1973, to the Month of Measurement.....$_____

(14) Total Increased Product Costs Attributable to No. 2 Oils and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices.....$_____

(15) Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement with Respect to Sales of No. 2 Oils Through Consignee-Agents.....$_____

SCHEDULE B

(16) Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item(20 c), Part III, Schedule E).....$_____

(17) Under-Recovered (Over-Recovered) Increased Costs Through the Close of the Month of Measurement. (Item(13) - Item(14) + Item(15) - Item(16))$_____

(18) Price Maintenance Amount, i.e., that Amount Described in 10 CFR 212.83(e)(5)(i).....$_____

(19) 10% of Unrecouped Increased Product Costs for the Month of _____(Enter Month, Year Used), i.e., that Amount Described in 10 CFR 212.83(e)(5)(ii).....$_____

(20) Limit on Unrecouped Increased Product Costs (Item(18) + Item(19)).....$_____

(21) The Portion of Cumulative Total Increases in Product Costs Allocable to No. 2 Oils and Reallocated to Gasoline.....$_____

(22) Net Increased Product Costs Attributable to No. 2 Oils and Available for Recovery in the Current or Succeeding Pricing Periods (Item(5) + Item(12) + the Lesser of Item(17) or Item(20) - Item(21)).$_____

(23) Total Increased Non-Products Costs Incurred in the Month of Measurement to be Allocated to No. 2 Oils (Item(17c), Part III, Schedule E).....$_____

(24) Quantity of No. 2 Oils Estimated to be Sold During the Current Pricing Period....._____gal.

(25) Maximum Allowable Price Increment that may be Applied to the May 15, 1973 Selling Prices of No. 2 Oils During the Current Pricing Period ((Item(22) + Item(23)) ÷ Item(24))....._____$/gal

(26) Actual Price Increment to be Applied to the May 15, 1973 Selling Prices of No. 2 Oils During the Current Pricing Period....._____$/gal

(27) Actual Price Increment Applied to the May 15, 1973 Selling Prices of No. 2 Oils During the Month of Measurement....._____$/gal

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FEDERAL ENERGY ADMINISTRATION

For Internal Use Only

SCHEDULE C

GASOLINE PRICE ADJUSTMENT CALCULATIONS

PART I: IDENTIFICATION DATA

(1) Name _____

(2) Employer Identification Number _____

(3) Reporting Period _____

(4) Is this a resubmission? Yes [ ] No [ ]

PART II: GASOLINE PRICE ADJUSTMENT CALCULATIONS

(5) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Gasoline (Item(35), Part II, Schedule A).....$_____

(6) Net Cost of Gasoline Purchased During the Month of Measurement.....$_____

(7) Total Cost of Gasoline Purchased During the Month of May 1973.....$_____

(8) Total Quantity of Gasoline Purchased During the Month of Measurement..... _____gal

(9) Total Quantity of Gasoline Purchased During the Month of May 1973..... _____gal

(10) Weighted Average Unit Cost of Gasoline Purchased During the Month of May, 1973..... _____$/gal

(11) Lowest Price At or Above Which at Least 10% of Gasoline Was Priced in Transactions During the Month of May 1973..... _____$/gal

(12) Increase in Costs of Purchased Gasoline Incurred in the Month of Measurement {Item(6) - Item(7) -[Item(10 or 11) X (Item(8) - Item(9))]}.....$_____

(13) Total Increased Product Costs Attributable to Gasoline from August 1, 1973, to the Month of Measurement.....$_____

(14) Total Increased Product Costs Attributable to Gasoline and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices.....$_____

(15) Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement With Respect to Sales of Gasoline Through Consignee-Agents.....$_____

SCHEDULE C - 2 -

(16) Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item(20 d), Part III, Schedule E).....$_____

(17) Under-Recovered (Over-Recovered) Increased Costs Through the Close of the Month of Measurement (Item(13) - Item(14) + Item(15) - Item(16))..$_____

(18) Retail Gasoline Adjustment.....$_____

(19) The Portion of Cumulative Total Increases in Product Costs Allocable to No. 2 Oils and General Refinery Products and Reallocated to Gasoline.....$_____

(20) Net Increased Product Costs Attributable to Gasoline and Available for Recovery in the Current or Succeeding Pricing Periods (Item(5) + Item(12) + Item(17) - Item(18) + Item (19)).....$_____

(21) Total Increased Non-Products Costs Incurred in the Month of Measurement to be Allocated to Gasoline (Item(17 d), Part III, Schedule E).....$_____

(22) Quantity of Gasoline Estimated to be Sold During the Current Pricing Period.....____gal

(23) Maximum Allowable Price Increment that May Be Applied to the May 15, 1973 Selling Prices of Gasoline During the Current Pricing Period ((Item(20) + Item(21)) ÷ Item(22)).....____$/gal

(24) Actual Price Increment to be Applied to the May 15, 1973 Selling Prices of Gasoline During the Current Pricing Period.....____$/gal

(25) Actual Price Increment Applied to the May 15, 1973 Selling Prices of Gasoline During the Month of Measurement.....____$/gal

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SCHEDULE D GENERAL REFINERY PRODUCTS OTHER THAN PROPANE PRICE ADJUSTMENT CALCULATIONS

PART I: IDENTIFICATION DATA

(1) Name _____

(2) Employer Identification Number _____

(3) Reporting Period _____

(4) Is this a resubmission? Yes [ ] No [ ]

PART II: GENERAL REFINERY PRODUCTS OTHER THAN PROPANE PRICE ADJUSTMENT CALCULATIONS

(5) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to General Refinery Products Other Than Propane (Item(36), Part II, Schedule A).....$_____

(6) Net Cost of General Refinery Products Other Than Propane Purchased During the Month of Measurement.....$_____

(7) Total Cost of General Refinery Products Other Than Propane Purchased During the Month of May 1973.....$_____

(8) Total Quantity of General Refinery Products Other Than Propane Purchased During the Month of Measurement.....____gal

(9) Total Quantity of General Refinery Products Other Than Propane Purchased During the Month of May 1973.....____gal

(10) Weighted Average Unit Cost of General Refinery Products Other Than Propane Purchased During the Month of May.....____$/gal

(11) Lowest Price At or Above Which at Least 10% of General Refinery Products Other Than Propane Were Priced in Transactions During the Month of May 1973.....____$/gal

(12) Increase in Costs of Purchased General Refinery Products Other Than Propane Incurred in the Month of Measurement {Item(6) - Item(7) - [Item(10 or 11) X (Item(8) - Item(9))]}.....$_____

(13) Total Increased Product Costs Attributable to General Refinery Products Other Than Propane from August 1, 1973, to the Month of Measurement.....$_____

SCHEDULE D

(14) Total Increased Product Costs Attributable to General Refinery Products Other Than Propane and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices.....$_____

(15) Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement with Respect to Sales of General Refinery Products Other Than Propane Through Consignee-Agents.....$_____

(16) Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item(20 e), Part III, Schedule E).....$_____

(17) Under-Recovered (Over-Recovered) Increased Costs Through the Close of the Month of Measurement. (Item(13) - Item(14) + Item(15) - Item(16)).....$_____

(18) Price Maintenance Amount, i.e., that Amount Described in 10 CFR 212.83(e)(5)(i).....$_____

(19) 10% of Unrecouped Increased Product Costs for the Month of _____(Enter Month/Year Used) i.e., that Amount Described in 10 CFR 212.83(e)(5)(ii)...$_____

(20) Limit on Unrecouped Increased Product Costs (Item(18) + Item(19)).....$_____

(21) The Portion of Cumulative Total Increases in Product Costs Allocable to General Refinery Products Other Than Propane and Reallocated to Gasoline.....$_____

(22) Benzene, Toluene Adjustment.....$_____

(23) Net Increased Product Costs Attributable to General Refinery Products Other Than Propane and Available for Recovery in the Current or Succeeding Pricing Periods (Item(5) + Item(12) + the Lesser of Item(17 or 20) - Item(21) - Item(22))....$_____

(24) Total Increased Non-Products Costs Incurred in the Month of Measurement to be Allocated to General Refinery Products Other Than Propane (Item(17 e), Part III, Schedule E).....$_____

(25) Total Increased Costs That May Be Included in the Computation of the Price in Excess of the May 15, 1973, Selling Prices of General Refinery Products Other Than Propane During the Current Pricing Period (Item(23) + Item(24)).....$_____

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SCHEDULE E CALCULATION OF INCREASED NON-PRODUCT COSTS

PART I: IDENTIFICATION DATA

(1) Name _____

(2) Employer Identification Number _____

(3) Reporting Period _____

(4) Is this a resubmission? Yes /__/ No /__/

PART II: CALCULATION OF NON-PRODUCT COST INCREASES TO BE ALLOCATED TO COVERED PRODUCTS

(5) Increase in the Cost of Refinery Fuel During the Month of Measurement.....$_____

(6) Increase in the Cost of Labor During the Month of Measurement.....$_____

(7) Increase in the Cost of Additives During the Month of Measurement.....$_____

(8) Increase in the Cost of Marketing Covered Products During the Month of Measurement.....$_____

(9) Increase in the Cost of Utilities During the Month of Measurement.....$_____

(10) Increase in the Cost of Pollution Control During the Month of Measurement.....$_____

(11) Increase in the Cost of Interest Incurred for the Use of Capital During the Month of Measurement....$_____

(12) Increase in the Cost of Containers During the Month of Measurement.....$_____

(13) Net Non-Product Cost Increases During the Month of Measurement (Sum of Item(5) through Item(12)).....$_____

(14) Net Non-Product Costs to be Allocated (Item (13) times the sum of Item(30) through (33), Part II Schedule A).....$_____

(15) Total Product Cost Increases for All Covered Products and Available for Recovery in the Current or Succeeding Pricing Periods.

