



FEDERAL REGISTER

VOLUME 24

NUMBER 225

Washington, Wednesday, November 18, 1959

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of the Interior

Effective upon publication in the FEDERAL REGISTER, paragraph (e) (1) of § 6.110 is amended as set out below.

§ 6.110 Department of the Interior.

* * * * *

(e) *Office of Territories.* (1) Until December 31, 1960, all positions in Alaska in the Alaska Railroad and four technical positions in the Alaska Railroad Office in Seattle, Washington.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-9742; Filed, Nov. 17, 1959; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order No. 13]

PART 913—MILK IN GREATER KANSAS CITY MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Greater Kansas City marketing area (7 CFR Part 913), it is hereby found and determined that:

(a) The portion of the supply-demand adjustment to the Class I price specified in § 913.51(a) (3) (iii) does not tend, under present circumstances, to effectuate the declared policy of the Act.

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) At a hearing held in Kansas City on November 5, 1959, consideration was given to a complete revision of the supply-demand adjustment of the order. Notice of such hearing was issued October 27 and published in the FEDERAL REGISTER of October 31 (24 F.R. 8905). The notice specifically included a request for suspension of the supply-demand adjustment pending complete review of the record and amendment of the order.

Pursuant to the provisions of the order, the amount of supply-demand adjustment to the November Class I price cannot be announced until the computation of the October pool has been completed. In view of this fact and of the notice given, it is concluded that the suspension order does not require of persons affected substantial or extensive additional preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) The supply-demand adjustment has acted to reduce the Class I price by 2 cents in August 1959, 10 cents in September, and 21 cents in October. A further Class I price reduction is indicated for November. Reductions of the magnitude indicated to be in prospect would tend to jeopardize an adequate supply of milk for the marketing area. Such results, therefore, would not tend to effectuate the declared purposes of the Act. Pending complete analysis of the record, the effect of the supply-demand adjustment should be reduced by the suspension herein provided.

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Therefore, good cause exists for making this order effective with respect to the Class I price for the month of November 1959.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for an indefinite period beginning November 1, 1959.

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

Issued at Washington, D.C., this 12th day of November 1959.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-9730; Filed, Nov. 17, 1959; 8:46 a.m.]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF., AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Expenses and Fixing of Rate of Assessment for 1959-1960 Fiscal Period and Carryover of Unexpended Funds

On October 23, 1959, notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 8610) regarding the expenses and rate of assessment for the 1959-1960 fiscal period under Marketing Agreement No. 96, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of White Water, California. This regulatory program is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to the amended marketing agreement and order), it is hereby found and determined that:

§ 955.213 Expenses and rate of assessment for the 1959-60 fiscal period and carryover of unexpended funds.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Administrative Committee, established pursuant to the aforesaid amended marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning August 1, 1959, will amount to \$30,825.00.

(b) *Rate of assessment.* The rate of assessment to be paid in accordance with the aforesaid amended marketing agreement and order by each handler who first handles grapefruit shall be three-fourth cent (\$.0075) per carton of grapefruit handled by such handler as the first handler thereof during the said fiscal period. Such rate of assessment is hereby fixed as each such handler's pro rata share of the aforementioned expenses.

(c) *Operating reserve.* The establishment by the Administrative Committee of an operating reserve pursuant to § 955.42 of the amended marketing agreement and this part is approved. It is determined that it is fair and equitable to all handlers that such operating reserve shall be accumulated in accordance with said § 955.42 until such time as the committee and the Secretary determine otherwise.

(1) Unexpended assessment funds in the amount of \$12,481.88, which are in excess of expenses incurred during the fiscal period ended July 31, 1959, shall be carried over into such operating reserve in accordance with § 955.42.

(2) Unexpended assessment funds, in excess of expenses incurred during the

fiscal period ending July 31, 1960, shall also be carried over into the operating reserve in accordance with § 955.42.

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

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: November 10, 1959.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-9761; Filed, Nov. 17, 1959;
8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 59-WA-43]

[Amdt. 96]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 108]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Federal Airway and Designation of Reporting Points

On September 3, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 7138) stating that the Federal Aviation Agency proposed to amend § 600.6047 of the regulations of the Administrator by modifying a segment of VOR Federal airway No. 47 between Bowling Green, Ky., VOR and Nabb, Ind., VOR via a VOR to be installed near Mystic, Ky.

As stated in the notice, VOR Federal airway No. 47 presently extends from Bowling Green, Ky., to Detroit, Mich. The modification of this airway segment between Bowling Green and Nabb via a VOR in the vicinity of Mystic at latitude 37°53'39" N., longitude 86°14'42" W., to be commissioned approximately December 17, 1959, will provide more precise navigational guidance. Such action will result in this segment of Victor 47 extending from Bowling Green, Ky., VOR via Mystic, Ky., VOR to Nabb, Ind., VOR. The control areas associated with Victor 47 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary. Although not mentioned in the notice, § 601.7001, relating to reporting points is amended by adding the

Mystic, Ky., VOR as a designated reporting point.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), § 600.6047 (14 CFR, 1958 Supp., 600.6047) and § 601.7001 (14 CFR, 1958 Supp., 601.7001) are amended as follows:

In the text of § 600.6047 VOR Federal airway No. 47 (Bowling Green, Ky., to Detroit, Mich.), delete "via the point of INT of the Bowling Green VOR 008° and the Louisville, Ky., VOR 245° radials;" and substitute therefor "via the Mystic, Ky., VOR;"

In the text of § 601.7001 Domestic VOR reporting points, add: Mystic, Ky., VOR.

These amendments shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on November 10, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-9716; Filed, Nov. 17, 1959;
8:45 a.m.]

[Airspace Docket No. 59-WA-60]

[Amdt. 89]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 100]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Federal Airway and Associated Control Areas

The purpose of these amendments to §§ 600.6076 and 601.6076 of the regulations of the Administrator is to modify the segment of VOR Federal airway No. 76 which extends from Austin, Tex., VOR to Llano, Tex., VOR by designating a south alternate between the two terminals.

The designation of a south alternate to Victor 76 via the Austin VOR 257° and the Llano VOR 129° radials will expedite climbing westbound departure traffic from Austin and provide lateral separation from traffic operating on Victor 76 between Austin and Llano.

This action has been coordinated with the Army, the Navy, the Air Force, and interested civil aviation organizations. Accordingly, compliance with the Notice, and public procedures provisions of section 4 of the Administrative Procedure Act is 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, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.6076 (14 CFR, 1958 Supp., 600.6076, 24 F.R. 1830) and § 601.6076 (14 CFR, 1958 Supp., 601.6076, 24 F.R. 1832) are amended as follows:

1. Section 600.6076 is amended to read:

§ 600.6076 VOR Federal airway No. 76 (Lubbock, Tex., to Galveston, Tex.).

From the Lubbock, Tex., VOR via the INT of the Lubbock VOR 188° and the Big Spring VOR 286° radials; Big Spring, Tex., VOR, including a north alternate from the Lubbock VOR direct to the Big Spring VOR; San Angelo, Tex., VOR, including a north alternate via the INT of the Big Spring VOR 124° and the San Angelo VOR 024° radials; Llano, Tex., VOR; Austin, Tex., VOR, including a north alternate from the San Angelo VOR to the Austin VOR via the Lometa, Tex., VOR, and including a south alternate via the INT of the Llano VOR 129° and the Austin VOR 257° radials; Houston, Tex., VOR; to the Galveston, Tex., VOR.

2. Section 601.6076 is amended to read:

§ 601.6076 VOR Federal airway No. 76 control areas (Lubbock, Tex., to Galveston, Tex.).

All of VOR Federal airway No. 76 including north alternates and a south alternate, but excluding the airspace between the main airway and its north alternate between the Lubbock, Tex., VOR and the Big Spring, Tex., VOR, and also excluding the airspace between the main airway and its north alternate between the San Angelo, Tex., VOR and the Austin, Tex., VOR.

These amendments shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on November 10, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-9717; Filed, Nov. 17, 1959; 8:45 a.m.]

[Airspace Docket No. 59-WA-236]

[Amdt. 46]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 63]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Federal Airways, Associated Control Areas and Designation of Reporting Points

The purpose of these amendments to §§ 600.6169, 601.6169 and 601.7001 of the

regulations of the Administrator is to modify the segment of VOR Federal airway No. 169 and its associated control areas between Chadron, Nebr., and Rapid City, S. Dak., and to designate the Smithwick, S. Dak., VORTAC as a reporting point.

This segment of Victor 169 presently extends between Chadron and Rapid City direct from station to station. The Federal Aviation Agency has installed a VORTAC at Smithwick, S. Dak., which is located approximately halfway between Chadron and Rapid City. V-169 is being realigned between these two terminals via the Smithwick VORTAC to provide more precise navigational guidance. Concurrently, the east alternate to Victor 169 will be redesignated via the intersection of the Chadron VOR 017° and the Rapid City VOR 180° radials. Coincident with this action, § 601.7001, relating to reporting points will be amended by adding Smithwick, S. Dak., VORTAC.

This action has been coordinated with the Army, the Navy, the Air Force, and interested civil aviation organizations. Accordingly, compliance with the Notice, and public procedure provisions of section 4 of the Administrative Procedure Act have, in effect, been complied with. 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, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.6169 (14 CFR, 1958 Supp., 600.6169, 24 F.R. 2229), §§ 601.6169 and 601.7001 (14 CFR, 1958 Supp., 601.6169, 601.7001) are amended as follows:

§ 600.6169 [Amendment]

1. In the text of § 600.6169 VOR Federal airway No. 169 (Tobe, Colo., to Rapid City, S. Dak.), delete "to the Rapid City, S. Dak., VOR, including an east alternate." and substitute therefor "Smithwick, S. Dak., VORTAC to the Rapid City, S. Dak., VOR, including an east alternate via the intersection of the Chadron, Nebr., VOR 017° and the Rapid City, S. Dak., VOR 180° radials."

2. Section 601.6169 is amended to read:

§ 601.6169 VOR Federal airway No. 169 control areas (Tobe, Colo., to Rapid City, S. Dak.).

All of VOR Federal airway No. 169 including an east alternate.

§ 601.7001 [Amendment]

3. In the text of § 601.7001 Domestic VOR reporting points, add "Smithwick, S. Dak., VORTAC."

These amendments shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on November 10, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-9719; Filed, Nov. 17, 1959; 8:45 a.m.]

[Airspace Docket No. 59-KC-9]

[Amdt. 121]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Control Zone

On September 5, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 7205) stating that the Federal Aviation Agency proposed to amend Part 601 of the regulations of the Administrator by revoking the Butler, Mo., control zone.

As stated in the notice, the Butler control zone is presently designated to include the airspace within a three mile radius centered on the Butler airport and within two miles either side of the 083° and 263° radials of the Butler VOR extending from the three mile radius zone to a point twelve miles west of the VOR. The Federal Aviation Agency IFR peak day survey for calendar year 1958 showed no instrument approaches conducted within this control zone. On the basis of this survey, the retention of this control zone is unjustified as an assignment of airspace and the revocation thereof is in the public interest. Such action will result in the revocation of the Butler control zone.

No comment was received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) Part 601 (14 CFR, 1958, Supp., Part 601) is amended as follows:

Section 601.2428 Butler, Mo., control zone, is revoked.

This amendment shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on November 10, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-9718; Filed, Nov. 17, 1959; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Subtitle A—Office of the Secretary of Commerce

PART 2—PROCEDURES FOR HANDLING AND SETTLEMENT OF CLAIMS UNDER THE FEDERAL TORT CLAIMS ACT

Miscellaneous Amendments

Part 2, Subtitle A, Title 15 of the Code of Federal Regulations (24 F.R. 3184-

3185 of April 24, 1959) is amended as follows:

1. In § 2.2(a), first paragraph of the statutory citation, change the figure "\$1,000" to "\$2,500."

2. In § 2.2(b), change the figure "\$1,000" to "\$2,500."

(Sec. 2672, 62 Stat. 983, as amended; 28 U.S.C. 2672, as amended). [Dept. Order No. 70 (Revised), Apr. 7, 1959, as amended by Amendment No. 1, Oct. 26, 1959]

Dated: November 10, 1959.

FREDERICK H. MUELLER,
Secretary of Commerce.

[F.R. Doc. 59-9732; Filed, Nov. 17, 1959;
8:47 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER D—MULTIFAMILY AND GROUP HOUSING INSURANCE

PART 233—RENTAL HOUSING INSURANCE; RIGHTS AND OBLIGATIONS OF MORTGAGEE UNDER INSURANCE CONTRACT

Section 233.4 is amended to read as follows:

§ 233.4 Form of endorsement.

(a) *Initial endorsement.* Upon compliance with the terms and conditions of a commitment, the Commissioner shall make an initial endorsement of the mortgage evidencing insurance by an appropriate panel or endorsement placed on the original credit instrument which will identify the section of the Act and the regulations under which the mortgage is insured and the date of insurance.

(b) *Final endorsement.* After all advances under the mortgage have been made, the Commissioner shall, upon presentation of the original credit instrument, make a final endorsement of the original credit instrument which shall state the total of all advances approved for insurance by the Commissioner and show the date of such approval.

(c) *Effect of endorsement.* From the date of initial endorsement the Commissioner and mortgagee shall be bound by the provisions of this part with the same force and effect as if a separate contract had been executed including the provisions of this part and the Act.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER F—URBAN RENEWAL AND NEIGHBORHOOD CONSERVATION HOUSING INSURANCE

PART 268—MULTIFAMILY RELOCATION INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE

Section 268.15 is amended to read as follows:

§ 268.15 Mortgage maturity.

The mortgage shall have a maturity satisfactory to the Commissioner, not to be more than 40 years from the date of final endorsement for insurance or three-quarters of the Commissioner's estimate of the remaining economic life of the building improvements, whichever is the lesser.

PART 269—MULTIFAMILY RELOCATION INSURANCE; RIGHTS AND OBLIGATIONS OF MORTGAGEE UNDER INSURANCE CONTRACT

Section 269.2 is amended to read as follows:

§ 269.2 Assignment option.

The mortgagee has the option to assign, transfer and deliver to the Commissioner the original credit instrument and the insured mortgage securing the same, provided such mortgage is not in default at the expiration of 20 years from the date of final endorsement of the mortgage. When such option has been exercised the obligation of the mortgagee to pay the premium charge shall cease.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

Issued at Washington, D.C., November 12, 1959.

JULIAN H. ZIMMERMAN,
Federal Housing Commissioner.

[F.R. Doc. 59-9735; Filed, Nov. 17, 1959;
8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter IV—Saint Lawrence Seaway Development Corporation

APPENDIX—JOINT TOLLS ADVISORY BOARD

Rules of Procedure

Whereas on January 29, 1959, the Administrator of the Saint Lawrence Seaway Development Corporation and the President of the St. Lawrence Seaway Authority of Canada signed an agreement on the Tariff of Tolls for the Saint Lawrence Seaway; and

Whereas on February 25, 1959, the President of the United States approved the agreement and the Tariff of Tolls for the Saint Lawrence Seaway; and

Whereas on March 9, 1959 the Governments of the United States and Canada, through an exchange of notes between the State Department and the Depart-

ment of External Affairs of Canada, arrived at a Governmental agreement for the establishment of rates of tolls and related matters for the joint operation of the Seaway between United States and Canada; and

Whereas paragraph 6 of the agreement of January 29, 1959, among other things, provides for the establishment of a Joint Tolls Advisory Board:

Now, therefore, the Saint Lawrence Seaway Development Corporation pursuant to the Act of Congress of May 13, 1954, as amended, 68 Stat. 92-93, 33 U.S.C. 981 et seq. and pursuant to the foregoing agreements including the agreement of March 9, 1959, between the Governments of United States and Canada, and the approval of February 25, 1959, by the President of the United States, hereby, gives notice of the following Rules of Procedure which have been adopted for the use of the Joint Tolls Advisory Board:

JOINT TOLLS ADVISORY BOARD

RULES OF PROCEDURE

1. These rules govern practice and procedure before the Board unless the Board directs or permits a departure therefrom in any proceeding.

