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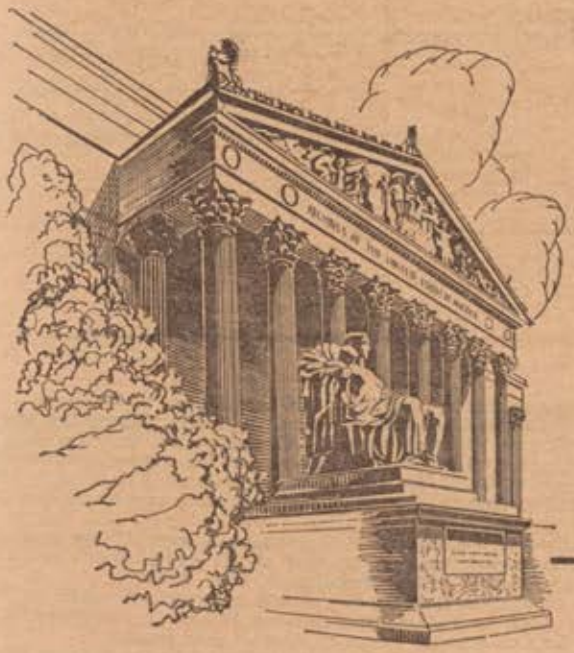

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Title 3—THE PRESIDENT

Proclamation 3661

CAPTIVE NATIONS WEEK, 1965

By the President of the United States of America

A Proclamation

WHEREAS the joint resolution approved July 17, 1959 (73 Stat. 212), authorizes and requests the President of the United States of America to issue a proclamation each year designating the third week in July as "Captive Nations Week" until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

WHEREAS all peoples yearn for freedom and justice; and

WHEREAS these basic rights unfortunately are circumscribed or unrealized in many areas in the world; and

WHEREAS the United States of America has an abiding commitment to the principles of independence, personal liberty, and human dignity; and

WHEREAS it remains a fundamental purpose and intention of the Government and people of the United States of America to recognize and encourage constructive actions which foster the growth and development of national independence and human freedom:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning July 18, 1965, as Captive Nations Week.

I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this second day of July in the year of our Lord nineteen hundred and sixty-five, and of the [SEAL] Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 65-7264; Filed, July 7, 1965; 2:11 p.m.]

Executive Order 11231

ESTABLISHING THE VIETNAM SERVICE MEDAL

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the armed forces of the United States, it is ordered as follows:

SECTION 1. There is hereby established the Vietnam Service Medal with suitable appurtenances. Except as limited in section 2 of this order, and under uniform regulations to be prescribed by the Secretaries of the military departments and approved by the Secretary of Defense, or regulations to be prescribed by the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, the Vietnam Service Medal shall be awarded to members of the armed forces who serve in Vietnam or contiguous waters or air space, as defined by such regulations, after July 3, 1965, and before a terminal date to be prescribed by the Secretary of Defense.

SEC. 2. Notwithstanding section 3 of Executive Order No. 10977 of December 4, 1961, establishing the Armed Forces Expeditionary Medal, any member who qualified for that medal by reason of service in Vietnam between July 1, 1958, and July 4, 1965, shall remain qualified for that medal. Upon application, any such member may be awarded the Vietnam Service Medal in lieu of the Armed Forces Expeditionary Medal, but no person may be awarded both medals by reason of service in Vietnam and no person shall be entitled to more than one award of the Vietnam Service Medal.

SEC. 3. The Vietnam Service Medal may be awarded posthumously.

LYNDON B. JOHNSON

THE WHITE HOUSE,
July 8, 1965.

[F.R. Doc. 65-7331; Filed, July 8, 1965; 11:06 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—1966–67 Marketing Year

Basis and purpose. (a) The regulations contained in §§ 728.304 and 728.305 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, to (1) apportion the national acreage allotment among the several States, and (2) to designate the commercial wheat producing area for the 1966–67 marketing year.

(b) Section 334(a) of the Act, as amended, provides that the 1966 national acreage allotment for wheat (less (1) a reserve of not to exceed 1 per centum thereof for apportionment to counties in addition to the county allotments made under section 334(b) of the Act on the basis of the relative needs of counties for additional allotment because of new areas coming into the production of wheat during the preceding 10 years, and less (2) a special reserve not in excess of 1 million acres for the purpose explained in the following paragraph) shall be apportioned among the several States on the basis of the acreage seeded for the production of wheat during the 10 calendar years 1955 to 1964 (plus, in applicable years, the acreage diverted from wheat under agricultural adjustment and conservation programs), with adjustments for abnormal weather conditions and for trends in acreage during such period.

Section 334(a) of the Agricultural Adjustment Act of 1938, as amended, provides for a special acreage reserve not in excess of 1 million acres as determined by the Secretary as being desirable for the purpose of making additional allotments to counties on the basis of the relative needs of counties, as determined by the Secretary, for additional allotment to make adjustments in the allotments on old wheat farms (i.e., farms on which wheat has been seeded or regarded as seeded to one or more of the three crops immediately preceding the crop for which the allotment is established) on which the ratio of wheat acreage allotment to cropland on the farm is less than one-half the average ratio of wheat acreage to cropland on old wheat farms in the county. Such adjustments shall not provide an allotment for any farm which would result in an allotment-cropland ratio for the farm in excess of one-half of such county average ratio and the total of such adjustments in any county shall not exceed the acreage made available therefor in the county. Such apportionment from the special acreage reserve shall be made only to counties where wheat is a major income-producing crop, only to farms on which there is limited opportunity for the production of an alternative income-producing crop, and only if an efficient farming operation on the farm requires the allotment of additional acreage from the special acreage reserve. For the purposes of making adjustments from the special acreage reserve the cropland on the farm shall not include any land developed as cropland subsequent to the 1963 crop year. In determining the amount of the reserve consideration was given to the acreage required for making such adjustment for the 1965 crop. Less than 50,000 acres were needed for apportionment to counties from the reserve. Slight increased demands may be expected in 1966, to make adjustments in farm allotments which were qualified for such adjustment, but were missed or did not apply for such additional allotment in 1965. Accordingly, it is determined that 70,000 acres are desirable for the purposes of this special reserve for the 1966 crop.

The determination that the national reserve for new areas coming into the production of wheat during the immediately preceding 10 years shall be in the amount of 14,393 acres, is based upon experience gained during the past several years and presently indicated needs.

Sections 106(a) and 112 of the Soil Bank Act provide that in the establishment of State, county and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended, reserve acreages applicable to any commodity shall be credited to the State, county and farm as though such acreage had been devoted to the production of the commodity.

Public Law 86–793 provides that any acreage diverted from the production of wheat in order to carry out a contract under the Great Plains conservation program or Soil Bank program or in order to maintain for such period after expiration of such contract as is equal to the contract period, any change in land use from cultivated cropland to permanent vegetation carried out under the contract, shall be considered acreage devoted to wheat for the purposes of establishing future State, county and farm acreage allotments.

In making the findings and determinations contained in § 728.304 the State wheat acreage estimates of the Statistical Reporting Service of the Department were used for the years 1955–56, inclusive, adjusted where necessary to reflect the acreages of wheat used for green manure, cover crop, hay, pasture, and silage, in all States, and the acreage planted to Durum Wheat (Class II) under applicable public laws, in the States of North Dakota, Minnesota, Montana, South Dakota, and California, as indicated by statistics of the Agricultural Stabilization and Conservation Service of the Department.

For States for which wheat acreage estimates are not compiled by the Statistical Reporting Service, and for the 1957, 1958, 1959, 1960, 1961, 1962, 1963, and 1964 crop years, statistics of the Agricultural Stabilization and Conservation Service were used.

Credit for wheat diversion in 1955 and 1956 was computed on a farm basis as follows: If the farm wheat acreage allotment was knowingly exceeded no credit for diversion was allowed. If the allotment was not knowingly exceeded, or the wheat acreage was 90 per centum or more of the farm allotment, the diversion credit allowed was the difference between the base acreage and the wheat acreage. If the wheat acreage was less than 90 per centum of the allotment, the maximum diversion credit for the farm was determined by dividing the wheat acreage by 90 per centum of the county scaling factor and subtracting the wheat acreage from this result.

For 1956 there was added to the computed wheat diversion for each farm the acreage placed in the 1956 acreage reserve program for wheat which was not planted to wheat.

For the years 1955 and 1956, the State diversion credit for wheat was determined by obtaining the sums of the computed farm diversion credits for each year. For the States of Minnesota, Montana, North Dakota, and South Dakota, the acreages of Durum Wheat (Class II) grown within the allotment increases made for 1955 and 1956 under Public Law 431, 84th Congress, were deducted from the 1955 and 1956 State wheat acreages, respectively, adjusted as described above so that such increases made for Durum Wheat (Class II) would not be reflected in the determination of future allotments as provided by those Acts. For the State of California a similar adjustment was made in the 1956 State wheat acreage for Durum Wheat (Class II).

Adjustments for abnormal weather conditions were determined on a county basis for each State because the nature of such adjustments does not permit their determination at the State level. Such adjustments in the county wheat acreage estimates were approved only for counties for which the ASC State committees had determined that the wheat acreage seeded and diverted for any year of the 10-year period was below normal due to abnormal weather conditions. Counties thus approved which had wheat acreage plus diverted acreage for the year in question lower than the level represented by 90 percent of the most recent previous normal year's acreage or 110 percent of the previous 10-year average wheat acreage plus diverted acreage, whichever was less, were increased to such level. The State wheat acreage estimates of the Statistical Reporting Service, as previously adjusted, were in-

creased by an acreage equal to the difference between the wheat acreage plus diversion and the acreage substituted in lieu thereof as an adjustment for abnormal weather, for all applicable counties in the State.

The 1957 wheat acreage data as compiled from Agricultural Stabilization and Conservation Service statistics included the following as wheat acreage: (1) Acreages actually seeded on the farms and classified as wheat under marketing quota regulations, less the acreages of Durum Wheat (Class II) grown within the allotments increased under Public Law 85–13; (2) the amounts by which the acreages on a farm were less than the wheat acreage allotment, except those farms underplanting the allotments for the purpose of depleting stored excess; (3) the acreages diverted from the production of wheat on complying farms; and (4) the acreages released and reapportioned to farms under regulations issued by the Secretary governing the temporary release and reapportionment of such acreage.

Section 334 of the Agricultural Adjustment Act of 1938, as amended, was amended by Public Law 85–203 to add subsection (h), redesignated subsection (g) by the Food and Agriculture Act of 1962, reading in part as follows: "Notwithstanding any other provision of law, no acreage in the commercial wheat-producing area seeded to wheat for harvest as grain in 1958 or thereafter in excess of acreage allotments shall be considered in establishing future State and county acreage allotments except as prescribed in the provisos to the first sentence of subsections (a) and (b), respectively, of this section." Under the provisions of this amendment, only the allotment can be counted as wheat acreage history on any farm on which the allotment was overseeded for the 1958 crop year. The acreage data for 1958 compiled from Agricultural Stabilization and Conservation Service statistics were the sum of the following: (1) The wheat acreage allotments for all farms on which the allotment was overseeded; (2) the wheat base acreages on all farms complying with the wheat acreage allotment, except those farms underplanting the allotment for the purpose of depleting stored excess; and (3) for those farms underplanting the allotment for the purpose of depleting stored excess, the acreages actually classified as wheat under marketing quota regulations, plus the diversion credit determined by multiplying the acreage seeded by the reciprocal of the county scaling factor.

Section 334 of the Agricultural Adjustment Act of 1938, as amended, was amended by Public Law 86–419 to add subsection (d) as follows:

(d) For the purpose of subsections (a), (b), and (c) of this section, any farm (1) to which a wheat marketing quota is applicable; and (2) on which the acreage planted to wheat exceeds the farm wheat acreage allotment; and (3) on which the marketing excess is zero, shall be regarded as a farm on which the entire amount of the farm marketing excess has been delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone the payment of the penalty. This subsection shall be applicable in establishing the acreage seeded and diverted and the past acreage of wheat for 1959 and subsequent years in the apportionment of allotment beginning with the 1961 crop of wheat. For the purpose of clause (1) of this subsection, a farm with respect to which an exemption has been granted under section 335(f) previously in effect) for any year (1958 through 1963) shall not be regarded as a farm to which a wheat marketing quota is applicable for such year, even though such exemption should become null and void because of a violation of the conditions of the exemption.

Under the provisions of subsection (d) and under the exceptions as prescribed in the provisos in Public Law 85–203, only the allotment can be counted as wheat acreage history on any farm on which the allotment is overseeded, unless the entire amount of the marketing quota excess is stored or delivered to the Secretary to avoid or postpone the payment of penalty, and none of such excess has been depleted, or the excess has been adjusted to zero because of underproduction. The 1959 wheat acreage data compiled from Agricultural Stabilization and Conservation Service statistics were the sum of the following: (1) The wheat acreage allotments for all farms on which the allotment was overseeded, except those farms on which the entire amount of the farm marketing excess was stored or delivered to the Secretary to avoid or postpone the payment of penalty, and none of such excess was depleted, or the farm marketing excess was adjusted to zero because of underproduction; (2) the wheat base acreages on all old farms on which the allotment was overseeded and on which the entire amount of the farm marketing excess was stored or delivered to the Secretary to avoid or postpone payment of penalty, and none of such excess was depleted, or the farm marketing excess was adjusted to zero because of underproduction; (3) the wheat base acreages on all old farms complying with the wheat acreage allotment, except those farms underplanting the allotment for the purpose of depleting stored excess; and (4) for those old farms underplanting the allotment for the purpose of depleting stored excess, the acreage actually classified as wheat under marketing quota regulations, plus the diversion credit determined by multiplying the acreage seeded by the reciprocal of the scaling factor.

Section 377 of the Agricultural Adjustment Act of 1938, as amended, was amended by Public Law 86–172 to read beginning with the first proviso as follows: "*Provided*, That beginning with the 1960 crop, except for federally owned land, the current farm acreage allotments established for a commodity shall not be preserved as history acreage pursuant to the provisions of this section unless for the current year or either of the 2 preceding years an acreage equal to 75 per centum or more of the farm acreage allotment for such year was actually planted or devoted to the commodity on the farm (or was regarded as planted under provisions of the Soil Bank Act or the Great Plains program)." Under the provisions of this amendment farm wheat acreage history for any crop was not reduced by reason of underplanting except when less than 75 percent of the farm allotment was planted to such crop and to each of the two immediately preceding crops. The 1960, 1961, 1962, 1963, and 1964 wheat acreage data compiled from Agricultural Stabilization and Conservation Service statistics were the sum of the following: (1) The wheat acreage allotments for all farms on which the allotment was overseeded, except those farms on which the entire amount of the farm marketing excess was stored or delivered to the Secretary to avoid or postpone the payment of penalty, and none of such excess was depleted, or the farm marketing excess was adjusted to zero because of underproduction; (2) the wheat base acreages on all old farms on which the allotment was overseeded and on which the entire amount of the farm marketing excess was stored or delivered to the Secretary to avoid or postpone payment of penalty, and none of such excess was depleted, or the farm marketing excess was adjusted to zero because of underproduction; (3) the wheat base acreages on all old farms complying with the wheat acreage allotment, except those farms, other than federally owned farms on which less than 75 per centum of the farm allotment for 1960, 1961, 1962, 1963, or 1964, as the case may be, and for each of the two immediately preceding years was actually planted to wheat or was regarded as planted to wheat under the Soil Bank Act and the Great Plains program; (4) for 1960, 1961, 1962, 1963, and 1964 for any old farm other than a federally owned farm on which less than 75 per centum of the farm acreage allotment for 1960, 1961, 1962, 1963, and 1964, as the case may be, and for each of the two immediately preceding years was actually planted to wheat or regarded as planted to wheat under the Soil Bank Act and the Great Plains program, the smaller of the farm base acreage for 1960, 1961, 1962, 1963, or 1964, whichever is applicable, or the acreage obtained by multiplying the wheat acreage for such year by the county wheat diversion factor for such year, which will be the reciprocal of a decimal fraction which is 75 per centum of the county proration factor; (5) for new farms knowingly overplanted for which the farm marketing excesses were adjusted to zero on account of actual production or for which farm marketing excesses were determined and such excesses were stored or delivered to the Secretary to avoid or postpone payment of penalty, the final allotment determined for the farm multiplied by the county diversion credit factor, which was the reciprocal of a decimal fraction equal to 100 per centum of the county proration factor; and (6) for any new farm for which a wheat acreage allotment was determined and such allotment was not overplanted, the final allotment determined for the farm multiplied by the wheat diversion credit factor, which was the reciprocal of a decimal fraction which is equal to the county proration factor. To the acreages determined above, the special allotments assigned to farms in the Tulelake Area of California under the provisions

of Public Law 86-385 were added for each of the years 1959, 1960, and 1961, and as provided in Public Law 87-357 for 1962 and 1963.

Section 334(c) of the Act was amended by section 125 of the Agricultural Act of 1961 to authorize the Secretary to increase farm wheat acreage allotments for the 1962, 1963, and 1964 crop years in the States of North Dakota, Minnesota, Montana, South Dakota, and California to meet demands for Durum Wheat (Class II), but it was provided that such increased allotments would not be taken into account in the determination of future State, county, and farm allotments. Action was taken pursuant to such subsection to increase 1962 farm acreage allotments for the production of Durum Wheat (Class II). As provided in the statute, the increased allotments for the 1962 crop in the designated States were not taken into account in the determination of the State allotments in § 728.304.

State wheat acreage history, as computed in accordance with the preceding paragraphs, was corrected by removing the wheat acreage history for the years 1955 through 1958 for those farms which have been removed from agricultural production due to the encroachment of urban and industrial development.

Adjustments for trends in acreage during the applicable base period were made for each State by first computing an average of the adjusted State wheat acreage estimates for the 10-year period, 1955-64, and the 5-year period, 1960-64, and then computing for each State the midpoint of such 10-year and 5-year average acreages.

The effect of this adjustment for trend was limited by not permitting the finally determined base acreages to vary from the average of the 10-year period (1955-64) by more than 3 per centum.

The statistics of the Statistical Reporting Service, as so adjusted and supplemented by data compiled by the Agricultural Stabilization and Conservation Service, constitute the latest available and most reliable statistics of the Federal Government.

(c) Section 334a of the Act provides discretionary authority to the Secretary to designate any State for which a State acreage allotment of 25,000 acres or less is determined for 1966 as being outside the commercial wheat-producing area for the 1966-67 marketing year in order to promote efficient administration of the Act and of the Agricultural Act of 1949. Section 379b of the Act, providing for wheat marketing allocations to farms, specifies that if a noncommercial wheat-producing area is established for any marketing year, farms in such area shall be given wheat marketing allocations which are fair and reasonable in relation to the wheat marketing allocations to farms in the commercial wheat-producing area. From the standpoint of efficient and equitable administration of the marketing quota and marketing allocation programs for the 1966-67 marketing year, it is considered desirable that wheat marketing allocations be made to farms in all States on precisely the same basis. Therefore, no State for which a State acreage allotment was determined will be designated outside the commercial wheat-producing area for the 1966-67 marketing year.

(d) The findings and determinations by the Secretary contained in §§ 728.304 and 728.305 have been made on the basis of the latest available statistics of the Federal Government as required by section 301(c) of the Act.

(e) Prior to proclaiming that a national marketing quota for wheat would be in effect for the 1966-67 marketing year, the amount of such national marketing quota, the amount of the 1966 national acreage allotment for wheat, the apportionment of the 1966 national acreage allotment among the several States, and the determination that no State with a State acreage allotment shall be outside the commercial wheat-producting area for the 1966-67 marketing year, public notice (30 F.R. 3601) was given of the proposed actions in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No data, views, and recommendations were submitted pursuant to such notice.

(f) Since the Act requires that notices of farm acreage allotments shall insofar as practicable be mailed to farm operators in sufficient time to be received prior to the date of the referendum to be held not later than August 1, 1965, to determine whether farmers favor or oppose the quota, since farm acreage allotments cannot be determined until the national acreage allotment is apportioned among States and counties, and since farmers need to know their 1966 farm acreage allotments as soon as possible in order to plan their 1966 seeding operations, it is hereby found that the apportionment and determinations herein shall become effective upon the date of the filing of this document with the Director, Office of the Federal Register.

§ 728.304 Apportionment of the 1966 national acreage allotment of wheat among the several States.

The national acreage allotment, less a national reserve of 14,393 acres and a special acreage reserve of 70,000 acres for additional allotments to counties, is hereby apportioned among the several States as follows:

State	Acreage allotment
Alaska and Hawaii	None
Maine	230
New Hampshire	10
Vermont	321
Massachusetts	153
Rhode Island	88
Connecticut	220
New York	258,150
New Jersey	39,417
Pennsylvania	416,212
Ohio	1,198,219
Indiana	884,719
Illinois	1,180,290
Michigan	764,116
Wisconsin	27,142
Minnesota	614,857
Iowa	95,632
Missouri	1,127,291
North Dakota	6,602,241
South Dakota	2,411,784
Nebraska	2,763,140
Kansas	9,475,617
Delaware	23,670
Maryland	135,171
Virginia	190,063
West Virginia	24,232
North Carolina	230,876
South Carolina	117,816
Georgia	90,481
Florida	13,823
Kentucky	164,115
Tennessee	143,311
Alabama	45,731
Mississippi	46,088
Arkansas	61,827
Louisiana	33,414
Oklahoma	4,310,475
Texas	3,520,370
Montana	3,528,720
Idaho	1,030,483
Wyoming	246,143
Colorado	2,319,207
New Mexico	412,380
Arizona	37,260
Utah	256,110
Nevada	12,924
Washington	1,764,843
Oregon	737,978
California	358,347
Total apportioned to States	47,715,607
Special acreage reserve	70,000
National reserve	14,393
Total national allotment	47,800,000

§ 728.305 Designation of States outside the commercial wheat area for the 1966-67 marketing year.

No State for which a State acreage allotment was determined is designated as outside the commercial wheat-producing area for the 1966-67 marketing year. Accordingly, the commercial wheat producing area for the 1966-67 marketing year shall consist of all States in the United States except Hawaii and Alaska.

(Secs. 301, 334, 334a, 375, 377, 379b, 52 Stat. 38, as amended, 53, as amended, 66, as amended, 73 Stat. 393, 76 Stat. 621, 626, as amended; 7 U.S.C. 1301, 1334, 1334b, 1375, 1377, 1379b)

Effective date: Upon filing with the Director, Office of the Federal Register.

Issued at Washington, D.C., this 6th day of July 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-7196; Filed, July 8, 1965; 8:47 a.m.]

SUBCHAPTER C—SPECIAL PROGRAMS

PART 755—REGIONAL PROGRAMS

Subpart—Appalachian Land Stabilization and Conservation Program

Sec.

Sec.
755.17 Preservation of cropland, crop acreage and allotment history.
755.18 Appeals.
755.19 Availability of funds.

AUTHORITY: The provisions of this subpart issued under Public Law 89-4, 79 Stat. 5, 12 (1965).

§ 755.1 Definitions.

As used in this subpart the following terms shall have the following meanings:

(a) "Act" means the Appalachian Regional Development Act of 1965.