(A) No. 2 Oils (Item(22), Part II, Schedule B)....$_____
(B) Gasoline (Item(20), Part II, Schedule C).....$_____
(C) General Refinery Products Other Than Propane (Item(23), Part II, Schedule D).....$_____
(D) Propane (Item(18), Part II, Schedule F).....$_____
(E) Total of A through D Above.....$_____

SCHEDULE E

(16) Ratio of Net Non-Product Costs Increases to Total Product Costs Increases (Item (14) ÷ Item (15E)). . . _____%

SCHEDULE E

PART III: CALCULATION OF NET NON-PRODUCT COST INCREASES

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Item	Description	No. 2 Oils	Gasoline	General Refinery Products Other Than Propane	Propane	Total
(17)	Total Non-Product Cost Increases Allocable During Current Pricing Period	$	$	$	$	$
(18)	Total Non-Product Cost Increases Recovered During the Month of Measurement	$	$	$	$	$
(19)	Total Non-Product Cost Increases Allocable During the Month of Measurement	$	$	$	$	$
(20)	Over-Recovery (Under-Recovery) of Non-Product Cost Increases During the Month of Measurement (Item(18) Minus Item(19)). Enter 0 if Item(19) exceeds Item(18).	$	$	$	$	$

P110-M-1
Schedule F

FEDERAL ENERGY ADMINISTRATION
NATURAL GAS LIQUID COST
AND PRICE DATA

For Internal
Use Only

PART I: IDENTIFICATION DATA

(1) Name _____

(2) Employer Identification Number _____

(3) Reporting Period _____

(4) Is this a resubmission? Yes ☐ No ☐

PART II: PROPANE REFINED FROM CRUDE OIL -- COST AND PRICE DATA

(5) Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Propane (Item (37), Part II, Schedule A).....$_____

(6) Net Cost of Propane Purchased During the Month of Measurement.....$_____

(7) Total Cost of Propane Purchased During the Month of May 1973.....$_____

(8) Total Quantity of Propane Purchased During the Month of Measurement..... _____ gal

(9) Total Quantity of Propane Purchased During the Month of May 1973..... _____ gal

(10) Weighted Average Unit Cost of Propane Purchased During the Month of May 1973..... _____ $/gal

(11) Lowest Price At or Above Which at Least 10% of Propane Transactions Were Priced During the Month of May 1973..... _____ $/gal

(12) Increase in Costs of Purchased Propane Incurred in the Month of Measurement (Item (6) - Item (7)) - (Item (10 or 11) x (Item (8) - Item (9))).....$_____

(13) Total Increased Product Costs Attributable to Propane from July 1, 1974 to the Month of Measurement.....$_____

(14) Total Increased Product Cost from July 1, 1974 Attributable to Propane and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices.....$_____

(15) Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement with Respect to Sales of Propane through Consignee-Agents.....$_____

(16) Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item 20 f), Part III, Schedule E).....$_____

(17) The Portion of Cumulative Total Increases in Product Costs Allocable to Propane and Reallocated to Gasoline.$_____

(18) Net Increased Product Costs Attributable to Propane and Available for Recovery in the Current or Succeeding Pricing Periods (Item (5) + Item (12) + Item (13) - Item (14) + Item (15) - Item (16) - Item (17)).....$_____

Schedule F

(19) Total Increased Non-Product Costs Incurred in the Month of Measurement to be Allocated to Propane (Item (17f), Part III, Schedule E).....$_____

PART III: PRICE AND COST DATA PURSUANT TO SUBPART K

(20) Weighted Average Cost of Natural Gas Liquids Purchased in a First Sale in the Month of May 1973.....$/gal

(21) Estimated Weighted Average Cost of Natural Gas Liquids Purchased in a First Sale in the Current Month.....$/gal

(22) Estimated Volume of Natural Gas Liquids Purchased in the Current Month.....gal

(23) Increased Cost Associated with Purchased Natural Gas Liquids ((Item (21) - Item (20)) x Item (22)).....$_____

(24) Weighted Average Shrinkage Cost of Natural Gas Processed in the Month of May 1973.....$/MCF

(25) Estimated Weighted Average Shrinkage Cost of Natural Gas to be Processed in Current Month.....$/MCF

(26) Estimated Volume of Natural Gas to be Processed During Current Month.....MCF

(27) Total Increased Shrinkage Cost ((Item (25) - Item (24)) x Item (26)).....$_____

(28) Under-Recovered (Over-Recovered) Product Costs Pursuant to Subpart K through the Month of Measurement.....$_____

(29) Estimated Volume of all Natural Gas Liquid Products to be Sold During the Current Month.....gal

(30) Estimated Volume of Ethane to be Sold During the Current Month.....gal

(31) Estimated Volume of Propane Produced from Natural Gas Liquids to be Sold During the Current Month.....gal

(32) Increased Product Costs Pursuant to Subpart K (Item (23) + Item (27) + Item (28)).....$_____

(33) Increased Non-Product Costs Pursuant to Subpart K.....$_____

(34) Increased Product Costs Pursuant to Subpart K Adjusted for Ethane Exclusion (Item (32) + Item (33) x (1.00 - (Item (30) ÷ Item (29))).....$_____

(35) Increased Costs Pursuant to Subpart K Allocable to Propane (Item (34) x Item (31) ÷ Item (29)).....$_____

(36) The Portion of Increased Costs Pursuant to Subpart K Allocable to Propane but Reallocated to Products Subject to Subpart K Other Than Propane.....$_____

(37) Total Cost Increases Allocable to Products Subject to Subpart K Other Than Propane (Item (34) - Item (35) + Item (36)).....$_____

(38) Estimated Volume of Products Subject to Subpart K Other Than Propane (Item (29) - Item (30) - Item (31)..._____gal

(39) Total Permissable Price Increase for Products Subject to Subpart K Other Than Propane (Item (37) ÷ Item (38)).....$/gal

PART IV COMBINED COST AND PRICE DATA FOR PROPANE

(40) Total Costs Allocable to Propane (Item (34) - Item (37) + Item (18) + Item (19)).....$_____

(41) Estimated Volume of Propane Refined from Crude Oil to be Sold During the Current Month.....gal

(42) Total Permissable Price Increase for Propane During the Current Month (Item (40) ÷ (Item (31) + Item (41))).....$/gal

(43) Actual Price Increase for Propane to be Implemented During the Current Pricing Period.....$/gal

(44) Actual Price Increase for Propane Implemented During the Month of Measurement.....$/gal

INSTRUCTIONS FOR THE PREPARATION OF FORM P110-M-1
REFINERS' MONTHLY COST ALLOCATION REPORT

General Instructions

A. Purpose

1. Form P110-M-1 provides the means by which firms subject to 10 CFR, Part 212, Subpart E and 10 CFR, Part 212, Subpart K compute, report, and adjust May 15, 1973 selling prices for covered products.

2. Form P110-M-1 is designed to provide the data necessary for the Federal Energy Administration (FEA) to execute its role in monitoring certain cost and price movements within the United States petroleum industry.

3. This form supersedes the Form FEO-96.

B. Who Must Use Form P110-M-1

1. Each refiner, as defined in 10 CFR 212.31 must file a Form P110-M-1.

2. General Rules. The following rules apply for the purpose of determining who must use Form P110-M-1.

   a. "Determination of Firm" means if a firm is not directly or indirectly controlled by another firm, that firm is called a "parent". The parent and the consolidated and unconsolidated entities, (if any) which it directly or indirectly controls, taken all together, constitute the "firm" for the purpose of paragraph B.1 above.

   b. If the "Parent and Consolidated Entities" make any sales of covered products; the Form FEA-96 is prepared by the parent for and in the behalf of the entire consolidated group for purposes of submission to the FEA. "Parent and Consolidated Entities" means a parent and those firms, if any, directly or indirectly controlled by the parent which are consolidated with the parent for purposes of financial statements prepared in accordance with generally accepted accounting principles. An individual shall be deemed to control a firm which is directly or indirectly controlled by him or by his father, mother, spouse, children or grandchildren.

c. Unconsolidated Entity. In addition to preparing Form P110-M-1 for and on behalf of the entire consolidated group, the parent must prepare a separate Form P110-M-1 for and on behalf of each unconsolidated entity. An "unconsolidated entity" is any entity directly or indirectly controlled by a parent but not consolidated with the parent for purposes of financial statements prepared in accordance with generally accepted accounting principles. An "unconsolidated entity" includes any entity consolidated with that unconsolidated entity for purposes of financial statements prepared in accordance with generally accepted accounting principles.

C. When to Submit Form P110-M-1

Form P110-M-1 is required to be filed at the Federal Energy Administration by the thirtieth day of each calendar month beginning with June 1975, i.e., the first month of measurement will be May 1975.

D. What to Submit or Prepare

This form and instructions require only basic information. However, the FEA may request additional data in particular cases. Refiners must submit two copies of the Form P110-M-1 and supporting schedules. Refiners who are also gas processing plant operators must complete Part III of Schedule F for each gas processing plant and retain the completed Part III in a central location to facilitate review by FEA.

E. Where to Submit

Firms must file a Form P110-M-1 and attachments to the following addresses:

1. FEDERAL ENERGY ADMINISTRATION
   Code 2895
   Washington, D. C. 20461

2. The Federal Energy Administration regional office designated in the table at the end of these instructions.

F. Sanctions

Late filing, failure to file, failure to keep records, or failure to comply with these instructions, may result in criminal fines, civil penalties and other sanctions as provided by law.

G. General

Unless otherwise specifically noted, mathematical terms and expressions in these instructions refer to the formulae contained in 10 CFR 212.83.

Specific Instructions

PART I - IDENTIFICATION DATA:

Item (1) - Name

Enter the legal name of the refiner.

Item (2) and (3) - Address

Enter the address of the executive office.