2. In these rules, unless the context otherwise requires—

(a) "Application" includes complaint;

(b) "Affidavit" includes a written affirmation;

(c) Words in the singular include the plural and words in the plural include the singular.

3(1) Every proceeding before the Board shall be commenced by an application made to it, which shall be in writing and signed by, or on behalf of, the applicant.

(2) An applicant shall file twelve copies of his application setting forth a clear and complete statement of the facts, the grounds for the complaint, and the relief or remedy to which the applicant claims to be entitled.

(3) Applicants resident in Canada shall file their complaints with the St. Lawrence Seaway Joint Tolls Advisory Board, Hunter Building, Ottawa, Ontario. Applicants resident in the United States of America shall file their complaints with the St. Lawrence Seaway Joint Tolls Advisory Board, Massena, N.Y. Other applicants may file their complaints with the Board at either address.

(4) One copy of each application received shall be held and be available for public inspection at the offices of the Board in Ottawa, Ontario, and Massena, N.Y.

(5) The Board shall publish notice of the receipt of applications in the "Canada Gazette" and the FEDERAL REGISTER.

(6) Interested parties shall have thirty days from date of publication of notice in which to make representations or to submit briefs to the Board.

4(1) The Board shall meet at such time and place as the Chairman may decide.

(2) The Board may schedule hearings at such time and place as the Chairman may decide.

(3) If hearings are scheduled the Board shall so notify applicants on record by mail, and may cause notice of the time and place of hearings to be published in the "Canada Gazette" and the FEDERAL REGISTER.

(4) Three members of the Board, one of whom shall be the Chairman, shall constitute a quorum.

(5) The Chairman shall have the right to vote at meetings of the Board and in case of equal division shall also have a casting vote.

(6) The Chairman shall cause to be kept minutes of meetings and a record of proceedings at hearings.

5. The Board may require further information, particulars or documents from any party.

6. The Board may at any time require the whole or any part of an application, answers or reply to be verified by affidavit, by giving a notice to that effect to the party from whom the affidavit is required. If the notice is not complied with, the Board may set aside the application, answer or reply or strike out any part not verified according to the notice.

7. The Board may stay proceedings or any part of the proceedings as it thinks fit or may from time to time adjourn any proceedings before it.

8. The Board may direct, orally or in writing, parties or their representatives to appear before the Board or a member of the Board at a specified time and place for a conference prior to or during the course of a hearing or, in lieu of personally appearing, to submit suggestions in writing, for the purpose of formulating issues and considering—

(a) The simplification of issues;
(b) The procedure at the hearing;
(c) The necessity or desirability of amending the application, answer or reply for the purpose of clarification, amplification or limitation;

(d) The mutual exchange among the parties of documents and exhibits proposed to be submitted at the hearing; and

(e) Such other matters as may aid in the simplification of the evidence and disposition of the proceeding.

9(1) The witnesses at the hearings shall be examined viva voce, but the Board may, at any time, for sufficient reason, order that any particular facts may be proved by affidavit or that the affidavit of any witness may be read at the hearing, on such conditions as it may think reasonable, or that any witness whose attendance ought, for some sufficient reason to be dispensed with, be examined before a member of the Board. The evidence taken before a member of the Board shall be confined to the subject matter in question, and any objection to the admission of evidence shall be noted by the member and dealt with by the Board at the hearing. Such notice of the time and place of examination as is prescribed shall be given to the parties. All examinations shall be returned to the Board, and may without further proof be used in evidence, saving all just exceptions.

(2) The Board may, whenever it deems it advisable to do so, require written briefs to be submitted by the parties.

(3) The hearing, when once commenced, shall proceed, so far as in the opinion of the Board may be practicable, from day to day.

10. The Board shall report its findings and recommendations in writing to The St. Lawrence Seaway Authority and the Saint Lawrence Seaway Development Corporation and shall indicate whether the recommendations represent the unanimous agreement of the members of the Board and, if not, shall indicate those items on which unanimity was not achieved.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION,
[SEAL] LEWIS G. CASTLE,
Administrator.

[F.R. Doc. 59-9728; Filed, Nov. 17, 1959;
8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S.O. 931-A]

PART 95—CAR SERVICE

Movement of Ores Restricted; Appointment of Agent

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D.C., on the 12th day of November A.D. 1959.

Upon further consideration of Service Order No. 931 (24 F.R. 5186, 7103, 8006), and good cause appearing therefor:

It is ordered, That:

Section 95.931 *Movement of Ores Restricted; Appointment of Agent*, of Service Order No. 931, be, and it is hereby vacated and set aside.

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

It is further ordered, That this order shall become effective at 12:01 a.m., November 13, 1959; that a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-9758; Filed, Nov. 17, 1959;
8:50 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 29]

TOBACCO INSPECTION

Subpart C—Standards

Correction

In F.R. Document 59-9359, appearing in the issue for Thursday, November 5, 1959, at page 9014, make the following changes in § 29.2402: In the column headed "U.S. Grades", the 5th entry, which reads "B4D" should read "B5F" and the 9th entry, which reads "B5F" should read "B4D".

[7 CFR Part 909]

ALMONDS GROWN IN CALIFORNIA

Redetermination Reports

Notice is hereby given that there is under consideration a proposal to amend the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 24 F.R. 5626) pertaining to operations under Marketing Agreement No. 119, as amended, and Order No. 9, as amended (7 CFR Part 909), regulating the handling of almonds grown in California, effective under applicable provi-

sions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

The proposed amendment would be pursuant to § 909.73 of said amended agreement and order and is based on a recommendation of the Almond Control Board and other information. It is intended to clarify reporting requirements to insure uniformity of reports filed by handlers.

Consideration will be given to data, views, and arguments pertaining to the proposal which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than ten days after publication of this notice in the FEDERAL REGISTER.

The proposal is to amend the introductory paragraph and paragraph (f) of § 909.473 of said Administrative Rules and Regulations to read as follows:—

§ 909.473 Redetermination reports.

Each handler shall furnish for use by the Board in redetermination of the kernel weight of almonds received for his own account and marketing policy considerations the information listed and described in this section. Such information shall be reported within the applicable times specified in § 909.73 on forms provided by the Board.

(f) *Undelivered sales.* A report of all undelivered salable almonds sold in normal domestic trade channels for delivery prior to September 1 of the following crop year, showing the weight of such almonds, the variety, and whether they are shelled or unshelled.

Dated: November 10, 1959.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 59-9759; Filed, Nov. 17, 1959;
8:50 a.m.]

17 CFR Part 961 I

[Docket No. AO-160-A21]

MILK IN PHILADELPHIA, PA., MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Excep- tions to Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreement, and order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., not later than the close of business the 10th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order, were formulated, was conducted at Philadelphia, Pennsylvania, on July 13-15, 1959, pursuant to notice thereof which was issued July 1, 1959 (24 F.R. 5479).

The material issues on the record of the hearing relate to:

1. Application of regulation to plants doing business in this and any other Federal order market.

2. Modification of the procedure used in the application of handler location differentials.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Treatment of plants doing business in this and any other Federal order market.* The present order provisions relating to the treatment of plants doing business in both the Philadelphia mar-

keting area and any other Federal milk marketing area should be revised to eliminate conflict as to the order under which such plant shall be regulated and to correct a present deficiency which provides opportunity for both Philadelphia and New York-New Jersey regulated handlers to regularly dispose of unpriced milk for Class I use in the Philadelphia marketing area.

The present order provisions exempt from regulation under this order, except for specified reports, any fully regulated plant under the New York-New Jersey order and any other plant subject to the classification and pricing provisions of any other Federal order if such plant disposes of a greater proportion of its Class I milk under such other order than under this order.

Under usual circumstances it is appropriate that plants doing business in two or more Federal order markets be regulated under that order under which they do the greater proportion of their Class I business. The Federal orders under which market pooling arrangements are provided require that plants meet specified performance standards for pooling. Under certain conditions supply plants which meet these standards during the short production months, retain continuing pool status during the flush production months, regardless of the volumes shipped, unless the operator elects to withdraw. The New York-New Jersey Federal order also provides pooling status for any plant which has specified minimum Class I usage and which disposes of Class I milk on routes in the marketing area, unless the operator thereof elects nonpool status. It is possible, therefore, that plants doing a greater percentage of their business in the Philadelphia market than in another Federal order market may, notwithstanding, be regulated by the other order. To avoid duplication of regulation it is necessary that such plant be exempted from the pricing and payment provisions of this order.

The New York-New Jersey order provides a I-B classification for Class I milk disposed of outside the marketing area specified under that order. It also provides that, following the assignment of producer receipts to Class I-A disposition (Class I sales in the marketing area), other source (unregulated) receipts shall be assigned pro rata to Class I-B and Class III utilization. By controlling the volume of its producer receipts a New York-New Jersey pool plant distributing, or supplying milk for distribution, outside the New York-New Jersey marketing area may utilize a totally unregulated supply for such purposes.

Because of this situation some unpriced milk is being distributed in the Philadelphia marketing area. The extent of such disposition presently is confined largely to two handlers operating New York-New Jersey order pool plants with direct Class I disposition in both the marketing area under that order and the Philadelphia marketing area and with additional sales in the adjacent nonfederally regulated areas. The present extent of such sales in the Philadelphia marketing area does not appear

substantial; nevertheless, they could increase. Further, the application of regulation as presently provided under these two orders, would permit a handler doing one hundred percent of his Class I business in the Philadelphia marketing area to operate with a totally unregulated supply of milk purchased from a New York-New Jersey pool plant. While there is no indication that Philadelphia handlers have made extensive use of this opportunity to obtain unpriced milk, it would be inappropriate to continue the present provisions which permit this type of operation.

It is intended that the order shall assure equal minimum prices of milk as between handlers on a classified use basis. Under the individual handler pooling in effect, each handler returns to his producers the specified order prices for all milk delivered. This can be accomplished only if plants which regularly dispose of Class I milk in the marketing area on routes, or to plants which so dispose of such milk, are subjected to full regulation unless the milk involved is classified and priced as Class I milk under another Federal order. The present order provisions permit limited receipts of unpriced milk for Class I use during the four months of shortest production. This particular provision is necessary for reasons stated in the Secretary's decision of November 25, 1957 (22 F.R. 9600) and no change in these provisions were under consideration at this hearing.

Opponents argued that because the order permitted use of unpriced milk in Class I under specified circumstances during the four shortest production months, it was inappropriate to restrict the ability of handlers to use unpriced milk generally.

The situation being dealt with here is one which could result in unlimited amounts of unpriced milk being disposed of in the marketing area. Clearly, this poses a threat to the effectiveness of regulation under Order No. 61. Because the milk entering the marketing area through New York-New Jersey order pool plants does so on a regular and continuing basis it is necessary to apply regulation in a manner which is equivalent to that applicable to other milk which is disposed of in the marketing area on a regular and continuing basis; that is to say, such milk should be made wholly subject to regulation under this order. This may be accomplished by restricting the exemption now given to other Federal order plants doing business in the Philadelphia marketing area by providing producer milk plant status for such plants and requiring the filing of reports under the regular reporting provision and the classification and allocation of all milk received.

To avoid duplication of regulation on the same milk it is appropriate that the pricing and payment provisions (including administrative assessment) under this order be waived for any such plant and that the classification under the other order of (1) producer receipts, (2) receipts from other pool plants and (3) receipts of other source milk on which a compensatory payment was made, be recognized through equivalent classifica-

tion under this order prior to the assignment of remaining receipts at such plant under the assignment provisions (§ 961.47) of this order.

In the event unpriced other source milk (under the other order) is assigned to Class I under the provisions of § 961.47 the plants supplying such milk should become producer milk plants, fully regulated under the Philadelphia order. This procedure will impose no additional requirements on the operator of other Federal order plants doing business in this market other than those presently provided under the order except the requirement to pay to any cooperative association of producers, whose plant is a fully regulated plant under this order and from which milk is secured for Class I disposition in this market, the minimum class prices effective at the transferee plant for milk so received. The Act specifically provides that no cooperative association shall sell milk to handlers at less than the class prices and this provision, presently a part of the order, complements the enforcement of this requirement of the Act.

2. *Modification of the procedure used in the application of handler location differentials.* The present procedure for the application of handler location differentials should be modified to provide, in case of a multiple plant handler, that the Class I location differential credits be computed on a volume of milk equal to total receipts at city bottling plants up to 105 percent of the actual Class I disposition at such plants and to exclude from the Class I assignment sequence any milk received at producer milk plants at country locations and processed into Class II products at the original plant of receipt.

Under the present order provisions, except for the prior assignment of certain Grade A receipts, producer receipts at city plants are assigned first to Class I utilization and thereafter receipts at supply plants are assigned in sequence in accordance with the nearness of the plants to Philadelphia.

Handlers proposed that the assignment of receipts to Class I utilization for purposes of location differentials be made in the same sequence presently provided, but on the basis of actual shipment of milk to city plants for Class I use.

The procedure suggested by proponents is not appropriate under the conditions of this market. The several multiple plant handlers have substantial flexibility of operation and unless adequate safeguards are provided it is apparent that they would move to the city that milk on which they would incur the greatest expense in disposition for Class II use. The additional transportation costs involved in such movements could be passed back to producers in lower blend prices. Uneconomic movements of this kind should not be paid for out of returns to producers.

Except in the case of two multiple plant handlers, milk received at the country plants and not needed for Class I use must be moved to other plants for Class II disposition. Since the milk must be moved from the initial plant of receipt under any circumstances, it is appropri-

ate that it be assigned to Class I use in the present prescribed sequence starting with the nearest plant from Philadelphia.

When milk is retained in the original plant of receipt for Class II disposition some modification of the present procedure is appropriate. In the case of the two handlers with manufacturing plants in their systems, such manufacturing plants are located nearer to Philadelphia than certain other receiving plants in the systems. Milk not needed for Class I use is ordinarily retained at the manufacturing plants for processing into Class II products. Such milk cannot be considered to be available for Class I use and should be bypassed in the computation of Class I location adjustment credits. However, when milk is received at such plants and moved to the city or to other markets or plants the situation is essentially the same as with other plants and such milk should be eligible for assignment to Class I under the same provisions applicable to milk received at all other plants.

It is apparent that a handler operating only a fluid milk business must necessarily have available at his bottling plant some milk in excess of his actual Class I utilization. Such reserve is needed to meet unanticipated fluctuations in day-to-day requirements, route returns and normal plant shrinkage. Since such usage is directly associated with the fluid milk business and the milk therefore must be moved to the bottling plant, such milk should be included in the volume on which Class I location differential credits are computed.

The record does not provide a precise basis for determining the volume of milk in excess of Class I usage which must be moved to city plants. However, experience in other fluid milk markets indicates that an amount equal to 5 percent of actual Class I utilization is reasonable and such percentage is considered to be appropriate for this market.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and

conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. Delete § 961.52 and substitute therefor the following:

§ 961.52 Location differentials to handlers.