(b) "Appalachian Region" or "the Region" means that area of the Eastern United States consisting of the following counties (including any political subdivision located within such area):

In Alabama, the counties of Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Elmore, Etowah, Fayette, Franklin, Jackson, Jefferson, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Randolph, Saint Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston;

In Georgia, the counties of Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Dade, Dawson, Douglas, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Heard, Jackson, Lumpkin, Madison, Murray, Paulding, Pickens, Polk, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield;

In Kentucky, the counties of Adair, Bath, Bell, Boyd, Breathitt, Carter, Casey, Clark, Clay, Clinton, Cumberland, Elliott, Estill, Fleming, Floyd, Garrard, Green, Greenup, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Menifee, Monroe, Montgomery, Morgan, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe;

In Maryland, the counties of Allegany, Garrett, and Washington;

In North Carolina, the counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Davie, Forsyth, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey;

In Ohio, the counties of Adams, Athens, Belmont, Brown, Carroll, Clermont, Coshocton, Gallia, Guernsey, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Tuscarawas, Vinton, and Washington;

In Pennsylvania, the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Bradford, Butler, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, McKean, Mercer, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Washington, Wayne, Westmoreland, and Wyoming;

In South Carolina, the counties of Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg;

In Tennessee, the counties of Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Clay, Cocke, Coffee, Cumberland, De Kalb, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Loudon, McMinn, Macon, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Sevier, Smith, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, and White;

In Virginia, the counties of Alleghany, Bath, Bland, Botetourt, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Highland, Lee, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe;

All the counties of West Virginia.

In New York, such counties as the Commission and the State of New York agree to include in the Region in accordance with the provisions of section 403 of the Act.

(c) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) "Administrator" means the Administrator or Acting Administrator of the Agricultural Stabilization and Conservation Service, United States Department of Agriculture.

(e) "Deputy Administrator" means the Deputy Administrator or Acting Deputy Administrator for State and County Operations, Agricultural Stabilization and Conservation Service, United States Department of Agriculture.

(f) "Director" means the Director or Acting Director of the Conservation and Land Use Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture.

(g) "State" means any one of the States in the Appalachian Region.

(h) "State committee" means the persons in a State designated by the Secretary as the Agricultural Stabilization and Conservation State Committee under section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended.

(i) "County" means a political subdivision of a State identified as a county.

(j) "County committee" means the persons elected within a county as the county committee pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended.

(k) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(l) "Occupier" means any person other than the owner or operator who has an interest as tenant or sharecropper in the acreage covered by the contract.

(m) "Farm" means that area of land defined as a farm under the regulations governing Reconstitution of Farms, Allotments, and Bases, Part 719 of this chapter, as amended.

(n) "Cropland" means that land considered as cropland under the regulations governing Reconstitution of Farms, Allotments, and Bases, Part 719 of this chapter, as amended.

(o) "Contract" means a Cost-Share Contract, Appalachian Land Stabilization and Conservation Program.

(p) "Commission" means the Appalachian Regional Commission which is composed of one Federal member (Federal Cochairman) and one member from each participating State in the Appalachian region.

(q) "Federal Cochairman" means the Federal Cochairman of the Appalachian Regional Commission.

(r) "State Cochairman" means the State Cochairman of the Appalachian Regional Commission as elected by the State members of the Commission from among their number.

§ 755.2 Purposes and objectives.

The general purposes and objectives of the Appalachian Land Stabilization and Conservation Program are to promote economic growth of the Region and to promote the conservation and development of the Region's soil and water resources. This program is a long-term program designed to carry out the policy of the Act by assisting landowners, operators, or occupiers through contracts providing for land stabilization, erosion and sediment control, reclamation through changes in land use, and the establishment of practices and measures for the conservation and development of the Region's soil, water, woodland, wildlife, and recreation resources.

§ 755.3 Geographical applicability.

The Appalachian Land Stabilization and Conservation Program will be limited to the States and counties designated as part of the Appalachian Region as defined in § 755.1 of the regulations of this part, and then only in counties or areas specifically approved in the State program developed hereunder.

§ 755.4 General.

(a) The Appalachian Land Stabilization and Conservation Program will be administered in the field by State and county committees under the general direction and supervision of the Administrator. Members of county committees are hereby authorized to sign contracts on behalf of the Secretary. State and county committees do not have authority to modify or waive any of the provisions of these regulations, or any amendment, supplement, or revision thereto.

(b) Landowners, operators, and occupiers desiring to share in the accomplishment of the purposes and objectives of the program will be given an opportunity to participate in the program in accordance with the provisions of the program as set forth in this subpart. An applicant, as a part of his application for assistance, will file an acceptable conservation and development plan for the acreage to be included in his contract, and the measures specified in the plan must be carried out irrespective of whether cost-sharing is offered. The county committee will determine the practices and extent of such practices to be approved for cost-sharing to assist the applicant in carrying out his acceptable plan. A contract shall be entered into setting forth the extent of the approved assistance. An acceptable conservation and development plan will be a plan developed for the land proposed to be placed under contract, on a form prescribed by the Administrator, with technical planning assistance by tech-

nicians of the Soil Conservation Service, except in cases where the proposed treatment involves only a single practice of pasture renovation or timber stand improvement or conversion of less than 10 acres of land to grass or trees and such use does not involve critical areas or unusual costs and the conservation and development plan is acceptable to the county committee. In approving contracts, the county ASC committees shall give preference to needy landowners, operators, and occupiers.

(c) Detailed information concerning the program as it applies to an individual farm may be obtained from the county ASCS office for the county in which the farm is located or from the State ASCS office.

§ 755.5 State programs.

(a) The State program shall be developed by the State or a political subdivision thereof in accordance with the regulations contained in this subpart. The Agricultural Stabilization and Conservation Service and other applicable agencies of the Department of Agriculture shall cooperate with the State governmental officials in the development of the program. The chairman of the State committee as the chairman of the State Agricultural Conservation Program Development Group shall be the point of contact with the State governmental officials. The State Agricultural Conservation Program Development Group, which consists of the State ASC Committee (including the State Director of Extension), the State conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction over farm forestry in the State, shall consult with organizations and agencies within the State that have conservation interests and responsibilities. Upon request of the Governor of the State, a person selected as a direct representative of the Governor may be designated by the Secretary as an additional member of the ACP Development Group with equal authority with other members of the Group in the development of the State program.

(b) The State program shall include the following provisions: (1) Identification of program objectives and areas in the State where the program will be applicable: (2) the designation of practices for which cost-share assistance is requested for each designated area, including specifications for each proposed practice; and (3) the proposed cost-share rates for each practice.

(c) Minimum specifications which practices must meet to be eligible for Federal cost-sharing shall be set forth in the State program, or be incorporated therein by specific reference to a standard publication or other written document containing such specifications. For practices involving the establishment or improvement of vegetative cover, the specifications shall include, where appropriate, liming fertilization, and seeding rates, eligible seeds and mixtures, seeding dates, requirements for cultural operations and inoculation, and other steps essential to the successful establishment or improvement of the vegetative cover. For mechanical or construction type practices, the specifications shall include, where appropriate, the types and sizes of material, installation or construction requirements, and other steps essential to the proper functioning of the structure. For other practices, the specifications shall include those steps essential to the successful performance of the practice. Practice specifications may provide minimum performance requirements which will qualify the practice for cost-sharing and maximum limits of performance which will be eligible for cost-sharing. For practices which authorize Federal cost-sharing for applications of liming materials and commercial fertilizers, the minimum applications and maximum applications on which cost-sharing is authorized shall be determined on the basis of a current soil test: *Provided, however*, That if available facilities are not adequate to permit the desired use of soil tests under the program, an alternative basis for determination by the county committee of such application shall be authorized to the extent necessary.

(d) The following practices and uses are authorized:

(1) Establishment of permanent sod waterways to dispose of excess water without causing erosion.

(2) Establishment of a permanent vegetative cover for soil protection or as a needed land use adjustment.

(3) Constructing terraces to detain or control the flow of water and check soil erosion.

(4) Constructing diversion terraces, ditches, or dikes to intercept runoff and divert excess water to protected outlets.

(5) Constructing erosion control, detention, or sediment retention dams, pits, or ponds to prevent or heal gullying or to retard or reduce runoff of water.

(6) Constructing channel lining, chutes, drop spillways, pipe drops, drop inlets, or similar structures for the protection of outlets and water channels that dispose of excess water.

(7) Streambank or shore protection, channel clearance, enlargement or realinement, or construction of floodways, levees, or dikes, to prevent erosion or flood damage to farmland.

(8) Establishment of a stand of trees or shrubs to prevent erosion.

(9) Establishment of a stand of forest trees or shrubs on farmland for purposes other than the prevention of erosion.

(10) Improvement of a stand of forest trees.

(11) Establishment of contour stripcropping to protect soil from erosion.

(12) Constructing or sealing dams, pits, or ponds as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover.

(13) Developing springs or seeps for livestock water as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover.

(14) Controlling competitive shrubs to permit growth of adequate desirable vegetative cover.

(15) Improvement of an established vegetative cover for soil or watershed protection.

(16) Treatment of farmland to permit the use of legumes and grasses for soil improvement and protection.

(17) Construction of water facilities for wildlife habitat or protection.

(18) Establishment of vegetative cover to provide habitat, food, or shelter for wildlife.

(19) Conservation practices to develop recreation resources—establishment of picnic and sports area; establishment of camping and nature recreation areas; establishment of hunting and shooting preserve area; establishment of fishing area; establishment of summer water sports area; establishment of winter sports area.

(20) Other practices not covered above which are determined to be needed to accomplish the purpose of the program.

(e) The Soil Conservation Service shall have the same technical responsibility for Appalachian Land Stabilization and Conservation Program practices as it has for the same or similar Agricultural Conservation Program Practices including applicable components of approved recreation practices. The Forest Service is responsible for the technical phases of forestry practices.

(f) Each proposed State program shall be submitted to the Commission by the member thereof representing such State. The estimated amount of funds needed to accomplish the objectives of such program shall be stated in the submission of the proposed program to the Commission. If approved by the Commission, the proposed State program shall be submitted to the Secretary by the Federal Cochairman. Responsibility is assigned to the Conservation and Land Use Division, ASCS, for review and recommendation for approval or disapproval by the Secretary.

(g) Copies of bulletins setting forth the State program as approved by the Secretary shall be available in the office of the county committee.

§ 755.6 Cost-share contract.

(a) *Filing requests.* (1) Landowners, operators, or occupiers in eligible counties shall be furnished information with respect to the program and afforded an opportunity to request a cost-share contract covering those practices which would accomplish the objectives of the program on the farm.

(2) The request shall be on a form and in accordance with instructions prescribed by the Administrator.

(b) *Entering into a contract.* (1) The county committee is authorized to approve the contract on behalf of the Secretary.

(2) The contract must be signed by the owner of the land on which cost-share payments are provided under the contract and by the operator of the farm. The contract shall also be signed by any occupiers who will share in payments in one or more years of the contract period.

(3) There shall be only one contract for a farm.

(4) The final date for signing the contract shall be the date announced by the Administrator.

(c) *Contract period.* (1) The period to be covered by a contract shall be not less than 3 years or longer than 10 years as agreed to by the contract signers and the county committee.

(2) The first year of the contract period shall begin on the date of the approval of the contract and shall end on December 31 of such year. Each subsequent year of the contract period shall be on a calendar year basis.

§ 755.7 Cost-share payments.

(a) Subject to the conditions and limitations in this subpart, cost-sharing may be authorized for practices needed during the period of the contract to conserve and develop soil, water, woodland, wildlife, and recreation resources. Payment of the cost-shares shall be made only upon application submitted on a form prescribed by the Administrator. Practices required to be established under the contract which are started after a request for a contract is filed shall be considered as started during the contract period.

(b) Cost-share rates shall not exceed 80 per centum of the average cost of carrying out the land treatment measures or such lower rate as the county committee determines will accomplish the objectives of the program. As a further limitation, cost-sharing may not be authorized in excess of $50 per acre unless a representative of the State committee approves an amount in excess of this per acre limit on the basis that the income potential and benefits derived by expenditure of the additional money warrant the higher limit.

(c) Cost-sharing shall not be approved for more than 50 acres per farm.

(d) The total acreage with respect to which any landowner, operator, or occupier receives cost-sharing payments shall not exceed 50 acres under all contracts in which he has an interest.

(e) Cost-sharing for the practices or components thereof contained in the approved State program is conditioned upon the establishment, maintenance, and performance of the practices for the contract period in accordance with all applicable specifications and program provisions. The county committee shall specify on the practice approval the date by which the practice must be completed. Subject to the availability of funds, cost-sharing may be authorized for the restoration or replacement of any needed conservation measure if during the contract period the original conservation use is destroyed or rendered unsuitable through no fault of the contract signers.

(f) In addition to the provisions contained in this subpart, cost-sharing payments shall also be subject to the following regulations of the Agricultural Conservation Program (7 CFR 701.1–701.93, as amended): § 701.24 *Failure to met minimum requirements,* § 701.25 *Conservation materials and services,* § 701.26 *Practices carried out with aid for ineligible persons,* § 701.27 *Division of Federal cost-share,* § 701.33 *Compliance with regulatory measures,* § 701.36 *Depriving others of Federal cost-sharing,* §701.38 *Misuse of purchase orders,* § 701.39 *Federal cost-shares not subject to claims,* and § 701.40 *Assignments.* The Agricultural Conservation Program regulations referred to above shall mean the Agricultural Conservation Program regulations applicable to the year in which the contract is approved.

(g) Cost-share payments shall not be made under the program with respect to land owned by the Federal Government, a State, or a political subdivision thereof.

§ 755.8 Modification of contract.

(a) If the farm is reconstituted in accordance with the regulations governing reconstitution of farms (7 CFR Part 719, as amended), because of purchase, sale, change of operation, or otherwise, the contract shall be modified with respect to any resulting farm containing all or any part of the acreage covered by the original contract. Such modified contract or contracts shall reflect the changes in the number of acres in any resulting farm, the acreage covered by the contract, interested persons, and practices called for under the original contract. If persons who were not signatories to the original contract are eligible and required to sign such modified contract or contracts but are not willing to become parties to the modified contract or for any other reason a modified contract is not entered into, cost-share payments for practices which have not been carried out shall be forfeited with respect to acreage not continued in the program. In addition, with respect to acreage not continued in the program, cost-share payments paid for practices (or components thereof) which have been carried out shall be refunded by the owner of such acreage prior to reconstitution unless the county committee with the approval of the State committee determines that the failure to carry out all of the practices called for by the original contract will not impair the practices which have been carried out and the completed practices will provide conservation benefits consistent with the cost-shares which have been paid. Notwithstanding the foregoing, if control of land was lost through eminent domain proceedings or to an agency having the right of eminent domain, any cost-share payments paid under the contract with respect to such land are not required to be refunded.

(b) Except in cases in which the farm is reconstituted, if the ownership or operation of the farm changes in such a manner that the contract no longer contains the signatures of persons required to sign the contract as provided in § 755.6, the contract shall be modified to reflect the new interested persons. If such persons are not willing to become parties to the modified contract, or for any other reason a modified contract is not entered into, cost-share payments shall be forfeited and refunded in accordance with the rules provided in paragraph (a) of this section.

(c) Upon request of the contract signers and approval of the county committee, a contract may be modified to change or add practices, or to make other changes which are consistent with this subpart, the State program, and the conservation and development plan.

(d) Upon request of the contract signers, a contract which would otherwise be in a noncompliance status at the end of the contract period under the provisions of § 755.10(a) of these regulations may be modified to extend the contract period not to exceed a total period of 10 years if the county committee determines that failure to establish the practices specified in the contract was not the result of the fault or negligence of the contract signers.

§ 755.9 Termination of contracts.

The Deputy Administrator may consent to the termination of a contract in cases where the parties to the contract are unable to comply with the terms of the contract due to conditions beyond their control, in cases where compliance with the terms of the contract would work a severe hardship on the parties to the contract, or in cases where termination of the contract would be in the public interest, provided the parties to the contract refund such part of the cost-share payments made under the contract as the Deputy Administrator determines appropriate.

§ 755.10 Noncompliance.

(a) Failure to establish the practices specified in the contract within the time specified by the county committee shall be a violation of the contract and all payments under the contract shall be forfeited and refunded.

(b) Failure to maintain a practice for the period of the contract in accordance with good farming practices shall be a violation of the contract and any payment made in connection with such practice shall be refunded unless the practice is restored within the time prescribed by the county committee.

(c) If the county committee finds that any person has adopted or participated in any practice which tends to defeat the purposes of the program, it may withhold, or require to be refunded, all or any part of cost-share payments paid or payable under the program. It shall be considered a practice defeating the purposes of the program if the contract signers do not make available for public use a recreation resource development for which costs are shared. The regulations governing nondiscrimination in federally assisted programs of the Department of Agriculture, Part 15 of this title, shall be applicable to this program.

§ 755.11 Signatures.

Signatures to contracts and related forms shall be in conformity with the instructions on signatures and authorizations applicable to the Agricultural Conservation Program.

§ 755.12 Filing of false claims.

The making of a fraudulent representation by a person in the payment documents or otherwise for the purpose of obtaining a payment from the county committee shall render the person liable, aside from any additional liability under criminal and civil frauds statutes, for a

refund of the payments received by him with respect to which the fraudulent representation was made.

§ 755.13 Delegation of authority.

No delegation in this subpart to a State or county committee shall preclude the Administrator, or his designee, from determining any question arising under the program or reversing or modifying any determinations made by a State or county committee.

§ 755.14 Reporting performance.

The operator of the farm, in accordance with instructions issued by the Deputy Administrator, shall report to the county committee on Form ACP-245 the extent of compliance with the terms of the contract.

§ 755.15 Handling exceptional cases.

The Deputy Administrator may allow payment for performance not meeting all program requirements, where not prohibited by statute, if in his judgment such action is needed to permit a proper disposition of the case. Such action may be taken only where the person acted in good faith and in reasonable reliance on any instruction or commitment of any member, or employee of the State or county committee or representatives of other Federal agencies assigned responsibility under the program, in meeting his obligations under the contract and in so doing reasonably accomplished the purposes of the contract. The amount of the payment shall be based on the actual performance and shall not exceed the amount to which the person would have been entitled if the performance rendered had met all requirements.

§ 755.16 Access to farms and to farm records.

County committeemen or their authorized representatives, or any authorized representative of the Secretary of Agriculture, shall have such access to farms and to records pertaining thereto as is necessary to make acreage determinations and to determine the extent of compliance with the terms of the contract.

§ 755.17 Preservation of cropland, crop acreage and allotment history.

The cropland, crop acreage, and allotment history applicable to the designated acreage shall be preserved, for any Federal program under which such history is used as a basis for an allotment or other limitation on the production of such crop, for the period covered by the contract and an equal period thereafter so long as the approved practice is maintained on the land.

§ 755.18 Appeals.

Any person may obtain reconsideration and review of determinations made under this subpart in accordance with the Appeal Regulations, Part 780 of this Chapter (29 F.R. 8200), as amended.

§ 755.19 Availability of funds.

The provisions of this program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the payments provided for in this subpart are contingent upon such appropriations as the Congress has or may hereafter provide for such purpose, and the amount of such payments must necessarily be within the limits finally determined by such appropriations.

NOTE: The reporting and recordkeeping requirements contained herein have been approved by, and subsequent reporting and recordkeeping requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date: Date of signature.

Signed at Washington, D.C., on July 2, 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-7230; Filed, July 8, 1965; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Reg., 1965-Crop Oats Supp., Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1965 Crop Oats Loan and Purchase Program

AVAILABILITY AND DISBURSEMENT

The regulations issued by the Commodity Credit Corporation and published in 30 F.R. 3195 which contain specific requirements with respect to price support loan and purchase operations for the 1965 crop of oats are amended as follows:

Section 1421.2641 is amended to change the final date for filing applications for price support in States in which loans have April 30, 1966, as their maturity date from January 31, 1966, to March 31, 1966, and to revise the wording of the section to read as follows:

§ 1421.2641 Availability and disbursement.

Producers desiring to participate in this program must file an application for price support not later than January 31, 1966, in States in which loans have a maturity date of February 28, 1966, and not later than March 31, 1966, in States in which loans have a maturity date of April 30, 1966. Loans shall be available through January 31, 1966, in States in which loans have a maturity date of February 28, 1966, and through March 31, 1966, in States in which loans have a maturity date of April 30, 1966. (For loan maturity dates, see § 1421.2648.)

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 2, 1965.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 65-7231; Filed, July 8, 1965; 8:49 a.m.]

PART 1427—COTTON

Subpart—1965-Crop Supplement to Cotton Loan Program Regulations

Correction

In F.R. Doc. 65-6807, appearing at page 8451 of the issue for Friday, July 2, 1965, the following corrections are made:

1. In the tabular matter of § 1427.1501, the entry for Grade of Yellow Stained, SM, staple length $3\frac{1}{32}$, should read "755" instead of "775".

2. In the tabular matter of § 1427.1502:

a. The entry following Columbia, Miss., should read "Columbus" instead of "Do".

b. The entries in the figure column for Tarboro and for Wake Forest, N.C., each should read "29.46".

c. The entry in the figure column for Blackville, S.C., should read "29.46" instead of "29.42".

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter III—Consumer and Marketing Service, Meat Inspection, Department of Agriculture

SUBCHAPTER A—MEAT INSPECTION REGULATIONS

PART 316—MARKING, BRANDING, AND IDENTIFYING PRODUCTS

PART 317—LABELING

PART 318—REINSPECTION AND PREPARATION OF PRODUCTS

Miscellaneous Amendments

On January 27, 1965, there was published in the FEDERAL REGISTER (30 F.R. 844) a notice of proposed amendments to Parts 316, 317, and 318 of the Federal Meat Inspection Regulations (9 CFR Parts 316, 317, and 318) to allow use of isolated soy protein in sausage and certain other meat food products. Isolated soy protein—a product of advancing food technology—is the major proteinaceous fraction of soybeans prepared from high quality, sound, clean, dehulled soybeans by removing a preponderance of the nonprotein components and contains not less than 90 percent protein (N x 6.25) on a moisture-free basis.

The purposes of these amendments are to provide consumers with a broader selection of sausage and certain other meat products by including isolated soy protein in the lists of food materials that are authorized for limited use in sausage and certain other meat food products under the Meat Inspection Act, and to require that isolated soy protein used in these products processed in official establishments contain a specified amount of titanium incorporated as food grade titanium dioxide for analytical control purposes.

After due consideration of all relevant matters in connection with such notice and under authority of the Meat Inspection Act, as amended and extended (21 U.S.C. 71-91) and section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306), §§ 316.13, 317.8, and 318.4 of said regulations are amended as follows:

1. Section 316.13(c)(1) is amended to read:

§ 316.13 Marking of meat food products in casings.

* * * * *

(c)(1) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed under Part 317 of this subchapter, the product shall be marked with the name of each of such added ingredients, as for example, "cereal added," "potato flour added," "cereal and potato flour added," "soy flour added," "soy protein concentrate added," "isolated soy protein added," "nonfat dry milk added," "calcium reduced dried skim milk added" or "cereal and nonfat dry milk added," as the case may be. On sausage of the smaller varieties, the marking prescribed in this paragraph may be limited to links bearing the inspection legend.

* * * * *

2. Section 317.8(c) (16), (27), and (32), and the eighth sentence of § 317.8 (c)(40), and § 317.8(c)(48), are amended to read as follows:

§ 317.8 False or deceptive labeling and practices.

* * * * *

(16) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed under this part, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as, for example, "cereal added," "with cereal," "potato flour added," "cereal and potato flour added," "soy flour added," "soy protein concentrate added," "isolated soy protein added," "nonfat dry milk added," "calcium reduced dried skim milk added," or "cereal and nonfat dry milk added," as the case may be.

* * * * *

(27) Product labeled "Chili Con Carne" shall contain not less than 40 percent of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient under specific declaration on the label. The mixture may contain not more than 8 percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk.

* * * * *

(32) Spaghetti with meat balls and sauce, spaghetti with meat and sauce, and similar products, shall contain not less than 12 percent of meat computed on the weight of the fresh meat. The presence of the sauce or gravy constituent shall be declared prominently on the label as part of the name of the product. Meat balls may be prepared with not more than 12 percent, singly or collectively, of farinaceous material, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, and similar substances.