Item (4) - Chief Executive Officer

Enter the name and title of the Chief Executive Officer.

Item (5) - Employer Identification Number

Enter the employer identification number of the refiner (Internal Revenue Service Number).

Item (6) - Reporting Period

Enter the month and year of the reporting period. The reporting period is defined as the month of measurement. It must be one calendar month and must begin with the first day of the month and continue through the last day of that month.

Item (7) - Is this a resubmission?

Answer "Yes" if you are supplying additional information or are resubmitting a report. In either case, the form must be completed in its entirety.

Item (8) - Individual to be Contacted for Additional Information

Enter the name and title of the individual to be contacted for additional information.

Item (9) and (10) - Address

Enter the address of the individual named in Item (8)

Item (11)- Telephone

Enter the telephone number, including area code, of the individual named in Item (8).

PART II - CERTIFICATION

Item (12)- Typed Name of Authorized Executive Officer

Enter the name of the refiner's executive officer who is certifying the Form P110-M-1.

Item (13)- Typed Title of Authorized Executive Officer

Enter the title of the Executive Officer named in Item (12).

Item (14)- Date

Enter date the Form P110-M-1 is signed.

Item (15)- Signature of Authorized Executive Officer

Signature of individual named in Item (12)

PART III - SUMMARY OF CRUDE OIL COSTS

The purpose of this part is to provide summary data on the cost and volume of oil purchased during the month of measurement. Except for the cost per barrel data in column (e), the entries in this part are contained on the Schedule A required to be attached to the Form P110-M-1. Insure that any negative amounts on Schedule A are transferred as negative amounts onto the summary schedule in this part.

In Item:	Enter the Amount From:
(16c)	Item (5), Part II, Schedule A
(16d)	Item (16), Part II, Schedule A
(16e)	(16c) divided by (16d)
(17c)	Item (6), Part II, Schedule A
(17d)	Item (17), Part II, Schedule A
(17e)	(17c) divided by (17d)
(18c)	Item (7), Part II, Schedule A
(18d)	Item (18), Part II, Schedule A
(18e)	(18c) divided by (18d)
(19c)	Item (8), Part II, Schedule A
(19d)	Item (19), Part II, Schedule A
(19e)	(19c) divided by (19d)
(20)	Item (9), Part II, Schedule A
(21c)	Total of column (c), Items (16)through(20)
(21d)	Total of column (d), Items (16)through(19)
(21e)	(21c) divided by (21d)
(22c)	Item (38), Part III, Schedule A
(22d)	Item (39), Part III, Schedule A
(22e)	(22c) divided by (22d)

PART IV SUMMARY OF COST AND PRICE ELEMENTS

The purpose of this part is to provide summary data on the cost and price elements on Schedules A, B, C, D, E and F. The entries in this summary schedule are described in the following instruction schedule. For example, the entry in Item (23c) is the same as the entry in Item (34), Schedule A (listed on the instruction schedule as Item (34), A.

FORM P110-M-1

(a) Item	(b) Description	(c) No. 2 Oils	(d) Gasoline	(e) General Refinery Products Other Than Propane	(f) Propane	(g) Other Natural Gas Liquids	(h) Blank	(i) Blank	(j) Total of Columns (c) thru (i)
	Costs Computed Pursuant to 10 CFR Part 212 Subpart E								
(23)	Allocable Increased Cost of Crude Oil	Item (34),A	Item (35),A	Item (36), A	Item (37),A				
(24)	Cost Increases of Purchased Products	Item (12),B	Item (12),C	Item (12), D	Item (12), F				
(25)	Carryover of Increased Product Costs	Lesser of Item (17 or 20),B	Item (17),C	Lesser of Item (17 or 20), D	**				
(26)	Cost Increases Reallocated Among Covered Products	Item (21),B*	Item (19),C	Item (21),D*	Item(17),F*				
(27)	Allocable Increase of Non-Product Costs	Item(17c),E	Item(17d),E	Item(17e),E	Item (17f)E				
(28)	Other		Item (18),C	Item (22),D					
(29)	Blank								
	Costs Computed Pursuant to 10 CFR Part 212 Subpart K								
(30)	Allocable Product and Non-Product Cost Increases				Item (25),F	Item (37),F			
(31)	Cost Increases Reallocated Among Covered Products				Item(36),F*	Item (36),F			
(32)	Blank								
(33)	Blank								
	Summary Data								
(34)	Total (Items (23) through (33))								
(35)	Permissable Increase per Gallon	Item (25),B	Item (23),C		Item (42),F	Item (39),F			
(36)	Actual Increase to be Applied per Gallon	Item (26),B	Item (24),C		Item (43),F				
(37)	Actual Increase Applied per Gallon During the Month of Measurement	Item (27),B	Item (25),C		Item (44),F				

* The entries in these items must be negative.

**Enter Item (13) - (14) + Item (15) - Item (16) of Schedule F.

WHERE TO FILE FORM P110-M-1 AND RELATED SCHEDULES

	If the parent of the firm is located in this area of the United States	then entities of the firm must file with this Regional Office
Region	Regional Office State Coverage	Regional Office Address
I	Connecticut Maine Massachusetts New Hampshire Vermont	Federal Energy Administration Regional Administrator 150 Causeway Street Room 700 Boston, Massachusetts 02114 (617) 223-3703
II	New Jersey New York Puerto Rico Virgin Islands	Federal Energy Administration Regional Administrator 26 Federal Plaza Room 3206 New York, New York 10007 (212) 264-1021
III	District of Columbia Maryland Pennsylvania Virginia West Virginia	Federal Energy Administration Regional Administrator 1421 Cherry Street Philadelphia, Pennsylvania 19102 (215) 597-9066
IV	Alabama Canal Zone Florida Georgia Kentucky Mississippi North Carolina South Carolina Tennessee	Federal Energy Administration Regional Administrator 1655 Peachtree Street, N. E. 8th Floor Atlanta, Georgia 39390 (404) 526-4883
V	Illinois Indiana Michigan Minnesota Ohio Wisconsin	Federal Energy Administration Regional Administrator Federal Office Building 175 West Jackson Boulevard Room A-310 Chicago, Illinois 60604 (312) 591-6025

Region	Regional Office State Coverage	Regional Office Address
VI	Arkansas Louisiana New Mexico Oklahoma Texas	Federal Energy Administration Regional Administrator 2626 W. Mockingbird Lane P.O. Box 35228 Dallas, Texas 75235 (214) 749-7930
VII	Iowa Kansas Missouri Nebraska	Federal Energy Administration Regional Administrator Federal Office Building P.O. Box 2208 112 East 12th Street Kansas City, Missouri 64142 (816) 374-2064
VIII	Colorado Montana North Dakota South Dakota Utah Wyoming	Federal Energy Administration Regional Administrator P.O. Box 2647-Belmar Branch 1075 South Yukon Street Lakewood, Colorado 80226 (303) 234-2420
IX	American Samoa Arizona California Guam Hawaii Nevada Trust Territory of the Pacific Islands	Federal Energy Administration Regional Administrator Barclay Bank Boulevard 111 Pine Street San Francisco, California 94111 (415) 556,7216
X	Alaska Idaho Oregon Washington	Federal Energy Administration Regional Administrator 1992 Federal Building 915 2nd Avenue Seattle, Washington 98174 (206) 442-1016

SCHEDULE A

CALCULATION OF INCREASED CRUDE OIL COSTS

INSTRUCTIONS FOR THE PREPARATION OF P110-M-1 SCHEDULE A CALCULATION OF INCREASED CRUDE OIL COSTS

General Instructions

Form P110-M-1 Schedule A is designed to provide the means by which refiners calculate the increased cost of crude oil in accordance with 10 CFR 212.83. This schedule must be completed in its entirety and attached to Form P110-M-1 each time the Form P110-M-1 is prepared.

Specific Instructions

PART I - IDENTIFICATION DATA

Item (1) - Name

Enter the legal name of the refiner, as shown in Part I, Item (1), Form P110-M-1.

Item (2) - Employer Identification Number

Enter the employer identification number of the refiner (IRS Number) as shown in Part I, Item (5), Form P110-M-1.

Item (3) - Reporting Period

Enter the month and year of the reporting period as shown in Part I, Item (6), Form P110-M-1.

Item (4) - Is this a resubmission?

Answer "Yes" if you are supplying additional information or are resubmitting a report. In either case, the schedule must be completed in its entirety.

PART II CRUDE OIL COST DATA

Note: All entries in items regarding crude oil purchases must include the cost of natural gas liquids and unfinished oils which are further refined, but must not include crude oil purchased for resale.

Item (5) - Total Cost of Domestic Crude Oil Which is Not Old Crude Oil Purchased During the Month of Measurement.

Enter the total allowable cost associated with the purchase of unallocated (i.e. not allocated pursuant to 10 CFR 211,65 and 10 CFR 212.94), domestic crude oil which is not old crude oil during the month of measurement.

Item (6) - Total Cost of Old Crude Oil Purchased During the Month of Measurement.

Enter the total allowable cost associated with the purchase of unallocated old crude oil during the month of measurement.

Schedule A

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Item (7) - Total Cost of Imported Crude Oil Purchased During the Month of Measurement.

Enter the total allowable cost associated with the purchase of imported crude oil during the month of measurement.

Item (8) - Total Cost (Revenue) Applicable to Allocation Transactions Affecting Crude Oil During the Month of Measurement.

Enter the total cost incurred or revenue earned from allocation transactions pursuant to the provisions of 10 CFR 211.65 and 10 CFR 212.94. (Show revenue as negative.)

Item (9) - Total Cost (Revenue) Applicable to Crude Oil Entitlement Transactions During the Month of Measurement.

Enter the total cost incurred or revenue earned as applicable, from entitlement oil transactions pursuant to the provisions of 10 CFR 211.67. (Show revenue as negative.)