(a) Subject to the conditions of paragraph (b) of this section, for that milk received from producers at a producer milk plant located 45 miles or more from the City Hall in Philadelphia, Pennsylvania, by shortest highway distances as determined by the market administrator, and classified as Class I or Class II milk, respectively, Class I and Class II prices shall be reduced at the rate set forth in the following schedule according to the location of the producer milk plant where such milk was received from producers:

(1) Class I milk.	
Distance of plant from City Hall	Rate per hundredweight (cents)
45 miles	23.0
Each additional 10 miles or fraction thereof an additional	1.5
(2) Class II milk.	
Distance of plant from City Hall	Rate per hundredweight (cents)
45 to 70 miles	5.0
Each additional 70 miles or fraction thereof an additional	1.0

(b) In the case of producer milk plants operated by the same handler as part of a system the amount of Class I and Class II milk to which the adjustments set forth in paragraph (a) of this section shall apply shall be determined as follows:

(1) Increase the Class I utilization at the producer milk plant(s) specified in § 961.7(a), operated by such handler and

at which no location adjustment applies, by 5 percent or by an amount which is not in excess of the Class II utilization at such plant(s), whichever is less, and deduct the amount of any such increase from the Class II utilization at such plant(s);

(2) Except as provided in subparagraph (3) of this paragraph, assign the Class I utilization so adjusted first to producer receipts at producer milk plants operated by such handler and at which no location adjustments apply and any remaining Class I utilization shall be assigned to the receipts of producer milk at the remaining plant(s) in the system to the extent that milk is moved from such plant(s) in the form of any Class I products, in sequence, beginning with the plant at which the lowest location adjustment rate applies; and

(3) If a system of plants receives both Grade A and standard milk, the receipts of Grade A milk shall first be assigned in the sequence set forth in subparagraph (2) of this paragraph to the extent of actual disposition as Grade A milk in Class I and any remaining receipts of Grade A milk shall be assigned in conjunction with standard milk under subparagraph (2) of this paragraph.

2. Delete § 961.61 and substitute therefor the following:

§ 961.61 Plants subject to other Federal orders.

(a) Any plant qualified as a producer milk plant pursuant to § 961.7 (a) or (b) and as a regulated (pool) plant under the provisions of any other Federal order shall be fully subject to the provisions of this order during any month in which it disposes of in this marketing area on routes or to producer milk plants under this order, a greater volume of its Class I milk (as defined in this part) than the volume of Class I milk (as defined in such other Federal milk order) disposed of in such other marketing area on routes or to plants at which milk is priced and pooled under such other order unless, notwithstanding that it would be regulated under this part, it is nevertheless regulated under such other order.

(b) Any producer milk plant qualified pursuant to § 961.7 (a) or (b) which is a fully regulated (pool) plant under another Federal order shall not be subject to the provisions of §§ 961.50 through 961.53, 961.70 through 961.71, and 961.80 through 961.85 except as such provisions apply to payments to a cooperative association in its capacity as the operator of any plant which is a producer milk plant under this order and a nonpool plant under the other Federal order: *Provided*, That for purposes of determining the status under this order of such plant's otherwise unregulated supply sources, the assignment under such other order of, (1) producer receipts, (2) receipts from other pool plants, and (3) other source receipts on which any compensatory payment was applicable shall be recognized by equivalent assignment under this order prior to the application of § 961.47 with respect to other receipts at such plant.

(c) In the case of the New York-New Jersey order, equivalent assignment under this part as provided in paragraph (b) of this section shall be as follows:

<i>New York-New Jersey Order</i>	<i>Philadelphia Order</i>
Class I-A or I-B-----	Class I.
Class II-----	Class II.
Class III-----	Class II.
Skim milk subject to the fluid skim differential.	Class I.

Issued at Washington, D.C., this 13th day of November 1959.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 59-9731; Filed, Nov. 17, 1959; 8:47 a.m.]

[7 CFR Part 989]

HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

Conclusion Not To Suspend Certain Provisions

Notice was published in the September 16, 1959, issue of the FEDERAL REGISTER (24 F.R. 7461), that consideration was being given to a proposal to suspend the time limitation appearing at the end of the first sentence of § 989.66(c) and in the last sentence of § 989.166(e) (2), of this part (7 CFR Part 989). The said time limitation relates to deferment, until November 15 of a crop year, of a handler's obligation to set aside and hold reserve and surplus pool tonnage raisins.

As explained in the notice, suspension of the time limitation was proposed because it was then considered unlikely that, in the event volume regulation was made effective for the current crop year, handlers would be able to acquire enough raisins by November 15, 1959, to meet the anticipated strong, early-season demand for raisins in free tonnage outlets and, at the same time, satisfy their obligations for setting aside and holding pool tonnage in the requisite quantities.

Volume regulation (24 F.R. 8253) was made effective on October 10, 1959. Since that time, it has developed that the supply of raisins available to handlers is adequate to permit them to acquire by November 15 sufficient quantities to meet the early season demand for raisins in free tonnage outlets and to comply, concurrently, with their reserve and surplus tonnage obligations in accordance with this part. In these circumstances, the proposed basis for the suspension, as stated in said notice that the time limitation of November 15 for deferment will not for the current crop year tend to effectuate the declared policy of the act, has not materialized. Moreover, as of November 6, 1959, no request for any such deferment had been made.

Therefore, the provisions of this part relating to the time limitation of November 15 for deferment will not be suspended as proposed in the aforesaid

notice, and these rule making proceedings are hereby concluded.

Dated: November 13, 1959.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 59-9760; Filed, Nov. 17, 1959; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Ch. I]

[Reg. Docket No. 107; Ref. Draft Release No. 59-14A]

NOTICE OF AIRWORTHINESS CONFERENCE AGENDA

The Bureau of Flight Standards issued Civil Air Regulations Draft Release No. 59-14 on August 28, 1959, announcing plans for a review of the airworthiness regulations and inviting all interested persons to submit proposals for the revision of these regulations by October 1, 1959. The Bureau has considered the proposals submitted in formulating the agenda for the forthcoming airworthiness conference and has circulated the agenda to all persons on the current mailing lists.

Notice is hereby given that all other interested persons may obtain a copy of the agenda upon request to the Bureau of Flight Standards, Federal Aviation Agency, Attention: Safety Regulations Division, Washington 25, D.C.

Issued in Washington, D.C., on November 10, 1959.

B. PUTNAM,
Acting Director,
Bureau of Flight Standards.

[F.R. Doc. 59-9715; Filed, Nov. 17, 1959; 8:45 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 177]

AIRWORTHINESS DIRECTIVES

Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator, (§ 405.27, 24 F.R. 2196), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring modifications of the Boeing Model 707 Series aircraft mach trim system indicating light electrical circuit and mach warning bell installation.

Unsatisfactory service experience has shown the need for corrective action and the compliance date has been established to allow for delivery of the necessary parts required for modifications. As an interim safety measure, changes to the limitations section of the Airplane Flight Manual have been accomplished.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or ar-

gments as they may desire. Communications should be submitted in duplicate to the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination by interested persons in the Docket Section when the prescribed time for return of comments has expired. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) by adding the following airworthiness directive:

BOEING. Applies to the following Model 707 Series aircraft only: Serial Numbers 17586 through 17591, 17609 through 17612, 17628 through 17652, 17658 through 17672, 17691, 17696 through 17702, 17925 through 17927.

To increase the capabilities and reliability of the mach trim warning lights and the mach warning and fire warning bell systems the following modification(s) shall be accomplished as indicated:

Unless already completed, the following shall be accomplished within 90 days after publication in the FEDERAL REGISTER as an adopted rule:

(a) Remove mach and fire warning bell support bracket, Boeing P/N 69-1640, from below flight engineer's table and rework to accept redesigned warning bell assembly Boeing P/N 69-50013 or equivalent. Install reworked bracket and redesigned components as shown in Boeing Drawing 65-2801. (Boeing Service Bulletin No. 444 pertains to this same subject.)

(b) Install two diodes, Boeing assembly 69-43070-6, in the mach trim system resistor box and revise the indicating light circuitry such that this light will indicate when the system is not turned on as well as indicating mach trim system malfunctions. (Boeing Service Bulletin No. 474 (R-1) describes a satisfactory modification.)

Issued in Washington, D.C., on November 10, 1959.

B. PUTNAM,
Acting Director,
Bureau of Flight Standards.

[F.R. Doc. 59-9722; Filed, Nov. 17, 1959;
8:45 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 59-WA-292]

FEDERAL AIRWAYS, CONTROL AREAS AND REPORTING POINTS

Modification of Federal Airway and Associated Control Areas Designa- tion of Reporting Point

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24

F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6055, 601.6055 and 601.7001 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 55 and its associated control areas presently extend from Dayton, Ohio, to Green Bay, Wis. The Federal Aviation Agency is proposing to extend Victor 55 from Green Bay VOR via a VOR to be installed approximately December 1, 1959, near Stevens Point, Wis., at latitude 44°32'24" N., longitude 89°30'54" W., and the intersection of the Stevens Point, VOR 281° and the Eau Claire, VOR 107° radials to the Eau Claire, VOR. This extension to Victor 55 would provide an additional route for the movement of air traffic between Green Bay and Eau Claire terminals via the Stevens Point terminal. Concurrently it is proposed to designate the Stevens Point VOR as a VOR Reporting Point for air traffic management purposes.

In consideration of the foregoing, the Federal Aviation Agency proposes to extend VOR Federal airway No. 55 and its associated control areas, from Green Bay, Wis., to Eau Claire, Wis., via Stevens Point, Wis.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER 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 Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. 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 Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on November 10, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-9723; Filed, Nov. 17, 1959;
8:46 a.m.]

[14 CFR Part 608]

[Airspace Docket No. 59-KC-49]

RESTRICTED AREAS

Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.30 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency is currently reviewing the utilization of all existing restricted areas. This review is based upon all data available to the Federal Aviation Agency, including any received in response to Special Airspace Regulation No. 1 (24 F.R. 5898). According to the data available, it appears that the following restricted area does not have sufficient justification to warrant continued designation, and revocation thereof would be in the public interest.

Lower Lake Huron, Mich., Restricted Area (R-60), controlling agency—Commander, 1st Fighter Wing, Selfridge AFB, Mich., is an area of 693 square miles in the northeast part of Michigan, east of Harbor Beach. It was designated for aerial gunnery and rocketry for use at altitudes from the surface to 45,000 feet MSL, and from sunrise to sunset each day.

In view of the foregoing, the Federal Aviation Agency is considering the revocation of the restricted area listed above.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER 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 Agency officials may be made by contacting the Chief, Airspace Utilization Division. 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 Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend § 608.30 (23 F.R. 8582) as follows:

In § 608.30 *Michigan*, the following Restricted Area is revoked:

Lower Lake Huron, Mich. (R-60) (Detroit Chart).

Issued in Washington, D.C., on November 10, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-9725; Filed, Nov. 17, 1959;
8:46 a.m.]

[14 CFR Part 608]

[Airspace Docket No. 59-LA-19]

RESTRICTED AREAS

Designation of Restricted Area/Military Climb Corridor

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.34 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration the designation of a Restricted Area/Military Climb Corridor at Glasgow AFB, Glasgow, Mont. The Military Climb Corridor, designated as a Restricted Area, would confine the high-speed, high rate-of-climb Century series air defense aircraft, departing from the airbase on active air defense missions, within a relatively small area. The Restricted Area would provide protection for high-speed air defense aircraft and other users of the airspace during the climb phase of the air defense aircraft mission. If such action is taken, a Restricted Area/Military Climb Corridor would be designated at Glasgow AFB, extending along the 299° True radial of the Glasgow AFB, TACAN from a point 5 statute miles northwest to a point 30 statute miles northwest of the airbase, 2 statute miles wide at the beginning and 4.6 statute miles wide at the outer extremity. The lower altitude limits in graduated steps would extend from 4,800 feet MSL to 21,800 feet MSL. The upper altitude limits would extend from 17,800 feet MSL to 27,000 feet MSL. Time of use would be continuous. The controlling agency would be the Glasgow AFB, Approach Control. The controlling agency would authorize aircraft to operate within the Climb Corridor when not in use by active air defense aircraft.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within thirty days after publication of this notice in the FEDERAL REG-

ISTER 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 Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. 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 Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend § 608.34 (23 F.R. 8575) as follows:

In § 608.34 *Montana* add:

Glasgow, Mont. (Glasgow AFB) Restricted Area/Military Climb Corridor (R-580) (Williston Chart).

Description. That area centered on the 299° True radial of the Glasgow TACAN extending from 5 statute miles NW of the airbase to 30 statute miles NW of the airbase having a width of 2 statute miles at the beginning and a width of 4.6 statute miles at the outer extremity.

Designated altitudes

- 4,800' MSL to 17,800' MSL from 5 statute miles NW of the airbase to 6 statute miles NW of the airbase.
 - 4,800' MSL to 26,800' MSL from 6 to 7 statute miles NW of the airbase.
 - 4,800' MSL to 27,000' MSL from 7 to 10 statute miles NW of the airbase.
 - 8,800' MSL to 27,000' MSL from 10 to 15 statute miles NW of the airbase.
 - 12,800' MSL to 27,000' MSL from 15 to 20 statute miles NW of the airbase.
 - 17,800' MSL to 27,000' MSL from 20 to 25 statute miles NW of the airbase.
 - 21,800' MSL to 27,000' MSL from 25 to 30 statute miles NW of the airbase.
- Time of designation.* Continuous.
Controlling agency. Glasgow AFB, Approach Control.

Issued in Washington, D.C., on November 10, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-9724; Filed, Nov. 17, 1959;
8:46 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR (1954) Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Applications for Extension of Time for Filing Individual Income Tax Returns; Notice of Hearing

Proposed amendment of regulations under section 6081 of the Internal Revenue Code of 1954, relating to applications for extensions of time for filing individual income tax returns on Form 1040 or Form 1040W, were published in the FEDERAL REGISTER for Wednesday, October 28, 1959.

A public hearing on the proposed regulations will be held on Wednesday, December 2, 1959, at 10:00 a.m., e.s.t., in Room 5003, Internal Revenue Building, 12th and Constitution Avenue NW., Washington, D.C. Persons who plan to attend the hearing are requested to so notify the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., by November 27, 1959.

[SEAL] MAURICE LEWIS,
Director, Technical Planning
Division, Internal Revenue
Service.

[F.R. Doc. 59-9802; Filed, Nov. 17, 1959;
10:38 a.m.]

[26 CFR (1954) Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Deduction for Losses; Notice of Hearing

Proposed regulations under section 165 of the Internal Revenue Code of 1954, relating to deduction for losses, were published in the FEDERAL REGISTER for Thursday, October 8, 1959.

A public hearing on these proposed regulations will be held on Friday, December 4, 1959, at 10:00 a.m., e.s.t., in Room 5003, Internal Revenue Building, 12th and Constitution Avenue NW., Washington, D.C. Persons who plan to attend the hearing are requested to so notify the Commissioner of Internal Revenue, Attention: T:P, Washington, D.C., by December 1, 1959.

[SEAL] MAURICE LEWIS,
Director, Technical Planning
Division, Internal Revenue
Service.

[F.R. Doc. 59-9803; Filed, Nov. 17, 1959;
10:38 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[493.31]

HAIR DYE BRUSHES

Tariff Classification

NOVEMBER 12, 1959.