* * * * *

(40) * * * Sausage may contain not more than 3½ percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, or dried milk"; and by adding immediately after such sentence a new sentence reading as follows: "In determining the maximum amount of the ingredients specified in this subparagraph which may be used, individually or collectively, in a product, 2 percent of isolated soy protein shall be considered the equivalent of 3.5 percent of any other ingredient specified in this subparagraph. * * *

* * * * *

(48) Products labeled "Pork With Barbecue Sauce" and "Beef With Barbecue Sauce" shall contain not less than 50 percent meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72 percent meat computed on the weight of the fresh uncooked meat. When cereal, vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk or similar substances are used in preparing the products, such fact shall be prominently stated contiguous to the name of the product.

3. Section 317.8(c)(66) is amended by changing the first sentence to read: "Cheesefurters and similar products made in simulation of sausage in casings but containing sufficient cheese to give definite characteristics to the finished article may contain cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, or dried milk."; and by adding immediately after the second sentence a new sentence reading as follows: "In determining the maximum amount of the ingredients specified in this subparagraph which may be used, individually or collectively, in a product, 2 percent of isolated soy protein shall be considered the equivalent of 3.5 percent of any other ingredient specified in this subparagraph."

4. Section 318.4 is amended by adding thereto a new paragraph (d) to read:

§ 318.4 Products and chemical preparations entering official establishments; identification; disposition; shipping in commerce.

* * * * *

(d) All isolated soy protein used in products processed in official establishments must contain not more and not less than 0.1 percent titanium incorporated as food grade titanium dioxide, and the presence of such substance must be shown on the label of the container of the isolated soy protein.

The foregoing amendments differ in some respects from the proposals set forth in the notice of proposed rule making. These differences merely reflect minor editorial changes and do not affect the substance of the amendments. Furthermore, since these amendments authorize the use of isolated soy protein in certain meat food products in which its use was previously not permitted, they are in the nature of amendments relieving restrictions and should be made effective as soon as possible. Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that further public rule-making procedure on these amendments is unnecessary and that they may be made effective in less than 30 days.

These amendments shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of July 1965.

R. K. SOMERS,
Acting Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 65-7232; Filed, July 8, 1965; 8:49 a.m.]

PART 316—MARKING, BRANDING, AND IDENTIFYING PRODUCTS

PART 318—REINSPECTION AND PREPARATION OF PRODUCTS

Miscellaneous Amendments

On January 30, 1965, there was published in the FEDERAL REGISTER (30 F.R. 998) notice of a proposal to amend Parts 316 and 318 of the Federal Meat Inspection Regulations (9 CFR Parts 316 and 318) to permit the use of certain antioxidants in the preparation of frozen fresh pork sausage and freeze-dried meats under the Meat Inspection Act.

Interested persons were afforded 60 days to furnish views and comments. It was suggested by interested persons that Nordihydroguaiaretic acid (NDGA) be included as an antioxidant permitted to be used in these products, that citric acid be included as a synergist, and that in the case of freeze-dried meats, the level of antioxidant accepted not be based solely on the fat content since the phospholipids in the lean are also protected. Since these suggestions are incorporated in the amendments and a minor editorial change was made from the proposed amendments for the sake of clarity, the amendments differ in some respects from the original proposals. However, adoption of the above suggestions in the amendments does not represent a change in principle from the original proposal, and it appears that further public rule making procedure on the amendments would not make additional information available to this Department. Therefore, under section 4 of the Administrative Procedure Act, it

is found that further notice and public rule making procedure on the amendments are unnecessary.

After due consideration of all relevant matters in connection with the notice of proposed rule making and under the authority of the Meat Inspection Act, as amended and extended (21 U.S.C. 71 et seq.), and subsections 306(b) and (c) of the Tariff Act of 1930, as amended (19 U.S.C. 1306 (b) and (c)), Parts 316 and 318 of the Meat Inspection Regulations are hereby amended as follows:

§ 316.13 [Amended]

1. Paragraph (e) of § 316.13 is amended by adding after the words "unsmoked dried sausage" the words "or frozen fresh pork sausage."

§ 318.7 [Amended]

2. The table in subparagraph (4) of paragraph (b) of § 318.7 is hereby amended to permit the use of BHA (butylated hydroxyanisole), BHT (butylated hydroxytoluene), propyl gallate, or NDGA (nordihydroguaiaretic acid) or a combination of these antioxidants, with or without citric acid, in frozen fresh pork sausage and freeze-dried meats in the amounts specified in the table, as follows:

(1) In the portion of the chart dealing with "Antioxidants" (Class of Substance), the following information on BHA, BHT, propyl gallate, and NDGA is inserted in the appropriate columns immediately following "tocopherols" and information relating thereto.

Substance	Purpose	Products	Amount	
BHA (butylated hydroxyanisole).	To retard rancidity	Frozen fresh pork sausage.	0.01 percent based on fat content.	0.02 percent in combination based on fat content.
BHT (butylated hydroxytoluene).	do	do	0.01 percent based on fat content.	
Propyl gallate	do	do	0.01 percent based on fat content.	
Nordihydroguaiaretic acid (NDGA).	do	do	0.01 percent based on fat content.	
BHA (butylated hydroxyanisole).	do	Freeze dried meats	0.01 percent based on total weight.	0.01 percent in combination.
BHT (butylated hydroxytoluene).	do	do	0.01 percent based on total weight.	
Propyl gallate	do	do	0.01 percent based on total weight.	
Nordihydroguaiaretic acid (NDGA).	do	do	0.01 percent based on total weight.	

(2) In the portion of the chart dealing with Synergists (class of substance), there is inserted in the appropriate columns further information relating to citric acid.

Substance	Purpose	Products	Amount
Citric acid	To increase effectiveness of antioxidants.	Frozen fresh pork sausage.	0.01 percent on basis of fat content, in combination with antioxidants.
		Freeze dried meats	0.01 percent in combination with antioxidants.

(Sec. 306, 46 Stat. 689, as amended; 34 Stat. 1264, 41 Stat. 241; 19 U.S.C. 1306; 21 U.S.C. 89, 96; 29 F.R. 16210, as amended)

These amendments will become effective 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of July 1965.

R. K. SOMERS,
Acting Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 65-7233; Filed, July 8, 1965; 8:49 a.m.]

PART 316—MARKING, BRANDING, AND IDENTIFYING PRODUCTS

PART 340—SPECIAL SERVICES RELATING TO MEAT AND OTHER PRODUCT

Amendment of Regulations

Pursuant to the authority contained in the Meat Inspection Act, as amended and extended (21 U.S.C. 71 et seq.), section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306), and the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 et seq.), the U.S. Department of Agriculture hereby amends Parts 316 and 340, Title 9, Code of Federal Regulations, as follows:

1. Section 316.16 of Part 316 is amended to read as follows:

§ 316.16 Tank cars and tank trucks used in transporting edible product.

(a) Each tank car and each tank truck carrying inspected and passed product from an official establishment shall bear a label containing the true name of the product, the inspection legend, the establishment number, and the words "date of loading," followed by a suitable space for the insertion of the date. The label shall be located conspicuously and shall be printed on material of such character and so affixed as to preclude detachment or effacement upon exposure to the weather. Before the car or truck is removed from the place where it is unloaded, the carrier shall remove or obliterate such label.

(b) Tank cars and tank trucks carrying inspected and passed product from an official establishment to another official establishment or to a location operating under the Identification Service furnished under Part 340 of this subchapter shall be equipped for sealing and securely sealed by a Division employee with an official seal of the Department bearing the inspection legend.

2. Paragraph (a) of § 340.3 of Part 340 is amended by adding thereto a new subparagraph (4) to read as follows:

§ 340.3 Types and availability of service.

* * * * *

(a) *Identification service.* * * *

(4) The service will be available for products moved in tank cars and tank trucks from an official establishment or from a location operating under this service only if such tank cars or tank trucks are equipped for sealing and are securely sealed by an employee of the Meat Inspection Division of the Consumer and Marketing Service with an official seal of the Department bearing the inspection legend before leaving such official establishment or such other location.

* * * * *

(Sec. 306, 46 Stat. 689, as amended; 34 Stat. 1264; 41 Stat. 241; secs. 203, 205, 60 Stat. 1087, 1090, as amended; 19 U.S.C. 1306(b) and (c); 21 U.S.C. 89 and 96; 7 U.S.C. 1622, 1624; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective 10 days after publication in the FEDERAL REGISTER.

The Meat Inspection Division has reason to believe that the present regulation (7 CFR 316.16) requiring labeling only, for each tank car and tank truck transporting inspected and passed product from an official establishment, does not adequately insure that such product will not be adulterated or that other product will not be substituted therefor en route to destination. Accordingly, the amendment of § 316.16 imposes an additional requirement that such tank cars and tank trucks must be sealed with an official seal of the Department if the product is transported from one official establishment to another such establishment or to a location where identification service is maintained under the supervision of the Division. Further, the regulations under which identification service is furnished are amended by making such service available with respect to product moved in tank cars or tank trucks from an official establishment or from a location operating under such service only if such cars or trucks are sealed before leaving such establishment or location. Inasmuch as these amendments are necessary to afford additional safeguards to maintain the integrity of products which are federally inspected or identified, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of July 1965.

R. K. SOMERS,
Acting Deputy Administrator, Consumer and Marketing Service.

[F.R. Doc. 65-7234; Filed, July 8, 1965; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 63-SW-127]

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

Alteration of Control Zones, Designation and Alteration of Transition Areas and Revocation of Control Area Extensions

On February 2, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 1055) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Alexandria, La., terminal area. On March 30, 1965, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 4140) proposing a 700-foot-floor transition area to encompass Polk AAF for the protection of IFR operations conducted during the hours when the Fort Polk, La., part-time control zone would not be effective.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The Air Transport Association of America recommended that an intersection be established to the north of the Esler VOR for a straight-in approach to Runway 14 at Esler Field. This required an additional control zone extension which was proposed in the supplemental notice of proposed rule making. All comments received in response to the notice as modified by the supplemental notice were favorable.

A requirement no longer exists for the retention of the Shreveport, La., and Corpus Christi, Tex., control area extensions; although not proposed in the notice, action is taken herein to revoke them. Since the revocation of these control area extensions imposes no additional burden on any person, notice and public procedures hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

1. In § 71.171 (29 F.R. 17582), the Alexandria, La. (England AFB) control zone is amended to read as follows:

ALEXANDRIA, LA. (ENGLAND AFB)

That airspace within a 5-mile radius of England AFB (latitude 31°19'40" N., longitude 92°33'05" W.); within 2 miles each side of the 318° bearing from the Alexandria RBN, extending from the 5-mile radius zone to the RBN; within 2 miles each side of the Alexandria VORTAC 151° and 331° radials extending from the 5-mile radius zone to 2.5 miles SE of the VORTAC; within 2 miles each side of the 329° radial of the Alexandria VORTAC, extending from the 5-mile radius zone to 14 miles NW of the VORTAC; within 2 miles each side of the England AFB TACAN 150° radial, extending from the 5-mile radius zone to 7 miles SE of the TACAN; within 2 miles each side of the England AFB TACAN 317° radial, extending from the 5-mile radius zone to 7 miles NW of the TACAN; within 2 miles each side of the extended centerline of Runway 14, extending from the 5-mile radius zone to 6 miles NW of the airport; within 2 miles each side of the extended centerline of Runway 18, extending from the 5-mile radius zone to 5.5 miles N of the airport; and within 2 miles each side of the extended centerline of Runway 36 extending from the 5-mile radius zone to 6.5 miles S of the airport.

2. In § 71.171 (29 F.R. 17582), the Alexandria, La. (Esler Field) control zone is amended to read as follows:

ALEXANDRIA, LA. (ESLER FIELD)

That airspace within a 5-mile radius of Esler Field (latitude 31°23'45" N., longitude 92°17'40" W.); within 2 miles each side of the Esler Field VOR 358° radial, extending from the 5-mile radius zone to 7 miles NW of the VOR; and within 2 miles each side of the Esler Field VOR 358° radial, extending from the 5-mile radius zone to 6 miles N of the VOR.

3. In § 71.171 (29 F.R. 17600), the Fort Polk, La., control zone is amended to read as follows:

FORT POLK, LA.

That airspace within a 5-mile radius of Polk AAF (latitude 31°02'40" N., longitude 93°11'25" W.); within 2 miles each side of the 160° bearing from the Polk AAF RBN, extending from the 5-mile radius zone to 9 miles SE of the south fan marker; and within 2 miles each side of the 340° bearing from the Polk AAF RBN, extending from the 5-mile radius zone to 7 miles NW of the north fan marker. This control zone is effective during the dates and times established in advance by publication of Special Notices in the Airman's Information Manual.

4. In § 71.165 (29 F.R. 17557), the Alexandria, La., control area extension is revoked.

5. In § 71.165 (29 F.R. 17577), the Shreveport, La., control area extension is revoked.

6. In § 71.165 (29 F.R. 17562), the Corpus Christi, Tex., control area extension is revoked.

7. In § 71.181 (29 F.R. 17643), the following transition area is added:

ALEXANDRIA, LA.

That airspace extending upward from 700 feet above the surface within a 16-mile radius of England AFB (latitude 31°19'40" N., longitude 92°33'05" W.); within a 7-mile radius of Esler Field (latitude 31°23'45" N., longitude 92°17'40" W.); within 2 miles each side of the 151° bearing from the Alexandria RBN, extending from the England AFB 16-mile radius area to 12 miles SE of the RBN; within 2 miles each side of the Alexandria VORTAC 151° radial, extending from the England AFB 16-mile radius area to 12 miles SE of the VORTAC; within 2 miles each side of the Esler VOR 155° radial, extending from the Esler Field 7-mile radius area to 19 miles SE of the airport; within 2 miles each side of the Esler VOR 338° radial, extending from the VOR to 8 miles NW; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at latitude 31°26'00" N., longitude 93°17'00" W., to latitude 31°49'00" N., longitude 92°51'30" W.; to latitude 32°10'00" N., longitude 92°20'00" W.; to latitude 32°05'00" N., longitude 91°57'00" W.; to latitude 32°05'00" N., longitude 91°28'00" W.; to latitude 31°04'00" N., longitude 91°29'20" W.; to latitude 30°53'40" N., longitude 91°29'10" W.; to latitude 30°46'20" N., longitude 91°50'40" W.; to latitude 30°32'00" N., longitude 92°15'00" W.; to latitude 30°24'00" N., longitude 92°26'00" W.; to latitude 30°32'00" N., longitude 92°50'00" W.; to latitude 30°56'00" N., longitude 93°33'00" W.; to latitude 31°17'00" N., longitude 93°37'00" W.; to point of beginning; excluding the portion within the Natchez, Miss., transition area.

8. In § 71.171 (29 F.R. 17664), the Fort Polk, La., transition area is amended to read as follows:

FORT POLK, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Polk AAF (latitude 31°02'40" N., longitude 93°11'25" W.); within 2 miles each side of the 160° bearing from the Polk AAF RBN, extending from the 5-mile radius area to 10 miles SE of the south fan marker; and within 2 miles each side of the 340° bearing from the Polk AAF RBN, extending from the 5-mile radius area to 8 miles NW of the north fan marker.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on June 29, 1965.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 65-7172; Filed, July 8, 1965; 8:46 a.m.]

[Docket No. 6757]

PART 163—CANTON ISLAND AIRPORT

Deletion

The purpose of this amendment to the Federal Aviation Regulations is to delete Part 163—Canton Island Airport.

Part 163 prescribed landing and parking charges at Canton Island Airport, and utility, medical, and hospital charges for users of facilities on Canton Island. By the end of the day of June 30, 1965, the FAA ceased its operations at Canton Island, and transferred accountability and control of property in FAA custody to the National Aeronautics and Space Administration (NASA). Beginning July 1, 1965, NASA operates the Canton Island Airport, and provides services on Canton Island. As a result, Part 163 ceased to be effective at 12:00 p.m. on June 30, 1965.

Since this amendment merely deletes obsolete regulatory material, compliance with the notice, public procedure, and effective date provisions of the Administrative Procedure Act is not required.

In consideration of the foregoing, Part 163 of Chapter I of Title 14 of the Code of Federal Regulations is deleted.

(Sec. 313(a), Federal Aviation Act of 1958; 49 U.S.C. 1354(a))

Issued in Washington, D.C., on July 2, 1965.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 65-7173; Filed, July 8, 1965; 8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter IV—Federal National Mortgage Association, Housing and Home Finance Agency

PART 1600—MORTGAGE PURCHASES, SERVICING AND SALES, AND SHORT-TERM LOANS ON THE SECURITY OF MORTGAGES

Miscellaneous Amendments

Part 1600 of Chapter IV of Title 24 of the Code of Federal Regulations is amended as follows:

1. In § 1600.0 the information relating to the location of offices and area served is amended to read as follows:

§ 1600.0 Scope of part.

* * * * *

LOCATION OF FNMA AGENCIES AND AREA SERVED

Atlanta, Ga., 30303, 34 Peachtree Street NE.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

Chicago, Ill., 60603, 1112 Commonwealth-Edison Building, 72 West Adams Street: Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin.

Dallas, Tex., 75201, Dallas Federal Savings Building, 1505 Elm Street: Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas.

Los Angeles, Calif., 90005, 3540 Wilshire Boulevard: Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming.

Philadelphia, Pa., 19107, 211 South Broad Street: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia, West Virginia.

SALES OFFICE

149 Broadway, Room 2310, New York, N.Y., 10006.

2. In § 1600.1 paragraphs (b) and (c) are amended to read as follows:

§ 1600.1 General.

* * * * *

(b) Special assistance functions, operated for the account of the Government with Treasury money (excepting the interests of, and funds of, investors in FNMA participation certificates), which, upon specific authorization by the President of the United States, or by the Congress, provide special assistance for financing selected types of home mortgages that qualify under special programs; the charter also makes provisions for special assistance through the purchase of home mortgages generally as a means of retarding or stopping a decline in mortgage lending and home building activities which threatens materially the stability of a high level national economy (described further in §§ 1600.21 to 1600.25); and

(c) Management and liquidating functions, under which FNMA manages and liquidates for the account of the Government the remaining portfolio of mortgages acquired pursuant to contracts entered into between February 10, 1938, and November 1, 1954, and certain other mortgages that have been or may be acquired from authorized sources, in an orderly manner, with a minimum of adverse effect upon the home mortgage market and minimum loss to the Federal Government (described further in §§ 1600.31 and 1600.32); and under which FNMA also serves as fiduciary with respect to mortgages held by it or in which the United States or an agency or instrumentality thereof has a financial interest, to provide a means for substituting the funds of private investors for government financing therein.

3. In § 1600.12, which relates to mortgage purchases under the Secondary Market Operations, the paragraph that precedes paragraph (a) is amended to read as follows:

§ 1600.12 Mortgage purchases.

Mortgage purchases are confined, insofar as practicable, to mortgages which are of such quality, type, and class as to meet, generally, the purchase standards imposed by private institutional mortgage investors. Purchases are made by FNMA under the terms of specific contracts, and in accordance with certain conditions and requirements stated therein. FNMA will purchase participations under its Secondary Market Operations on a negotiated basis for each such purchase.

* * * * *

4. Section 1600.25 is amended to read as follows:

§ 1600.25 Financing of Special Assistance Functions.

Mortgage sellers are not required to purchase common stock of FNMA in connection with purchases or contracts for purchases under these Special Assistance Functions, nor is there any recourse to the capitalization of FNMA with respect to such functions. Funds required for the operation of these functions are obtained primarily by borrowings from the Secretary of the Treasury; additional sources of funds are the net proceeds from operations, portfolio liquidation and sales of certificates of beneficial interests, or participations, in mortgages. All of the benefits and burdens incident to the administration of the Special Assistance Functions inure solely to the Secretary of the Treasury.

5. Section 1600.31, which relates to FNMA's Management and Liquidating Functions, is amended to read as follows:

§ 1600.31 General.

The Federal National Mortgage Association Charter Act authorizes FNMA to manage and liquidate its portfolio of mortgages acquired pursuant to contracts entered into prior to November 1, 1954, and those other mortgages that have been or may be acquired from authorized sources, in an orderly manner, with a minimum of adverse effect upon the home mortgage market and minimum loss to the Federal Government, and also to serve as fiduciary with respect to mortgages held by FNMA or in which the United States or an agency or instrumentality thereof has a financial interest, to provide a means for substituting the funds of private investors for government financing therein.

6. Section 1600.32 is amended to read as follows:

§ 1600.32 Financing of Management and Liquidating Functions.

Funds required for the Management and Liquidating Functions are obtained through borrowings from the Secretary of the Treasury, net proceeds from operations and portfolio liquidation, sales of certificates of beneficial interests, or participations, in mortgages, and from time to time through the sale to private investors of FNMA's obligations issued under its Management and Liquidating Functions. The aggregate amount of such separate obligations issued to private investors, the proceeds of which are paid to the Secretary of the Treasury in reduction of the corporation's indebtedness under the Management and Liquidating Functions, may not exceed FNMA's ownership under such functions, free from any liens or encumbrances, of cash, mortgages, and other holdings of securities in which the corporation is authorized to invest. Such separate obligations are not guaranteed by the United States and do not constitute a debt or obligation of the United States. With respect to the Management and Liquidating Functions, there is no recourse to the capitalization of FNMA. All of the benefits and burdens incident to their administration inure solely to the Secretary of the Treasury.

7. Section 1600.44 is amended to read as follows:

§ 1600.44 Maximum mortgage.

Under the Special Assistance Functions the original principal obligation of a mortgage must not exceed, or have exceeded, $17,500 for each family residence or dwelling unit covered by the mortgage. This limitation does not apply to mortgages covering properties located in Alaska, Guam, or Hawaii, or to any mortgage insured by FHA under section 213 and covering property located in an urban renewal area, or under section 220, or under title VIII of the National Housing Act.

(Sec. 309, 68 Stat. 620; 12 U.S.C. 1723a)

Issued at Washington, D.C., July 2, 1965.

FEDERAL NATIONAL MORTGAGE ASSOCIATION,
J. S. BAUGHMAN,
President.

[F.R. Doc. 65-7170; Filed, July 8, 1965; 8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 65-560]

PART 0—COMMISSION ORGANIZATION

Miscellaneous Amendments

Order. At a session of the Federal Communications Commission held at its

offices in Washington, D.C., on the 30th day of June 1965:

The Commission having under consideration procedures for making information and records available to the public and for their production or disclosure in response to a subpena; and

It appearing that most Commission records are routinely open to public inspection under § 0.417(a) of the rules and regulations; and

It further appearing that procedures should be established to provide for the orderly, expeditious and uniform handling of requests for inspection, and of subpenas demanding the production of records which are not routinely available for public inspection; and

It further appearing that the Commission's authority in such matters should be delegated to the Chairman; and

It further appearing that authority for the amendments adopted herein is contained in sections 4 (i) and (j), 5(d), and 303(r) of the Communications Act of 1934, as amended; and

It further appearing that the amendments adopted herein are procedural in nature and pertain to internal delegations of authority, and hence that the notice and effective date provisions of section 4 of the Administrative Procedure Act are inapplicable:

It is ordered, That effective July 9, 1965, Part 0 of the Commission's Rules and Regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

1. Section 0.211(e) is added to read as follows:

§ 0.211 Chairman.

* * * * *

(e) Actions under § 0.417(c) involving a request for inspection of records or files not routinely available for public inspection, or the disclosure of information contained therein; and actions under § 0.417(d) involving a demand (subpena, order or other demand) for the production of such records or files, or for testimony concerning information contained therein.

2. Section 0.251(b) is amended to read as follows:

§ 0.251 Authority delegated.