Item (10) - Total Cost of Crude Oil Used for Refinery Fuel During the Month of Measurement.

Enter the total cost of crude oil used for refinery fuel during the month of measurement.

Item (11) - Total Cost of Crude Oil Purchased During the Month of Measurement for Refining (Item (5) + Item (6) + Item (7) + Item (8) + Item (9) - Item (10)).

Enter the total allowable costs associated with the purchase of crude oil during the month of measurement. The sum of Item (5) through Item (9) less Item (10).

(Mathematical Term C^t)

Item (12) - Total Cost of Domestic Crude Oil Purchased During the Month of May 1973.

Enter the total allowable cost associated with the purchase of domestic crude oil during May 1973.

Item (13) - Total Cost of Imported Crude Oil Purchased During the Month of May 1973.

Enter the total allowable costs associated with the purchase of imported crude oil during May 1973.

Schedule A

Item (14) - Total Cost of Crude Oil Used for Refinery Fuel During the Month of May 1973.

Enter the total cost of crude oil used for refinery fuel during May 1973.

Item (15) - Total Cost of Crude Oil Purchased During May 1973 for Refining (Item (12) + Item (13) - Item (14)).

Enter the total allowable costs associated with the purchase of crude oil for refining during May 1973.

(Mathematical Term C^o)

Item (16) - Total Quantity of Domestic Crude Oil Which is not Old Crude Oil Purchased During the Month of Measurement.

Enter the total number of barrels of domestic crude oil which is not old crude oil purchased during the month of measurement.

Item (17) - Total Quantity of Old Crude Oil Purchased During the Month of Measurement

Enter the total number of barrels of old crude oil purchased during the month of measurement.

Item (18) - Total Quantity of Imported Crude Oil Purchased During the Month of Measurement.

Enter the total number of barrels of imported crude oil purchased during the month of measurement.

Item (19) - Total Quantity of Crude Oil Purchased (Sold) Applicable to Allocation Transactions During the Month of Measurement.

Enter the total number of barrels of crude oil purchased or sold in allocation transactions pursuant to the provisions of 10 CFR 211.65 and 10 CFR 212.94 (Show sales as negative.)

Item (20) - Total Quantity of Crude Oil Used for Refinery Fuel During the Month of Measurement.

Enter the total number of barrels of crude oil used for refinery fuel during the month of measurement.

Item (21) - Total Quantity of Crude Oil Purchased During the Month of Measurement for Refining (Item (16) + Item (17) + Item (18) + Item (19) - Item (20)).

Enter the total number of barrels of crude oil purchased during the month of measurement. The sum of Item (16) through Item (19) less Item (20).

(Mathematical Term Q^t)

Item (22) - Total Quantity of Domestic Crude Oil Purchased During the Month of May 1973.

Enter the total number of barrels of domestic crude oil purchased during May 1973.

Item (23) - Total Quantity of Imported Crude Oil Purchased During the Month of May 1973.

Enter the total number of barrels of imported crude oil purchased during May 1973.

Item (24) - Total Quantity of Crude Oil Used for Refinery Fuel During the Month of May 1973.

Enter the total number of barrels of crude oil used for refinery fuel during May 1973.

Item (25) - Total Quantity of Crude Oil Purchased During the Month of May 1973 for Refining (Item (22) + Item (23) - Item (24)).

Enter the total number of barrels of crude oil purchased during May 1973. Item (23) plus Item (23) minus Item (24).

(Mathematical Term Q^o)

Item (26) - Weighted Average Cost of Crude Oil Purchased During the Month of Measurement for Refining (Item (11) ÷ Item (21)).

Enter the amount which results from dividing the cost in Item (11) by the number of barrels shown in Item (21).

(Mathematical Expression $\frac{C^t}{Q^t}$)

Item (27) - Weighted Average Cost of Crude Oil Purchased During the Month of May 1973 for Refining (Item (15) ÷ Item (25)).

Enter the amount which results from dividing the cost in Item (15) by the number of barrels shown in Item (25).

(Mathematical Expression $\frac{C^o}{Q^o}$)

Item (28) - Crude Oil Cost Differential Per Barrel (Item (26) - Item (27)).

Enter the amount which results from subtracting Item (27) from Item (26).

(Mathematical $\frac{C^t}{Q^t} - \frac{C^o}{Q^o}$)

Schedule A

Item (29) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining (Item (28) x Item (21)).

Enter the amount which results from multiplying the amount in Item (28) times the amount in Item (21).

(Mathematical Expression $A^t = Q^t\left[\left(\frac{C^t}{Q^t}\right) - \left(\frac{C^o}{Q^o}\right)\right]$)

Item (30) - Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of No. 2 Oils During the Current Month.

Enter the percentage of total volume of all covered products refined from crude oil applicable to estimated sales of No. 2 Oils

(Mathematical Expression $\frac{V_1^u}{V^u}$)

Item (31) - Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of Gasoline During the Current Month.

Enter the percentage of total volume of all covered products refined from crude oil applicable to sales of Gasoline.

(Mathematical Expression $\frac{V_2^u}{V^u}$)

Item (32) - Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of General Refinery Products Other Than Propane During the Current Month.

Enter the percentage of total volume of all covered products refined from crude oil applicable to estimated sales of General Refinery Products Other Than Propane.

(Mathematical Expression $\frac{V_i^u}{V^u}$)

Item (33) - Percentage of Total Volume of all Covered Products Attributable to Estimated Sales of Propane Refined From Crude Oil During the Current Month.

Enter the percentage of total volume of all covered products refined from crude oil applicable to estimated sales of Propane refined from crude oil.

(Mathematical Expression $\frac{V_i^u}{V^u}$)

Schedule A

Item (34) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to No. 2 Oils (Item (29) x Item (30)).

Enter the increased cost of crude oil purchased in the month of measurement for refining to be allocated to to No. 2 Oils. Item (29) times Item (30).

(Mathematical Expression $A^t \left(\frac{V_1^u}{V^u}\right)$)

Item (35) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Gasoline (Item (29) x Item (31)).

Enter the total increased cost of crude oil purchased in the month of measurement for refining to be allocated to Gasoline. Item (29) times Item (31).

(Mathematical Expression $A^t \left(\frac{V_2^u}{V^u}\right)$)

Item (36) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to General Refinery Products Other Than Propane (Item (29) x Item (32)).

Enter the total increased cost of crude oil purchased in the month of measurement for refining to be allocated to General Refinery Products Other Than Propane. Item (29) times Item (32).

(Mathematical Expression $A^t \left(\frac{V_i^u}{V^u}\right)$)

Item (37) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Propane Refined from Crude Oil (Item (29) x Item (33)).

Enter the total increased cost of crude oil purchased in the month of measurement for refining to be allocated to Propane refined from crude oil. Item (29) times Item (33).

(Mathematical Expression $A^t \left(\frac{V_i^u}{V^u}\right)$)

Schedule A

PART III OTHER CRUDE OIL DATA

Item (38) - Total Revenue from Crude Oil Resales Not Pursuant to Allocation Transactions During the Month of Measurement.

Enter the total revenue from crude oil resold during the month of measurement not pursuant to allocation transactions.

Item (39) - Total Quantity of Crude Oil Resales Not Pursuant to Allocation Transactions During the Month of Measurement.

Enter the total number of barrels of crude oil resold during the month of measurement not pursuant to allocation transactions.

SCHEDULE B

NO. 2 OILS PRICE ADJUSTMENT CALCULATIONS

INSTRUCTIONS FOR THE PREPARATION OF P110-M-1 SCHEDULE B NO. 2 OILS PRICE ADJUSTMENT CALCULATIONS

General Instructions

Form P110-M-1 Schedule B is designed to provide the means by which refiners calculate the maximum allowable price increment in excess of the base price of No. 2 Oils in accordance with 10 CFR, Part 212, Subpart E. This schedule must be completed in its entirety and attached to Form P110-M-1 each time the Form P110-M-1 is prepared.

Specific Instructions

PART I : IDENTIFICATION DATA

Item (1) - Name

Enter the legal name of the refiner, as shown in Part I, Item (1), Form P110-M-1.

Item (2) - Employer Identification Number

Enter the employer identification number of the refiner (IRS Number) as shown in Part I, Item (5), Form P110-M-1.

Item (3) - Reporting Period

Enter the month and year of the reporting period as shown in Item (6), Part I, Form P110-M-1.

Item (4) - Is this a resubmission?

Answer "Yes" if you are supplying additional information or are resubmitting a report. In either case, the schedule must be completed in its entirety.

SCHEDULE B

PART II NO. 2 OILS PRICE ADJUSTMENT CALCULATIONS

Item (5) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to No. 2 Oils (Item (34), Part II, Schedule A)

Enter the increased cost of crude oil purchased in the month of measurement for refining to be allocated to No. 2 Oils, taken from Item (34), Part II, Schedule A.

(Mathematical Term A_1^t)

Item (6) - Net Cost of No. 2 Oils Purchased During the Month of Measurement

Enter the total amount of allowable costs, including costs or net of revenues from entitlement transactions, applicable to the purchase of No. 2 Oils during the month of measurement.

(Mathematical Term c_1^t)

Item (7) - Total Cost of No. 2 Oils Purchased During the Month of May 1973

Enter the total amount of allowable cost applicable to the purchase of No. 2 Oils during May 1973.

(Mathematical Term c_1^o)

Item (8) - Total Quantity of No. 2 Oils Purchased During the Month of Measurement

Enter the total number of gallons of No. 2 Oils purchased during the month of measurement.

(Mathematical Term q_1^t)

Item (9) - Total Quantity of No. 2 Oils Purchased During the Month of May 1973

Enter the total number of gallons of No. 2 Oils purchased during May 1973.