The Bureau of Customs published a notice in the FEDERAL REGISTER dated September 30, 1959 (24 F.R. 7882), that the existing practice of classifying certain bamboo handled brushes, similar in appearance to tooth brushes but used on the person in the application of dye to the hair, under the provision of paragraph 1506, Tariff Act of 1930, for other brushes with duty at the rate of 35 percent ad valorem, was under review.

The Bureau in a letter dated November 12, 1959, addressed to the collector of customs, New York, New York, ruled that such brushes were classifiable as other toilet brushes under paragraph 1506 of the tariff act and dutiable at the rate of 1 cent each and 50 percent ad valorem if valued not over 40 cents each or at the rate of 1 cent each and 12½ percent ad valorem if valued over 40 cents each.

Insofar as that decision will result in the assessment of duty at a rate higher than that which has heretofore been assessed under an established and uniform practice, it will be applied only with respect to such or similar merchandise entered, or withdrawn from warehouse, for consumption after 90 days after the date of publication of an abstract of the decision in the weekly Treasury Decisions.

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

[F.R. Doc. 59-9757; Filed, Nov. 17, 1959;
8:50 a.m.]

[474.51]

15 DENIER MONOFILAMENT NYLON
HAVING A SLIGHT TURN TWIST

Notice of Prospective Classification

NOVEMBER 17, 1959.

There is before the Bureau of Customs the question of the correct tariff classification of certain so-called 15 denier monofilament nylon. This merchandise is a single filament (monofilament) having a slight turn twist (approximately one full turn per inch). It does not consist of more than one filament twisted together.

Under an established and uniform practice the monofilament described in the preceding paragraph has been classified as a yarn, single, not having over 20 turns per inch, under paragraph 1301, Tariff Act of 1930, with duty at the rate of 22½ percent ad valorem rather than as a filament, single, under the same paragraph with duty at the rate of 50 percent ad valorem as has been the

practice with respect to such so-called "zero twist" monofilaments having no twist.

In view of the legislative history of paragraphs 1301 and 1302, Tariff Act of 1930, as reflected in the Summary of Tariff Information, 1929, and 1930, Hearings Before a Subcommittee of the Committee on Finance on H.R. 2667, and the Report of the Committee on Finance, to accompany H.R. 2667 it appears that it was the intention of the Congress that the nylon monofilaments, described above, those which have been classified as yarns as well as those which have been classified as filaments, should be classified as filaments under paragraph 1301.

Pursuant to § 16.10a(d) of the Customs Regulations (19 CFR 16.10a(d)) notice is hereby given that the existing uniform practice of classifying such merchandise is under review by the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct classification of such or similar merchandise which are submitted in writing to the Bureau of Customs, Washington 25, D.C. To assure consideration of such communications, they must be received in the Bureau not later than 15 days from the publication of this notice. No hearings will be held.

[SEAL] RALPH KELLY,
Commissioner of Customs.

[F.R. Doc. 59-9825; Filed, Nov. 17, 1959;
11:30 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MONTANA

Notice of Termination of Proposed
Withdrawal and Reservation of Lands

OCTOBER 30, 1959.

Notice of an application, Serial Number BLM(SD) 036169, for withdrawal and reservation of lands was published as Federal Register Document No. 54-2213 on page 1729 of the issue for March 30, 1954. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on November 25, 1959, relieved of the segregative effect of the above mentioned application.

The lands involved in this notice of termination are:

BLACK HILLS MERIDIAN

T. 2 S., R. 7 E.,
Sec. 29: E½ W½ NE¼, W½ SE¼ NW¼.
T. 3 S., R. 1 E.,
Sec. 30, lot 1;
Sec. 31, SE¼ NE¼.
T. 4 S., R. 1 E.,
Sec. 4, SW¼ NW¼;
Sec. 33, NW¼ NE¼, S½ NE¼, SE¼;
Sec. 34, N½ SW¼, SW¼ SW¼.

T. 4 S., R. 2 E.,
Sec. 31, lots 2, 4;
Sec. 32, SW¼ SE¼.
T. 5 S., R. 1 E.,
Sec. 1, lot 2;
Sec. 2, lot 3, SW¼ NE¼, SE¼ NW¼, N½ SE¼;
Sec. 10, NW¼ SE¼;
Sec. 22, SE¼;
Sec. 25, SW¼ NE¼, W½ SE¼;
Sec. 26, SE¼ SE¼;
Sec. 27, NE¼ SE¼;
Sec. 35, NE¼, NE¼ SE¼, lot 4.
T. 5 S., R. 2 E.,
Sec. 18, NE¼ NW¼;
Sec. 30, SE¼ SW¼;
Sec. 31, NE¼ NW¼;
Sec. 32, S½ NE¼, SE¼, S½ SW¼;
Sec. 33, SW¼, N½ SE¼.
T. 5 S., R. 6 E.,
Sec. 28, SW¼ SW¼.
T. 6 S., R. 1 E.,
Sec. 1, lots 2, 3, 4, S½ NW¼, SW¼, SW¼ NE¼;
Sec. 2, lot 1, SE¼ NE¼, E½ SE¼, SW¼ SE¼;
Sec. 6, SE¼ NE¼;
Sec. 12; W½ NW¼.
T. 6 S., R. 2 E.,
Sec. 3, N½ SW¼;
Sec. 4, NE¼ SE¼;
Sec. 5, N½ N½, SE¼ NE¼;
Sec. 6, N½ NE¼, E½ NW¼, Lots 1, 2;
Sec. 7, SE¼ SW¼;
Sec. 11, NW¼ SE¼;
Sec. 12, W½ SE¼, SE¼ SE¼;
Sec. 25, NE¼ NW¼;
Sec. 34, Lot 3, NW¼ SE¼.
T. 6 S., R. 3 E.,
Sec. 3, lot 3;
Sec. 6, SE¼ SW¼;
Sec. 10, SE¼ SW¼;
Sec. 15, W½ NW¼, SE¼ NW¼, SW¼ NE¼;
Sec. 24, N½ NE¼, SW¼ NE¼;
Sec. 31, Lots 1, 2.
T. 6 S., R. 6 E.,
Sec. 30, Lot 1;
Sec. 32, SW¼ SE¼.
T. 7 S., R. 1 E.,
Sec. 3, SE¼ SE¼;
Sec. 4, E½ SW¼;
Sec. 8, N½ SW¼;
Sec. 10, NE¼ SE¼;
Sec. 11, W½ NW¼, NW¼ SW¼;
Sec. 12, NE¼ SW¼;
Sec. 14, SE¼ NE¼;
Sec. 17, N½ SE¼, NE¼ SW¼;
Sec. 18, N½ NE¼;
Sec. 24, SE¼ SE¼;
Sec. 26, NW¼ NW¼;
Sec. 27, NE¼ NE¼.
T. 7 S., R. 2 E.,
Sec. 3, SE¼ NE¼.
T. 7 S., R. 3 E.,
Sec. 3, Lots, 3, 4, S½ SW¼;
Sec. 10, NE¼ NE¼, N½ SE¼, NE¼ SW¼;
Sec. 11, W½ NW¼.
T. 7 S., R. 6 E.,
Sec. 5, SE¼ SE¼;
Sec. 8, NE¼ NE¼;
Sec. 20, SE¼;
Sec. 21, SW¼, SW¼ SE¼;
Sec. 26, W½ SE¼, SE¼ SE¼;
Sec. 28, SW¼ NW¼;
Sec. 29, N½ NE¼, SE¼ NE¼;
Sec. 35, NE¼, E½ SW¼.
T. 8 S., R. 2 E.,
Sec. 2, SW¼ SW¼;
Sec. 3, SE¼ SE¼, Lot 2;
Sec. 8, SE¼ SW¼, SW¼ SE¼;
Sec. 10, NE¼;
Sec. 11, N½ NW¼;
Sec. 12, NW¼ NE¼;
Sec. 22, NE¼ SE¼;
Sec. 27, NE¼ NW¼.

- T. 8 S., R. 3 E.,
Sec. 21, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 9 S., R. 3 E.,
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 9 S., R. 4 E.,
Sec. 3, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 9 S., R. 5 E.,
Sec. 11, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 9 S., R. 6 E.,
Sec. 10, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 8,748.03 acres.

J. R. PENNY,
State Supervisor.

[F.R. Doc. 59-9726; Filed, Nov. 17, 1959;
8:46 a.m.]

National Park Service

[Region One, Order 3, Amdt. 5]

PARK SUPERINTENDENTS, REGION ONE

Delegation of Authority With Respect to Contract Authority

NOVEMBER 9, 1959.

Section 2, paragraph (e) of Region One Order No. 3 issued August 28, 1957 is amended to read as follows:

(e) Approval of contracts for construction, supplies or services in excess of \$50,000 by the Superintendents whose positions are allocated to Civil Service grades GS-11 and GS-12. Superintendents whose positions are allocated to Civil Service grade GS-13 are authorized to exercise such authority as is held by the Regional Director.

(National Park Service Order No. 14; 39 Stat. 535, 16 U.S.C., sec. 2)

ELBERT COX,
Regional Director.

[F.R. Doc. 59-9727; Filed, Nov. 17, 1959;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

CONECUH COOPERATIVE STOCKYARD ET AL.

Posted Stockyards

Pursuant to the authority delegated to the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the act (7 U.S.C. 202) and were, therefore, subject to the act, and notice was given to the owners and to

the public by posting notice at the stockyards as required by said section 302.

ALABAMA

Name of Stockyard and Date of Posting

- Conecuh Cooperative Stockyard, Evergreen; Oct. 3, 1959.
- Dale County Swine Breeder's Assn., Ozark; Aug. 14, 1959.
- Geneva Stock Yards, Geneva; Aug. 27, 1959.
- Hester Stock Yard, Russellville; Aug. 25, 1959.
- Madison County Livestock Market, Huntsville; July 13, 1959.
- Red Bay Stockyard, Red Bay; Aug. 24, 1959.

ARKANSAS

- Bruce Cartwright Livestock Auction, Inc., Magnolia; Sept. 11, 1959.
- Lafayette County Livestock Auction, Inc., Lewisville; Oct. 2, 1959.
- Morrilton Livestock Auction, Morrilton; Sept. 30, 1959.
- Producers Stockyards, Inc., North Little Rock; Oct. 9, 1959.

CALIFORNIA

- Atwater Livestock Auction Company, Atwater; Oct. 1, 1959.
- Fresno County Farm Bureau Sales Yard, Fresno; Oct. 6, 1959.
- Galt Livestock Sales Yard, Galt; Oct. 1, 1959.
- Kings County Farm Bureau Sales Yard, Hanford; Oct. 1, 1959.
- L & M Sales Yard, Fresno; Sept. 30, 1959.
- Maclin-Caldwell Auction Co., Colton; Oct. 1, 1959.
- Maclin-Caldwell Auction Co., Ontario; Oct. 1, 1959.
- Madera County Farm Bureau Sales Yard, Madera; Oct. 1, 1959.
- Prunedale or Salinas Livestock Auction Yard, Salinas; Oct. 3, 1959.
- Templeton Sales Yard, Templeton; Oct. 3, 1959.
- Trev. Moore Sale Yard, Corona; Oct. 3, 1959.
- Tulare County Farm Bureau Sales Yard, Visalia; Oct. 1, 1959.
- Turlock Sales Yard, Turlock; Oct. 5, 1959.
- 101 Livestock Commission Co., San Juan Bautista (location shown as Salinas, California, in notice of rule making); Oct. 6, 1959.

COLORADO

- Elizabeth Livestock Auction, Elizabeth; Oct. 3, 1959.
- Haxtun Sale Barn, Haxtun; Oct. 7, 1959.
- Longmont Sales Yard, Longmont; Oct. 2, 1959.
- North Federal Sales Yard, Denver; Oct. 6, 1959.
- Southern Colorado Livestock Commission Company, Pueblo; Sept. 15, 1959.

GEORGIA

- Augusta Livestock Market, Augusta; Sept. 24, 1959.
- Emanuel County Stockyard, Swainsboro; Aug. 30, 1959.
- Georgia Farm Products Sales Corps., Thomaston; Aug. 20, 1959.
- Middle Georgia Livestock Sales Co., Jackson; Sept. 30, 1959.
- Milan Livestock Market, Milan; Aug. 27, 1959.
- Ragsdale Long Commission Co., Quitman; Sept. 4, 1959.
- Smith Stockyard, Augusta; May 28, 1959.
- Sutton Livestock Co., Sylvester; Aug. 20, 1959.

IDAHO

- Bonnors Ferry Sales Yard, Bonnors Ferry; Oct. 13, 1959.
- Coeur D'Alene Livestock Commission Yards, Coeur D'Alene; Oct. 2, 1959.
- Sandpoint Livestock Auction Co., Sandpoint; Oct. 1, 1959.

INDIANA

- Bloomington Sale Barn, Bloomington; Sept. 23, 1959.

IOWA

- Central Iowa Livestock, Inc., Rippey; Sept. 18, 1959.

KANSAS

- Columbus Community Sale, Columbus; Aug. 20, 1959.
- Mankato Sales Co., Mankato; Oct. 1, 1959.
- Waverly Sales Company, Waverly; Sept. 28, 1959.

MARYLAND

- The Farmers Live Stock Exchange, Inc., Boonsboro; Oct. 14, 1959.
- Four States Livestock Sales, Inc., Hagerstown; Oct. 14, 1959.
- Harry Rudnick & Sons, Galena; Oct. 21, 1959.

MINNESOTA

- Benson Livestock Stock Market, Benson; Sept. 24, 1959.
- Bob Lund Sales Barn & Livestock Yards, Lafayette; Oct. 6, 1959.
- Farmers Union Cattle Company, Madella; Sept. 15, 1959.
- Fielder Sale Barn, Aitkin; Oct. 6, 1959.
- Granite Falls Sales Co., Granite Falls; Sept. 19, 1959.
- Hutchinson Sales Pavilion, Hutchinson; Oct. 19, 1959.
- Kasson Sale Barn, Kasson; Sept. 21, 1959.
- Kayes Livestock Sales, Morris; Sept. 21, 1959.
- Kiester Sales Co., Kiester; Oct. 14, 1959.
- Le Sueur Sales Barn, Inc., Le Sueur; Oct. 17, 1959.
- Luverne Livestock Association, Luverne; Sept. 23, 1959.
- Marshall Sales Pavilion, Marshall; Sept. 16, 1959.
- Park Rapids Sales Co., Park Rapids; Oct. 2, 1959.
- Pipestone Livestock Auction Market, Pipestone; Sept. 23, 1959.
- Princeton Livestock Market, Princeton; Oct. 15, 1959.
- Renville Sales Pavilion, Renville; Sept. 15, 1959.
- S. & M. Livestock Sales, Cambridge; Oct. 7, 1959.
- Sauk Centre Sale Barn, Sauk Centre; Sept. 15, 1959.
- Sleepy Eye Auction Market, Sleepy Eye; Oct. 10, 1959.
- Spring Grove Livestock Exchange, Spring Grove; Oct. 20, 1959.
- Staples Sale Barn, Staples; Oct. 1, 1959.
- Sunnybrook Sale Barn, Stewart; Oct. 21, 1959.
- Thief River Sales Barn, Thief River Falls; Sept. 21, 1959.
- Truman Livestock Sales Company, Truman; Sept. 15, 1959.
- Wadena Auction Market, Wadena; Sept. 22, 1959.
- Walnut Grove Sales Pavilion, Walnut Grove; Sept. 23, 1959.
- Willmar Sheep & Cattle Auction Sales, Willmar; Sept. 24, 1959.
- Windom Sales Co., Windom; Oct. 21, 1959.
- Worthington Livestock Sales Co., Worthington; Sept. 15, 1959.