* * * * *

(b) Insofar as authority is not delegated to any other Bureau or Office, and with respect only to matters which are not in hearing status, the General Counsel is delegated authority to act upon requests for extension of time within which briefs and comments may be filed.

3. Section 0.281(d)(7) is amended to read as follows:

§ 0.281 Authority delegated.

* * * * *

(d) * * *

(7) For withdrawal of papers in accordance with § 1.8 of this chapter.

§ 0.302 [Amended]

* * * * *

4. Section 0.302(a) is deleted and the word "[Reserved]" is inserted in lieu thereof.

§ 0.331 [Amended]

5. Section 0.331(b)(2) is deleted and the word "[Reserved]" is inserted in lieu thereof.

6. In § 0.417, that portion of paragraph (a) preceding subparagraph (1) is amended; paragraph (b) is amended; and paragraphs (c), (d) and (e) are added, to read as follows:

§ 0.417 Inspection of records.

(a) Subject to the provisions of sections 4(j) and 606 of the Communications Act of 1934, as amended, the following Commission records are routinely available for public inspection:

* * * * *

(b) Except as provided in paragraph (a) of this section or as otherwise expressly provided in this chapter, the records and files of the Commission are not routinely available for public inspection. No officer or employee of the Commission shall permit the inspection of such records or files, or disclose information contained therein, unless such inspection is authorized by the Commission.

(c) Upon written request describing in detail the papers to be inspected or the information to be disclosed, and the reasons for such inspection or disclosure, the Commission may in its discretion authorize the inspection of records not routinely available for public inspection under paragraph (a) of this section, or the disclosure of information contained therein. Except upon an appropriate showing, however, the Commission will not authorize the inspection (or disclosure) of records and files, such as the following, which contain information submitted to the Commission in confidence:

(1) Those containing information filed under § 1.611 of this chapter, and network and transcription contracts filed under § 1.613 of this chapter. See 18 U.S.C. 1905.

(2) Those containing information submitted by equipment manufacturers and other persons under §§ 2.557, 5.204 and 15.70 of this chapter. See 18 U.S.C. 1905.

(3) Personnel files. See 5 U.S.C. 631.

(d) In the event that a demand (subpena, order or other demand) is made by a court or other competent authority outside the Commission, upon any officer or employee of the Commission for the production of records or files not routinely available for public inspection, or for testimony concerning information contained therein, he shall promptly advise the Commission of such demand, the nature of the papers or information sought, and all other relevant facts and circumstances. The Commission will thereupon issue such instructions as it may deem advisable.

(e) Unless specifically authorized to produce such records or files or to testify with respect thereto, any officer or employee of the Commission who is served with a demand for the production of records or files not routinely available for inspection, or his testimony concerning the same, shall appear in response to the demand and respectfully decline to produce such records or files or to testify concerning them, basing his refusal upon this rule.

(1) If instructions have not been received by such officer or employee prior to his appearance, he shall advise the court or other authority that the demand has been, or is being, referred to the Commission, and respectfully request that the demand be stayed pending the receipt of instructions from the Commission.

(2) If the demand is made while such officer or employee is in the presence of the court or other authority, he shall offer to refer the demand to the Commission for instructions. Unless the demand is withdrawn, he shall respectfully request that it be stayed pending the receipt of instructions from the Commission.

[F.R. Doc. 65-7159; Filed, July 8, 1965; 8:45 a.m.]

[Docket No. 15929; FCC 65-557]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 87—AVIATION SERVICES

Miscellaneous Amendments

Report and order. 1. The Commission on April 2, 1965 released a notice of proposed rule making in the above-entitled matter (FCC 65-253) which made provisions for the filing of comments and was duly published in the FEDERAL REGISTER on April 7, 1965 (30 F.R. 4492).

2. The notice of proposed rule making had for its purpose (1) the clarification of Subpart H—Part 87 to reflect usage by persons engaged in soaring activities; (2) the addition of a section to specifically provide for mobile operations on the ground; and, (3) various editorial changes in Parts 2 and 87 necessitated by the proposed changes in Subpart H of Part 87.

3. Comments were filed by Federal Aviation Agency (FAA), National Pilots Association (NPA), Mr. Thomas Page and the Soaring Society of America, Inc. Reply comments were filed by the Aircraft Owners and Pilots Association (AOPA). NPA supported the amendments as proposed. The other respondents made requests for specific changes which are discussed in succeeding paragraphs.

4. A major portion of the comments were directed to the "remote microphone" provision of the Rules. The present rules and the proposal in this Docket both contain a section (present 87.351 and proposed 87.347) which requires, in essence, that when a flying school (aviation instructional) station is operating at a landing area served by an airdrome control station, the airdrome control operator must be given a remote

microphone connection to the station so that orders or instructions may be transmitted by the airdrome control operator to aircraft receiving instructions from the flying school station. This rule was based on a requirement of CAA (now FAA). The FAA in commenting in this proceeding has informed the Commission that they no longer have a requirement for such a rule. This change is a result of the Federal Airways Regulation which prescribes direct communications between the control tower and aircraft operating in the traffic pattern. Accordingly, the "remote microphone" provision will be deleted. This deletion is consistent with comments directed to the section by AOPA, Mr. Thomas Page and the Soaring Society of America.

5. AOPA, The Soaring Society of America and Mr. Thomas Page urge the Commission to amend § 87.341 to allow the assignment of more than one frequency in the case of mobile stations. This is recommended to allow mobiles greater flexibility in frequency selection in order to facilitate compliance with the non-interference requirement for mobile operations of § 87.351. The Commission feels that these recommendations are well taken and § 87.341 has been changed accordingly.

6. The Soaring Society and Mr. Page urge that the Commission adopt a procedure whereby persons engaged in soaring activities could submit one application and fee and receive one license which would authorize the use of both aviation instructional and aeronautical utility frequencies. It is recognized that, in certain soaring activities, if adequate communications are to be maintained both an aviation instructional station and aeronautical utility mobile station are necessary. The necessity for multiple types of radio stations to successfully carry out an activity is not uncommon. The Commission has compartmentalized the various Subparts and stations authorized thereunder on the basis of functions. It is not administratively feasible to combine separate and distinct functions into one license just because a particular activity needs to utilize more than one type of station using one or more transmitters for its activity. The fact that a person may have to file multiple applications with a fee for each is not unreasonable. In view of the foregoing, this recommendation is not adopted.

7. Clarification and editorial changes were suggested with respect to certain rules and definitions. These comments were considered and editorial changes where made in certain instances. In this connection, clarification of the definition of Aviation Instructional Stations was requested by Mr. Page and the Soaring Society. It is recognized that the proposed definition is only definitive if read in conjunction with other definitions. In order to eliminate, as much as possible, referral outside the definition, editorial changes have been made.

8. In view of the foregoing, *it is ordered*, Pursuant to the authority contained in section 303 (a), (b), (c), and (r) of the Communications Act of 1934, as amended, that effective August 9, 1965, Parts 2 and 87 of the Commission's rules are amended as set forth below. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: June 30, 1965.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

1. In Part 2, Subpart A, § 2.1, delete the definition for "Flying School Station" and add in alphabetical order, the following definition:

§ 2.1 Definitions.

* * * * *

Aviation instructional station. A land or mobile station in the aeronautical mobile service used for radiocommunications pertaining to instructions to students or pilots while actually operating aircraft or engaged in soaring activities.

* * * * *

2. In § 2.106 *Table of Frequency Allocations*, the entries "Flight test; flying school" in column 11, opposite the frequencies 123.1, 123.3 and 123.5 Mc/s in column 10, are amended to read "Flight test; aviation instructional", and footnote US33 is amended to read as follows:

§ 2.106 Table of Frequency Allocations.

* * * * *

US33 The band 123.075-123.555 Mc/s is for use by flight test and aviation instructional stations.

* * * * *

3. In § 87.5, the definitions *Flying school aircraft station* and *Flying school station* are deleted and a new definition is added in alphabetical order to read as follows:

§ 87.5 Definition of terms.

Aviation instructional station. A land or mobile station in the aeronautical mobile service used for radiocommunications pertaining to instructions to students or pilots while actually operating aircraft or engaged in soaring activities.

* * * * *

4. Section 87.123 is amended to read as follows:

§ 87.123 Permissible communications.

All ground stations in the Aviation Services shall transmit only communications for the safe, expeditious, and economical operation of aircraft and the protection of life and property in the air: *Provided, however*, That aeronautical public service stations, aeronautical advisory stations, aeronautical multicom stations, aviation instructional stations, and Civil Air Patrol land and mobile stations may communicate in accordance with the particular sections of this part which govern the operation of these classes of stations, and any station in the Aviation Services in Alaska, regardless of class in which licensed, may transmit messages concerning sickness, death, weather, ice conditions, or other matters relating to safety of life and property if:

(a) There is no established means of communication between the points in question;

(b) No charge is made for the communication service; and,

(c) A copy of each message so transmitted is kept on file at the transmitting station in accordance with § 87.103.

6. Subpart H of Part 87 is amended to read as follows:

Subpart H—Aviation Instructional Stations

Sec.
87.341 Frequencies available.
87.343 Eligibility of licensee.
87.345 Scope of service.
87.349 Cooperative use of facilities.
87.351 Mobile on the ground.
87.353 Power.
87.355 Frequency assignment non-exclusive.

AUTHORITY: The provisions of this Subpart H issued under sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154; interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303.

§ 87.341 Frequencies available.

The frequencies 123.1, 123.3 and 123.5 Mc/s are available for assignment to ground and aircraft instructional stations on the basis that interference is not caused to flight test stations. Normally, one frequency will be assigned to each station at a fixed location; mobile stations will be assigned all these frequencies.

§ 87.343 Eligibility for licensee.

An aviation instructional station license will be granted only to flying schools and to persons engaged in soaring activities; *Provided, however*, That temporary use, not to exceed six months, of aviation instructional frequencies may be authorized in a private aircraft station to a person taking flight instructions for communications in accordance with this subpart. Each application shall be accompanied by a statement that the applicant is either the operator of a flying school, engaged in soaring activities or taking flight instructions.

§ 87.345 Scope of service.

Communications shall be limited to the necessities of pilot training, coordination between gliders and ground stations, and promotion of safety of life and property.

§ 87.349 Cooperative use of facilities.

(a) Only one aviation instructional station will be authorized at a landing area: *Provided, however*, That this limitation does not apply to aviation instructional stations authorized for mobile operation on the ground.

(b) An aviation instructional station authorized for operation at a fixed point on a landing area will be required to provide service without discrimination, but on a cooperative maintenance basis, to all eligible for a license for an aviation instructional station.

§ 87.351 Mobile on the ground.

Aviation instructional stations for mobile operation on the ground may be authorized on a noninterference basis to aviation instructional stations authorized to serve a landing area.

§ 87.353 Power.

The power output of aviation instructional stations shall not be more than 50 watts for land or mobile stations on the ground and not more than 10 watts for aircraft stations.

§ 87.355 Frequencies assignment nonexclusive.

No frequency available to a station engaged in instructional flying will be assigned exclusively to any licensee. All stations in this service are required to coordinate operation so as to avoid interference and make the most effective use of assignments.

[F.R. Doc. 65-7163; Filed, July 8, 1965; 8:45 a.m.]

[Docket No. 15934; FCC 65-575]

PART 73—RADIO BROADCAST SERVICES

Minimum Required Spacings Between FM Broadcast Stations

Report and Order. 1. The Commission has before it for consideration its notice of proposed rule making, FCC 65-275, issued in this proceeding on April 2, 1965 and published in the FEDERAL REGISTER on April 7, 1965 (30 F.R. 4495), inviting comments on a proposal to substitute a mileage table for the Note appended to § 73.207 of the rules and regulations.

2. The Note appended to § 73.207 is intended to prevent interference between FM broadcast stations that are separated in frequency by 10.6 or 10.8 Mc/s (53 or 54 channels) and reads as follows:

NOTE: Intermediate frequency amplifiers of most FM broadcast receivers are designed to operate on 10.7 megacycles. For this reason the assignment of two stations in the same area, one on a frequency of 10.6 or 10.8 megacycles removed from that of the other, will be avoided if possible.

Thus, the present rule is inadequate in that it merely precludes such assignments in the same community or "same area" but does not spell out what the "taboo" distances should be for the various classes of stations.

3. It has been demonstrated that stations separated by the IF frequency difference cannot operate in the same community without destructive interference to reception. This is due to a spurious response in the receiver and will vary with the design of the receiver. The interference will vary with the strength of the desired and undesired signals. The worst type of interference is that resulting to the reception of a third station from two undesired stations separated by the IF difference. Since IF difference interference occurs over the entire reception band of the receiver, it does not lend itself readily to a cure by the insertion of "wave traps" or filters.

4. Based upon a recent study by the Commission's Laboratory of the interference to typical FM receivers, a set of mileage separation "taboos" were proposed in the Notice ranging from 5 miles for two Class A stations to 30 miles for two Class C stations. These mileages represented the distances required to prevent overlap of the 20 mv/m contours rounded out to the nearest 5 miles, since the tests indicated that elimination of such overlap was necessary to avoid this type of interference. No comments or data were filed in the proceeding. In the absence of measurements indicating that closer spacings would be acceptable, we are of the view that the proposed table should be adopted. These spacings will of course apply to both commercial and non-commercial educational FM stations. We do not expect, however, that there will be the same problem with the 10-watt educational stations and are not proposing any mileage separation rules for these stations. The IF problem for such stations will be considered on a case-by-case basis. We do not propose to change any existing assignments which may not conform to the new table except on specific request of interested parties.

5. Authority for the adoption of the amendment contained herein is contained in sections 4(i) and (j), 303, and 307(b) of the Communications Act of 1934, as amended.

6. In view of the foregoing, *It is ordered*, That Part 73 of the Commission's rules and regulations is amended, effective August 9, 1965, as follows:

a. In § 73.207(a) the Note to the table is amended to read as follows:

§ 73.207 Minimum mileage separations between co-channel and adjacent channel stations on commercial channels.

* * * * *

NOTE: Stations or assignments separated in frequency by 10.6 or 10.8 Mc/s (53 or 54 channels) will not be authorized unless they conform to the following separation table:

Class of stations	Required spacing in miles
A to A	5
B to A	10
B to B	15
C to A	20
C to B	25
C to C	30

* * * * *

b. In § 73.504, a new paragraph (g) is added as follows:

§ 73.504 Zones, classes of stations, use of channels, facilities, and minimum mileage separations between stations.

* * * * *

(g) Stations separated in frequency by 10.6 or 10.8 Mc/s (53 or 54 channels) from stations or assignments on commercial channels will not be authorized unless they conform to the following separation table:

Class of stations	Required spacing (miles)
A to A	5
B to A	10
B to B	15
C to A	20
C to B	25
C to C	30

7. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154; interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 30, 1965.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 65-7162; Filed, July 8, 1965; 8:45 a.m.]

[Docket No. 14229; FCC 65-577]

PART 73—RADIO BROADCAST SERVICES

Fostering Expanded Use of UHF Television Channels

Supplement No. 3 to the fourth report and order. 1. Three errors have been discovered in the revised Table of Assignments for UHF television channels adopted June 4, 1965. Two of these resulted from incorrect information being given to the electronic computer and the other was a simple typographical error.

2. Channel 56 was assigned to Sacramento, Calif. This assignment is short spaced to the Channel 42 assignment to Pittsburg, Calif. We find that Channel 39 can be used at Sacramento to replace Channel 56 and will comply with all of the required geographic spacings.

3. Channel 17 was assigned to Harlingen, Tex., and reserved for educational use. This assignment is short spaced to the Channel 17 assignment in Matamoros, Tamaulipas, Mexico. Channel 44 may be assigned to Harlingen and will comply with all of the required geographic separations.

4. The listing for Charlotte Amalie, Virgin Islands, showed Channel 34 assigned. This was a typographical error and should have shown Channel 43.

5. *It is hereby ordered*, That the Table of Assignments in § 73.606 of the Commission rules is amended, insofar as the cities listed below are concerned, to read as follows, effective August 16, 1965:

Sacramento, Calif.	3, *6, 10, 29, 39
Harlingen, Tex.	4+, 23, *44
Charlotte Amalie, V.I.	10—, 17, *23, 43

6. Authority for the above amendments is contained in sections 4(i), 303 (c) and (f), and 307(b) of the Communications Act of 1934, as amended.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 30, 1965.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 65-7160; Filed, July 8, 1965; 8:45 a.m.]

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[1] Commissioner Cox dissenting.

[Docket No. 14229; FCC 65-576]

PART 73—RADIO BROADCAST SERVICES

Fostering Expanded Use of UHF Television Channels

Supplement No. 2 to the fourth report and order. 1. In the preparation of the revised Table of Assignments for UHF television broadcast channels, adopted June 4, 1965 (FCC 65-504), channels assigned to licensees and permittees were left unchanged except where the licensee had requested the assignment of another channel. During the course of the development of the revised plan, the Commission wrote letters to holders of construction permits and licenses for UHF stations which had discontinued operation or had never operated, in an effort to weed out those which had no definite plans to resume operation or proceed with construction. This was to permit the release of channels for use in the development of the revised UHF plan.

2. Among those contacted was Atlantic Video Corp., permittee of WRTV, Channel 58, Asbury Park, N.J., which ceased operation on April 1, 1955. Through a misunderstanding the Commission received the impression that the permittee was no longer interested in resuming operation of WRTV and Asbury Park was dropped from the Table of Assignments. Subsequently, the permittee requested oral arugment and further submitted an application for modification of the outstanding construction permit. We failed to restore Asbury Park and Channel 58 to the assignment plan. This permitted the computer to select Channel 57 for assignment to Trenton, N.J., and the channel was reserved for educational use.

3. In order to return Channel 58 to Asbury Park, it is necessary to delete Channel 57 from Trenton. There are no channels in the range 14 to 69 which may be assigned to Trenton as a substitute for Channel 57, and comply with the minimum separations required by rule. Channel 81 may be used, although it would invade the group of channels which we have proposed to reserve for community TV stations. Although the previous Table of Assignments contained no educational reservation for Trenton, we consider that its importance as the Capital of the State and an important educational center warrants such an invasion.

4. The revised assignment table also places Channel 49 in Stamford, Conn. Stamford would not have been selected for inclusion in the new table had it not been for two pending applications: Board of Education, town of Greenwich, Conn., and Stamford Broadcasting Co., of Stamford, Conn. Both applied for Channel 55 which was assigned to Stamford in the previous assignment plan. Subsequently, Stamford Broadcasting Co. requested dismissal of its application and the application of the Board of Education, town of Greenwich, has been dismissed in a separate action. This frees Channel 49 for assignment elsewhere.

5. In the development of the new assignment plan adopted on June 4, 1965, a strenuous effort was made to preserve the educational assignment for Hempstead, N.Y. The superseded Table of Assignments reserved Channel 53 at Hempstead. However, omission of the upper 14 UHF channels for possible use by the proposed Community TV service made it necessary to rearrange the lower UHF channels and no assignment could be found for Hempstead. Removal of Channel 49 from Stamford now makes it possible to provide the needed educational channel at Hempstead. We have been advised that the Long Island Television Council, a non-profit association composed of people from various colleges in the area, civic leaders and representatives of local government, is prepared to proceed with the construction and operation of a new educational TV broadcasting station at Hempstead, if a channel is made available. Cameras, video and audio control units and other studio support equipment formerly used by the Columbia Broadcasting System (CBS) at Liederkranz Hall in New York City, has been donated by CBS to the Council.

6. John R. Rieger, d/b as High Fidelity Music Co., filed a comment in this proceeding requesting that the status of Channel 53 at Hempstead be changed from reserved to unreserved. It was his opinion that the educational and cultural needs of that area of Long Island could best be served by a commercial TV broadcast station. In support he calls attention to the history of WLIR, a radio broadcast station operated by his firm. He expresses serious doubt as to the wisdom of relying upon an educational station almost wholly supported by Federal funds, to operate impartially in meeting the needs of the area. It is his position that a commercial TV station would be more apt to offer a broad cross-section of community cultural activities, including those of a commercial nature such as ballet, symphony concerts and good drama. A noncommercial educational station operated by local educational interests might be inclined to favor productions of member organizations. Mr. Rieger stresses that the question is not whether a TV channel at Hempstead should be used for educational purposes, but how it shall be financed, i.e., by private enterprise or public funds.

7. If the proposed rules for community TV stations are adopted, it is possible that such type of station may be used to provide a local commercial outlet for that area of Long Island. The area has, however, an abundance of general program service from the New York City stations. There appears to be a greater need for an educational reservation at Hempstead.

8. The listing for Casper, Wyo., in the revised table of assignments shows Channel 6 as unreserved. On May 21, 1965, the Commission adopted a report and order reserving Channel 6 in Casper. Therefore, we are removing the reservation from Channel 36 and placing it on Channel 6.

9. On May 24, 1965, Catawba Valley Broadcasting Co., Inc. filed an application, File No. BPCT-3572, for Channel 30 at Hickory, N.C. Hickory was assigned Channel 30 in the previous Table of Assignments but was not listed in the revised Table of Assignments because cities with a population less than 25,000 were not included unless there was a specific request on file. This was not intended to preclude an assignment in smaller cities if there was a demonstrated interest in the prompt construction and operation of a new UHF TV station. Channel 30 is no longer available at Hickory in the revised table. However, Channel 20 can be assigned to Hickory and will meet the minimum mileage separation requirements of the rules with respect to other assignments in the revised Table of Assignments.

10. The retention of Channel 58 in Asbury Park, N.J., the replacement of Channel 53 with Channel 49 as an educational reservation at Hempstead, N.Y., and the assignment of Channel 20 at Hickory, N.C., are predicated upon assurances that they will be promptly placed into use. Failure to do so may result in the deletion or replacement of the assignments to provide flexibility in making assignments in places where they will be promptly used.

11. *Accordingly, it is ordered*, That, effective August 9, 1965, the Table of Assignments in § 73.606 is amended insofar as the cities named below are concerned, to read as follows:

City	*Channel*
Asbury Park, N.J.	58
Trenton, N.J.	*81
Hempstead, N.Y.	*49
Hickory, N.C.	20
Casper, Wyo.	2+, *6+, 30, 36

Delete the entry for Stamford, Conn.

12. The action herein is taken pursuant to authority found in sections 4(i), 303 (c) and (r) and 307(b) of the Communications Act of 1934, as amended.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 30, 1965.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7161; Filed, July 8, 1965; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-10—BONDS AND INSURANCE

Subpart 9-10.1—Bonds

Subpart 9-10.3—Insurance

MISCELLANEOUS AMENDMENTS

The following section is added:

§ 9-10.000-50 Policy, cost-type contractor procurement.

All of FPR 1-10 and AECPR 9-10 constitute specific provisions which the con-

tracting officer shall bring to the attention of Class A and Class B cost-type contractors as constituting areas which require appropriate treatment in the development of statements of contractor procurement practices in order to carry out the basic AEC procurement policy set forth in AECPR 9–1.5203.

Section 9–10.150 Fidelity bonds, is amended to read as follows:

§ 9–10.150 Fidelity bonds.

Basic policy. Fidelity bonds shall not be required in connection with fixed-price contracts. Under cost-type contracts, as a general rule, fidelity bonds should not be recommended by contracting officers for approval even though under the terms of a particular contract or subcontract losses normally covered by such bonds might fall upon the Government.

§ 9–10.350 [Deleted]

Section 9–10.350 Policy, is deleted and reserved.

Section 9–10.351 Contract article, is amended to read as follows:

§ 9–10.351 Contract article.

The contract article pertaining to insurance is set forth in AECPR 9–7.5006–51.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 30th day of June 1965.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 65–7190; Filed, July 8, 1965; 8:47 a.m.]