(Mathematical Term q_1^o)

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Item (10) - Weighted Average Unit Cost of No. 2 Oils Purchased During the Month of May 1973

The amount on this line must reflect the estimated cost per gallon of No. 2 Oils purchased during the month of May 1973 and weighted by the relative volume of each product in this category.

(Mathematical Term Y_1^o)

Item (11) - Lowest Price at or Above Which at Least 10% of No. 2 Oils Were Priced in Transactions During the Month of May 1973

If there were purchases of No. 2 Oils during the month of May 1973 this item should be left blank. If there were no purchases of No. 2 Oils during the month of May 1973 enter the lowest price per gallon at or above which at least 10% of the sales of No. 2 Oils occurred in transactions during the month of May 1973, or if none occurred in that month, in the month next preceding May 1973 in which transactions occurred.

(Mathematical Term Y_1^u)

Item (12) - Increase in Costs of Purchased No. 2 Oils Incurred in the Month of Measurement. (Item (6) - Item (7) - (Item (10 or 11) x (Item (8) - Item (9))).

Enter the increased costs of purchased No. 2 Oils incurred in the period of measurement and recoverable in the current or succeeding pricing period. (Item (6) - Item (7) - (Item (10 or 11) x (Item (8) - Item (9))). Regardless of the result of this calculation, if there were no purchases of No. 2 Oils during the month of measurement the entry in this item is zero.

(Mathematical Term B_1^t)

SCHEDULE B

Item (13) - Total Increased Product Cost Attributable to No. 2 Oils from August 1, 1973 to the Month of Measurement.

Enter the total increased product costs attributable to No. 2 Oils incurred from August 1, 1973 to the month of measurement.

(Mathematical Term J_1^t)

Item (14) - Total Increased Product Costs Attributable to No. 2 Oils and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices

Enter the total increased product costs attributable to No. 2 Oils actually recovered by sales through the month of measurement by adjusting the May 15, 1973 selling prices.

(Mathematical Term K_1^t)

Item (15) - Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement with Respect to Sales of No. 2 Oils Through Consignee - Agents

Enter the total dollar amount of non-product costs attributable to includable amounts of commissions incurred during the month of measurement with respect to sales of No. 2 Oils through consignee-agents.

(Mathematical Term L_1^t)

Item (16) - Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item (20 c), Part III, Schedule E)

Enter the total amount of over-recovered non-product cost increases during the month of measurement. This amount is computed in Item (20c), Part III, Schedule E,

SCHEDULE B

Item (17) - Under-Recovered (Over-Recovered) Increased Costs Through the Close of the Month of Measurement (Item (13) - Item (14) + Item (15) - Item (16))

Enter the sum of Item (13) and Item (15) less Items (14) and (16).

(Mathematical Term G_1^t)

Item (18) - Price Maintenance Amount, i.e. that Amount Described in 10 CFR 212.83(e)(5)(i)

Enter the amount that when added to the increased product costs for the month of measurement, will provide for the same amount of increased product costs to be included in selling prices for the current month of No. 2 Oils as was included in the selling prices for the preceding month on a weighted average per unit basis.

Item (19) - 10% of Unrecouped Increased Product Costs for the Month of _____ (Enter Month, Year Used), i.e., that Amount Described in 10 CFR 212.83 (e) (5) (ii)

Enter an amount that is not more than 10% of the unrecouped increased product costs as of October 31, 1974 or as of the end of any month thereafter. Enter the month and year used.

Item (20) - Limit on Unrecouped Increased Product Costs (Item (18) + Item (19))

Enter the limit on unrecouped increased product costs that may be carried forward for recovery during the current or succeeding pricing periods. Item (18) plus Item (19).

SCHEDULE B

Item (21) - The Portion of Cumulative Total Increases in Product Costs Allocable to No. 2 Oils and Reallocated to Gasoline

Enter the portion of cumulative total increases in product costs allocable to No. 2 Oils and reallocated to Gasoline.

(Mathematical Term H_1^u)

Item (22) - Net Increased Product Costs Attributable to No. 2 Oils and Available for Recovery in the Current or Succeeding Pricing Periods (Item (5) + Item (12) + Lesser of Item (17) or Item (20) - Item (21))

Enter the increased product costs attributable to No. 2 Oils and available for recovery in the current or succeeding pricing periods. Calculated by adding Item (5), Item (12), and the lesser of Item (17) or Item (20) and subtracting Item (21).

(Mathematical Expression

$$D_1^u = A_1^t + B_1^t + G_1^t - H_1^u$$)

Item (23) - Total Increased Non-product Costs Incurred in the Month of Measurement to be Allocated to No. 2 Oils (Item (17c), Part III, Schedule E)

Enter the total increased non-product costs incurred in the month of measurement to be allocated to No. 2 Oils from Item (17c), Part III, Schedule E.

Item (24) - Quantity of No. 2 Oils Estimated to be Sold During the Current Pricing Period

Enter the estimated number of gallons of No. 2 Oils to be sold during the current pricing period.

(Mathematical Term V_1^u)

Item (25) - Maximum Allowable Price Increment that may be Applied to the May 15, 1973 Selling Prices of No. 2 Oils During the Current Pricing Period ((Item (22) + Item (23)) ÷ Item (24))

Enter the result of dividing the sum of net increased product costs (Item (22)) plus net

SCHEDULE B

increased non-product costs (Item (23)) by the quantity of No. 2 Oils estimated to be sold during the current pricing period (Item (24)).

Item (26) - Actual Price Increment to be Applied to the May 15, 1973 Selling Prices of No. 2 Oils During the Current Pricing Period

Enter the actual price increment applied equally to all classes of purchaser to the May 15, 1973 selling prices of No. 2 Oils during the current pricing period.

Item (27) - Actual Price Increment Applied to the May 15, 1973 Selling Prices of No. 2 Oils During the Month of Measurement

Enter the actual price increment applied to the May 15, 1973 selling prices during the month of measurement.

SCHEDULE C

GASOLINE PRICE ADJUSTMENT CALCULATIONS

INSTRUCTIONS FOR THE PREPARATION OF P110-M-1 SCHEDULE C GASOLINE PRICE ADJUSTMENT CALCULATIONS

General Instructions

Form P110-M-1 Schedule C is designed to provide the means by which refiners calculate the maximum allowable price increment in excess of the base price of gasoline in accordance with 10 CFR, Part 212, Subpart E. This schedule must be completed in its entirety and attached to Form P110-M-1 each time the Form P110-M-1 is prepared.

Specific Instructions

PART I IDENTIFICATION DATA

Item (1) - Name

Enter the legal name of the refiner, as shown in Part I, Item (1), Form P110-M-1.

Item (2) - Employer Identification Number

Enter the employer identification number of the refiner (IRS Number) as shown in Part I, Item (5), Form P110-M-1.

Item (3) - Reporting Period

Enter the month and year of the reporting period as shown in Part I, Item (6), Form P110-M-1.

Item (4) - Is this a resubmission?

Answer "Yes" if you are supplying additional information or are resubmitting a report. In either case, the schedule must be completed in its entirety.

SCHEDULE C

PART II GASOLINE PRICE ADJUSTMENT CALCULATIONS

Item (5) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Gasoline (Item (35), Part II, Schedule A)

Enter the increased cost of crude oil purchased in the month of measurement for refining to be allocated to gasoline, from Item (35), Part II, Schedule A.

(Mathematical Term A_2^t)

Item (6) - Net Cost of Gasoline Purchased During the Month of Measurement

Enter the total amount of allowable costs, including costs or net of revenues from entitlement transactions, applicable to the purchase of gasoline during the month of measurement.

(Mathematical Term c_2^t)

Item (7) - Total Cost of Gasoline Purchased During the Month of May, 1973

Enter the total amount of allowable cost applicable to the purchase of gasoline during May, 1973.

(Mathematical Term c_2^o)

Item (8) - Total Quantity of Gasoline Purchased During the Month of Measurement

Enter the total number of gallons of gasoline purchased during the month of measurement.

(Mathematical Term q_2^t)

Item (9) - Total Quantity of Gasoline Purchased During the Month of May, 1973

Enter the total number of gallons of gasoline purchased during May, 1973.

(Mathematical Term q_2^o)

SCHEDULE C

Item (10) - Weighted Average Unit Cost of Gasoline Purchased During the Month of May, 1973

The amount on this line must reflect the estimated cost per gallon of Gasoline purchased during the month of May, 1973 and weighted by the relative volume of each.

(Mathematical Term Y_2^o)

Item (11) - Lowest Price at or Above Which at Least 10% of Gasoline Was Priced in Transactions During the Month of May 1973

If there were purchases of Gasoline during the month of May 1973 this item should be left blank. If there were no purchases of Gasoline during the month of May 1973 enter the lowest price per gallon at or above which at least 10% of the sales of Gasoline occurred in transactions during the month of May 1973, or if none occurred in that month, in the month next preceding May 1973 in which transactions occurred.

(Mathematical Term Y_2^o)

Item (12) - Increase in Costs of Purchased Gasoline Incurred in the Month of Measurement. ((Item (6) - Item (7) - (Item (10 or 11) x(Item (8) - Item (9))))

Enter the increased costs of purchased gasoline incurred in the period of measurement. (Item (6) - Item (7) - (Item (10 or 11) x(Item (8) - Item (9)))). Regardless of the result of this calculation, if there were no purchases of gasoline during the month of measurement the entry in this item is zero.

(Mathematical Term B_2^t)

SCHEDULE C

Item (13) - Total Increased Product Cost Attributable to Gasoline from August 1, 1973 to the Month of Measurement

Enter the total increased product costs attributable to gasoline incurred from August 1, 1973 to the month of measurement.

Item (14) - Total Increased Product Costs Attributable to Gasoline and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices

Enter the total increased product costs attributable to gasoline recovered by sales through the month of measurement by adjusting the May 15, 1973 selling prices.