MISSOURI

- Fair Play Sales and Auction Co., Fair Play; Sept. 16, 1959.
- Holden Auction Co., Holden; Sept. 30, 1959.
- North Missouri Sales Pavilion, Trenton; Oct. 1, 1959.
- Taney County Live Stock Auction, Forsyth; Sept. 15, 1959.
- Vernon County Sales Company, Nevada; Sept. 19, 1959.
- Wheaton Community Sale, Wheaton; Sept. 18, 1959.

OHIO

Sugarcreek Livestock Auction, Sugarcreek; Sept. 14, 1959.

OREGON

Brahs Auction Market, Corvallis; Sept. 22, 1959.
Coos Curry Livestock Auction, Bandon; Oct. 14, 1959.
Forest Grove Auction Yard, Forest Grove; Oct. 1, 1959.
Hermiston Livestock Commission Co., Hermiston; Oct. 13, 1959.
Klamath Cattle Sales, Inc., Klamath Falls; Sept. 25, 1959.
Klamath Stockmen's Commission Company, Inc., Klamath Falls; Oct. 12, 1959.
Lynn Walters Auction City, Clackamas; Sept. 22, 1959.
McMinnville Auction Yard, McMinnville; Sept. 30, 1959.
Madras Livestock Auction Market, Madras; Sept. 22, 1959.
Midway Auction Co., Medford; Sept. 30, 1959.
Redmond Auction Yard, Inc., Redmond; Oct. 1, 1959.
Schricker & Son Livestock Auction, Sutherlin; Oct. 10, 1959.
Southern Oregon Livestock Auction Co., Phoenix; Oct. 2, 1959.
Woodburn Auction Yard, Woodburn; Oct. 10, 1959.

TENNESSEE

Bryan Bros. Livestock Market, Decherd; Sept. 30, 1959.

TEXAS

Nacogdoches Livestock Commission Co., Nacogdoches; Sept. 17, 1959.

WASHINGTON

Chehalis Livestock Market, Chehalis; Oct. 1, 1959.
Columbia Sales Barn, Vancouver; Sept. 28, 1959.
Colville Auction, Colville; Sept. 25, 1959.
Ellensburg Sale Yard, Ellensburg; Oct. 6, 1959.
Farmer's Auction House, Everson; Oct. 5, 1959.
Farmers Auction Sale, Snohomish; Oct. 3, 1959.
Grange Interstate Livestock Association, Moses Lake; Sept. 24, 1959.
Northwest Auction Sales, Inc., Burlington; Oct. 8, 1959.
Okanogan Livestock Market, Inc., Okanogan; Oct. 8, 1959.
Pasco Central Stockyards, Inc., Pasco; Sept. 23, 1959.
Prosser Sales Yard Corp., Prosser; Sept. 22, 1959.
Snohomish Auction Market, Snohomish; Sept. 22, 1959.
Sunnyside Market Sale, Sunnyside; Oct. 5, 1959.
Tonasket Livestock Market, Inc., Tonasket; Oct. 9, 1959.
Toppenish Sales Yard, Inc., Toppenish; Oct. 2, 1959.
Twin City Sale, Centralia; Sept. 23, 1959.
Walla Walla Livestock Commission Co., Inc., Walla Walla; Oct. 13, 1959.
Wards Community Sale Yard, Wapato; Sept. 26, 1959.
Wink-Goldendale Sale Yard, Inc., Golden-dale; Oct. 5, 1959.

Done at Washington, D.C., this 10th day of November 1959.

LEE D. SINCLAIR,
Acting Director, Livestock Division,
Agricultural Marketing Service.

[F.R. Doc. 59-9762; Filed, Nov. 17, 1959; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 85 (Amended), Amdt. 4]

BUREAU OF THE CENSUS

Organization and Functions

The material appearing at 20 F.R. 492-494 of January 1, 1955; 21 F.R. 6720 of September 6, 1956; 22 F.R. 9446-9447 of November 26, 1957; and 23 F.R. 5550 of July 22, 1958 is further amended as follows:

The purpose of this amendment is to provide authorization for the transfer of certain current survey functions from the Population Division of the Demographic Surveys Division established by this amendment. Accordingly, Department Order No. 85 (Amended) of January 1, 1955 is amended as follows:

1. Section 2.02 as it relates to the Assistant Director for Demographic Fields and 5.04 are amended by the addition of the "Demographic Surveys Division."

2. Section 5.04 2 is changed to read as follows:

2. Population Division formulates and develops over-all plans and programs for the collection, processing and dissemination of statistical data covering special and current surveys and censuses relating to people and their characteristics; conducts analytical research for the regular census reports and special interpretive analysis; and prepares special analytical and interpretive reports, monographs, and special studies.

3. Section 5.04 is expanded to include a new subsection 5 which reads as follows:

5. Demographic Surveys Division plans and develops technical operational specifications, survey design and methodology for, provides technical direction over the development of, and processes, statistical data collected in current surveys and special censuses in the Demographic Fields; and conducts surveys and methodology studies for other agencies.

Effective date: November 5, 1959.

Dated: November 10, 1959.

FREDERICK H. MUELLER,
Secretary of Commerce.

[F.R. Doc. 59-9733; Filed, Nov. 17, 1959; 8:47 a.m.]

GEORGE W. FLANAGAN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of the last six months.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of November 6, 1959.

GEORGE W. FLANAGAN.

NOVEMBER 6, 1959.

[F.R. Doc. 59-9734; Filed, Nov. 17, 1959; 8:47 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 12950, 12951; FCC 59-1138]

ISLAND TELERADIO SERVICE, INC.,
AND WPRA, INC. (WPRA)Memorandum Opinion and Order
Amending Issues

In re applications of Island Teleradio Service, Inc. Charlotte Amalie, St. Thomas, Virgin Islands, Docket No. 12950, File No. BP-11801; WPRA, Inc. (WPRA), Guaynabo, Puerto Rico, Docket No. 12951, File No. BP-12551; for construction permits.

1. The Commission has before it for consideration (1) a motion to clarify or enlarge the issues, filed by Island Teleradio Service, Inc. (Teleradio) on August 14, 1959; (2) a reply thereto filed by the Broadcast Bureau (Bureau) on September 11, 1959;¹ and (3) other matters of record herein.

2. By Order released July 27, 1959 (FCC 59-750), the application of WPRA, Inc., (WPRA) to remove standard broadcast station WPRA (990 kc, 10 kw, DA-1, U) from Mayaguez, Puerto Rico, to Guaynabo, Puerto Rico, and to operate there on 990 kc, 1 kw, 10 kw-LS, U, was designated for consolidated hearing with the application of Teleradio to construct a new standard broadcast station at Charlotte Amalie, St. Thomas, Virgin Islands, to operate on 1000 kc, 1 kw, U. Among the hearing issues designated are an issue requiring determination of the areas and populations which may gain or lose primary service from the proposed relocation of WPRA and the availability thereto of other such services, and an issue under Section 307(b) of the Communications Act, as amended, as to which of the proposals herein would provide a more fair, efficient and equitable distribution of broadcast facilities. Teleradio seeks by its petition to clarify or enlarge the issues in order to establish that there may be introduced allegedly relevant evidence as to (1) the comparative needs of the gain and loss areas contemplated by the proposed relocation of WPRA; and (2) the nature and character of the programming proposals of the two applicants and the manner in which such programming will meet the needs of the areas and populations proposed to be served.

3. It is the opinion of the Commission that evidence of the broadcast needs of the areas and populations presently served by WPRA and the broadcast needs of the areas and populations which WPRA proposes to serve is relevant to a

¹By Order released September 1, 1959 (FCC 59M-1098), the time for filing the Bureau's reply was extended to September 11, 1959.

determination of whether a grant of its application would be consistent with section 307(b) of the Act and with the public interest.² In view of the foregoing, the present issue 2 will be amended to permit the introduction of such evidence.

4. Teleradio's second request is rejected on the basis of our Opinion and Order in Plainview Radio, 18 RR 671 (1959), in which we stated that to permit such a showing would subordinate the question of the relative needs of two communities for a new or additional service to the relative ability of the applicants to serve such needs. We do not agree with Teleradio's contention that in the present proceedings an exception should be made to the Plainview ruling in view of the language differences of the various populations proposed to be served; we assume that the broadcast services of the successful applicant will be adjusted, if necessary, to meet changing and differing community needs.

5. Teleradio's concern as to the admissibility of evidence of the programming proposals of the applicants should engineering evidence herein indicate that one applicant will render a primary service to the principal community of the other is unfounded. In Plainview, supra, we held that upon a showing by acceptable engineering evidence that one applicant would provide primary service to the principal community to be served by the other, evidence as to which applicant's proposed programming would better serve that community's needs may be introduced.

6. Accordingly, it is ordered, This 12th day of November 1959, that the motion for clarification or enlargement of the issues filed by Island Teleradio Service, Inc., on August 14, 1959, is granted to the extent indicated herein and is denied in all other respects.

7. It is further ordered, That Issue No. 2 is amended to read as follows: "To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WPRA and the availability of other primary service to such areas and populations; and to determine the comparative broadcast needs of the areas and populations now served by Station WPRA, and of the areas and populations proposed to be served by Station WPRA, and in view thereof, whether a grant of its application would be consistent with section 307(b) of the Communications Act."

Released: November 13, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9754; Filed, Nov. 17, 1959;
8:49 a.m.]

² In this connection see our Memorandum Opinion and Order in Ark-Valley Broadcasting Co., 7 RR 77 (1951), where under substantially similar circumstances we reached the same conclusion. We also stated in the course of that Opinion and Order that "Apart from any consideration of Section 307(b) * * * we do not see how we can ignore the fact [removal of a station from one community to another] in making a determination as to whether the public interest would be served."

[Docket No. 13062; FCC 59M-1510]

CHE BROADCASTING CO. (NSL)

Order Continuing Hearing

In re application of CHE Broadcasting Company (NSL), Albuquerque, New Mexico, Docket No. 13062, File No. BP-11842; for construction permit.

On the oral request of counsel for the Broadcast Bureau and with the consent of applicant: *It is ordered*, This 12th day of November 1959, that the hearing now scheduled for November 13, 1959, is continued to Friday, December 18, 1959, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: November 12, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9753; Filed, Nov. 17, 1959;
8:49 a.m.]

[Docket No. 12049, 12050; FCC 59M-1507]

JEFFERSON RADIO CO. AND BESSEMER BROADCASTING CO., INC. (WEZB)

Order Scheduling Hearing

In re applications of W. D. Frink, tr/as Jefferson Radio Company, Irondale, Alabama, Docket No. 12049, File No. BP-10672; The Bessemer Broadcasting Company, Incorporated (WEZB), Bessemer, Alabama, Docket No. 12050, File No. BP-10886; for construction permits.

Pursuant to agreement reached at pre-hearing conference held on November 10, 1959: *It is ordered*, This 12th day of November 1959, that hearing in the above-entitled proceeding will be held at 10:00 a.m. November 30, 1959, in the offices of the Commission, Washington, D.C.

Released: November 12, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9755; Filed, Nov. 17, 1959;
8:49 a.m.]

[FCC 59-1146]

STANDARD BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

NOVEMBER 13, 1959.

Notice is hereby given, pursuant to § 1.354(c) of the Commission's rules, that on December 19, 1959, the standard broadcast applications listed below will be considered as ready and available for processing, and that pursuant to § 1.106 (b) (1) and § 1.361(b) of the Commission's rules, an application, in order to be considered with any application appearing on the list below, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., no later than (a) the close of business on December 18, 1959,

or (b) if action is taken by the Commission on any listed application prior to December 19, 1959, no later than the close of business on the day preceding the day on which such action is taken, or (c) the day on which a conflicting application was "cut off" because it was timely filed for consideration with an application on a previous such list.

Adopted: November 12, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

**APPLICATIONS FROM THE TOP OF
PROCESSING LINE**

- BP-12385 NEW, Chester, Va.
Vernon H. Baker.
Req: 1410 kc, 5 kw, Day.
- BP-12389 WMJM, Cordele, Ga.
Southeastern Broadcasting System, Inc.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.
- BP-12391 WGGG, Gainesville, Fla.
Radio Gainesville, Inc.
Has: 1230 kc, 250 w, U.
Req: 1230 kc, 250 w, 1 kw-LS, U.
- BP-12392 KCIL, Houma, La.
KCIL, Incorporated.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.
- BP-12393 WKRM, Columbia, Tenn.
Middle Tennessee Broadcasting Co.
Has: 1340 kc, 250 w, U.
Req: 1340 kc, 250 w, 1 kw-LS, U.
- BP-12394 NEW, Hendersonville, N.C.
William R. Packham.
Req: 1410 kc, 500 w, Day.
- BP-12396 WMRB, Greenville, S.C.
Paramount Broadcasting Co., Inc.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.
- BP-12397 KSCB, Liberal, Kans.
Seward County Broadcasting Co., Inc.
Has: 1270 kc, 1 kw, Day.
Req: 1270 kc, 500 w, 1 kw-LS, DA-N, U.
- BP-12399 NEW, Brunswick, Ga.
Dixie Radio, Inc.
Req: 1550 kc, 1 kw, Day.
- BP-12400 NEW, Canandaigua, N.Y.
Radio Station WESB.
Req: 1550 kc, 250 w, Day.
- BP-12403 NEW, Sapulpa, Okla.
Oklahoma Broadcasting Co.
Req: 1550 kc, 500 w, Day.
- BP-12406 NEW, Enterprise, Ore.
Wallowa Valley Radio.
Req: 1340 kc, 250 w, U.
- BP-12407 NEW, Winfield, Kans.
Courtney Broadcasting Co.
Req: 1550 kc, 250 w, Day.
- BMP-8282 KAGI, Grants Pass, Ore.
Southern Oregon Broadcasting Co.
Has: 1340 kc, 250 w, U.
Req: 930 kc, 1 kw, 5 kw-LS, DA-N, U.
- BP-12409 NEW, Marathon, Fla.
Key Broadcasting Co., Inc.
Req: 1300 kc, 500 w, DA, Day
- BP-12411 NEW, Santa Fe, N. Mex.
Santa Fe Broadcasting Co.
Req: 970 kc, 1 kw, Day.
- BP-12412 NEW, Princeton, N.J.
Greater Princeton Broadcasting Co.
Req: 1350 kc, 5 kw, DA-2, U.
- BP-12416 NEW, Minneapolis, Minn.
Hennepin Broadcasting Associates.
Req: 690 kc, 500 w, DA, Day.
- BP-12418 NEW, Ojai, Calif.
Rex O. Stevenson.
Req: 1320 kc, 500 w, Day.

BP-12424 NEW, Loudon, Tenn.
Loudon County Broadcasting Co.
Req: 1360 kc, 500 w, Day.

BP-12425 WNBH, New Bedford, Mass.
E. Anthony & Sons, Inc.
Has: 1340 kc, 250 w, U.
Req: 1340 kc, 250 w, 1 kw-LS, U.

BP-12426 WOOK, Washington, D.C.
United Broadcasting Company, Inc.
Has: 1340 kc, 250 w, U.
Req: 1340 kc, 250 w, 1 kw-LS, U.

BP-12427 WHUB, Cockeville, Tenn.
WHUB, Inc.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w, 1 kw-LS, U.

BP-12428 NEW, Waynesboro, Va.
John Laurino.
Req: 970 kc, 500 w, Day.