PART 9–30—CONTRACT FINANCING

Subpart 9–30.2—Basic Policies

MISCELLANEOUS AMENDMENTS

Section 9–30.000 Scope of part, paragraphs (a) and (b) are amended to read as follows:

§ 9–30.000 Scope of part.

(a) This part implements and supplements FPR 1–30 for use in the placement and administration of contracts for the procurement of materials and services by or for the account of AEC.

(b) This part does not apply to AEC prime integrated cost-type contractors who are financed through special arrangements.

The following section is added:

§ 9–30.000–50 Policy, cost-type contractor procurement.

All of FPR 1–30 and this AECPR Part 9–30 constitute specific provisions which the contracting officer shall bring to the attention of Class A and Class B cost-type contractors as constituting areas which require appropriate treatment in the development of statements of contractor procurement practices in order to carry out the basic AEC procurement policy set forth in AECPR 9–1.5203.

Section 9–30.209 Order of preference, paragraph (a) is amended to read as follows:

§ 9–30.209 Order of preference.

(a) With respect to cost-type procurement generally, contracting officers shall require contractors to employ private financing with or without assignment of contract payments (FPR 1–30.7). Periodic interim reimbursement on account of incurred cost and payment of fixed fee (if any) will normally be made, reducing the amount of necessary financing for working capital (AECPR 9–7.5006–25). In some instances, where no other means of adequate financing is available on reasonable terms, the AEC may approve (in order of preference) a guaranteed loan or an advance payment for performance of the contract.

* * * * *

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 30th day of June 1965.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 65–7191; Filed, July 8, 1965; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Clear Lake National Wildlife Refuge, Calif.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

CALIFORNIA

CLEAR LAKE NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Clear Lake National Wildlife Refuge, Calif., is permitted only on the area designated by signs as open to hunting, and is delineated on a map available at the refuge headquarters, Tulelake, Calif., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 NE. Holladay, Portland, Oreg., 97208.

Hunting of big game is permitted during the period August 21 through September 5, 1965, in accordance with all applicable State regulations subject to the following special conditions:

(a) Species permitted to be taken: Antelope

(b) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

2. A Federal permit is not required to enter the public hunting area.

3. The provisions of this special regulation are effective to September 6, 1965.

HARRY A. GOODWIN,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JULY 1, 1965.

[F.R. Doc. 65–7199; Filed, July 8, 1965; 8:47 a.m.]

PART 32—HUNTING

Hart Mountain National Antelope Refuge, Oreg.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

OREGON

HART MOUNTAIN NATIONAL ANTELOPE REFUGE

Public hunting of big game on the Hart Mountain National Antelope Refuge, Oreg., is permitted only on the area designated by signs as open to hunting. This open area, comprising 151,000 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 NE. Holladay, Portland, Oreg.

Hunting of big game is permitted in accordance with all applicable State regulations, subject to the following special conditions:

(a) Species permitted to be taken: Deer, bighorn sheep.

(b) Open season:

Deer: Archery season—September 25 through October 3, 1965.

Bighorn sheep: Firearm season—September 11 and 12, September 18 and 19, 1965.

(c) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

2. Camping permitted in designated areas only.

3. A Federal permit is not required to enter the public hunting area.

4. The provisions of this special regulation are effective to October 4, 1965.

HARRY A. GOODWIN,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JULY 2, 1965.

[F.R. Doc. 65–7200; Filed, July 8, 1965; 8:47 a.m.]

PART 32—HUNTING

Malheur National Wildlife Refuge, Oreg.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

OREGON

MALHEUR NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Malheur National Wildlife Refuge, Oreg., is permitted only on the area designated by signs as open to hunting. This open area, comprising 19,700 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 NE. Holladay, Portland, Oreg.

Hunting of big game is permitted in accordance with all applicable State regulations, subject to the following special conditions:

(a) Species permitted to be taken: Deer.

(b) Open season: September 25, 26 and 27, 1965.

(c) Weapons: Bow and arrow only may be used.

(d) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

2. No fires allowed except at designated campgrounds.

3. No smoking allowed except at designated campgrounds.

4. Camping permitted at designated campgrounds only.

5. Travel by any method other than on foot prohibited except on designated roads.

6. A Federal permit is not required to enter the public hunting area, but hunters must report at such checking stations as may be established when entering or leaving the area.

7. The provisions of this special regulation are effective to September 28, 1965.

HARRY A. GOODWIN,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JULY 1, 1965.

[F.R. Doc. 65-7201; Filed, July 8, 1965; 8:47 a.m.]

PART 33—SPORT FISHING

Tule Lake National Wildlife Refuge, Calif.

Pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), and the Fish and Wildlife Coordination Act, as amended (48 Stat. 401; 16 U.S.C. 661), 50 CFR 33.4 is amended by the addition of Tule Lake National Wildlife Refuge, Calif., to the list of wildlife refuges open to public fishing.

It has been determined that public fishing may be permitted on the Tule Lake National Wildlife Refuge without detriment to the objectives for which the area was established.

Notice and public procedure on this amendment are deemed contrary to the public interest because of the proximity of the frogging season in the State of California. Since the amendment benefits the public by relieving existing fishing restrictions on the Tule Lake National Wildlife Refuge, it shall become effective upon publication in the FEDERAL REGISTER.

Section 33.4 is amended by the addition of the following area as one where sport fishing is authorized:

§ 33.4 List of open areas; sport fishing.

* * * * *

CALIFORNIA

* * * * *

Tule Lake National Wildlife Refuge.

* * * * *

STANLEY A. CAIN,
Assistant Secretary of the Interior.

JULY 2, 1965.

[F.R. Doc. 65-7204; Filed, July 8, 1965; 8:47 a.m.]

PART 33—SPORT FISHING

Brigantine National Wildlife Refuge, N.J.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NEW JERSEY

BRIGANTINE NATIONAL WILDLIFE REFUGE

Sport fishing in tidal waters from the shore and access thereto by walking is permitted on Holgate Peninsula and Little Beach Island on the Brigantine National Wildlife Refuge, N.J., from July 1, 1965, through December 31, 1965, except in those areas posted as closed. The open areas, comprising 60 acres, are delineated on a map available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1965.

E. E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JULY 2, 1965.

[F.R. Doc. 65-7195; Filed, July 8, 1965; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Ch. IX]

[Docket No. AO-354]

CELERY GROWN IN FLORIDA

Notice of Hearing With Respect to Proposed Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601–674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Auditorium, Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla., beginning at 10 a.m., local time, July 28, 1965, with respect to a proposed marketing agreement and order regulating the handling of celery grown in Florida. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the provisions of the proposed marketing agreement and order, hereinafter set forth, and to any appropriate modifications thereof.

The proposed marketing agreement and order, the provisions of which are as follows, was submitted with a request for a hearing thereon by the Florida Fresh Produce Exchange (the sections identified with asterisks (***) apply only to the proposed marketing agreement and not to the proposed order):

DEFINITIONS

Section 1. Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

Sec. 2. Act.

"Act" means Public Act No. 10, 73d Congress as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (Sec. 1–19, as amended; 7 U.S.C. 601–674).

Sec. 3. Person.

"Person" means an individual, partnership, corporation, association, or any other business unit.

Sec. 4. Celery.

"Celery" means all varieties and types of Celery, apium graveolens, grown in the production area.

Sec. 5. Production area.

"Production area" means all territory in the State of Florida.

Sec. 6. Producer.

"Producer" or "grower" means any person engaged in a proprietary capacity in the production of celery.

Sec. 7. Handler.

"Handler" means any person (except a common or contract carrier of celery owned by another person) who handles celery.

Sec. 8. Handle.

"Handle" means to purchase harvested or packaged celery from a producer or to harvest, package, sell or transport celery on behalf of such producer, within the production area, or between the production area and any point outside thereof.

Sec. 9. Marketing year, fiscal year or season.

"Marketing year," "fiscal year" or "season" means the 12 months from August 1 to the following July 31 inclusive, or such other period which the Committee, with the approval of the Secretary, may establish.

Sec. 10. Committee.

"Committee" means the Florida Celery Committee established pursuant to section 25.

Sec. 11. Crate.

"Crate" means celery crate No. 3601 or its equivalent.

Sec. 12. Base quantity.

"Base quantity" means the number of crates of celery determined by the Committee pursuant to section 36 for a producer.

Sec. 13. Marketable quantity.

"Marketable quantity" means the total amount of celery which should be handled in a current season.

Sec. 14. Marketable allotment.

"Marketable allotment" means with respect to each producer the amount of celery which may be purchased from, or handled on behalf of, such producer.

Sec. 15. Uniform percentage.

"Uniform percentage" means the percentage for any given season resulting from dividing the Marketable Quantity by the Base Quantities.

Sec. 16. Annual certificate.

"Annual certificate" means the certificate prepared and issued by the Committee denoting for the current season the results of the application of the Uniform Percentage to the Base Quantity of a producer.

Sec. 17. Handler certification form.

"Handler certification form" means the form prepared and certified to by a producer listing the number of crates to be handled on his behalf by a specific handler or handlers.

FLORIDA CELERY COMMITTEE

Sec. 25. Establishment and membership.

A Florida Celery Committee consisting of 15 members, each of whom shall have an alternate, is hereby established to administer the terms and provisions of this part.

Sec. 26. Eligibility.

Each member and alternate of the Committee shall be, at the time of his selection and during his term of office, a producer, or an employee of a producer, a handler, or an employee of a handler, in the group for which selected.

Sec. 27. Nominations.

Growers in each of the Groups designated in paragraph (d) of this section shall nominate persons for each member and alternate position in their respective Groups, as outlined in such paragraph. Nominations shall be certified to by the Committee and submitted to the Secretary by July 1 of each year, together with information deemed by the Committee to be pertinent or requested by the Secretary. If nominations for positions are not made in the specified manner by July 1, the Secretary may select the representative for such positions without nomination. Nominations shall be made in the following manner:

(a) A meeting of producers shall be held in the production area to nominate members and alternates to the Committee. For nominations to the initial membership of the Committee, the meeting may be sponsored by the Secretary, or any agency or group requested to do so by the Secretary.

(b) For nominations for succeeding members and alternates to the Committee, the current Committee shall hold such meeting or cause it to be held prior to July 1 of each year after the effective date of this Marketing Order.

(c) At each such meeting, the volume of celery handled for each celery producer, as well as the number of crates each handler handled during the previous or current season, whichever is applicable, shall be recorded.

(d) Five groups shall be established for making nominations from which Committee selections shall be made, as follows:

Group 1—South Florida District. Martin, Dade, Broward, Collier, Monroe, Lee, Charlotte, St. Lucie, Okeechobee, Highlands, Indian River, Glades, Hendry, and Palm Beach counties—five (5) members and their alternates.

Group 2—Central Florida District. Orange, Seminole, Lake, Polk, Osceola, Brevard, and Volusia counties—three (3) members and their alternates.

Group 3—West Coast-North Florida District. All the counties not embraced in Groups 1 and 2—two (2) members and their alternates.

Group 4. The producer or producers whose celery was handled by the handler who han-

dled in the previous or current season, whichever is applicable, the second largest volume of celery—two (2) members and their alternates.

Group 5. The producer or producers whose celery was handled by the handler who handled in the previous or current season, whichever is applicable, the largest volume of celery—three (3) members and their alternates.

(e) Each producer is entitled to cast only one vote for each nominee in the Group wherein the producer has produced celery for market in the previous or current season, whichever is applicable, save and except where a producer has so produced in more than one Group, he shall be entitled to elect the Group in which he shall vote, but can vote for nominees in only one Group: *Provided, however,* Any producer in Group 4 or Group 5 shall not be entitled to vote for nominees in any other Group.

Sec. 28. Alternate members.

An alternate for a member shall act in the place of such member (a) in his absence, or (b) in the event of his death, removal, resignation, or disqualification, until a successor for his unexpired term has been selected and has qualified.

Sec. 29. Procedure.

(a) At an assembled meeting all votes shall be cast in person and twelve (12) members (including alternates acting for absent members) of the Committee shall constitute a quorum. Decision of the Committee shall require the concurring vote of at least 75 percent of the members and alternates for absent members present.

(b) If both a member and his alternate are unable to attend a Committee meeting, the Committee may designate any other alternate present from the same group to serve in the place of the member.

(c) The Committee may provide for meeting by telephone, telegraph, or any other means of communication. All votes shall be recorded in the minutes of each meeting so as to reflect how each member or alternate voted.

Sec. 30. Powers.

The Committee shall have the following powers:

(a) To administer this subpart in accordance with its terms and provisions;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this part;

(d) To recommend to the Secretary amendments to this subpart.

Sec. 31. Duties.

The Committee shall have, among others, the following duties:

(a) To select from among its members and alternates such officers and subcommittees, and to adopt such rules or bylaws for the conduct of its meetings, as it deems necessary;

(b) To employ necessary personnel, including professional and technical services, fix their compensation and terms of employment, and to incur such expenses as are necessary and proper to enable said Committee to perform properly such of its duties as are authorized by law;

(c) To keep minutes, books, and records which will reflect all the acts and transactions of the Committee and which shall be subject to examination by the Secretary;

(d) To prepare periodic statements of the financial operations of the Committee and to make copies of each such statement available to producers and handlers for examination at the offices of the Committee;

(e) To cause the books of the Committee to be audited by a certified public accountant at least once each marketing year and at such other times as the Committee may deem necessary, or as the Secretary may request; to submit two copies of each such audit report to the Secretary, and to make available a copy which does not contain confidential data for inspection at the offices of the Committee by producers and handlers;

(f) To act as intermediary between the Secretary and any producer or handler;

(g) To investigate and assemble data on the growing, handling, and marketing conditions with respect to celery;

(h) To submit to the Secretary such available information as he may request or the Committee may deem desirable and pertinent;

(i) To notify producers and handlers of all meetings of the Committee to consider recommendations for regulations and of all regulatory actions taken affecting producers and handlers;

(j) To give the Secretary the same notice of meetings of the Committee and its subcommittees as is given to its members; and

(k) To investigate compliance and use means available to prevent violations of the provisions of this part.

Sec. 32. Selection and term of office.

(a) *Selection.* The Committee shall be selected by the Secretary from nominees submitted by the Committee, or from among other eligible persons. Each person so selected shall qualify by filing a written acceptance with the Secretary prior to assuming the duties of the position.

(b) *Term of office.* The term of office of each Committee member and alternate shall be for a period of 1 year beginning August 1 and ending the following July 31. Committee members and alternates shall serve for the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified.

Sec. 33. Vacancy.

Any vacancy occasioned by the death, removal, resignation, or disqualification of any Committee member or alternate shall be recognized by the Committee by certifying to the Secretary a successor for the unexpired term unless a selection is deemed unnecessary by the Secretary.

Sec. 34. Expenses.

Members and alternates of the Committee shall serve without compensation, but may be reimbursed for expenses necessarily incurred by them in attending Committee and subcommittee meetings and in the performance of their duties under this part.

VOLUME LIMITATIONS

Sec. 35. Marketing policy.

(a) As soon as practical, but no later than June 15 of each year, the current Committee shall meet and adopt a marketing policy for the ensuing marketing season. At each such meeting the Committee shall consider the probable acreage, the production of celery within the production area, as well as competing areas, the quantity of celery which should be made available for market during the ensuing season to meet market requirements and establish orderly marketing conditions. On the basis of these considerations, the Committee may recommend to the Secretary a Marketable Quantity for the ensuing season.

(b) Prior to November 1 of each year, the current Committee shall review the Marketing Policy and as changes are indicated, the Committee may recommend appropriate revisions in the Marketable Quantity. Notice of the initial Marketing Policy for a marketing season and any later changes shall be submitted promptly to the Secretary and all producers and handlers.

(c) For the season in which this Marketing Order becomes effective, the Marketing Policy shall be adopted and the Marketable Quantity may be recommended for the current season as soon as practical after the organization of the Committee.

Sec. 36. Marketable quantity.

(a) *Establishment of base quantities.* (1) Upon the request of the Committee, after the effective date of this Marketing Order, each producer of celery within the production area shall register with the Committee and furnish to it a report of the number of crates of celery sold by him or on his behalf, broken down by crates, handlers and seasons for the seven (7) seasons, 1958–59 through 1964–65.

(2) A Base Quantity for each producer shall be determined by selecting the greatest number of crates of celery sold by him or on his behalf during one of the four seasons, 1961–62 through 1964–65, or the average of the greatest number of crates of celery sold by him and on his behalf during any two seasons of the seven seasons, 1958–59 through 1964–65, whichever is higher. A Base Quantity shall be issued by the Committee denoting this amount.

(3) The Committee may establish, with the approval of the Secretary, rules pertaining to producers who wish to obtain, retain, or transfer Base Quantities or Marketable Allotments. Such rules may require producers to file reports and information with respect thereto, including but not limited to quantities marketed in the representative period, their qualifications as producers, as well as particulars on the sale and handling of celery as a result of any Base Quantities or Marketable Allotments that may be issued to them.

(4) Each marketing season the Committee, with approval of the Secretary,

may set aside a reserve percentage of the total Base Quantities. Persons who request an increase in their established Base Quantities or who would have no Base Quantity may apply for Base Quantities held in the reserve percentage. The Committee may recommend rules for establishing such reserve and for procedures whereby persons may apply for Base Quantities thereunder. Such rules shall be subject to approval by the Secretary. Rules may provide for open informal hearings by the Committee on applicants' requests and may establish guides or standards for equitable and thorough consideration of pertinent factors relating to each case, including but not limited to past production of celery by applicant, acreage planted, average yields, the production capacity of the farm or land the applicant expects to use, land, labor, and equipment available to applicant for celery production, economic and marketing factors, and other factors deemed pertinent by the Committee.

(5) Each person filing an application hereunder for adjustment in or a new Base Quantity shall be notified by the Committee of its determination thereon. Such determination and considerations appertaining thereto, shall be subject to review by the Secretary. If a Base Quantity is issued to an applicant hereunder, the requirements of section 37(c) shall then apply.

(b) *Action of the Secretary.* Whenever the Committee recommends and the Secretary finds on the basis of the recommendation of the Committee or other information, that limiting the quantity of celery available for handling during a marketing season, or revising a Marketable Quantity previously established, would tend to effectuate the declared policy of the Act, he shall establish the total Marketable Quantity which handlers may handle as first handlers for such season, or revise a previously established Marketable Quantity.

(c) *Uniform percentage.* When the Secretary establishes a season's Marketable Quantity, a percentage shall be determined by dividing the amount fixed as the season's Marketable Quantity by the Base Quantities of producers. The result shall be the Uniform Percentage for any given season unless changed by a revised Marketable Quantity.

Sec. 37. Marketable allotments.

(a) The Marketable Allotment for each producer shall be established by the Committee by multiplying his Base Quantity by the appropriate Uniform Percentage. The resulting amount shall be his Marketable Allotment for a season or portion thereof, as specified by the Committee.

(b) No handler may first handle any celery unless (1) it is within the Marketable Allotment of a producer, and (2) the producer of such celery authorized such first handler to purchase it or handle it on his behalf.

(c) After the issuance of a Marketable Allotment to a producer, the producer shall, in turn, notify the Committee, on forms furnished by the Committee, the handler or handlers who will handle all or a portion of his Marketable Allotment for each ensuing season, as well as the number of crates each such handler will handle for him.

(d) If the Committee recommends and the Secretary approves, that no season's Marketable Quantity be established, the Marketable Allotment of each producer shall be unlimited.

(e) The Base Quantities of all producers whose Base Quantities are 37,500 crates or less shall be eliminated from both the Marketable Quantity and total Base Quantities when the Uniform Percentage is calculated in section 36(c). The Uniform Percentage for such producers will always be 100 percent except when the Uniform Percentage calculated in section 36(c) exceeds 100 percent, in which event the higher percent shall be used.

Sec. 38. Transfers.

(a) Any producer with a Base Quantity may request, on forms furnished by the Committee, a transfer of all or a portion of his Base Quantity for a specified period of time, provided that the approval of the Committee to the transfer is obtained.

(b) Any producer with a Marketable Allotment may request, on forms furnished by the Committee, a transfer of all or a portion of his Marketable Allotment during a current season, provided that the approval of the Committee to the transfer is obtained.

(c) Producers must revise their current Handler Certification Forms to indicate that a different amount will be handled by a handler or handlers due to any transfer authorized in paragraph (b) of this section. The Committee, upon receipt of such notification, shall advise the handler or handlers involved of the adjustments in the amount they may handle for the current season, based upon the number of crates involved in the transfer, as well as issue revised Annual Certificates to the producers involved.

EXPENSES AND ASSESSMENTS

Sec. 40. Expenses.

The Committee may incur such expenses as the Secretary finds reasonable and likely to be incurred by it during each fiscal year for its maintenance and functioning, and for such other purposes as the Secretary determines appropriate under this part. To assist the Secretary, the Committee shall submit a budget of expenses and prospective revenue to him for each season, with explanations therefor, and recommendations as to the rate of assessment for such fiscal year.

Sec. 41. Assessments and requirements for payment.

Each first handler shall pay to the Committee upon demand, his pro rata share of the expenses authorized by the Secretary for each marketing year. Each handler's pro rata share shall be the rate of assessment per unit fixed by the Secretary times the total assessable units of celery which he handles. At any time during or after a marketing year, the Secretary may increase the rate of assessment as necessary to cover authorized expenses. The payment of expenses and assessments for the maintenance and functioning of the Committee may be required during periods when no regulations are in effect.

Sec. 42. Accounting.

(a) At the end of a fiscal year, funds in excess of such year's expenses may be placed in an operating reserve not to exceed approximately one marketing year's operational expenses or such lower limits as the Committee, with the approval of the Secretary, may establish. Funds in such reserve shall be available for use by the Committee for expenses authorized pursuant to section 40. Funds in excess of those necessary to pay reasonable expenses and those placed in the operating reserve shall be refunded pro rata to handlers from whom such funds were collected.

(b) Any money collected as assessments hereunder and remaining unexpended in the possession of the Committee or succeeding trustees after termination of this part shall be distributed in such manner as the Secretary may direct, provided that to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

REPORTS AND RECORDS

Sec. 45. Reports.

Upon request of the Committee, with the approval of the Secretary, each handler shall furnish to the Committe such information as may be necessary to enable it to exercise its powers and perform its duties under this part.

Sec. 46. Records.

Each handler shall maintain, as well as furnish upon request, such records pertaining to celery handled by him as will substantiate the required reports and such others as may be prescribed by the Committee. All such records shall be maintained for not less than one year after the termination of the marketing season to which such records relate.

Sec. 47. Verification of reports and records.

For the purpose of assuring compliance with record keeping requirements and verifying reports and records filed by producers and handlers, the Secretary and the Committee, through its duly authorized employees, shall have access to any premises where applicable records are maintained, where celery is handled, and at any time during reasonable business hours shall be permitted to inspect such handler premises and any and all records of such handlers with respect to matters within the purview of this part.

Sec. 48. Confidential information.

All reports and records furnished or submitted by handlers to, or obtained by the employees of the Committee which contain data or information constituting a trade secret or disclosing the trade position, financial condition, or business operations of the particular handler from whom received, shall be treated as confidential and the reports and all information obtained from records shall at all times be kept in the custody and under the control of one or more employees of the Committee who shall dis-

close such information to no person other than the Secretary.

MISCELLANEOUS PROVISIONS

Sec. 50. Compliance.

No person may handle celery except in conformity with the provisions of this part.

Sec. 51. Right of the Secretary.

The members and alternates of the Committee and any agents, employees or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination or other act of the Committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the Committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

Sec. 52. Derogation.

Nothing contained in this part is, or shall be construed to be in derogation or in modification of the rights of the Secretary, or of the United States (a) to exercise any powers granted by the Act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

Sec. 53. Agents.