(Mathematical Term K_2^t)

Item (15) - Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement with Respect to Sales of Gasoline Through Consignee - Agents

Enter the total dollar amount of non-product costs attributable to includable amounts of commissions incurred during the month of measurement with respect to sales of gasoline through consignee-agents.

(Mathematical Term L_2^t)

Item (16) - Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item (20 d), Part III, Schedule E)

Enter the total amount of over-recovered non-product cost increases during the month of measurement. This amount is computed in Item (20d), Part III, Schedule E.

Item (17) - Under-Recovered (Over-Recovered) Increased Costs Through the Close of the Month of Measurement (Item (13) - Item (14) + Item (15) - Item (16))

Enter the sum of Item (13) and Item (15) less Items (14) and (16).

(Mathematical Term G_2^t)

Item (18) - Retail Gasoline Adjustment

Enter the amount which results when the estimated number of gallons of gasoline to be sold during the current month at retail through service stations operated by the refiner's employees is multiplied by the cents per gallon (up to $0.03) to be added to the base prices of gasoline to the classes of purchaser which purchase at these service stations.

Item (19) - The Portion of Cumulative Total Increase in Product Costs Allocable to No. 2 Oils and General Refinery Products and Reallocated to Gasoline

Enter the portion of cumulative total increases in product costs allocable to No. 2 Oils and General Refinery Products and reallocated to Gasoline.

(Mathematical Term H_2^u)

SCHEDULE C

Item (20) - Net Increased Product Costs Attributable to Gasoline and Available for Recovery in the Current or Succeeding Pricing Periods (Item (5) + Item (12) + Item (17) - Item (18) + Item (19))

Enter the increased product costs attributable to gasoline and available for recovery in the current or succeeding pricing periods calculated by adding Item (5), Item (12), Item (17), and Item (19) and subtracting Item (18).

(Mathematical Expression $D_2^u = A_2^t + B_2^t + G_2^t + H_2^u$)

Item (21) - Total Increased Non-Product Costs Incurred in the Month of Measurement to be Allocated to Gasoline (Item (17 d), Part III, Schedule E)

Enter the total increased non-product costs incurred in the month of measurement to be allocated to Gasoline from Item (17 d), Part III, Schedule E.

Item (22) - Quantity of Gasoline Estimated to be Sold During the Current Pricing Period

Enter the estimated number of gallons of gasoline to be sold during the current pricing period

(Mathematical Term V_2^u)

Item (23) - Maximum Allowable Price Increment that may be Applied to the May 15, 1973 Selling Prices of Gasoline During the Current Pricing Period ((Item (20) + Item (21)) ÷ Item (22))

Enter the maximum allowable price increment per gallon that may be applied to the May 15, 1973 selling prices of gasoline during the current pricing period calculated by adding Item (20) and Item (21) and dividing the result by Item (22).

Item (24) - Actual Price Increment to be Applied to the May 15, 1973 Selling Prices of Gasoline During the Current Pricing Period

Enter the actual price increment to be applied equally to all classes of purchasers to the May 15, 1973 selling prices of gasoline during the current pricing period.

SCHEDULE C

Item (25) - Actual Price Increment Applied to the May 15, 1973 Selling Prices of Gasoline During the Month of Measurement

Enter the actual price increment applied to the May 15, 1973 selling prices of gasoline during the month of measurement.

SCHEDULE D

GENERAL REFINERY PRODUCTS OTHER THAN PROPANE

PRICE ADJUSTMENT CALCULATIONS

INSTRUCTIONS FOR THE PREPARATION OF P110-M-1 SCHEDULE D GENERAL REFINERY PRODUCTS OTHER THAN PROPANE PRICE ADJUSTMENT CALCULATIONS

General Instructions

Form P110-M-1 Schedule D is designed to provide the means by which refiners calculate the maximum allowable price increment in excess of the base price of General Refinery Products Other Than Propane in accordance with 10 CFR, Part 212, Subpart E. This schedule must be completed in its entirety and attached to Form P110-M-1 each time the Form P110-M-1 is prepared.

Specific Instructions

PART I IDENTIFICATION

Item (1) - Name

Enter the legal name of the refiner, as shown in Part I, Item (1), Form P110-M-1.

Item (2) - Employer Identification Number

Enter the employer identification number of the refiner (IRS Number) as shown in Part I, Item (5), Form P110-M-1.

Item (3) - Reporting Period

Enter the month and year of the reporting period as shown in Part I, Item (6), Form P110-M-1.

Item (4) - Is this a resubmission?

Answer "Yes" if you are supplying additional information or are resubmitting a report. In either case, the schedule must be completed in its entirety.

Schedule D

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PART II GENERAL REFINERY PRODUCTS OTHER THAN PROPANE PRICE ADJUSTMENT CALCULATIONS

Item (5) - Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to General Refinery Products Other Than Propane (Item (36), Part II, Schedule A)

Enter the increased cost of crude oil purchased in the month of measurement for refining to be allocated to General Refinery Products Other Than Propane, from Item (36), Part II, Schedule A.

(Mathematical Term A_i^t)

Item (6) - Net Cost of General Refinery Products Other Than Propane Purchased During the Month of Measurement.

Enter the total amount of allowable costs, including costs or net of revenues from entitlement transactions, applicable to the purchase of General Refinery Products Other Than Propane during the month of measurement.

(Mathematical Term c_i^t)

Item (7) - Total Cost of General Refinery Products Other Than Propane Purchased During the Month of May 1973.

Enter the total amount of allowable cost applicable to the purchase of General Refinery Products Other Than Propane during May 1973.

(Mathematical Term c_i^o)

Item (8) - Total Quantity of General Refinery Products Other Than Propane Purchased During the Month of Measurement.

Enter the total number of gallons of General Refinery Products Other Than Propane purchased during the month of measurement.

(Mathematical Term q_i^t)

Item (9) - Total Quantity of General Refinery Products Other Than Propane Purchased During the Month of May 1973.

Enter the total number of gallons of General Refinery Products Other Than Propane purchased during May 1973.

(Mathematical Term q_i^o)

Item (10)-Weighted Average Unit Cost of General Refinery Products Other Than Propane Purchased During the Month of May 1973

The amount on this line must reflect the estimated cost per gallon of General Refinery Products Other Than Propane purchased during the month of May 1973 and weighted by the relative volume of each product in this category.

(Mathematical Term Y_i^o)

Item (11)-Lowest Price At or Above Which at Least 10 of General Refinery Products Other Than Propane Were Price in Transactions During the Month of May 1973

If there were purchases of General Refinery Products Other Than Propane during the month of May 1973 this item should be left blank. If there were no purchases of General Refinery Products Other Than Propane during the month of May 1973 enter the lowest price per gallon at or above which at least 10% of the sales of General Refinery Products Other Than Propane occurred in transactions during the month of May 1973, or if none occurred in that month, in the month next preceding May 1973 in which transactions occurred.

(Mathematical Term Y_i^o)

Item (12)-Increase in Costs of Purchased General Refinery Products Other Than Propane Incurred in the Month of Measurement. (Item (6) - Item (7) - (Item (10 or 11) x (Item (8) - Item (9)))).

Enter the increased costs of purchased General Refinery Products Other Than Propane incurred in the month of measurement and recoverable in the current or succeeding pricing period. Item (6) minus Item (7), minus the result of Item (10 or 11) times the difference of Item (8) minus Item (9). Regardless of the result of this calculation, if there were no purchases of General Refinery Products Other Than Propane during the month of measurement the entry in this item is zero.

(Mathematical Term B_i^t)

SCHEDULE D

Item (13) - Total Increased Product Cost Attributable to General Refinery Products Other Than Propane From August 1, 1973 to the Month of Measurement.

Enter the total increased product costs attributable to General Refinery Products Other Than Propane incurred from August 1, 1973 to the month of measurement.

(Mathematical Term J_i^t)

Item (14) - Total Increased Product Costs Attributable to General Refinery Products Other Than Propane and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices.

Enter the total increased product costs attributable to General Refinery Products Other Than Propane actually recovered by sales through the month of measurement by adjusting the May 15, 1973 selling prices.

(Mathematical Term K_i^t)

Item (15) - Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement with Respect to Sales of General Refinery Products Other Than Propane Through Consignee - Agents.

Enter the total dollar amount of non-product costs attributable to includable amounts of commissions incurred during the month of measurement with respect to sales of General Refinery Products Other Than Propane through consignee-agents.

(Mathematical Term L_i^t)

Schedule D

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Item (16) - Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item (20 e), Part III, Schedule E)

Enter the total amount of over-recovered non-product cost increases during the month of measurement. This item is computed in Item (20 e), Part III, Schedule E.

Item (17) - Under-Recovered (Over-Recovered) Increased Costs Through the Close of the Month of Measurement (Item (13) - Item (14) + Item (15) - Item (16)).

Enter the sum of Item (13) and Item (15) less Items (14) and (16).

(Mathematical Term G_i^t)

Item (18) - Price Maintenance Amount, i.e. that Amount Described in 10 CFR 212.83(e)(5)(i).

Enter the amount that when added to the increased product costs for the month of measurement, will provide for the same amount of increased product costs to be included in selling prices for the current month of General Refinery Products Other Than Propane as was included in the selling prices for the preceding month on a weighted average per unit basis.

Schedule D

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Item (19) - 10% of Unrecouped Increased Product Costs for the Month of (Enter Month/Year Used), i.e., that Amount Described in 10 CFR 212.83(e)(5)(ii).

Enter an amount that is not more than 10% of the unrecouped increased products costs as of October 31, 1974 or as of the end of any month thereafter. Enter the month and year used.

Item (20) - Limit on Unrecouped Increased Product Costs (Item (18) + Item (19)).

Enter the limit on unrecouped increased product costs that may be carried forward for recovery in the current or succeeding pricing period. Item (18) plus Item (19).