BP-12430 WWBZ, Vineland, N.J.
Community Broadcasting Service, Inc.
Has: 1360 kc, 1 kw, DA-N, U.
Req: 1360 kc, 5 kw, DA-2, U.

BP-12433 WNLC, New London, Conn.
Thames Broadcasting Corp.
Has: 1490 kc, 250 w, U.
Req: 1510 kc, 5 kw, DA-1, U.

BP-12435 WDXN, Clarksville, Tenn.
Clarksville Broadcasting Co.
Has: 540 kc, 250 w, Day.
Req: 540 kc, 1 kw, Day.

BP-12436 NEW, Colonial Village, Tenn.
Morgan Broadcasting Co.
Req: 1580 kc, 250 w, Day.

BP-12438 NEW, Festus, Mo.
Robert D. Rapp and Martha M. Rapp.
Req: 1400 kc, 250 w, U.

BP-12445 WIOM, Ionia, Mich.
Ionia Broadcasting Co.
Has: 1430 kc, 500 w, Day.
Req: 1430 kc, 5 kw, DA, Day.

BP-12446 KUEN, Wenatchee, Wash.
Queen Broadcasting Co.
Has: 900 kc, 500 w, Day.
Req: 900 kc, 1 kw, Day.

BP-12449 NEW, Colorado Springs, Colo.
Mercury Broadcasting.
Req: 790 kc, 500 w, DA-Day.

BP-12450 KYCA, Prescott, Ariz.
Southwest Broadcasting Co.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.

BP-12455 WDAD, Indiana, Pa.
WDAD, Inc.
Has: 1450 kc, 250 w, U.
Req: 1450 kc, 250 w, 1 kw-LS, U.

BP-12457 NEW, Fountain City, Tenn.
Radio Fountain City, Inc.
Req: 1430 kc, 1 kw, Day.

BP-12458 WBIZ, Eau Claire, Wis.
WBIZ, Inc.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w, 1 kw-LS, U.

BP-12459 WBML, Macon, Ga.
Middle Georgia Broadcasting Co.
Has: 1240 kc, 250 w, U.
Req: 1240 kc, 250 w, 1 kw-LS, U.

BP-12461 WBGR, Jesup, Ga.
Altamaha Broadcasting Co.
Has: 1370 kc, 1 kw, Day.
Req: 1370 kc, 5 kw, Day.

BP-12462 WLOX, Biloxi, Miss.
WLOX Broadcasting Co.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.

BP-12463 WMAJ, State College, Pa.
Centre Broadcasters, Inc.
Has: 1450 kc, 250 w, U.
Req: 1450 kc, 250 w, 1 kw-LS, U.

BP-12464 WSLB, Ogdensburg, N.Y.
Seaway Radio, Inc.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w, 1 kw-LS, U.

BP-12468 NEW, Tampa, Fla.
Tamark Broadcasting Co., Inc.
Req: 810 kc, 1 kw, DA-1, U.

BP-12472 NEW, Hudson Falls, N.Y.
Ralph N. Romano.
Req: 1350 kc, 1 kw, Day.

BP-12473 WESC, Greenville, S.C.
Broadcasting Company of the Carolinas.
Has: 660 kc, 5 kw, Day.
Req: 660 kc, 10 kw, DA, Day.

BP-12475 WJZM, Clarksville, Tenn.
Campbell and Sheftall.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w, 1 kw-LS, U.

APPLICATIONS ON WHICH SECTION 309(b) LETTERS HAVE BEEN ISSUED.

BP-12404 NEW, Palmetto, Fla.
Palmetto Broadcasting Corp.
Req: 1220 kc, 1 kw, DA, Day.

BP-12410 NEW, Midwest City, Okla.
Tinker Area Broadcasting Co.
Req: 1220 kc, 1 kw, DA, Day.

BP-12414 WRAK, Williamsport, Pa.
WGAL, Inc.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w, 1 kw-LS, U.

BP-12440 WKBI, Saint Marys, Pa.
The Elk-Cameron Broadcasting Co.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w, 1 kw-LS, U.

BP-12477 WAKE, Atlanta, Ga.
WAKE Broadcasters, Inc.
Has: 1340 kc, 250 w, U.
Req: 1340 kc, 250 w, 1 kw-LS, U.

[F.R. Doc. 59-9756; Filed, Nov. 17, 1959; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2270]

CONSUMERS POWER, INC.

Notice of Application for Preliminary Permit

NOVEMBER 12, 1959.

Public notice is hereby given that Consumers Power, Inc., of Corvallis, Oregon, has filed application under the Federal Power Act (16 U.S.C. 791a-825r) for preliminary permit for proposed water-power Project No. 2270 to be located on the North Santiam River and Sevenmile Creek in Linn and Marion Counties, Oregon, near Gates and Mill City, and to consist of a concrete gravity dam about 65 feet high with a center spillway containing three 46' by 44½' radial gates on the North Santiam River about 2.5 miles below the United States Corps of Engineers' Big Cliff powerhouse; diversion works on Sevenmile Creek; an intake structure at the dam on the right bank; a 15-foot diameter lined tunnel extending from the intake structure for a distance of about 1.6 miles under the highway and along the right bank; a lined canal with some bench flume about 8.5 miles long extending from the tunnel to a forebay about two miles west of Mill City; a steel penstock 13 feet in diameter extending to a powerhouse; a powerhouse containing two 31,500-kilo-watt generators; and a transmission line from the powerhouse to the Santiam substation of the Bonneville Power Administration.

No construction is authorized under a preliminary permit. A permit, if issued, gives permittee, during the period of the permit, the right to priority of application for license while the permittee undertakes the necessary studies and examinations, including the preparation of maps and plans, in order to determine the economic feasibility of the

proposed project, the means of securing the necessary financial arrangements for construction, the market for the project power, and all other information necessary for inclusion in an application for license, should one be filed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is December 17, 1959. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9743; Filed, Nov. 17, 1959; 8:48 a.m.]

[Docket No. E-6906]

DUKE POWER CO.

Notice of Application

NOVEMBER 12, 1959.

Take notice that on November 3, 1959, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Duke Power Company ("Applicant"), a corporation organized under the laws of the State of New Jersey and doing business in the States of North Carolina and South Carolina, with its principal business office at Charlotte, North Carolina, seeking an order authorizing the issuance of short-term Promissory Notes not exceeding \$76,000,000 in aggregate principal amount, including the amount of approximately \$26,500,000 which Applicant could borrow on notes of a maturity of one year or less pursuant to the exemption provided by section 204(e) of the Federal Power Act. Each of Applicant's proposed notes will be dated as of its actual date of issue and will mature in not more than one year after the date thereof. Such notes will be issued from time to time as funds are required during the period beginning with the date of authorization and ending on December 31, 1961. Applicant requests that the authorization of said short-term borrowings include the right to renew such short-term notes from time to time with renewal notes maturing not more than one year after the respective dates of such renewal notes, provided however, that any such renewal note shall mature in not more than three years from the date of issue of the original note so renewed; hence no renewal note will mature later than December 31, 1964. Applicant also requests that the principal amount of such renewals be not considered as applying against, or as a reduction of, the \$76,000,000 authorization herein requested. The interest rate will not be in excess of the prime commercial rate prevailing in New York, New York, as of the date of issue of each note, for unsecured, short-term obligations of the form and character of the notes proposed to be issued by Applicant. Such interest rate is currently 5 percent. Applicant proposes to use the proceeds from the proposed short-term borrow-

ings to obtain temporary, interim capital for financing in part the cost of construction of additions to its generating, transmission and distribution facilities.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the second day of December 1959, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9744; Filed, Nov. 17, 1959;
8:48 a.m.]

[Docket No. G-19037]

**FALCON SEABOARD DRILLING CO.
ET AL.**

**Notice of Application and Date of
Hearing**

NOVEMBER 12, 1959.

Take notice that on July 23, 1959, Falcon Seaboard Drilling Company (Falcon), Operator, et al.,¹ filed in Docket No. G-19037 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon natural gas service to Kansas-Nebraska Natural Gas Company, Inc. (Kansas-Nebraska) from acreage in the North Johnson Hill-East Field, Logan County, Colorado, all as more fully set forth in the application herein which is on file with the Commission and open to public inspection.

The subject service is covered by a gas sales contract dated April 2, 1956, as amended, between Falcon, et al., seller, and Kansas-Nebraska, buyer, on file as Falcon Seaboard Drilling Company (Operator), et al., FPC Gas Rate Schedule No. 3, as supplemented, and said service was authorized by Commission order issued July 18, 1958, in Docket No. G-7287.

Falcon states that all production of gas from the subject acreage has ceased, all wells have been plugged and abandoned, and the leases involved are also to be abandoned.

Concurrently with the application herein, Falcon filed notice of cancellation of the related rate schedule which has been designated as Supplement No. 2 to Falcon Seaboard Drilling Company (Operator), et al., FPC Gas Rate Schedule No. 3.

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

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

mission's rules of practice and procedure, a hearing will be held on December 15, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 4, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9745; Filed, Nov. 17, 1959;
8:48 a.m.]

[Docket No. E-6907]

IDAHO POWER CO.

Notice of Application

NOVEMBER 12, 1959.

Take notice that on November 3, 1959, an application was filed with the Federal Power Commission pursuant to section 204 of Federal Power Act by Idaho Power Company ("Applicant"), a corporation organized under the laws of the State of Maine and doing business in the States of Idaho, Oregon and Nevada, with its principal business office at Boise, Idaho, seeking an order authorizing the issuance of short-term Promissory Notes. Applicant, pursuant to Commission orders, from time to time, has issued short-term notes which were outstanding at the date of this application in an aggregate principal amount of \$15,100,000, and requests authorization to continue to make short-term borrowings and to issue and have outstanding short-term promissory notes up to an aggregate of \$30,187,500 over and above the limitations provided in section 204(e) of the Federal Power Act, in order and so as to provide a continuing outstanding short-term borrowing authorization aggregating \$40,000,000. Applicant also seeks authorization to include the right to renew such of said short-term notes as expire prior to December 31, 1960, and requests that the principal amounts of such renewals or renewal notes shall not be considered as applying against, or as a reduction of, the authorized short-term borrowing authorization of \$40,000,000, aggregate principal amount of Notes, outstanding at any one time as herein requested. Said borrowings will be bank loans, evidenced by unsecured notes, probably for a maturity of six months after date of each issuance, and not to

exceed one year after date. The interest rate on said notes will be the current rate applicable in New York, New York, currently 5 percent. Applicant will use the proceeds from the proposed short-term borrowings to obtain temporary, interim capital for the construction, extension and improvement of operating facilities, including the Oxbow unit of Project 1971.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the second day of December 1959, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9746; Filed, Nov. 17, 1959;
8:48 a.m.]

[Docket No. G-19780]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Postponement of Hearing

NOVEMBER 12, 1959.

Upon consideration of the request filed November 4, 1959, by Counsel for Panhandle Eastern Pipe Line Company for postponement of the hearing now scheduled for December 8, 1959 in the above-designated matter;

The hearing now scheduled for December 8, 1959, is hereby postponed to January 5, 1960, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9747; Filed, Nov. 17, 1959;
8:48 a.m.]

[Docket Nos. G-20079—G-20087]

SOCONY MOBIL OIL CO., INC., ET AL.

**Order for Hearings and Suspending
Proposed Changes in Rates¹**

NOVEMBER 10, 1959.

In the matters of Socony Mobil Oil Company, Inc., Docket No. G-20079; Texaco Inc., Docket No. G-20080; Jett Drilling Company, Inc. (Operator), et al., Docket No. G-20081; Sinclair Oil & Gas Company, Docket No. G-20082; David Crow, Trustee, Docket No. G-20083; M. F. Powers, Docket No. G-20084; Union Producing Company, Docket No. G-20085; Humble Oil & Refining Company, Docket No. G-20086; Sun Oil Company, Docket No. G-20087.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for their sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

¹This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

¹"Et al." parties are Ryan Oil Company, Davis Oil Company and Allied Materials Corporation. All are signatory parties to the contract involved.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Notice of change dated—	Date tendered	Effective date ² unless suspended	Rate suspended until—	Cents per Mcf	
									Rate in effect	Proposed increased rate
G-20079	Socony Mobil Oil Co., Inc.	114	4	United Gas Pipe Line Co. (Pistol Ridge Field, Forrest and Pearl River Counties, Miss.).	10-15-59	10-19-59	11-24-59	4-24-60	\$ 20.0	\$ 24.0
G-20080	Texaco Inc.	163	1	Cities Service Gas Co. (Medford Field, Grant County, Okla.).	Undated	10-20-59	1-1-60	6-1-60	12.0	\$ 13.0
		161	2	Cities Service Gas Co. (NE. Waynoka Field, Woods County, Okla.).	...do...	10-20-59	1-1-60	6-1-60	12.0	\$ 13.0
		15	3	Cities Service Gas Co. (Hugoton Field, Texas County, Okla.).	...do...	10-20-59	1-11-60	6-11-60	\$ 13.0	\$ 20.0
G-20081	Jett Drilling Co., Inc. (Operator), et al.	2	1	United Gas Pipe Line Co., (Maxie-Pistol Ridge Fields, Forrest, Lamar and Pearl River Counties, Miss.).	10-21-59	10-21-59	11-24-59	4-24-60	\$ 20.0	\$ 24.0
G-20082	Sinclair Oil & Gas Co.	158	2	El Paso Natural Gas Co. (Amacker-Tippett Field, Upton County, Tex.).	10-20-59	10-22-59	11-22-59	4-22-60	8.108	\$ 11.06311
		55	2	Cities Service Gas Co. (Rhodes, Hardtner, and Early Fields, Barber County, Kans.).	10-20-59	10-22-59	12-23-59	5-23-60	12.0	\$ 13.0
G-20083	David Crow, Trustee	3	4	Transcontinental Gas Pipe Line Corp. (Kinder Field, Allen Parish, La.).	10-7-59	10-12-59	11-12-59	4-12-60	\$ 16.75	\$ 23.55
G-20084	M. F. Powers	18	1	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.).	\$ 8-1-59	10-12-59	11-12-59	4-12-60	¹⁰ 11.0	\$ 12.5
		8	1	United Gas Pipe Line Co. (Maxie-Pistol Ridge Fields, Forrest, Lamar, and Pearl River Counties, Miss.).	10-5-59	10-12-59	11-12-59	4-12-60	¹⁰ 11.0	\$ 12.5
G-20085	Union Producing Co.	92	6	United Gas Pipe Line Co. (Maxie-Pistol Ridge Fields, Forrest, Lamar, and Pearl River Counties, Miss.).	10-9-59	10-12-59	11-24-59	4-24-60	¹¹ 20.0	\$ 24.0
		222	2	do	10-9-59	10-12-59	11-24-59	4-24-60	20.0	\$ 24.0
G-20086	Humble Oil & Refining Co.	110	3	do	10-8-59	10-13-59	11-24-59	4-24-60	20.0	\$ 24.0
G-20087	Sun Oil Co.	83	2	Cities Service Gas Co. (Grant and Alfalfa Counties, Okla.).	10-12-59	10-15-59	1-1-60	6-1-60	¹² 12.0	\$ 13.0

¹ Supersedes M. F. Powers' FPC Gas Rate Schedule No. 3 as amended.
² The stated effective dates are those requested by Respondents, or the first day after the expiration of statutory notice, whichever is later.
³ Previously reported as 20.126 cents per Mcf which included applicable tax reimbursement which has now expired.
⁴ Pressure Base is 15.025 psia.
⁵ Pressure Base is 14.65 psia.
⁶ Rate in effect subject to refund in Docket No. G-14251.