The Secretary may by designation in writing, name any person, including any officer or employee of the Government, or name any agency or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this part.

Sec. 54. Effective time.

The provisions of this part shall become effective at such times as the Secretary may declare above his signature to this part, and shall continue in force until terminated in one of the ways specified in section 55.

Sec. 55. Termination.

(a) The Secretary may at any time terminate the provisions of this part by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary shall terminate the provisions of this part at the end of any fiscal year whenever he finds that such termination is favored by a majority of producers who, during the preceding fiscal year, have been engaged in the production of celery for market: *Provided*, That such majority have, during such period produced for market more than 50 percent of the volume of such celery produced for market, but such termination shall be effective only if announced on or before August 1 of the then current fiscal year.

(c) The provisions of this part shall, in any event, terminate whenever the provisions of the Act authorizing it cease to be in effect.

Sec. 56. Proceedings after termination.

(a) Upon the termination of the provisions of this part, the then functioning members of the Committee shall continue as joint trustees, for the purpose of liquidating the affairs of the same Committee, of all the funds and property then in possession of, or under control of such Committee, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The said trustees (1) shall continue in such capacity until discharged by the Secretary; (2) shall, from time to time, account for all receipts and disbursements, or deliver all property on hand, together with all books and records of the Committee and of the joint trustees, to such person as the Secretary may direct; and (3) shall, upon the request of the Secretary, execute such assignments or other instruments necessary and appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the Committee, or the joint trustees pursuant to this part.

(c) Any funds collected pursuant to section 41 over and above the amounts necessary to meet outstanding obligations and expenses necessarily incurred during the operation of this part and during the liquidation period, shall be returned to handlers as soon as practicable after the termination of this part. The refund to each handler shall be represented by the excess of the amount paid by him over and above his pro rata share of the expenses.

(d) Any person to whom funds, or claims have been transferred or delivered by the Committee, or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of said Committee and upon the said joint trustees.

Sec. 57. Effect of termination or amendments.

Unless otherwise expressly provided by the Secretary, the termination of this part or of any regulation issued pursuant to this part, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this part or any regulation issued hereunder, or (b) release or extinguish any violation of this part or any regulation issued hereunder, or (c) affect or impair any rights or remedies of the Secretary or any other person with respect to any such violation.

Sec. 58. Personal liability.

No member or alternate of the Committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler, or to any other person for errors in judgment, mistakes, or other acts, either of commission or omission as such member, alternate or employee, except for acts of dishonesty.

Sec. 59. Duration of immunities.

The benefits, privileges and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence of this part.

Sec. 60. Separability.

If any provision of this part is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

Sec. 61. Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original. * * *

Sec. 62. Additional parties.

After the effective date hereof, any handler may become a party to this agreement if a counterpart is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall than be effective as to such new contracting party. * * *

Sec. 63. Order with marketing agreement.

Each signatory handler hereby requests the Secretary to issue, pursuant to the act, an order providing for regulating the handling of celery in the same manner as is provided for in this agreement. * * *

Copies of this notice of hearing may be obtained from Minard F. Miller, Fruit and Vegetable Division, Consumer Marketing Service, U.S. Department of Agriculture, Florida Citrus Mutual Building, Lakeland, Fla., 33802.

Dated: July 2, 1965.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 65-7197; Filed, July 8, 1965; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 6760]

AIRWORTHINESS DIRECTIVES

Fairchild Model F-27 Series Aircraft

Amendment 598, 28 F.R. 7970, AD 63-16-3, requires special structural inspections and repair if cracks are found on Fairchild Model F-27 Series aircraft. As a result of additional cracks occurring in the wing area it is proposed to supersede Amendment 598 with a new directive to incorporate additional inspection procedures to detect possible progression of original cracks and detection of new cracks in the areas adjacent to repair plate installations.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in du-

plicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 9, 1965, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following airworthiness directive:

FAIRCHILD. Applies to Model F-27 Series aircraft.

Compliance required as indicated.

(a) For aircraft repaired in accordance with Fairchild Service Bulletin 51-2 within the last 575 hours' time in service before the effective date of this AD, comply with paragraphs (c) and (d) beginning within 600 hours' time in service after the repair.

(b) For aircraft not repaired in accordance with Fairchild Service Bulletin 51-2 within the last 575 hours' time in service before the effective date of this AD, comply with paragraphs (c) and (d) beginning within the next 25 hours' time in service after the effective date of this AD.

(c) Inspect in accordance with Fairchild Service Bulletin 51-2, "Structural General-Special Structural Inspections", dated February 2, 1959, Revision 6 dated July 21, 1964, and Supplement Numbers 001 through 005 inclusive dated May 20, 1964, Revision 2 dated November 20, 1964, or in accordance with an FAA-approved equivalent inspection program.

(d) If cracks are found or if repaired cracks are found to be propagating, replace the cracked part with a part of the same part number or an FAA-approved equivalent, or incorporate an FAA engineering approved repair before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be made.

(e) Upon request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This supersedes Amendment 598 (28 F.R. 7970), AD 63-16-3.

Issued in Washington, D.C., on July 1, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-7174; Filed, July 8, 1965; 8:46 a.m.]

[14 CFR Part 39]

[Docket No. 6759]

AIRWORTHINESS DIRECTIVES

Hartzell Models HC-12X20-7 and -8 Propellers

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Hartzell Models HC-12X20-7 and -8 Propellers. There have been failures of the A-38 bearings on these propellers. Since this condition is likely to exist or develop in other propellers of the same type design, the proposed AD would require inspection, replacement as necessary, and repetitive lubrication of the A-38 bearings on the subject propellers.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 9, 1965, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

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

HARTZELL. Applies to Models HC-12X20-7 and -8 propellers installed on but not limited to Navion, Navion A, Beech 35, Bellanca, Stinson L-5, and Stinson 108 airplanes.

Compliance required as indicated.

To prevent further failures of the A-38 propeller bearing, accomplish the following:

(a) Unless already accomplished, within the next 100 hours' time in service after the effective date of this AD:

(1) Inspect and replace as necessary each A-38 bearing in accordance with Hartzell Service Bulletin No. 82, dated April 27, 1962, revised June 2, 1965, or later FAA-approved revision.

(2) Replace each A-38 bearing having a riveted cage with an A-38 bearing having a crimped cage or with an A-38B bearing having a bakelite cage in accordance with Hartzell Service Bulletin No. 82, dated April 27, 1962, revised June 2, 1965, or later FAA-approved revision.

(3) Identify propellers modified in accordance with this paragraph by painting a three-fourth inch diameter white spot on the front face of the propeller piston.

(b) Grease each propeller bearing within the next 100 hours' time in service after the effective date of this AD and thereafter at intervals not to exceed 100 hours' time in service from the last greasing in accordance with Hartzell Service Bulletin No. 82, dated April 27, 1962, revised June 2, 1965, or later FAA-approved revision.

Issued in Washington, D.C., on July 1, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-7175; Filed, July 8, 1965; 8:46 a.m.]

[14 CFR Part 39]

[Docket No. 6758]

AIRWORTHINESS DIRECTIVES

Vickers Viscount Models 744, 745D, and 810 Series Aircraft

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by completely revising Amendment 69 (24 F.R. 10714), AD 59-26-3 as amended by Amendment 391 (27 F.R. 652), to coincide with revisions to the manufacturer's Preliminary Technical Leaflet (PTL) upon which the AD is based. The proposed revision would make the AD applicable to Model 744 aircraft since that model has been reinstated on Aircraft Specification No. A-814, and PTL 183 now includes all 700 Series aircraft. Service experience has shown a need to conduct inspections of flap motor, P/N C.9601/2, and to establish a service life limit for the associated clutch drive shaft, P/N N149327. The revision would require repetitive inspections of this flap motor and establish a 5,000-landing life limit for the shaft based on fatigue life tests. In accordance with current Agency practice, the revision would also base compliance with certain provisions of the AD on the number of landings rather than the number of flights, and the revision would provide a basis for estimating the number of landings for an operator who has not kept a record of them. Models 745D and 810 operators who have kept a record of flights for the purpose of complying with the present AD would be permitted to count each flight as one landing for the purpose of complying with the revision.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they desire. Communication should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 9, 1965, will be considered by the Administrator before taking action on the proposed rule. The

proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

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

VICKERS. Applies to Viscount Models 744, 745D, and 810 Series aircraft.

Compliance required as indicated.

Flap Motors P/N C.9601, C.9601/1, and C.9601/2. Excessive wear has occurred on the flap motor clutch drive shaft splines P/N N117500, at the point of engagement with the clutch shaft, P/N N98825, which was revealed by failure of the flaps to operate electrically. In addition, failures have occurred in the internal clutch drive shaft, P/N N117500, at a point adjacent to the splines at the clutch shaft end, P/N N98825. This type of failure does not affect the normal operation of the flag gearbox assembly and is revealed only during overhaul. In the event of failure of the clutch drive shaft, flap "blow back" can occur under flap selection conditions creating a flight hazard.

(a) Inspections. Flap Motor assemblies must be inspected in accordance with the "inspection procedure" detailed in PTL 183 (700 Series) and PTL 61 (800/810 Series) as follows:

(1) Flap Motors, P/N C.9601 (i.e., those embodying clutch drive shaft, P/N N117500), at periods not exceeding 1,000 hours' time in service.

(2) Flap Motors, P/N C.9601/1 (i.e., those embodying clutch drive shaft, P/N N145421), at periods not exceeding 4,000 landings.

(3) Flap Motors, P/N C.9601/2 (i.e., those embodying clutch drive shaft, P/N N149327), at periods not exceeding 5,000 landings.

(b) Approved life. The clutch drive shafts are now subject to the following maximum lives:

(1) Clutch drive shaft, P/N N117500—4,000 hours' time in service.

(2) Clutch drive shaft, P/N N145421—4,000 landings.

(3) Clutch drive shaft, P/N N149327—5,000 landings. These shafts are to be replaced within the above periods of approved life, irrespective of the results of the dimensional wear test given under the "inspection procedure" in the respective PTL's mentioned above.

(c) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each aircraft's hours' time in service by the operator's fleet average time from take-off to landing for the aircraft type. Models 745D and 810 operators who have kept a record of flights prior to the effective date of this AD may account for them in complying with this AD by counting each flight as one landing.

(British Aircraft Corp. (Operating) Ltd. PTL 183, Issue 7, and Corrigendum, Modifications D.2766 and D.3008 (700 Series), PTL 61, Issue 7, Modifications FG. 1294 and FG. 1303 (800/810 Series) and Rotax Ltd. Modifications 3017C and 3402C cover this subject.)

This supersedes Amendment 69 (24 F.R. 10714), AD 59-26-3 as amended by Amendment 391 (27 F.R. 652).

Issued in Washington, D.C., on July 1, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-7176; Filed, July 8, 1965; 8:46 a.m.

[14 CFR Part 71]

[Airspace Docket No. 63-SO-45]

CONTROLLED AIRSPACE

Supplemental Notice of Proposed Alteration

A notice of proposed rule making, to alter the controlled airspace in the Greenville, S.C., terminal area, was published in the FEDERAL REGISTER on March 4, 1965 (30 F.R. 2821). Subsequent to the publication of the notice, instrument approach procedures were developed for use at the Donaldson Center Airport, Greenville, S.C. Therefore, the Federal Aviation Agency has determined that the following amendment to the notice of proposed rule making is necessary to provide additional controlled airspace to protect aircraft executing prescribed instrument approach and departure procedures.

1. The proposed redesignation of the Greenville, S.C., control zone is amended to read:

Within a 5-mile radius of Greenville-Spartanburg Airport (latitude 34°53'48" N., longitude 82°13'04" W.); within a 5-mile radius of the Greenville Downtown Airport (latitude 34°50'53" N., longitude 82°21'04" W.); within a 5-mile radius of Donaldson Center Airport (latitude 34°45'30" N., longitude 82°22'35" W.); within 2 miles each side of the Greenville-Spartanburg ILS localizer S course extending from the Greenville-Spartanburg 5-mile radius zone to 5.5 miles SW of the airport; within 2 miles each side of the Greenville-Spartanburg ILS localizer N course extending from the Greenville-Spartanburg 5-mile radius zone to 6.5 miles N of the airport; within 2 miles each side of the Runway 4 extended centerline extending from the Donaldson Center Airport 5-mile radius zone to 5.5 miles NE of the airport.

2. That part of the proposed Greenville, S.C., transition area having a floor of 700 feet above the surface is amended to read:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Greenville-Spartanburg Airport (latitude 34°53'48" N., longitude 82°13'04" W.); within 2 miles each side of the Greenville-Spartanburg localizer N course extending from 6.5 miles N of the airport to 20 miles N; within an 8-mile radius of the Greenville Downtown Airport (latitude 34°50'53" N., longitude 82°21'04" W.); within 5 miles W and 8 miles E of the Greenville Downtown Airport localizer S course extending from the OM to 12 miles S; within a 7-mile radius of the Donaldson Center Airport (latitude 34°45'30" N., longitude 82°22'35" W.).

The remaining airspace actions proposed in the notice would not be altered.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Director, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. 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 hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic 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 Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on June 28, 1965.

PAUL H. BOATMAN,
Acting Director, Southern Region.

[F.R. Doc. 65-7177; Filed, July 8, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-CE-83]

TRANSITION AREAS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Green Bay, Wis., and Oshkosh, Wis., terminal areas.

The Green Bay, Wis., transition area is presently designated as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'15" N., longitude 88°07'-45" W.); within 2 miles each side of the Green Bay VORTAC 326° radial, extending from the 6-mile radius area to 8 miles NW of the VORTAC, and within 2 miles each side of the Green Bay ILS localizer SW and NE courses, extending from 8 miles SW to 21 miles NE of the OM; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 44°32'00" N., longitude 87°44'30" W.; thence to latitude 44°32'00" N., longitude 87°27'00" W.; thence S. along longitude 87°27'00" W. to latitude 44°08'00" N.; thence to latitude 44°02'00" N., longitude 87°40'-00" W.; thence W along latitude 44°02'-00" N. to the W boundary of V-217; thence NW along the W boundary of V-217 to altitude 44°12'00" N.; thence W along latitude 44°12'00" N. to longitude 88°25'30" W.; thence counterclockwise along an arc of a 16-mile radius circle centered on Winnebago County Airport,

Oshkosh, Wis. (latitude 43°59'20" N., longitude 88°33'15" W.) to longitude 88°49'00" W.; thence NE to latitude 44°27'00" N., longitude 88°42'00" W.; thence NE to latitude 44°31'32" N., longitude 88°28'45" W.; thence clockwise along the arc of an 18-mile radius circle centered on Austin-Straubel Airport to the E edge of V–7; thence NE along the E edge of V–7 to intersect an arc of a 20-mile radius circle centered on Austin-Straubel Airport; thence clockwise along the 20-mile radius arc to the point of beginning.

The Oshkosh, Wis., transition area is presently designated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Winnebago County Airport, Oshkosh, Wis. (latitude 43°59'20" N., lonigtude 88°33'-15" W.), and within 8 miles E and 5 miles W of the Oshkosh VOR 176° radial, extending from the 8-mile radius area to 12 miles S of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded on the E by V–217, on the SE by a line extending from latitude 43°41'40" N., longitude 87°58'10" W., to latitude 43°30'00' N., longitude 88°10'05" W., on the SW by a line extending from latitude 43°30'00" N., longitude 88°10'00" W., to latitude 43°52'-00" N., longitude 88°59'00" W., on the W. by a line extending from latitude 43°52'-00" N., longitude 88°59'00" W., to latitude 44°04'00" N., longitude 88°59'00" W., on the NW by a line extending from latitude 44°04'00" N., longitude 88°59'-00" W., to latitude 44°04'00" N., longitude 88°51'15" W., thence clockwise via the arc of a 16-mile radius circle centered at the Winnebago County Airport to latitude 44°12'00" N., longitude 88°25'30" W., thence via latitude 44°12'00" N. to the W boundary of V–217.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Green Bay and Oshkosh, terminal areas, including studies attendant to the implementation of the provisions of Amendments 60–21 (26 F.R. 570) and 60–29 (27 F.R. 4012) of Part 60 of the Civil Air Regulations, proposes to take the following airspace actions:

(1) Redesignate the Green Bay, Wis., transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'15" N., longitude 88°07'45" W.), within 2 miles each side of the Green Bay VORTAC 326° radial, extending from the 6-mile radius area to 8 miles NW of the VORTAC, and within 2 miles each side of the Green Bay ILS localizer SW and NE courses, extending from 8 miles SW to 21 miles NE of the OM.

(2) Redesignate the Oshkosh, Wis., transition area as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Winnebago County Airport, Oshkosh, Wis. (latitude 43°59'20" N., longitude 88°-33'15" W.), within 8 miles E and 5 miles W of the Oshkosh VOR 176° radial, extending from the 8-mile radius area to 12 miles S of the VOR; within a 5-mile radius of Fond du Lac County Airport, Fond du Lac, Wis. (latitude 43°46'14" N., longitude 88°29'29" W.), and within 5 miles S and 8 miles N of the 273° bearing from the Fond du Lac County Airport, extending from the airport to 12 miles W of the airport; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 44°32'00" N., longitude 87°-43'55" W.; thence to latitude 44°32'00" N., longitude 87°27'00" W.; thence to latitude 43°30'00" N., longitude 87°-27'00" W.; thence to latitude 43°30'00" N., longitude 88°30'00" W.; thence to latitude 43°40' 40" N., longitude 89°38'-20" W.; thence N along the E boundary of V–255 to latitude 44°19'50" N., longitude 89°29'00" W.; thence counterclockwise via the arc of a 15-mile radius circle centered on the Stevens Point, Wis., VOR to latitude 44°28'30" N., longitude 89°-14'25" W.; thence to latitude 44°28'30" N., longitude 89°05'20" W.; thence to latitude 44°29'10" N., longitude 89°-04'35" W.; thence to latitude 44°29'25" N., longitude 88°35'30" W.; thence to latitude 44°31'32" N., longitude 88°-29'20" W.; thence clockwise along the arc of an 18-mile radius circle centered on Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'15" N., longitude 88°07'45" W.) to the E edge of V–7; thence NE along the E edge of V–7 to intersect an arc of a 20-mile radius circle centered on Austin-Straubel Airport; thence clockwise along the 20-mile radius arc to the point of beginning.

The proposed Green Bay transition area is the same as that portion presently designated to extend upward from 700 feet above the surface. The proposed Oshkosh transition area which extends upward from 700 feet above the surface will provide protection for aircraft executing prescribed Instrument Flight Rule procedures to and from the Fond du Lac, Wis., Airport. The proposed airspace within a 5-mile radius of Fond du Lac will provide protection for departing aircraft during their climb from 700 feet to 1,200 feet above the surface. The proposed transition area extension to the west of Fond du Lac will provide protection for arriving aircraft during the holding, procedure turn and final approach phases of the instrument approach procedure. The proposed Oshkosh transition area with a floor of 1,200 feet above the surface combines the existing Green Bay and Oshkosh areas and will provide additional controlled airspace to enable the Chicago Air Route Traffic Control Center to expand their low altitude radar service in the area south of a line from Stevens Point to Green Bay. The Chicago Center presently provides radar service to flights operating via airways or within transition areas. This service includes vectoring of aircraft to the final approach courses at Oshkosh and Fond du Lac. The additional transition area will permit the expansion of radar service to flights operating off airways in the area bounded by Stevens Point, Green Bay, Manitowoc, Wis.; Milwaukee, Wis.; and Madison, Wis.

Floors of the airways which traverse the transition areas proposed herein would automatically coincide with the floors of the transition areas.

Certain revisions to the prescribed instrument approach procedures would be effected in conjunction with the actions proposed herein but operational complexity would not be increased nor would aircraft performance or present landing minimums be adversely affected.

Specific details of the changes to procedures that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 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 Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 28, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65–7178; Filed, July 8, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65–SW–25]

TRANSITION AREA AND CONTROL AREA EXTENSION

Proposed Alteration and Revocation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Bartlesville, Okla., terminal area.

The following controlled airspace designated in this area will be affected by this alteration proposal.

1. The Bartlesville, Okla., transition area, effective 0001 e.s.t. July 22, 1965, is designated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of the Phillips Airport (latitude 36°45'45" N., longitude 96°00'30" W.); and within 2 miles each side of the Bartlesville VOR 355° radial,

extending from the 8-mile radius area to 8 miles N of the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles E and 8 miles W of the Bartlesville VOR 355° radial extending from the VOR to 13 miles N of the VOR.

2. The Bartlesville, Okla., control area extension is designated as that airspace within a 20-mile radius of the Phillips Airport, Bartlesville, Okla. (latitude 36°45'46" N., longitude 96°00'30" W.).

The Federal Aviation Agency proposes the following airspace actions:

1. Add the following to the 1,200-foot floor portion of the Bartlesville, Okla., transition area:

And within 5 miles each side of the Bartlesville VOR 184° radial, extending from the VOR to 18 miles S excluding the portion within the Tulsa, Okla., transition area.

2. Revoke the Bartlesville, Okla., control area extension.

The additional segment of transition area proposed herein is required to provide protection for aircraft utilizing instrument arrival and departure procedures to and from the south of the Bartlesville terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Fort Worth, Tex., 76101. All communications received within 45 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, Air Traffic 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 Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal Docket will also be available for examination at the Office of the Chief, Air Traffic Division.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on June 29, 1965.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 65-7179; Filed, July 8, 1965; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 21, 87]

[Docket No. 16073; FCC 65-550]

PUBLIC AIR-GROUND RADIOTELEPHONE SERVICE

Notice of Proposed Rule Making

In the matter of amendment of Parts 2, 21, and 87 of the Commission's rules to establish a public air-ground Radiotelephone Service.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has found in a separate Memorandum Opinion and Order (Do. 14615) that the present developmental (FM) air-ground public radiotelephone system cannot provide an adequate public service within its present frequency allotment, i.e., 454.675—455.0 and 459.675—460.0 Mc/s. We have also concluded that no additional frequency space can be made available in which to expand this service in the vicinity of 450 Mc/s in view of frequency requirements of the land mobile service. Consequently, we have decided to terminate the present developmental (FM) operation within 5 years, on a date to be announced.

3. In the meantime, pending termination of the developmental (FM) operation, we are willing to adopt an air-ground radiotelephone system which can provide an adequate public service within the present frequency allotment. Information recently coming to our attention indicates the possibility of developing an adequate system within the present frequency allotment, utilizing single sideband emission. Consequently, we propose to adopt rules and standards to permit an air-ground radiotelephone system operating in compliance with the following criteria:

Spectrum: 454.675—455.000 and 459.675—460.000 Mc/s.
Voice channels: At least sixty 2-way channels.
RF bandwidth: Not exceeding 5 kc/s per 1-way channel.
Emission: Single sideband.

4. This proposal is subject to receipt of comments in response thereto which give an acceptable set of technical specifications for a feasible system meeting the foregoing criteria. Subject to substantial compliance with these criteria, the system design is left to the ingenuity of interested parties who are competent in this field. The Commission will review any systems specifications submitted pursuant to this notice and make its selection of those which appear to offer the best service potential.

5. For those parties interested in designing systems pursuant to the criteria proposed above, we offer the following information which may be of assistance:

(a) Collins Radio Co. (Exhibit A) has submitted to the Radio Technical Commission for Aeronautics (RTCA), Special Committee 106, a "Proposal for a Domestic Aircraft Telephone System Utilizing Single Sideband Modulation" (CEP-751, Jan. 3, 1957). This proposal describes a tentative design for an air-ground system, some technical characteristics of which are:

Spectrum: Two 250 kc/s bands, at 419 and 435 Mc/s.
Voice channels: Forty-nine 2-way channels.
RF bandwidth: 5 kc/s per 1-way voice channel.