Item (21) - The Portion of Cumulative Total Increases in Product Costs Allocable to General Refinery Products Other Than Propane and Reallocated to Gasoline.

Enter the portion of cumulative total increases in product costs allocable to General Refinery Products Other Than Propane and reallocated to Gasoline.

(Mathematical Term H_i^u)

Item (22) - Benzene, Toluene Adjustment

Enter the result of multiplying the total number of gallons of benzene and toluene sold in May 1973 by twenty cents ($0.20) further multiplied by the total number of barrels of refinery input to crude oil distillation units processed during the month of measurement and divided by the total number of such barrels processed during May 1973.

Item (23) - Net Increased Product Costs Attributable to General Refinery Products Other Than Propane and Available for Recovery in the Current or Succeeding Pricing Periods (Item (5) + Item (12) + the Lesser of Item (17 or 20) - Item (21) - Item (22).

Enter the increased product costs attributable to General Refinery Products Other Than Propane and available for recovery in the current or succeeding pricing periods. Calculated by adding Item (5), Item (12), and the lesser of Item (17) or Item (20) and subtracting Item (21) and Item (22).

Schedule D

Item (24) - Total Increased Non-product Costs Incurred in the Month of Measurement to be Allocated to General Refinery Products Other Than Propane (Item (17 e), Part III, Schedule E).

Enter the total increased non-product costs incurred in the month of measurement to be allocated to General Refinery Products Other Than Propane from Item (17 e), Part III, Schedule E.

Item (25) - Total Increased Costs That May be Included in the Computation of the Price in Excess of the May 15, 1973 Selling Prices of General Refinery Products Other Than Propane During the Current Pricing Period (Item (23) + Item (24).

Enter the result of adding the net increased product costs (Item (23)) plus the net increased non-product costs (Item (24)).

SCHEDULE E

CALCULATION OF INCREASED NON-PRODUCT COSTS

INSTRUCTIONS FOR THE PREPARATION OF P110-M-1 SCHEDULE E CALCULATION OF INCREASED NON-PRODUCT COSTS

General Instructions

Schedule E Form P110-M-1 is designed to provide the means by which refiners calculate, in accordance with 10 CFR 212.87, the increased non-product costs which may be used to justify an allowable price in excess of base price in the current month. This schedule must be completed in its entirety and attached to Form P110-M-1 each time the Form P110-M-1 is prepared.

For purposes of this schedule:

"Non-product costs" are refinery fuel, labor costs, additive cost, marketing cost, and the other allowed non-product costs. The other allowed non-product costs are utility cost, pollution control cost, interest cost, and container cost. The definition of each non-product cost is included in 10 CFR 212.87.

Specific Instructions

PART I IDENTIFICATION DATA

Item (1) - Name

Enter the legal name of the refiner, as shown in Part I, Item (1), Form P110-M-1.

Item (2) - Employer Identification Number

Enter the employer identification number of the refiner (IRS Number) as shown in Part I, Item (5), Form P110-M-1.

Item (3) - Reporting Period

Enter the month and year of the reporting period as in Part I, Item (6), Form P110-M-1.

Item (4) - Is this a resubmission?

Answer "Yes" if you are supplying additional information or are resubmitting a report. In either case, the schedule must be completed in its entirety.

SCHEDULE E

PART II CALCULATION OF NON-PRODUCT COST INCREASES TO BE ALLOCATED TO COVERED PRODUCTS

Item (5) - Increase in the Cost of Refinery Fuel During the Month of Measurement.

Enter the increase, from the month of May 1973, in the cost of refinery fuel during the month of measurement.

Item (6) - Increase in the Cost of Labor During the Month of Measurement

Enter the increase, from the month of May 1973, in the cost of labor used in refinery operations during the month of measurement.

Item (7) - Increase in the Cost of Additives During the Month of Measurement.

Enter the increase, from the month of May 1973, in the cost of additives which are added to or blended with crude oil or covered products during the refinery process during the month of measurement.

Item (8) - Increase in the Cost of Marketing Covered Products During the Month of Measurement.

Enter the increase, from the month of May 1973, in the cost of marketing covered products during the month of measurement.

Item (9) - Increase in the Cost of Utilities During the Month of Measurement.

Enter the increase, from the month of May 1973, in the cost of utilities used in refinery operations during the month of measurement.

Item (10)- Increase in the Cost of Pollution Control During the Month of Measurement.

Enter the increase in the operating cost of pollution control equipment required for the refiner to comply with rules and regulations issued by the Environmental Protection Agency, provided that such equipment has been acquired and installed since May 15, 1973.

SCHEDULE E

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Item (11)- Increase in the Cost of Interest Incurred for the Use of Capital During the Month of Measurement.

Enter the difference between the dollar amount of interest incurred for the use of capital in the month of measurement and the dollar amount of interest incurred for the use of capital in May 1973.

Item (12)- Increase in the Cost of Containers During the Month of Measurement.

Enter the increase, from the month of May 1973, in the cost of containers used by the refiner for packaging covered products during the month of measurement.

Item (13)- Net Non-Product Cost Increases During the Month of Measurement (Sum of Item (5) through Item (12)).

Enter the net non-product cost increases incurred during the month of measurement. The sum of Item (5) through Item (12) inclusive.

Item (14)- Net Non-Product Costs to be Allocated (Item (13) times the sum of Item (30) through (33), Part II, Schedule A).

Enter the net non-product cost increases during the month of measurement to be allocated to covered products calculated by multiplying Item (13) by the sum of Item (30) through (33), Part II, Schedule A.

Item (15)- Total Product Cost Increases for All Covered Products and Available for Recovery in the Current or Succeeding Pricing Periods.

In Item	Enter the increased product cost of:	Which is found in:
(15A)	No. 2 Oils	Item (22), Part II, Schedule B
(15B)	Gasoline	Item (20), Part II, Schedule C
(15C)	General Refinery Products Other Than Propane	Item (23), Part II, Schedule D
(15D)	Propane	Item (18), Part II, Schedule F
(15E)	All covered Products	Total (15A) through (15D) Above

SCHEDULE E

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Item (16)- Ratio of Net Non-Product Cost Increases to Total Product Cost Increases (Item (14) ÷ Item (15E)).

Enter the ratio which results when Item (14), net allocable non-product cost increases during the month of measurement is divided by Item (15E), total increased product costs available for recovery in the current and succeeding pricing periods. Express this ratio as a percentage.

PART III CALCULATION OF NET NON-PRODUCT COST INCREASES

Item (17)- Total Non-Product Cost Increases Allocable During the Current Pricing Period.

In Column:	Enter the result of:
(c)	Item (16) times Item (22), Part II, Schedule B
(d)	Item (16) times Item (20), Part II, Schedule C
(e)	Item (16) times Item (23), Part II, Schedule D
(f)	Item (16) times Item (18), Part II, Schedule F
(g)	Add columns (c) through (f)

Item (18)- Total Non-Product Cost Increases Recovered During the Month of Measurement.

For each column (b) through (g), enter the non-product cost increases recovered in the month of measurement.

Item (19)- Total Non-Product Cost Increases Allocable During the Month of Measurement.

Enter the amount of Item (17) of the previous month's Form FEA-96, Schedule E for each column (c), (d), (e), (f) and (g).

SCHEDULE E

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Item (20)- Over-Recovery (Under-Recovery) of Non-Product Cost Increases During the Month of Measurement.

For each column, (c) through (g), enter the difference of Item (18) less Item (19). If Item (19) is greater than Item (18), that is an under-recovery, enter zero. Over-recovery of non-product cost increases must be used to reduce the amount of increased product cost which would otherwise be available in the subsequent month for allocation to base prices of the product or products with respect to which the over-recovery of increased non-product costs occurred.

Over-recovery calculated in Item:	Should be entered in:
(20c)	Item (16), Part II, Schedule B
(20d)	Item (16), Part II, Schedule C
(20e)	Item (16), Part II, Schedule D
(20f)	Item (16), Part II, Schedule F

SCHEDULE F
NATURAL GAS LIQUID COST AND PRICE DATA

INSTRUCTIONS FOR THE PREPARATION OF P110-M-1 SCHEDULE F NATURAL GAS LIQUID PRODUCTS PRICE ADJUSTMENT CALCULATIONS

General Instructions

Form P110-M-1 Schedule F is designed to provide the means by which refiners calculate the maximum allowable price increment in excess of the base price of Natural Gas Liquid Products according to 10 CFR, Part 212, Subpart K and Propane in accordance with 10 CFR, Part 212, Subparts E and K. This schedule must be completed in its entirety and attached to Form P110-M-1 each time the Form P110-M-1 is prepared. Part III of this schedule must be prepared for each gas processing plant and retained in a central location to facilitate review by FEA.

Specific Instructions

PART I IDENTIFICATION DATA

Item (1)- Name

Enter the legal name of the refiner, as shown in Part I, Item (1), Form P110-M-1

Item (2)- Employer Identification Number

Enter the employer identification number of the refiner as shown in Part I, Item (5), Form P110-M-1.

Item (3)- Reporting Period

Enter the month and year of the reporting period as shown in Part I, Item (6), Form P110-M-1.

Item (4)- Is this a resubmission?

Answer "Yes" if you are supplying additional information or are resubmitting a report. In either case, the schedule must be completed in its entirety.

PART II PROPANE REFINED FROM CRUDE OIL - COST AND PRICE DATA

Item (5)- Total Increased Cost of Crude Oil Purchased in the Month of Measurement for Refining to be Allocated to Propane (Item (37), Part II, Schedule A)

Enter the increased cost of crude oil purchased in the month of measurement for refining to be allocated to

SCHEDULE F

Propane, from Item (37), Part II, Schedule A

(Mathematical Term A_i^t)

Item (6)- Net Cost of Propane Purchased During the Month of Measurement

Enter the total amount of allowable costs applicable to the purchase of Propane during the month of measurement.