⁷ Previously reported as 20.1324 cents per Mcf which included applicable tax reimbursement which has now expired.
⁸ Rate in effect subject to refund in Docket No. G-17669.
⁹ Contract.
¹⁰ Previously reported as 11.08 cents per Mcf which included Kansas severance tax which has been invalidated.
¹¹ Rate in effect subject to refund in Docket No. G-13311.
¹² Includes 0.75 cent per Mcf for dehydration deducted by buyer.

Socony Mobil Oil Company, Inc. (Socony), Jett Drilling Company, Inc. (Operator), et al., (Jett), Union Producing Company (Union), and Humble Oil & Refining Company (Humble) in support of their proposed redetermined rate increases submitted on August 12, 1959, redetermination letters from United Gas Pipe Line Company and state that the proposed increase rates are provided by contracts negotiated at arm's length.

Socony additionally states that the price of gas should be determined by the law of supply and demand.

Jett and Union state that the proposed increases are necessary to offset the increased cost of doing business and to encourage exploration and development.

Humble states that the proposed increase is in line with the going price for gas in the same general area.

Texaco Inc. (Texaco), is respect to Supplement Nos. 1 and 2 to its FPC Gas Rate Schedule Nos. 163 and 161, respectively, Sinclair Oil & Gas Company (Sinclair), in respect to Supplement No. 2 to its FPC Gas Rate Schedule No. 55, and Sun Oil Company in support of their proposed periodic rate increases state that the proposed increases are provided by contracts negotiated at arm's length.

Texaco additionally states that the cost of doing business has risen because of inflation and greater drilling depths, and that the proposed increased rate is below prices now being paid for gas in the same general area.

Sinclair states that the proposed increase will not result in an excessive return but rather, will assist Sinclair in obtaining a just and reasonable rate.

Texaco, in respect to Supplement No. 3 to its FPC Gas Rate Schedule No. 15 and in support of its proposed ex parte increased rate which is proposed to become effective on January 11, 1960, the date of expiration of its present contract, states

that the proposed increase is necessary to avoid the premature abandonment of the gas wells involved and that the proposed increase is no more than needed to encourage exploration and development.

Sinclair, in respect to Supplement No. 2 to its FPC Gas Rate Schedule No. 158 and in support of such proposed favored-nation rate increase, states that the proposed increase is provided by contract, will not result in an excessive return, and will assist Sinclair in obtaining a just and reasonable rate. Further, Sinclair submitted a standard favored-nation notification letter, dated August 6, 1959, wherein its purchaser states that the favored-nation rate is based upon the spiral escalation rates of Phillips Petroleum Company and that purchaser has protested similar increases of other producers and requested rejection of such increases.

David Crow, Trustee (Crow) in support of its proposed favored-nation rate increase submitted a favored-nation notification letter, dated December 11, 1958. In further support, Crow states that the pricing provisions of the contract were negotiated at arm's length and are geared to market prices and varying economic conditions occurring during the life of the contract. Crow further states that the increased rate does not exceed the market value of the gas in the area.

M. F. Powers (Powers) proposed increase is provided by a renegotiated contract dated August 1, 1959.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the

provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as herein-after ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearing and decision thereon, each of the aforementioned supplements and M. F. Powers' FPC Gas Rate Schedule No. 8 are suspended and the use thereof deferred until the date specified in the above-designated "Rate Suspended Until" column and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9748; Filed, Nov. 17, 1959; 8:49 a.m.]

[Docket No. G-19963]

PEOPLES GULF COAST NATURAL GAS PIPELINE CO. AND TEXAS ILLINOIS NATURAL GAS PIPELINE CO.

Notice of Application and Date of Hearing

NOVEMBER 13, 1959.

Take notice that on October 22, 1959, Peoples Gulf Coast Natural Gas Pipeline Company (Peoples Gulf) and Texas Illinois Natural Gas Pipeline Company (Texas Illinois) filed in Docket No. G-19963 a joint application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing Peoples Gulf to acquire and operate all of the facilities presently owned by Texas Illinois, and for permission and approval for Texas Illinois to abandon by transfer to Peoples Gulf said presently existing facilities and the services rendered from them, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The facilities of Texas Illinois consist of approximately 1,225 miles of main transmission pipeline, 357 miles of lateral lines, eleven compressor stations totaling approximately 130,000 installed horsepower, and other appurtenant facilities, through which it transports natural gas purchased in the south Gulf Coast area of Texas through the states of Arkansas and Missouri to Illinois. Texas Illinois sells such gas to municipalities and utility companies for resale for local distribution, to Natural Gas Pipeline Company of America (Natural) for resale, and to Natural Gas Storage Company of Illinois (Storage Company) for cushion gas and operational use.

Texas Illinois, Natural and Storage Company are all controlled by The Peoples Gas Light and Coke Company (Peoples). Peoples owns all outstanding common stock of Natural and 70.56 percent of the outstanding common stock of Texas Illinois. Natural and Texas Illinois own all of the outstanding common stock of Storage Company, in equal amounts. After the proposed acquisition of Texas Illinois' facilities, Peoples will also own all of the outstanding common stock of Peoples Gulf. The details of the proposed stock transactions involved in the acquisition of Texas Illinois' facilities by Peoples Gulf and the overall plan whereby the interstate pipeline systems of Natural and Peoples Gulf (now Texas Illinois) will eventually be merged into one corporation, are available for inspection in the application and exhibits as aforesaid.

The instant proposal is an interim step in said overall plan. No abandonment of service will result from the proposed transfer of property. Peoples Gulf will render all the services now rendered by Texas Illinois and at the same rates of Texas Illinois now on file with the Commission.

This matter is one that should be disposed of as promptly as possible under

the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 7, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 30, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[FR. Doc. 59-9774; Filed, Nov. 17, 1959; 8:50 a.m.]

[Docket No. G-20073]

TEXAS GAS PIPE LINE CORP.

Order for Hearing, Suspending Proposed Tariff Sheet and Allowing Tariff Sheet To Become Effective Upon Filing of Motion and Undertaking To Assure Refund of Excess Charges

NOVEMBER 10, 1959.

On October 12, 1959, Texas Gas Pipe Line Corporation (Pipe Line) filed First Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1, proposing an annual rate increase to its only wholesale customer, Transcontinental Gas Pipe Line Corporation, of \$470,171 or 15.1 percent based on adjusted sales for a test year ended July 31, 1959.¹

Pipe Line bases its increases on (1) claimed increased cost of purchased gas and shifts in sources of gas supply, (2) the Texas beneficiary severance tax, (3) a 6½ percent rate of return and (4) increased regulatory commission expenses.

An effective date of November 11, 1959 is requested; additionally, the Commission is asked not to suspend, or to limit

¹A larger proposed increase was initially filed July 31, 1959, supplemented August 10, 1959, and rejected by letter dated August 27, 1959.

the suspension period to one day should the Commission decide that the public interest requires suspension. It is claimed that the present rate of operational loss exceeds the average loss of \$24,500 per month experienced during the test year and a longer suspension would result in confiscation of property without apparent reason.

Pipe Line's proposed increase is not fully supported by its claimed increased purchase costs of gas and shifts in supply, its claimed rate of return, or its increased regulatory commission expense.

The increased rates and charges provided for in the First Revised Sheet No. 4 to Pipe Line's FPC Gas Tariff, Original Volume No. 1 have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the Provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the proposed changes in rates, charges, classifications, and services, and that the above-designated tariff sheet be suspended and the use thereof deferred as hereinafter ordered.

(2) It is appropriate in the public interest and in carrying out the provisions of the Natural Gas Act that Pipe Line's proposed tariff sheet be made effective as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed rates, charges, classifications, and services contained in the above-designated tariff sheet.

(B) Pending such hearing and decision thereon, First Revised Sheet No. 4 to Pipe Line's FPC Gas Tariff, Original Volume No. 1 is hereby suspended and the use thereof deferred until November 12, 1959, and until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rates, charges, classifications, and services set forth in the above-designated filing shall be effective as of November 12, 1959: *Provided, however*, That, within 20 days from the date of this order, Pipe Line shall file a motion as required by section 4(e) of the Natural Gas Act and concurrently execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Pipe Line shall refund at such times and in such amounts to persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates and charges found by the Commission in this proceeding not justified, together with interest thereon at the rate of 6 percent per annum from the date of

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payment to Pipe Line until refunded; shall bear all costs of any such refunding, shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges effective as of November 12, 1959, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, for each billing period and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom as computed under the rates in effect immediately prior to November 12, 1959, and under rates and charges allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance hereof, Pipe Line shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the Board of Directors, and accompanied by

a certificate showing service of copies thereof upon all purchasers under the tariff sheet involved, as follows:

Agreement and Undertaking of Texas Gas Pipe Line Corporation To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Tariff Sheet

In conformity with the requirements of the order issued _____, in Docket No. G-20073, Texas Gas Pipe Line Corporation hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto this _____ day of _____, 1959.

TEXAS GAS PIPE LINE CORPORATION,

Attest:

By _____

Secretary

(F) If Pipe Line shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be

discharged, otherwise it shall remain in full force and effect.

By the Commission:

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9751; Filed, Nov. 17, 1959; 8:49 a.m.]

[Docket Nos. G-20075—G-20078]

SUPERIOR OIL CO. ET AL.

Order for Hearings and Suspending Proposed Changes in Rates ¹

NOVEMBER 10, 1959.

In the matters of The Superior Oil Company, Docket No. G-20075; Amerada Petroleum Corporation, Docket No. G-20076; The Bradley Producing Corporation, Docket No. G-20077, Ralph R. Gilster, et al., Docket No. G-20078.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Notice of change dated—	Date tendered	Effective date ¹ unless suspended	Rate suspended until—	Cents per Mcf.	
									Rate in effect	Proposed increased rate
G-20075	The Superior Oil Co.-----	30	8	El Paso Natural Gas Co. (Spraberry Field, Glasscock, Reagan, and Upton Counties, Tex.).	10-9-59	10-12-59	11-12-59	4-12-60	\$ 12.834	16.154
			11	El Paso Natural Gas Co. (TXL Gasoline Plant, Ector County, Tex.).	10-9-59	10-12-59	11-12-59	4-12-60	\$ 10.8821	16.137
			9	El Paso Natural Gas Co. (Fullerton Gasoline Plant, Andrews County, Tex.).	10-9-59	10-12-59	11-12-59	4-12-60	\$ 12.7789	16.0905
			8	El Paso Natural Gas Co. (Levelland Gasoline Plant, Hockley County, Tex.).	10-9-59	10-12-59	11-12-59	4-12-60	\$ 12.7845	18.107
G-26076	Amerada Petroleum Corp.---	43	3	Cities Service Gas Co. (Elwood Field, Barber County, Kans.).	10-5-59	10-12-59	12-23-59	5-23-60	\$ 12.0	\$ 13.0
G-20077	The Bradley Producing Corp.---	1	3	Natural Gas Pipeline Co. of America (Camrick Field, Beaver County, Okla.).	10-8-59	10-12-59	11-12-59	4-12-60	\$ 16.4	16.6
G-20078	Ralph R. Gilster, et al.-----	1	5	Tennessee Gas Transmission Co. (S. Hallsville Field, Harrison County, Tex.).	10-9-59	10-12-59	11-12-59	4-12-60	12.62	14.4248

¹ The stated effective dates are those requested by Respondents, or the first day after the expiration of statutory notice, whichever is later.

² Pressure Base 14.65 psia.

³ Rate in effect subject to refund in Docket No. G-15358.

⁴ Includes 1.5 cents per Mcf for compression of gas from Edd Sterling lease deducted by buyer.

⁵ Rate in effect subject to refund in Docket No. G-18103.

The Superior Oil Company (Superior), in support of its proposed favored-nation rate increases, cites the triggering rates of Shell Oil Company⁷ and Hunt Oil Company⁸ for sales of natural gas to El Paso Natural Gas Company. Superior also cites its contract favored-nation clauses, and states that the increases are just and reasonable, and without provisions therefor it would not have entered into the contracts, and to deny the proposed increased rates would be inequitable.

Amerada Petroleum Corporation (Amerada), in support of its proposed periodic rate increase, cites the contract provisions, and states that the increased price was agreed to by both buyer and seller as the result of arm's-length bargaining in good faith.

The Bradley Producing Corporation (Bradley), in support of its proposed periodic rate increase, cites the contract provisions, and states that the increased price is an integral part of its initial rate filing, or, alternatively, merely the result

of the mechanical operation of a contract provision. Bradley also states that such pricing provisions are common in long-term contracts and are beneficial to both buyer and seller in permitting a low initial price during the time buyer's unamortized capital investment is high and providing for seller progressively higher returns contemporaneously with increases in costs.

Ralph R. Gilster, et al. (Gilster), in support of its proposed redetermined rate increase, submits copies of Tennessee Gas Transmission Company's price redetermination letter, and states that the contract resulted from arm's-length bargaining, and the consideration to the sellers was the whole schedule of prices contained therein which insured receipt of the full market value of the gas. Gilster also states that without such provisions it would not have committed the gas for a long term. Gilster further states that such pricing provisions are beneficial to both buyer and seller in permitting a low initial price during the time buyer's unamortized capital investment is high and assuring

seller progressively higher returns contemporaneously with inevitable increases in costs.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), public hearings shall be

¹ This order does not provide for the consolidation for hearing or disposition of the separately docketed matters covered herein, nor should it be so construed.

⁷ Docket Nos. G-18266 and G-18267.

⁸ Docket No. G-18464.

held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearing and decision thereon, Supplement Nos. 8, 11, 9, and 8 to Superior's FPC Gas Rate Schedule Nos. 30, 10, 9, and 8 respectively, Supplement No. 3 to Bradley's FPC Gas Rate Schedule No. 1, and Supplement No. 5 to Gilster's FPC Gas Rate Schedule No. 1 are hereby suspended and the use thereof deferred until April 12, 1960; and Supplement No. 3 to Amerada's FPC Gas Rate Schedule No. 43 is hereby suspended and the use thereof deferred until May 23, 1960; and such deferred use as to each of the aforementioned supplements shall continue until such further time as each is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the related period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9750; Filed, Nov. 17, 1959;
8:49 a.m.]

[Docket No. G-18512]

SOUTHERN NATURAL GAS CO.

Notice Fixing Date of Hearing

NOVEMBER 12, 1959.

This proceeding concerns the proposed increased rates and charges, and other changes in tariff provisions, contained in the revised tariff sheets tendered for filing by Southern Natural Gas Company on April 13, 1959. By order issued herein on May 15, 1959, the Commission entered upon a hearing concerning the lawfulness of the rates, charges, classifications or services contained in Southern's Gas Tariff, Original Volume No. 1, as proposed to be amended by the said tendered revised tariff sheets, specified in said order.

Take notice that pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, the regulations under the Natural Gas Act (18 CFR Ch. I), and the Commission's prior orders issued herein, a public hearing will be held commencing on January 12, 1960, at 10:00 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street, Washington, D.C., concerning the matters and issues involved in the proceeding.

Interested State commissions may participate as provided by § 1.8 and 1.37(f) of the Commission's rules of

practice and procedure (18 CFR 1.8 and 1.37(f)).