(b) Fujitsu, Ltd., Tokyo, Japan (Exhibit B) has described their fixed radiotelephone equipment built for interconnection in the wireline telephone system between a central station and a number of outlying stations. Some technical specifications are:

Spectrum: Two 300 kc/s bands.
Frequency range: 300-470 Mc/s.
Voice channels: Sixty 2-way ch.
Emission: SSB.

(c) Motorola, Inc. (Exhibit C) has developed and built a single sideband mobile system, called "Radio Central", (AN/USC-3(V)) to provide vehicular units (land vehicles or aircraft) with telephone service to a central station which can connect the vehicular subscribers with wireline subscribers, or with each other. Some salient technical specifications are:

Spectrum: Two 90-kc/s bands.
Frequency Range: 132-165 Mc/s.
Voice channels: Twelve 2-way ch.
Emission: SSB.

6. The foregoing exhibits include descriptions of techniques and equipment relevant to the design and utilization of a single sideband system in the air-ground radiotelephone service. We are placing these exhibits on file in this Docket to be available for public reference in order that this information may be of assistance to those interested in the development of a system meeting our criteria given in paragraph 3 above.

7. Comments are also requested on the following questions:

(a) Would a 60-channel air-ground system be adequate to accommodate both national and international air travelers in the vicinity of major U.S. air terminals?

(b) What technical standards should be specified for selective signaling in the air-ground service?

(c) How many simultaneous radiotelephone conversations should the equipment aboard passenger aircraft be capable of handling?

8. If this notice produces constructive results in development of a new SSB system, a further notice specifying definitive rules and standards will become appropriate. If, however, no constructive action ensues this docket may be terminated and the frequencies made available for other uses.

9. Authority for the rule amendments proposed herein is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

10. Any interested person who is of the opinion that the proposed amendments should not be adopted may file with the Commission on or before December 1, 1965, written data, views, or arguments setting forth his comments. Comments in support of the proposed amendments may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed on or before December 15, 1965. In reaching its decision on the rule changes which are proposed herein, the Commission will not be limited to consideration of comments of record but will take into account all relevant information obtained in any manner.

11. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: June 30, 1965.

Released: July 1, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7164; Filed, July 8, 1965; 8:45 a.m.]

[47 CFR Part 31]

[Docket No. 16083; FCC 65-566]

TELEPHONE COMPANIES, CLASSES A AND B; ACCOUNTING CLASSIFICATION OF COSTS INCURRED IN RECOVERING SALVAGE STATION APPARATUS

Notice of Proposed Rule Making

In the matter of amendment of Part 31 (Uniform System of Accounts for Class A and Class B Telephone Companies) of the Commission's Rules with respect to accounting classification of costs incurred in recovering salvage on station apparatus.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The purpose of this rule making proceeding is to change Part 31 of our rules so that the costs of recovering salvage from retired station apparatus, particularly the costs of station apparatus transportation* and handling incident to salvage recovery, will be required to be netted against the gross salvage from station apparatus. Such rules changes proposed herein will, if adopted, bring the rules into conformance with the long existing, widely followed accounting practice in the telephone industry of treating costs related directly to recovering salvage on station apparatus as deductions from the gross salvage from that source. We believe the practice is logical. It is fundamental to depreciation accounting that net, rather than gross, salvage is what is to be credited to the depreciation reserve as subdivided by plant classes and used in depreciation studies.

3. It is believed that amendment of §§ 31.01-3(dd) and 31.02-80(c) of our rules as proposed below will accomplish the purpose of this proceeding. The second sentence of Note B to account 704, Supply Expense, of Part 31 of our rules, however, seems unnecessary since cost of removal is adequately defined in § 31.01-3(k). This sentence if retained might also seem to conflict with the proposed amended language of §§ 31.01-3 (dd) and 31.02-80(c). Its deletion is accordingly proposed.

4. It is proposed to amend Part 31 of our rules as follows:

(a) Delete § 31.01-3(dd) and substitute the following:

(dd) "Service value" means the difference between the original cost and:

(1) The net salvage value as defined in paragraph (t) of this section as specially modified in § 31.02-80(c) for station apparatus and station connections.

(2) The net salvage value as defined in paragraph (t) of this section for other telephone plant.

(b) Delete the last two sentences of § 31.02-80(c) and substitute the following: "For purposes of the records required to be kept under this paragraph, that portion of the costs incurred in the removal (see § 31.01-3(k) of station apparatus from customers' premises, by reason of service discontinuance, from the inception of the removal through transportation of the removed apparatus to the company's premises shall be recorded as applicable to account 232, 'Station connections,' rather than being associated with account 231, 'Station apparatus.' (See also account 605.)"

(c) Delete the second sentence of Note B to account 704, Supply Expense. Note B, after the proposed deletion, will read:

NOTE B: Transportation charges on material purchased shall be, so far as practicable, included as a part of the cost of the particular material to which they relate.

5. The Commission proposes to make any rule amendments adopted as a result of this proceeding effective January 1, 1967, with the option that those telephone companies which desire to do so may place any such amendments into effect at any time after our adoption of an order herein making amendments.

6. This notice of proposed rule making is issued under authority of sections 4(i) and 220 of the Communications Act of 1934, as amended.

7. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 16, 1965, and reply comments on or before September 7, 1965. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and fourteen copies of all statements or briefs shall be furnished to the Commission.

Adopted: June 30, 1965.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7165; Filed, July 8, 1965; 8:45 a.m.]

[1] Commissioners Hyde, Bartley, and Lee dissenting; concurring statement of Commissioner Cox filed as part of original document.

*We have reference to that transportation which takes place beyond initial transportation from customer premises to telephone company premises which we believe, in view of the impracticability of ascertaining cost of station removal separately from related inside wiring removal, is properly associable with account 232, Station Connections, as the rules now provide.

[47 CFR Part 73]

[Docket No. 15201; FCC 65-588]

TV BROADCAST STATIONS

Use of Airborne Television Transmitters; Report and Order

In the matter of amendment of Part 73 of the Commission's Rules Governing TV Broadcast Stations to Authorize the Use of Airborne Television Transmitters, RM-407.

1. *The MPATI Proposal.* On October 28, 1963, the Commission issued a notice of proposed rule making (FCC 63-974), in response to a petition filed by Midwest Program for Airborne Television Instruction, Inc. (MPATI), a nonprofit educational organization whose corporate members represent public, private and parochial schools in a six-State area consisting of Indiana, Illinois, Kentucky, Michigan, Ohio, and Wisconsin. MPATI has operated experimentally on Channels 72 and 76 since September 1961. The petition requested that the rules be amended to provide for the service on a regular basis over the area they now serve and that Channels 72, 74, 76, 78, 80, and 82 be reserved for use by their airborne television system to provide six educational services simultaneously from aircraft at a height approximately 22,000 feet above ground in the vicinity of an orbit reference point near Montpelier, Ind. MPATI also proposed to use six channels for translator purposes in Detroit, Chicago, and Cleveland, either in the UHF band or in the Instructional Television Fixed Service band (2500-2690 Mc/s) and six channels to relay programs which would be originated on the ground, to the aircraft. If located in the 2500-2690 Mc/s band, it is possible that the same channels could be used for both ground-to-air relay and translator purposes.

2. In comments filed in the proceeding MPATI stated that if they did not receive the channels requested in their petition the following alternatives would be acceptable:

(a) Assign the six UHF television channels for airborne educational use in the said Midwest area for a period of 10 years; or

(b) Assign two of the six UHF channels for full-time use by MPATI and the remaining four channels for use on a shared-time basis with ground-based commercial or educational stations, with the provision that airborne use be made of those four channels only during regular school hours.

3. *Background.* On December 22, 1959, the Commission granted experimental authorizations to Purdue University[1] to use airborne television to provide educational programing to schools located within a radius of approximately 200 miles of Montpelier, Ind. As justification for the experiment, Purdue pointed to the increased enrollment expected in the schools and colleges and the necessity of providing education of the highest quality to a greater number of students at the lowest possible price, and maintained that a system of multichannel airborne television could serve this goal effectively. Another purpose of the experiment was to explore the possibility of transmitting on a 3-megacycle, or "narrow" band, as distingushed from the regular 6-megacycle, or "wide" band. The sum of $400,000 was allocated for this purpose, but after the money was spent, work was suspended on this phase of the experiment.

4. In September 1961, MPATI began broadcasting on Channels 72 and 76 from a DC-6 aircraft. Two planes are maintained—one on a standby basis. The airborne transmission covers a 140,000-square-mile area, including portions of six States: Illinois 25 percent, Indiana 99 percent, Kentucky 25 percent, Michigan 33 percent, Ohio 80 percent, and Wisconsin 1 percent.

5. MPATI's stated purpose is "to provide every city, village or crossroads school with access by means of television to a wide range of quality instructional material at a small cost." A policy of working closely with school leaders in the area was initiated to assure that the courses were responsive to the needs of the participating schools.

6. MPATI claims it can program fairly well for elementary schools on two channels but it must have six channels to provide basic service to all grade levels. Dr. John E. Ivey, Jr., Chairman of the Board of MPATI, stated at the oral argument that with two channels MPATI can provide service for the elementary schools; with four channels, it can provide for the secondary schools, and with six channels can provide for the first 2 years of college. The six-channel operation will make available a variety of programing for these school levels and will allow for flexibility in scheduling and for reruns made necessary because of scheduling problems.

7. During the school year September 1964 to May 1965, MPATI broadcast 4 days a week (Monday through Thursday) from 9:35 a.m. to 2:45 p.m. (e.s.t.), and from 8:35 a.m. to 1:45 p.m. (c.s.t.). Of the total 88 broadcasts, 52 were for elementary grades and 14 of these were repeats of programs broadcast earlier in the week. Of the 36 secondary school programs, 13 were repeats. MPATI spends approximately $4,000 an hour for its program material and has developed a library of high-quality instructional materials which are available for rental by educational television stations in and outside the telecast region.

8. The school population in the MPATI area today exceeds 6.6 million students in over 14,000 schools. In the 1963–64 school year, there were approximately 1,300 schools participating. Dr. Ivey stated at the oral argument that for the school year 1964–65 MPATI has approximately 2,000 member schools. Further information was supplied to the Commission concerning MPATI's participating schools as of October 1964. These schools are in 531 communities, of which 287 communities have populations of less than 2,500; 466 have populations of less than 25,000; and 65 communities have populations of more than 25,000.

9. The MPATI project has been financed by a $14,675,000 grant from the Ford Foundation and $1,903,622 contributed by industries and foundations in the region. The schools using the service during the school year 1963–64 paid an annual membership fee of approximately $1.00 per pupil enrolled, or a total amount of $476,221. Additional income of $86,195 was received from educational course rentals. The Ford contribution received during the year represented the final payment of amounts previously granted to MPATI, of which $772,000 was originally scheduled for 1964–65 operations and $622,000 for 1965–66 operations. From July 1, 1964, to March 31, 1965, MPATI's income was $786,985.31, from the following sources: membership fees—$585,018.28; national tape rental—$112,689.52; Detroit Edison Grant—$15,000; and from miscellaneous sources—$74,277.51.

10. MPATI estimates that an annual total of $3.3 million is required to meet all operating costs for a six-channel service, aside from depreciation and amortization. Of this, approximately $3 million must be raised from charges to member schools in a fully self-financing venture. With the six-channel operation for a period long enough to allow amortization by schools of their investment in equipment, MPATI believes that its required goal of 3,000 schools, representing 1.5 million students and contributing an average of $1,000 per school ($2 per year per student), can be achieved.

11. Simultaneously with the institution of the MPATI rule making proceeding, the Commission released a further notice of proposed rule making in Docket No. 14229, proposing to revise the Table of Assignments for UHF television channels.[2] In this proceeding, we emphasized our acceptance of the principle that the UHF television spectrum is indispensable to the achievement of a nationwide fully competitive commercial television service. We also indicated that we would give careful consideration to the probable future spectrum needs for educational television.

12. Subsequently in November 1963, the National Association of Educational Broadcasters (NAEB), an organization of educational institutions concerned with the development of educational radio and television, filed a proposed Table of Assignments which indicated that a minimum of 1,197 channel assignments would be required in the next 10 to 15 years for educational use. An electronic computer study to determine how channel assignments could be made to meet that need was submitted to the Commission, along with a proposed assignment plan. Accepted as a comment in Docket No. 14229, the NAEB plan was published by the Commission for the benefit of all interested parties.[3]

13. On December 27, 1963, Westinghouse Electric Corp. (Westinghouse), which equipped the two DC-6 airplanes used by MPATI, filed an information report in this proceeding which illustrated the engineering considerations necessary to provide nationwide airborne educational television. The report showed that it would be necessary to allocate Channels 75 through 83 (9 channels) to provide three-program educational coverage of the entire United States and Channels 66 through 83 (18 channels) to provide six-channel educational coverage of the country.

14. On September 15, 1964, MPATI filed what it termed "Supplemental Comments" which consisted of an additional engineering and computer study jointly conducted by MPATI and NAEB to obtain information concerning possible accommodation of the six airborne stations requested by MPATI, the additional reserved assignments sought by NAEB, and sufficient viable commercial assignments to meet the needs of the Midwest area. At the request of MPATI, oral argument was held on October 9, 1964.

15. *Comments, reply comments, and other communications.* Strong support for MPATI's request for six UHF television channels came from the Midwest area involved. Over 500 letters were received from children expressing their satisfaction with educational television. Approximately 1,300 letters and other communications favoring the petition were received from teachers, school administrators, parents and other interested parties, including Members of Congress, in the six-State area. At the oral argument on October 9, 1964, MPATI submitted approximately 800 additional statements from school superintendents in the area and from the State Superintendents of Schools in Kentucky, Wisconsin, Michigan, Indiana, and Ohio, which support MPATI's proposal. Approximately 180 similar statements were filed by MPATI in November 1964. The Superintendent of Schools of Racine County, Wis.; the Assistant Superintendent of the School System of the City of Chicago and the Assistant Superintendent of the School System of the parochial schools of the Archdiocese of Chicago; a representative of the State Superintendent of Public Instruction of

[1] On Mar. 15, 1963, the Commission granted an application for transfer of the licenses from Purdue University to MPATI.

[2] Further notice of proposed rule making in Docket No. 14229 (FCC 63-975).

[3] See "Order Extending Time for Filing Comments" in Docket No. 14229 (FCC 63-1165), Dec. 27, 1963.

the State of Illinois; a representative of the Junior Women's Club of Irontown, Ohio; the Superintendent of Schools of Middletown, Ohio; and the principal of the Oak Park Elementary School, Oak Park, Mich., appeared at the oral argument to testify in favor of MPATI's proposal. These arguments praised the high quality of the educational material offered by MPATI and its success in developing instructional cooperation among its membership. They emphasized that through MPATI, educational television is made available to many schools in the area which are not within the service range of ground-based educational stations and that a multichannel service is provided to the entire area at a cost below which it could otherwise be secured. Another argument made was that not all of the potential UHF assignments under the Commission plan will be needed in the next decade.[4]

16. The Association of Maximum Service Telecasters, Inc. (MST) opposed any allocation of UHF television channels for airborne television, mainly on the ground that there is lack of sufficient and reliable technical data to permit formulation of adequate engineering standards for airborne television regarding such matters as the mileage separations required to avoid destructive and degrading interference between and among airborne stations, and between airborne stations and ground stations. It is their position that until suitable UHF propagation curves and data concerning UHF receiver performance are available, decisions may not properly be made as to the interference levels that can be tolerated and the mileage separations necessary to guard against interference above such levels of tolerance.

17. Several national educational organizations, as well, opposed the MPATI proposal. While the National Association of Educational Broadcasters commended MPATI for its contribution to the growth of educational television, particularly with respect to interstate cooperation in educational endeavors, and praised its high-quality program service, it nevertheless opposed any regularization of airborne television channels, either in the UHF television band or in the 2500–2690 Mc/s band. Although NAEB's main objection to MPATI's proposal was its effect on the Table of Assignments proposed by the Commission in Docket No. 14229 and on the assignment plan submitted by NAEB as an alternative to the Commission plan, it also contended that the proposal would have other adverse effects. NAEB claimed that centralization of educational programming through such regional television transmission facilities as MPATI would endanger local control of the educational process and would discourage development of local educational television outlets. NAEB concluded that its own proposal for a nationwide table of ground-based television channels would provide the best and most comprehensive means of serving the urgent and developing needs of educational television.

[4] Comments of economic consultants, Exhibit No. 1 to MPATI comments.

18. The Joint Council on Educational Broadcasting (JCEB), also opposed MPATI's request. The JCEB is composed of the following eight national educational organizations:

The American Council on Education.
The American Association of School Administrators.
Association of State Universities and Land Grant Colleges.
Council of Chief State School Officers.
National Association of Educational Broadcasters.
National Educational Association.
Association for Higher Education.

Although it filed no comments in this proceeding, the chairman of JCEB testified at the oral argument, representing the views of seven of its members.[5] JCEB emphasized that it did not oppose MPATI as such, but rather that seven of its members opposed any regularization of channels for airborne television. It supported continuation of the airborne project on an experimental basis using two UHF television channels[6] if the period of experimentation did not extend beyond 5 years and was subject to continuing evaluation by an appropriate educational body. Representatives of the American Association of School Administrators and the Council of Chief State School Officers appeared at the oral argument in support of this position.

19. Both the National Educational Association and its Department of Audiovisual Instruction praised MPATI's positive features. However, they also opposed the regularization of channels for airborne educational television on the principal grounds that such a program lacks a broad community basis; that MPATI did not have wide participation from the schools in the area; and that its scheduling difficulties made the service impracticable. They also questioned whether MPATI could continue to operate without financial help from foundations.

20. Various national organizations filed comments opposing MPATI's proposal. Among these were the American Telephone & Telegraph Co., the Central Committee on Communications Facilities of the American Petroleum Institute, the National Committee for Utilities Radio, and the National Broadcasting Co., all of which objected to such use of channels either in the 800–890 Mc/s band or in the 2500–2690 Mc/s band.

21. Oppositions to the concept of airborne television instruction were expressed by the Eastern Educational Network System; Community Television of Southern California; Edinboro State College, Edinboro, Pa.; the University of New Hampshire; the University of Vermont; the Advisory Council on Educational Television of the Commonwealth of Virginia, and the State Board of Education of the State of Rhode Island. These comments opposed preemption of a portion of the UHF spectrum to accommodate airborne television.

[5] The National Education and Radio Center took no position in this proceeding.

[6] At the oral argument, Dr. Ivey submitted letters from the American Council on Education and the Land Grant Association supporting MPATI's use of 6 channels for experimental purposes for 5 years.

22. *Discussion.* In our notice of proposed rule making in this proceeding, we discussed the possible impact of the MPATI proposal on our UHF television assignment plan and suggested that such an operation might more properly be conducted in the Instructional Television Fixed Service, a new class of educational television service in the 2500–2690 Mc/s band which we had established in 1963 to provide for multichannel TV instruction of students assembled in classrooms. The MPATI service is identical except that the transmitters will be airborne. The transmissions are directed to specific locations equipped with suitable receivers and the programs are not designed for reception by the general public on receivers located in individual homes. Use of the 2500–2690 Mc/s band for the MPATI in-school instructional services would be entirely consistent with the goal and policy of relieving pressure on the limited number of regular broadcast channels. By avoiding this unnecessary use of educational broadcast channels, they are left available for the transmission of cultural and educational programs designed for reception by the general public on receivers located in individual homes.

23. Following is a discussion of a potential operation by MPATI on six UHF television channels as compared with a potential operation on six channels in this new service. This analysis is based on data submitted by engineers representing MPATI and other parties to this proceeding and on analysis by Commission engineers.

24. *Interference Standards.* If the Commission were to permit MPATI to use six channels in the UHF television band, it is obvious that the assignment table and engineering standards would need to be revised to accommodate an airborne system. MPATI proposed that, where an airborne facility would be surrounded with ground-based facilities, the following minimum mileage separation requirements be applied between the orbit reference of the airborne facility and the transmitter location of the ground-based stations:

	Miles
Cochannel separation (±0 channel)	290
Adjacent channel separation (±1 channel)	200
I.F. beat (±7, 8 channels)	0
Intermodulation (±2, 3, 4, 5 channels)	0
Local oscillator (±7 channels)	0
Sound image (±14 channels)	0
Picture image (±15 channels)	0

25. The minimum geographic separation specified in our rules for ground-based TV stations operating on the same channel is 155 miles in the MPATI area. The separation of 290 miles recommended by MPATI between the airborne transmitters and ground-based UHF broadcast stations would provide approximately the same protection. This results in a service radius of 40 miles for ground-based stations and 208 miles for airborne stations if the ground-based stations are operating at near maximum facilities (2,000 feet at 1 megawatt).

26. Ground-based UHF TV stations operating on channels adjacent to those used by MPATI, could not be located anywhere within the service range of the

MPATI stations. Therefore, we agree with MPATI that at least a separation of 200 miles is required. Such a separation would limit the MPATI service to a few miles under 190 in the vicinity of adjacent channel stations which are located just outside the 200 mile area and would probably provide, in general, protection to ground-based stations somewhat in excess of the protection between ground-based stations afforded by the 55 miles adjacent channel separation specified in our rules. However, it is not strictly accurate to compare the airborne-to-ground adjacent channel protection with ground-to-ground protection. Where adjacent channel operation is involved, one or the other station can be received at all locations. Therefore, an adjacent channel TV broadcast station interfering with another TV broadcast station will usually provide substitute service. The service provided by MPATI would seldom be a substitute for broadcast service lost. Therefore, if the potential service area of adjacent channel ground-based stations is to be fully protected a separation of approximately 225 miles would be desirable.

27. The rules governing TV broadcast stations operating on UHF channels provide minimum geographic separations between stations operating on certain channels other than the same channel. These are called "taboo" channels and must be avoided to prevent interference. MPATI contends that we may disregard the "taboo" separations other than adjacent channel insofar as the airborne operation is concerned. (They do not contend that they should be abandoned for ground-to-ground stations.) We are unable to find a sufficient difference between air-to-ground and ground-to-ground operation to warrant substantially different treatment. With regard to the 20-mile taboos there is a cone of reduced radiation immediately below the airborne station and extending out to approximately 40 miles from the orbit reference point. Means are being sought by MPATI to increase radiation in this area because of reception difficulties. Therefore, we cannot count on that condition continuing and with the aircraft flying a sizable and variable holding pattern, the cone of reduced radiation cannot be considered as a factor which might permit reduction or elimination of these 20-mile intermodulation and I.F. taboos. Also, since the application of the 20-mile intermodulation and I.F. difference taboos are a factor only when a large number of UHF assignments are made in a single city these will not have a significant effect on ground-based availabilities. In order to protect ground-based TV broadcast stations from "image" interference caused by the airborne stations, the Commission believes that a separation of 98 miles between airborne and ground-based stations for picture "image" and 72 miles for sound "image" would be required. Since "image" interference results from the operation of a station on a higher channel than the desired station, the MPATI service would not be subject to "image" interference from ground-based stations. The opposite is true with respect to receiver oscillator radiation so there would be no interference to the ground-based station. Receivers tuned to ground-based stations could cause interference to the reception of the MPATI stations; however, MPATI says they do not need protection from such interference and are willing to forego it.