(Mathematical Term c_i^t)

Item (7)- Total Cost of Propane Purchased During the Month of May 1973

Enter the total amount of allowable cost applicable to the purchase of Propane during May 1973.

(Mathematical Term c_i^o)

Item (8)- Total Quantity of Propane Purchased During the Month of Measurement

Enter the total number of gallons of Propane purchased during May 1973.

(Mathematical Term q_i^t)

Item (9)- Total Quantity of Propane Purchased During the Month of May 1973

Enter the total number of gallons of Propane purchased during May 1973.

(Mathematical Term q_i^o)

Item (10)-Weighted Average Unit Cost of Propane Purchased During the Month of May 1973.

The amount of this line must reflect the estimated cost per gallon of Propane purchased during the month of May 1973 and weighted by the relative volume of each product sold to different classes of purchasers.

(Mathematical Term Y_i^o)

Item (11)-Lowest Price At or Above Which at Least 10% of Propane was Sold During the Month of May 1973

If there were purchases of Propane during the month of May 1973 this item should be left blank. If there were no purchases of propane during the month of May 1973 enter the lowest price per gallon at or above which at least 10% of the sales of Propane occurred in transactions during the month of May 1973, or if none occurred in that month, in the month next preceding May 1973 in which transations occurred.

(Mathematical Term Y_i^o)

Item (12)-Increase in Costs of Purchased Propane Incurred in the Month of Measurement (Item (6) - Item (7) - (Item (10 or 11) x (Item (8) - Item (9))))

Enter the increased costs of purchased Propane incurred in the month of measurement and recoverable in the current or succeeding pricing period. Item (6) minus Item (7), minus the result of Item (10 or 11) times the difference of Item (8) minus Item (9). Regardless of the result of this calculation, if there were no purchases of Propane during the month of measurement, the entry in this item is zero.

(Mathematical Term B_i^t)

Item (13)-Total Increased Product Cost Attributable to Propane from July 1, 1974 to the Month of Measurement

Enter the cumulative total increased product costs attributable to Propane incurred from July 1, 1974 to the month of measurement.

Item (14)-Total Increased Product Costs From July 1, 1974 Attributable to Propane and Recovered by Sales Through the Month of Measurement by Adjusting the May 15, 1973 Selling Prices

Enter the total increased product costs from July 1, 1974 attributable to Propane actually recovered by sales through the month of measurement by adjusting the May 15, 1973 selling prices. When non-product cost increases have been used to charge a price in excess of a base price of Propane, these non-product

cost increases are considered to be in the same proportion to product cost increases that were used to compute the base price of the covered product.

(Mathematical Term K_i^t)

Item (15)-Total Increased Non-Product Costs Attributable to Includable Amounts of Commissions Incurred During the Month of Measurement with Respect to Sales of Propane Through Consignee-Agents

Enter the total dollar amount of non-product costs attributable to includable amounts of commissions incurred during the month of measurement with respect to sales of Propane through consignee-agents.

(Mathematical Term L_i^t)

Item (16)-Over-Recovery of Non-Product Cost Increases During the Month of Measurement (Item (20f), Schedule E

Enter the total amount of over-recovered non-product cost increases attributable to Propane during the month of measurement. This item is computed in Item (20f), Schedule E.

Item (17)-The Portion of Cumulative Total Increase in Product Costs Allocable to Propane and Reallocated to Gasoline

Enter the portion of cumulative total increases in product costs allocable to Propane and reallocated to Gasoline.

(Mathematical Term H_i^u)

Item (18)-Net Increased Product Costs Attributable to Propane and Available for Recovery in the Current or Succeeding Pricing Periods

(Item (5) + Item (12) + Item (13) - Item (14) + Item (15) - Item (16) - Item (17))

Enter the increased product costs attributable to Propane and available for recovery in the current or succeeding pricing periods calculated by adding Items (5), (12), (13), and (15) and subtracting Items (14), (16), and (17).

SCHEDULE F

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PART III: PRICE AND COST DATA PURSUANT TO SUBPART K

Item (19)-Total Increased Non-Product Costs Incurred in the Month of Measurement to be Allocated to Propane (Item (17f), Schedule E)

Enter the total increased non-product costs incurred in the month of measurement to be allocated to Propane from Item (17f), Schedule E.

Item (20)-Weighted Average Cost of Natural Gas Liquids Purchased in a First Sale in the Month of May 1973

Enter the weighted average cost of natural gas liquids purchased in a first sale in the month of May 1973.

Item (21)-Estimated Weighted Average Cost of Natural Gas Liquids Purchased in the Current Month

Enter the estimated weighted average cost of natural gas liquids purchased in a first sale in the current month.

Item (22)-Estimated Volume of Natural Gas Liquids to be Purchased in the Current Month

Enter the estimated volume of natural gas liquids to be purchased in the current month.

Item (23)-Increased Cost Associated with Purchased Natural Gas Liquids ((Item (21) - Item (20)) x Item (22))

Enter the amount of increased cost associated with purchased natural gas liquids. This amount is computed by multiplying the difference of Item (21) minus Item (20) by Item (22).

Item (24)-Weighted Average Shrinkage Cost of Natural Gas Processed in the Month of May 1973

Enter the weighted average shrinkage cost of natural gas processed in the month of May 1973.

Item (25)-Estimated Weighted Average Shrinkage Cost of Natural Gas to be Processed During the Current Month

Enter the estimated weighted average shrinkage cost of natural gas to be processed during the current month.

Item (26)-Estimated Volume of Natural Gas to be Processed During the Current Month

Enter the estimated volume of natural gas to be processed during the current month.

Item (27)-Total Increased Shrinkage Cost ((Item (25) - Item (24)) x Item (26))

Enter the total increased shrinkage cost computed by multiplying the difference of Item (25) minus Item (24) by Item (26)

Item (28)-Under-Recovered (Over-Recovered) Product Costs Pursuant to Subpart K through the Month of Measurement

Enter the under-recovered (over-recovered) product costs pursuant to Subpart K through the month of measurement. Compute this amount in a manner consistent with the calculation of "G_i" in Schedules B, C, and D except that commissions to consignee agents should not be considered.

Item (29)-Estimated Volume of all Natural Gas Liquid Products to be Sold During the Current Month

Enter the estimated volume of all natural gas liquid products to be sold during the current month.

Item (30)-Estimated Volume of Ethane to be Sold in the Current Month

Enter the estimated volume of ethane to be sold in the current month.

Item (31)-Estimated Volume of Propane Produced from Natural Gas Liquids to be Sold During the Current Month

Enter the estimated volume of propane produced from natural gas liquids to be sold during the current month.

Item (32)-Increased Product Costs Pursuant to Subpart K (Item (23) + Item (27) + Item (28))

Enter the increased product costs pursuant to Subpart K computed by adding Item (23) plus Item (27) plus Item (28).

Item (33)-Increased Non-Product Costs Pursuant to Subpart K

Enter the amount of increased non-product costs since May 15, 1973 pursuant to Subpart K.

Item (34)-Increased Product Costs Pursuant to Subpart K Adjusted for Exclusion (Item (32) + Item (33) x (1.00 -(Item (30) ÷ Item (29))).

Enter the amount of increased product costs pursuant to Subpart K adjusted for the exclusion of ethane. Compute this entry by multiplying the sum of Item (32) and Item (33) by an amount equal to the difference in 1.00 minus the ratio of Item (30) over Item (29).

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Item (35)-Increased Costs Pursuant to Subpart K Allocable to Propane (Item (34) x Item (31) ÷ Item (29))

Enter the increased costs pursuant to Subpart K allocable to Propane computed by dividing Item (29) into the result of Item (31) times Item (34).

Item (36)-The Portion of Increased Costs Pursuant to Subpart K Allocable to Propane but Reallocated to Products Subject to Subpart K Other Than Propane

Enter the amount of increased costs pursuant to Subpart K allocable to Propane but reallocated to products subject to Subpart K other than Propane.

Item (37)-Total Cost Increases Allocable to Products Subject to Subpart K Other Than Propane (Item (34) - Item (35) + Item (36))

Enter the total cost increases allocable to products subject to Subpart K other than Propane computed by subtracting Item (35) from the sum of Item (34) and Item (36).

Item (38)-Estimated Volume of Products Subject to Subpart K Other Than Propane (Item (29) - Item (30) - Item (31))

Enter the estimated volume of products subject to Subpart K other than Propane computed by subtracting Item (30) and Item (31) from Item (29).

Item (39)-Total Permissable Price Increase for Products Subject to Subpart K Other Than Propane (Item (37) ÷ Item (38))

Enter the total permissable price increase for products subject to Subpart K other than Propane computed by dividing Item (37) by Item (38).

PART IV COMBINED COST AND PRICE DATA FOR PROPANE

Item (40)-Total Costs Allocable to Propane (Item (34) - Item (37) + Item (18) + Item (19)).

Enter the total costs allocable to Propane computed by subtracting Item (37) from the sum of Item (34), Item (18), and Item (19).

Item (41)-Estimated Volume of Propane Refined from Crude Oil to be Sold During the Current Period

Enter the estimated volume of Propane refined from crude oil to be sold during the current period. This amount

SCHEDULE F

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should be the same as the amount used in the numerator of the ratio (expressed as a percentage) in Item (37), Schedule A.

Item (42)-Total Permissable Price Increase for Propane During Current Month (Item (40)) ÷ (Item (31)+ Item (41))

Enter the total permissable price increase for Propane during current month computed by dividing Item (40) by the sum of Item (41) and Item (31).

Item (43)-Actual Price Increase for Propane to be Implemented During the Current Pricing Period

Enter the actual price increase for Propane to be implemented during the current pricing period.

Item (44)-Price Increase for Propane Implemented During the Month of Measurement

Enter the amount of price increase for Propane implemented during the month of measurement.

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