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9749; Filed, Nov. 17, 1959;
8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 296]

MOTOR CARRIER APPLICATIONS

NOVEMBER 13, 1959.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings will be called at 9:30 o'clock a.m., United States standard time, unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 35807 (Sub No. 7), filed November 2, 1959. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, 65 Broadway, New York 13, N.Y. Applicant's attorney: David G. Macdonald, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gold, silver, bullion, precious metals, currency and coin*, between Buffalo and New York, N.Y., Boston, Mass., Cleveland and Cincinnati, Ohio, Pittsburgh and Philadelphia, Pa., Richmond, Va., Baltimore, Md., Louisville, Ky., and Denver, Colo. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia.

NOTE: The proposed service will be performed under contracts with the United States Government.

HEARING: December 16, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alton R. Smith.

No. MC 119026 (CORRECTION), filed June 25, 1959, published FEDERAL REGISTER, issue of October 1, 1959. Applicant: RAY ROBERTSON, doing business as ROBERTSON TRUCKING COMPANY, Dermott, Ark. Applicant's attorney: Louis Tarlowski, Rector Building, Little Rock, Ark. The previous publication reflected the authority sought as contained in the application filed June 25, 1959. However, at the hearing held November 4, 1959, before Examiner Gerald F. Colfer at Little Rock, Ark., it was developed that certain operations were incorrectly described. As correctly set forth, the proposed operations in Item (2) should read: *Cotton seed meal and cakes*, from Greenville, Miss., to Dermott, Ark. Item (9) should read: *Cotton seed hulls*, from Greenville, Miss., to Dermott, Ark. The purpose of

this republication is to advise that any person who may have been prejudiced by the failure of the previous publication to correctly describe the proposed operations as set forth above, may, within 30 days from the date of this publication, file a protest or other pleading.

APPLICATIONS IN WHICH HANDLING WITH- OUT HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Sub No. 180), filed November 4, 1959. Applicant: ROADWAY EXPRESS INC., 147 Park Street, Akron, Ohio. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Greensboro, N.C., and Fayetteville, N.C., from Greensboro, N.C., over U.S. Highway 421 to Sanford, N.C., thence over North Carolina Highway 87 to Fayetteville, N.C., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. Applicant is authorized to conduct operations in Alabama, Delaware, Georgia, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 66562 (Sub No. 1587), filed November 6, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx, Law Department, Railway Express Agency, Incorporated (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities including Classes A and B explosives*, moving in express service (1) Between Dover, N.H., and North Conway, N.H., from Dover over New Hampshire Highway 16 to junction New Hampshire Highway 16A, thence over New Hampshire Highway 16A to Somersworth, N.H., thence return over New Hampshire Highway 16A to junction New Hampshire Highway 16, thence over New Hampshire Highway 16 to North Conway, and return over the same route, serving the intermediate and off-route points of Milton, Sanbornville, Mountainview, Madison and Mt. Whittier, N.H. (2) Between Dover, N.H., and Plaistow, N.H., from Dover over New Hampshire Highway 16 to junction New Hampshire Highway 108, thence over New Hampshire Highway 108 to Exeter, N.H., thence over New Hampshire Highway 101 to Raymond, N.H., thence over New Hampshire Highway 107 to junction New Hampshire Highway 125, thence over New Hampshire Highway 125 to Plaistow also from Plaistow over New Hampshire Highway 125 to junction New Hampshire Highway 111, thence over New Hampshire Highway 111, to Exeter, N.H., thence over New Hampshire High-

way 108 to Dover, N.H., and return over the same route, serving the intermediate and off-route points of Durham, New Market, Exeter, and Raymond, N.H. (3) Between Concord, N.H., and Plymouth, N.H., from Concord over U.S. Highway 3 to Plymouth and return over the same route, serving the intermediate points of Franklin, Tilton, Laconia, Meredith, and Ashland, N.H. Applicant indicates the proposed service is subject to the following conditions: The service to be performed will be limited to that which is auxiliary to or supplemental of express service, and the shipments transported by applicant will be limited to those moving on a through bill of lading or express receipt. Applicant is authorized to conduct operations throughout the United States.

No. MC 113828 (Sub No. 5), filed November 5, 1959. Applicant: O'BOYLE TANK LINES, INCORPORATED, Arlington Towers, Arlington, Va. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Richmond, Va., to Sugar Grove, W. Va. Applicant is authorized to conduct similar operations from Friendship, N.C., to specified points in Virginia.

NOTE: Applicant states it is under common control and management with M. I. O'Boyle & Son, Inc., a common carrier of bulk commodities in tank vehicles, Certificate MC 106965 and sub numbers thereunder.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub No. 171), filed November 6, 1959. Applicant: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Earl A. Bagby, Western Greyhound Lines (Division of The Greyhound Corporation), Market and Fremont Streets, San Francisco 5, Calif. 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, over relocated U.S. Highway 40 in California, between Elrshdale Junction, Calif., and Donner Park Overcrossing, Calif., between North Truckee, Calif., and West Truckee, Calif., between Newcastle, Calif., and Roseville, Calif., reestablish a new route between North Truckee and West Truckee, relocate the point of Tahoe Junction, and reauthorize the segment of present Route 68 between Newcastle and Roseville as Route 68-D, all as more specifically set forth in the application. Applicant is authorized to conduct operations throughout the United States.

NOTE: Applicant states all of its present operating authority, so far as affects the territory and subject matter herein involved, is contained in Ninth Revised Certificate MC 1501 Sub No. 138; that all proposals herein relate to routes, places and points which are entirely within the State of California; that unless otherwise specified, the proposed authority is for the transportation of passengers and their baggage, and express and newspapers in the same vehicle with passengers, between the points and in both directions over the routes here-

inafter set forth, serving all intermediate points; and that the changes in operating authority are proposed to be incorporated in the designated revised sheets to said Certificate MC 1501 Sub No. 138.

No. MC 29890 (Sub No. 22), filed November 2, 1959. Applicant: ROCKLAND COACHES, INC., 126 North Washington Avenue, Bergenfield, N.J. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, (1) between River Edge, N.J., and Hackensack, N.J., from junction Kinderkamack Road with Grand Avenue in River Edge, over Grand Avenue and Hackensack Avenue to New Jersey Highway 4 in Hackensack, and return over the same route, serving all intermediate points. (2) Within Westwood, N.J., from junction Broadway with Jefferson Avenue over Broadway and Old Hook Road (Extension) to Kinderkamack Road, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in New Jersey and New York.

NOTE: Common control may be involved.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 7349 (STAR TRANSFER CO. — PURCHASE — COMMODITIES CARRIER, INC.), published in the October 21, 1959, issue of the FEDERAL REGISTER on page 8529. Supplement filed November 9, 1959, to show joinder of RICHARD POPELKA, 4034 Lake Elmo Road, Billings, Mont., as the person controlling vendee.

No. MC-F 7362. Authority sought for control and merger by ONEIDA MOTOR FREIGHT, INC., 445 Washington Street, New York, N.Y., of the operating rights and property of MONARCH MOTOR FREIGHT LINES, INC., 225 Parker Street, Newark, N.J., and for acquisition by JOSEPH L. SINGLETON, 55 Park Terrace East, Bronx, N.Y., and DONALD T. SINGLETON, 27 Country Club Road, Tenafly, N.J., of control of such rights and property through the transaction. Applicants' attorneys: Harris J. Klein, 280 Broadway, New York 7, N.Y., Paul D. McGoldrick, 445 Washington Street, New York, N.Y., and William D. Traub, 10 East 40th Street, New York, N.Y. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between New York, N.Y., points in Bucks, Philadelphia, Delaware, and Northampton Counties, Pa., those in Rockland, Westchester, and Nassau Counties, N.Y., and those in New Jersey. ONEIDA MOTOR FREIGHT, INC., is authorized to operate

as a *common carrier* in New York, New Jersey and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7363. Authority sought for purchase by UNITED STATES VAN LINES, INC., 3340 North Mannheim Road, Franklin Park, Ill., of the operating rights of J. NORMAN GEIPE VAN LINES, INCORPORATED, 6323 Baltimore Pike, P.O. Box 3153, Baltimore, Md., and for acquisition by HAZEN H. STEVENS, 2909 Buford Highway, Atlanta, Ga., ALLEN A. METCALF, SR., 1255 East Highway 36, St. Paul, Minn., ALLEN A. METCALF, JR., 1255 East Highway 36, St. Paul, Minn., and ARCHIBALD H. STEVENS, 121 South Niagara, Saginaw, Mich., of control of such rights through the purchase. Applicants' attorney: Ramon S. Regan, 2255 Penobscot Building, Detroit 26, Mich. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier* over irregular routes, between points in all States east of the Mississippi River and in the District of Columbia, and between points in Illinois, on the one hand, and, on the other, points in New York, Wisconsin, Missouri, Arkansas, Nebraska, West Virginia, Tennessee, Indiana, Georgia, Minnesota, Pennsylvania, Michigan, Ohio, Iowa, Kentucky, and New Jersey. Vendee is authorized to operate as a *common carrier* in all States in the United States and the District of Columbia except Maine, Vermont, New Hampshire, Mississippi, Alabama, New Mexico, and Nevada. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7364. Authority sought for purchase by HIGHWAY TRANSPORTATION CO., INC., 429 Bellevue Avenue, Hammonton, N.J., of a portion of the operating rights of CAPE MAY TRANSFER, INC., 216 Ocean Avenue, Cape May, N.J., and for acquisition by FRANK PITALE, JR., 429 Bellevue Avenue, Hammonton, N.J., MARGUERITE PITALE, 415 Bellevue Avenue, Hammonton, N.J., and JOHN PITALE, Mullica Township, Atlantic County, N.J., of control of such rights through the purchase. Applicants' representative: Charles H. Trayford, 155 East 40th Street, New York 16, N.Y. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Cape May, N.J., and Philadelphia, Pa., serving certain intermediate and off-route points. Vendee is authorized to operate as a *common carrier* in New Jersey, Pennsylvania, New York, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7365. Authority sought for purchase by BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, P.O. Box 155, East Gadsden, Ala., of the operating rights and property of A. W. HAWKENS, INC., 270 East Davis Street, P.O. Box 589, Culpeper, Va., and for acquisition by RALPH M. BOWMAN, also of East Gadsden, of control of such rights

and property through the purchase. Applicants' attorneys: Harold G. Hernly, 1624 Eye Street NW., Washington, D.C., and H. Charles Ephraim, 1001 15th Street NW., Washington, D.C. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and liquids in bulk, as a *common carrier* over regular routes, between Charlottesville, Va., and New York, N.Y., serving certain intermediate and off-route points; *general commodities*, excepting, among others, household goods and commodities in bulk, between Winston-Salem, N.C., and Baltimore, Md., serving all intermediate points; *coal*, over irregular routes, from Pottsville, Pa., and points within five miles of Pottsville, and points in West Virginia on and east of U.S. Highway 219, to points in Culpeper, Madison, and Rappahannock Counties, Va.; *livestock*, between points in Culpeper, Madison, and Rappahannock Counties, Va., on the one hand, and, on the other, points in Maryland, Delaware and New Jersey and certain points in New York, Pennsylvania, West Virginia, and North Carolina. Vendee is authorized to operate as a *common carrier* in Alabama, Tennessee, Georgia, South Carolina, Virginia, Maryland, Florida, North Carolina, Mississippi, Arkansas, Kentucky, Louisiana, Delaware, and West Virginia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-9737; Filed, Nov. 17, 1959; 8:47 a.m.]

[No. MC-C-2708]

PETITION FOR DECLARATORY ORDER AND EMERGENCY RELIEF

NOVEMBER 13, 1959.

Attorneys for petitioners: R. Edwin Erady, 1424 16th Street NW., Washington 6, D.C., for Regular Common Carrier Conference of The American Trucking Associations, Inc., T. Randolph Buck, 3600 West Broad Street, Richmond, Va., for Class I Railroads in Southern Territory except Florida East Coast Railway Company, Alfred S. Knowlton and F. X. Masterson, One Park Ave., New York, N.Y., for Eastern and Central Territory Railroads, James G. Lane, 226 South Station, Boston 10, Mass., for Bangor & Aroostook Railroad, Maine Central Rail-

road, Boston & Maine Railroad and New York, New Haven, & Hartford Railroad, James M. Walsh, 316 Summer Street, Boston 10, Mass., and Francis E. Barrett, Jr., 7 Water Street, Boston 10, Mass., for Refrigerated Food Express, Inc., Cargo-Imperial Freight Lines, Inc., St. Johnsbury Trucking Company, Inc., Rapid Transit Co., Inc., Old Colony Transportation Co., Inc., Merchants Service Trucking, Inc., Henry Jenkins Transportation Co., Inc., Island Express, Inc., M & M Transportation Company, Cole's Express, Boston & Taunton Transportation Company, The Adley Express Company, Benjamin Motor Express, Inc., Border Express, Inc., and Hamingway Brothers Interstate Trucking Company.

Petition dated October 19, 1959, filed October 20, 1959, for a declaratory order and for certain emergency relief under and by virtue of the authority vested in the Interstate Commerce Commission in Title 5, United States Code section 1004 (d) otherwise known as the Administrative Procedure Act. Petitioners state a substantial part of the transportation business of each, particularly the motor carriers, is the for-hire carriage of commodities which have become and are the subject matter of the recent amendment to the Interstate Commerce Act known as section 7 of the Transportation Act of 1958, Public Law 85-25, which became effective on or about August 12, 1958. Petitioners, by their attorneys pray: I. That the final Order of the Commission on all "Grandfather" applications presently pending before the Interstate Commerce Commission embracing the commodities described generally as "frozen vegetables" or "vegetables" and giving effect orders of the Commission based upon such applications and recommended reports thereon be postponed pending a determination of this petition. II. That this petition be granted, and all "Grandfather" rights based upon evidence of the transportation of "frozen vegetables" or "vegetables" issued with an absolute restriction against the transportation of cooked vegetables, all as provided in the Transportation Act of 1958. III. That all so-called "Grandfather" rights and all certificates of public convenience and necessity and contract carrier permits embracing applications for authority to carry "vegetables" or "frozen vegetables" be expressly restricted in the very certificate to expressly exclude the carriage of cooked vegetables. That your Honorable Commission reconsider and delete from prior certificates or permits any authority to transport cooked vegetables. IV. That

the Interstate Commerce Commission grant petitioners such other additional and further relief as shall seem fair and just in the circumstances and in keeping with the Interstate Commerce Act as amended and the National Transportation policy as expressed therein.

Any person or persons desiring to participate in this proceeding may file representations supporting or opposing the relief sought within 30 days after the date of this publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-9738; Filed, Nov. 17, 1959; 8:47 a.m.]

DEPARTMENT OF JUSTICE

[Claim No. 36455]

FRIEDRICH NOTTEBOHM ET AL.

Amended Notice of Intention To Return Vested Property

The Notice of Intention to Return Vested Property to Friedrich Nottebohm, which was published in the FEDERAL REGISTER on November 27, 1958 (23 F.R. 9204), is hereby amended by deleting therefrom under the headings "Claimant" and "Property and Location" the following:

Friedrich Nottebohm, Vaduz, Liechtenstein; \$908.75 in the Treasury of the United States.

and substituting in place thereof the following:

Karl-Heinz Nottebohm; \$454.37 in the Treasury of the United States; and Erika Nottebohm de von der Goltz; \$454.38 in the Treasury of the United States. Both of Guatemala.

All other provisions of said Notice of Intention to Return Vested Property and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto, and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D.C., on November 12, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 59-9741; Filed, Nov. 17, 1959; 8:48 a.m.]

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