28. If the MPATI operation were to be authorized in the UHF band, it is the Commission's judgment that the following standards would be necessary:

	Separation (miles)
Cochannel separation, ground-to-air	290
Adjacent channel operation	225
Picture image protection to ground-based station	98
Sound image protection to ground-based station	72
Picture image protection to airborne station	0
Sound image protection to airborne station	0
Intermodulation and I.F. beat protection either to ground or air	0
Oscillator radiation to either ground or air station	0

29. *Impact of MPATI on the UHF Assignment Plan.* The extensive service range of the MPATI signal and the added separation distance needed to protect this service area would preclude the use of the UHF channels between 71 and 83 inclusive in about 98 percent of Indiana, 85 percent of Ohio, 40 percent of lower Michigan, 25 percent of Illinois and 25 percent of Kentucky. The added distance needed for cochannel protection would preclude the use of Channels 72, 74, 76, 78, 80, and 82, over all of Ohio and Indiana, virtually all of the remainder of Kentucky and Illinois as well as two-thirds of West Virginia, most of lower Michigan, the southeastern portion of Wisconsin, and portions of western Pennsylvania, northern Tennessee, and western Virginia. A limited number of other assignments below Channel 70 would be affected by image, oscillator, and intermodulation separation requirements. In comments filed in this proceeding MPATI argued that the loss of channels in this area should not be regarded as serious because an adequate number of "viable" channels can be provided on the remaining UHF channels.

30. On the contrary, we found it impossible to provide enough channels to meet anticipated future needs for wide area coverage plus local TV outlets in communities likely to need them in the future, even when all of the channels between 14 and 83, inclusive, were used. In addition to the large metropolitan centers in Indiana, Ohio, and Michigan, there are many cities with relatively large populations that should qualify for local commercial and educational TV outlets. Our inability to provide channels for these cities and similar cities in other populous areas led to the concept of a "community-type" TV station which we have proposed in a Further Notice of Proposed Rule Making in Docket No. 14229.[1] This proposal would attempt to secure more assignments on the upper UHF channels by reducing power and spacing, and is, of course, diametrically opposed to the MPATI proposition which would permit only the 6 MPATI assignments to be made in the entire area. The loss of these possible assignments would be ameliorated somewhat if a substitute service were provided by MPATI. However, MPATI would in no way be a substitute for the commercial assignments lost and would, only in a limited way, be a substitute for the potential educational assignments lost.

31. In its comments, MPATI proposed, alternatively to its earlier request for regularization of six channels, the assignment of such channels for a 10-year period, or the assignment of two of these six channels for full-time use, with four channels assigned on a shared-time basis with ground-based commercial or educational stations, airborne use being limited to regular school hours when schools are in session. We anticipate there will be growing need for full-time operation on UHF television channels by both commercial and educational television stations within the next 10 years. Therefore, we are of the view that it is not in the public interest to allow MPATI to preempt these channels for a 10-year period or on a part-time basis.

32. *Impact of MPATI on the Instructional TV Fixed Service Band, 2500–2690 Mc/s.* Operation of an airborne Instructional TV service in the 2500–2690 Mc/s band appears to be technically feasible.[2] However, the extremely wide service area which must be protected will have an impact on the availability of frequencies for ground-based Instructional TV systems. If 6 channels are assigned to MPATI they cannot be used by ground-based stations within the MPATI service area which will be approximately the same as that proposed for the upper UHF television broadcast band. There is, however, an important difference. In the 2500–2690 Mc/s band ground-based users of the 2500–2690 Mc/s band will operate "private" systems where the user will make both the transmitting and receiving installations. Thus, the transmitting installations can be made to direct the signals only to the areas intended to be served and the receiving installations can be engineered to respond to the wanted signals and reject unwanted interfering signals. Similarly, schools participating in the MPATI program can design their receiving facilities to favor the MPATI signals and discriminate against unwanted signals. Careful selection of channels and thoughtful geometric arrangement of ground-based systems can reduce substantially the geographic separations which would otherwise be required to prevent interference between systems. On the other hand in the UHF band, home-type antennas designed for recep-

[1] Further notice of proposed rule making in Docket No. 14229 (FCC 65-505).

[2] It should be noted that in our report and order in Docket 14744 (FCC 63-722, released July 30, 1963) in which we provided for use of the 2500–2690 Mc/s band by instructional television fixed stations, we did not reallocate this band from the operational fixed service to instructional television, but provided for a 3-year period to observe use of these channels by educators.

tion of broadcast transmission are likely to be casual and hence more protection must be provided and less opportunity is presented for engineering in the two systems side by side.

33. *Cost of Conversion to a 2500–2690 Mc/s Operation.* We do not have sufficient data to make an accurate estimate of the cost of converting the airborne transmitting facilities to the 2500–2690 Mc/s band. However, we are persuaded that operation in the 2500–2690 Mc/s band is economically feasible. While low-powered transmitters designed for ground-based Instructional TV Fixed Systems are currently available, we know of no high-powered amplifiers specifically designed for use with these transmitters. Tubes capable of providing the necessary power are available and the design of a suitable amplifier is well within the state of the art. MPATI estimates the cost of a six-channel transmitting system to operate in the upper UHF broadcast band to be $9,612,500, including the cost of the planes. It estimates that a similar system designed for operation in the 2500–2690 Mc/s band would cost 25 percent more. A more important consideration is the relative costs to the participating schools. In our decision adopted herein, we propose to permit MPATI to continue its present two-channel operation on Channels 72 and 76 for 5 years. Additional operations would have to take place in the 2500–2690 Mc/s band. Schools currently participating in the MPATI program would not be required to make any change to continue their present two-channel reception for 5 years. If MPATI goes to a six-channel system, such schools currently participating in the program would have to add converters for the four new channels capable of reception in the 2500–2690 Mc/s band. In general the cost of equipment capable of operation in the 2500–2690 Mc/s band may run about 25 percent higher than similar equipment in the UHF band. For example, we estimate schools not yet equipped for reception of MPATI transmissions would need to invest approximately $2,300 for converters, antennas, etc., to operate in the 2500–2690 Mc/s band while a similar installation in the UHF band would have been about $1,900. MPATI estimates the costs for UHF operation to be between $2,000 and $3,000 per installation as against costs for operation in the 2500–2690 Mc/s band between $6,000 and $7,000. For very difficult locations tracking antennas may be required which would bring the costs up considerably, particularly on the 2500–2690 Mc/s band, but we believe that such locations will be limited in number. Although we recognize that overall, the costs will be somewhat higher in the 2500–2390 Mc/s band, we believe this is outweighed by the importance of retaining the UHF broadcast channels for ground-based educational and commercial stations.

34. *Decision of the Commission.* Our decision in this matter has been difficult. The service provided by MPATI in the past and the expanded service proposed offer a means of rapid distribution of instructional TV material. While it is only one of several means of such distribution, the proponents believe it to have advantages over other methods. MPATI has made available to every city, village and crossroads school in its area quality instructional material at a relatively small cost. It has made a valuable contribution to many small and medium-sized schools in the rural areas of the Midwest, which otherwise could not afford educational television. Another contribution which has been made by MPATI has been in the area of instructional cooperation. The practices suggested have contributed to the development of cooperative instructional techniques and it is recognized that MPATI has been an active force in demonstrating that such cooperative efforts are feasible. But its outstanding contribution has been the high quality of its programs, which it has loaned on a lease rental basis to schools, both in and outside the area. However, despite MPATI's many positive qualities, we have reluctantly decided we cannot authorize its operation in the UHF television broadcast band. The overriding consideration in this proceeding is the matter of efficient utilization of the frequency spectrum. The impact of deleting six channels from the UHF television broadcast band can be substantial. Over one-fifth of the technically available UHF assignments in the area would be lost if MPATI were given channels in this band.

35. We have determined that MPATI operation in the 2500–2690 Mc/s band is technically feasible. On balance therefore, although the costs are higher and the inauguration of additional service would be delayed, provision should be made in this band for MPATI operation in the Midwest area in order to preserve the valuable UHF television frequencies for ground-based broadcast service. MPATI is eligible for authorization under the present rules governing Instructional TV Fixed stations. While the airborne transmitters are not strictly "fixed" in the usual sense of the term applied to radio services, they are operated while the plane is flying a "holding pattern" over a fixed location on the ground and this corresponds closely enough to the concept of the fixed service. The rules governing the Instructional TV Fixed Service place no absolute limit on power and antenna height. These matters are considered on an application basis.

36. In recognition of the substantial investment made by MPATI in the conduct of its experimental operation on Channels 72 and 76, we will permit continuation of that operation under an experimental license for a period of 5 years for amortization purposes. This will also provide a reasonable amortization period for the individual school systems which have invested in UHF converters to feed internal distribution systems. The internal distribution system and individual TV receivers in classrooms will continue to be useful for the reception of ground-based regular and instructional TV stations, for closed circuit TV originating in the individual schools, and for continuation of MPATI originated instructional TV material if MPATI is authorized to operate in the 2500–2690 Mc/s band.

37. In the light of the foregoing: *It is ordered*, That the petition of Midwest Program for Airborne Television Instruction, Inc., for amendment of our rules to provide for the regular operation of their system on six channels in the upper UHF television broadcast band is denied. *It is further ordered*, That Midwest Program for Airborne Television Instruction, Inc., shall be permitted to continue its experimental operation on Channels 72 and 76 upon appropriate application for renewal of its experimental licenses as required by Part 74 of Commission rules, until the end of the 1969–70 school year. *It is further ordered*, That the Commission will entertain an application from Midwest Program for Airborne Television Instruction, Inc., for six-channel operation in the 2500–2690 Mc/s band.

38. *It is further ordered*, That this proceeding is terminated.

Adopted: June 30, 1965.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,*
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7218; Filed, July 8, 1965; 8:48 a.m.]

[47 CFR Part 83]

[Docket No. 16081; FCC 65-564]

SHIP RADIOTELEPHONE TRANSMITTERS

Notice of Proposed Rule Making

In the matter of amendment of Part 83 of the Commission's rules relative to ship radiotelephone transmitters having a maximum power input of 3 watts or less to permit multichannel operation in the 156 to 174 Mc/s band without requiring the frequencies 156.3 Mc/s and 156.8 Mc/s, RM–652, RM–744.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. This proposed rule making is issued in response to a petition filed on August 26, 1964, by Moran Towing and Transportation Co., Inc. (Moran) 17 Battery Place, New York 4, N.Y. Petitioner is engaged in the business of towing, transporting, and docking vessels in the greater New York harbor area. Petitioner utilizes four limited coast stations and is licensed for installations aboard 50 vessels engaged in the docking, undocking, and transporting of vessels in the New York area. In addition, Moran is the licensee of 15 low power (3 watt) portable transmitters which are used by docking pilots for communication with Moran's tugs and limited coast stations. All operations are on 156.35 Mc/s.

3. In addition to Moran's petition the Commission has on file a petition filed by American Waterways Operators and requests for waivers of § 83.106(b) of the Commission's rules filed by Marine Ex-

*Chairman Henry concurring; dissenting statement of Commissioner Cox filed as part of original document.

change, Inc., San Francisco, Calif., and McAllister Brothers, Inc., 17 Battery Place, New York 4, N.Y. This petition and request for waiver of the multichannel requirement of the rules are in essence identical in substance to the Moran petition and the relief sought would be granted by the amendment of the rules proposed herein. Also, the Commission has on file comments in support of the proposed rules submitted by Tug Communications, Inc., Pacific Marine Communications, and Mobile Bar Pilots Association.

4. Section 83.106 of the rules requires that all ship station VHF transmitters be equipped to operate on 156.3 and 156.8 Mc/s in addition to any other working frequency unless the transmitter operates solely on one of the frequencies 156.35, 156.65, 156.9, 156.95 Mc/s or a public correspondence frequency. Prior to the amendment of the rules in Docket No. 14375 (FCC 62-722), transmitters having a power input of 3 watts or less were not required to be capable of operation on 156.3 and 156.8 Mc/s when operating on any available frequency.

5. Moran states that single channel operation on 156.35 Mc/s with the portable units has proved to be less than satisfactory because the Moran pilots cannot participate in the bridge-to-bridge system on 156.65 Mc/s used by the Hudson River and Sandy Hook pilots. Such participation would increase the efficiency of handling and safety of vessels in the harbor since it would permit communication with other pilots on the bridge-to-bridge frequency 156.65 Mc/s, when in passing situations. Accordingly, Moran requests that the rules be amended to permit the use of more than one frequency by portable transmitters of 3 watts or less without the requirement that they be capable of operation on 156.3 and 156.8 Mc/s.

6. The amendment of the rules as proposed herein would reinstate the conditions that existed prior to the amendment of the rules in Docket 14375 relative to the operation of transmitters having a power input of 3 watts or less. It is believed that the availability of any one or more frequencies for the operation of low power hand carried transmitters would extend the usefulness of many existing harbor VHF systems by permitting the type of operation requested by the petitioner and permitting the use of hand carried portable transmitters on frequencies where their operation is now precluded because of the multichannel requirement. Deletion of the multichannel requirement would be a derogation of the Geneva Radio Regulations, but in accordance with Paragraph 115 of those regulations can be permitted subject to the condition that harmful interference should not be caused to services carried on by stations operating in accordance with the provisions of the regulations. In view of the low power and the portable type of operation generally used, the probability of interference is believed to be minimal.

7. In the interest of safety of navigation and ship handling, and in the interest of promoting the maximum use of the maritime VHF frequencies, it is proposed to amend the rules to permit the operation of portable transmitters having a power input of 3 watts or less on more than one frequency but without the requirement that 156.3 and 156.8 Mc/s be provided.

8. The amendments in the appendix below are issued under the authority contained in section 303 (c), (f), (g), and (r) of the Communications Act of 1934, as amended.

9. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 12, 1965, and reply comments on or before August 23, 1965. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this matter. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it in addition to the specific comments invited by this notice.

10. In accordance with the provisions of § 1.419(b) of the Commission's rules, an original and 14 copies of all statements and briefs or comments filed shall be furnished the Commission.

Adopted: June 30, 1965.

Released: July 6, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

A. Part 83—Stations on Shipboard in the Maritime Services, is amended as follows:

1. Section 83.106, a new paragraph (f) is added to read:

§ 83.106 Required frequencies for radiotelephony.

* * * * *

(f) The requirement contained in paragraph (b) of this section shall not apply to any marine utility station authorized to operate with a transmitter plate power input of 3 watts or less upon express condition that harmful interference shall not be caused to the service of any maritime mobile station which is operated in accordance with paragraph (b) of this section.

[F.R. Doc. 65-7219; Filed, July 8, 1965; 8:48 a.m.]

[47 CFR Part 83]

[Docket No. 16082; FCC 65-565]

SHIP RADIOTELEPHONE STATIONS

Notice of Proposed Rule Making

In the matter of amendment of Part 83 of the Commission's rules to permit ship radiotelephone stations which operate on VHF to operate on more than one public correspondence frequency without the requirement of being able to operate on 156.3 and 156.8 Mc/s, RM-611.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. American Telephone and Telegraph Co. (A.T. & T.) has filed a petition requesting that § 83.106 of the Commission's rules be amended to permit VHF ship radiotelephone stations to operate on more than one public correspondence frequency without also being capable of operating on 156.3 Mc/s, an intership frequency, and 156.8 Mc/s, the VHF safety and calling frequency.

3. Section 83.106 now permits such stations to use a single VHF public correspondence frequency without being capable of transmitting and receiving on 156.3 and 156.8 Mc/s. However, the installation of a second public correspondence channel would also require the installation of a transmitting and receiving capability on 156.3 Mc/s and 156.8 Mc/s. The latter requirement would necessitate the installation of a second receiver because of the approximate 5 Mc/s spread between the public correspondence receiving frequencies and the intership and safety frequencies. A.T. & T. states equipment with this capability is costly, whereas the provision of two or more public correspondence channels, without the intership and safety frequencies, increases equipment costs only slightly above the cost of single channel equipment. No comparative cost figures were submitted.

4. A.T. & T. asserts that for adequate communication service many vessel operators need to be able to operate on more than one public correspondence frequency. In support of this assertion A.T. & T. states that most VHF public coast stations are equipped for operation on only one channel and since the frequency assignments cannot be the same at all stations, because of cochannel interference, vessels equipped with single channel equipment are restricted as to available service area. The Puget Sound area, where two channels are assigned alternately to stations at Bellingham, Port Angeles, Tacoma, and Seattle, and many vessels operate between two or more of these ports, is given as an example.

5. Petitioner makes reference to the Commission's concern over the slow expansion of the VHF maritime service expressed in Docket 14375 (FCC 62-722). In that proceeding the Commission amended its rules to permit the use of a single VHF public correspondence channel in the hope that the growth of VHF public correspondence usage would be stimulated and relieve to some degree the congestion on the 2 Mc/s public correspondence channels. A.T. & T. states that no noticeable growth has occurred.

6. The failure of VHF to expand is attributed by A.T. & T. to the requirement imposed by the present rules which, because of the added cost of installations to obtain more than one VHF public correspondence channel, persuade many users to forego the use of VHF.

[1] Dissenting statement of Commissioner Cox filed as part of original document.

A.T. & T. states there is a public need for VHF ship stations which are equipped with more than one public correspondence channel and in support of this statement refers to the initial growth rate of maritime VHF prior to 1954 when the multichannel requirements were first included in the rules, and when vessel operators were permitted to install VHF equipment for public correspondence only.

7. The Commission agrees that the development of the VHF maritime service is desirable to relieve congestion in the 2 Mc/s marine band. A.T. & T. states that the requested amendment to the rules would make adequate VHF public correspondence facilities available at a reasonable cost and as more vessels became equipped with radiotelephone installations the Commission's objective of promoting safety of life and property would be furthered.

8. The proposed amendments to the rules, as set forth in the appendix below, are issued pursuant to the authority contained in sections 303 (c) and (r) of the Communications Act of 1934, as amended.

9. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 12, 1965, and reply comments on or before August 23, 1965. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

10. In accordance with the provisions of § 1.419(b) of the Commission's rules, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: June 30, 1965.

Released: July 6, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

APPENDIX

Part 83—Stations on Shipboard in the Maritime Services, is amended as follows:

1. Section 83.106 is amended by revising paragraph (d) (1) to read:

§ 83.106 Required frequencies for radiotelephony.

* * * * * *

(d) * * *

(1) On one or more of the frequencies 157.2, 157.25, 157.3, 157.35, or 157.4 Mc/s; or

* * * * * *

[F.R. Doc. 65-7220; Filed, July 8, 1965; 8:48 a.m.]

[1] Dissenting statement of Commissioner Cox filed as part of original document; Commissioner Wadsworth dissenting.

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 19,258]

FEDERAL SAVINGS AND LOAN SYSTEM

Operations; Membership Lists and Communications With Members

JULY 2, 1965.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) be amended by an amendment, the substance of which is as follows:

Amend Part 545 of the rules and regulations for the Federal Savings and Loan System by adding immediately after § 545.27 a new section as follows:

§ 545.28 Membership lists and communications with members.

(a) (1) Every member of a Federal association shall have the right to inspect the records of the association which pertain solely to his own accounts.

(2) Every member shall have the right to communicate with other members in relation to any matter which may properly be considered at a meeting of members. An association may not defeat such right by a redemption of the member's savings account in the association.

(b) (1) Any member requesting a communication with other members as provided in this section shall furnish the association with the following information, in writing and subscribed by him:

(i) His full name and address;

(ii) The nature and extent of his interest in the association at the time his application is made;

(iii) A statement of the purposes of the communication which he desires to make with other members;

(iv) A copy of such communication; and

(v) The date of the annual or special meeting of the members of the association at which the matter will be presented for consideration.

(2) Upon receipt of such request the Federal association shall furnish or make available to the member a current list of the names and addresses of all members of the association, or, in lieu thereof, the association shall promptly notify the member of the number of the association's members and of the estimated amount of the association's reasonable costs and expenses of mailing the communication to its members. After receipt of such amount and sufficient copies of the member's communication, the association shall mail the same to all its members by a class of mail and not later than such reasonable date as is specified by the requesting member.

(c) Members included in a membership list shall be classified as to their status as borrowing or saving members, or both, and in the event of election by an association of its option to mail a communication to members under the foregoing provisions of this section, the mailing shall be to whichever classification, or both, the requesting member specified.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than July 26, 1965, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 65-7214; Filed, July 8, 1965; 8:48 a.m.]

[12 CFR Part 561]

[No. FSLIC-2,191]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Definitions; Normal Lending Territory

JULY 2, 1965.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 567.1 of the rules and regulations for Insurance of Accounts (12 CFR 567.1), it is hereby proposed that § 561.22 of the rules and regulations for Insurance of Accounts (12 CFR 561.22) be amended by an amendment the substance of which is as follows:

Amend § 561.22 of the rules and regulations for Insurance of Accounts to read as follows:

§ 561.22 Normal lending territory.

The term "normal lending territory" means the territory within a radius of 50 miles from the institution's principal office and the territory beyond 50 miles from the principal office in which the institution was operating on June 27, 1934. In the case of an insured institution which, at the close of its most recent semiannual period, had scheduled items (other than assets acquired in a merger instituted for supervisory rea-

sons) not in excess of 4 percent of its specified assets, and which is permitted to obtain Federal home loan bank advances for expansion purposes, the term also means the territory more than 50 but not more than 100 miles from the principal office of the institution. For purposes of this section, a county is the unit of territory in which the institution was operating beyond the radius of 50 miles from its principal office on June 27, 1934.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than August 9, 1965, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 65-7213; Filed, July 8, 1965; 8:47 a.m.]

[12 CFR Part 563]

[No. FSLIC-2,189]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Operations; Loans and Investments

JULY 2, 1965.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 567.1 of the rules and regulations for Insurance of Accounts (12 CFR 567.1), it is hereby proposed that § 563.9 of the rules and regulations for Insurance of Accounts (12 CFR 563.9) be amended by an amendment the substance of which is as follows:

Amend subparagraph (4) of paragraph (a) of § 563.9 of the rules and regulations for Insurance of Accounts to read as follows:

§ 563.9 Loans and investments.

(a) *General provisions.* • • •

(4) Any insured institution which, at the close of its most recent semiannual period, had a ratio of scheduled items (other than assets acquired in a merger instituted for supervisory reasons) to specified assets of less than 2.5 percent, and which is permitted to obtain Federal home loan bank advances for expansion purposes, may, to the extent that it has legal power to do so, make or invest its funds in loans, originated and serviced by or through an institution the accounts or deposits of which are insured by the Federal Savings and Loan Insurance Corporation and which is permitted to obtain Federal home loan bank advances for expansion purposes, or by or through an institution the deposits of which are insured by the Federal Deposit Insurance Corporation or by or through an approved Federal Housing Administration mortgagee, in an aggregate amount not exceeding 5 percent of such institution's assets on the security of real estate located in any metropolitan area in the United States as then defined in "Standard Metropolitan Statistical Areas" published by the Bureau of the Budget: *Provided*, That:

(i) The principal or a branch office of such originating and servicing institution or approved Federal Housing Administration mortgagee is located within the same metropolitan area as the real estate security;

(ii) Any such approved Federal Housing Administration mortgagee shall have been continuously and principally engaged in the business of originating and servicing loans for other lenders and investors for a period of at least 5 years, and such approved mortgagee shall furnish to such insured institution documentation showing that the mortgagee has been so engaged and is then approved by the Federal Housing Administration;

(iii) The institution has obtained a signed report of appraisal of the real estate security for the loan by an appraiser designated by such institution and who has no interest, direct or indirect, in the real estate or in any loan on the security thereof.

• • • • •

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than August 9, 1965, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 65-7211; Filed, July 8, 1965; 8:47 a.m.]

[12 CFR Part 563]

[No. FSLIC-2,190]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Operations; Participation Loans

JULY 2, 1965.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 567.1 of the rules and regulations for Insurance of Accounts (12 CFR 567.1), it is hereby proposed that § 563.9-1 of the rules and regulations for Insurance of Accounts (12 CFR 563.9-1) be amended by an amendment the substance of which is as follows:

Amend paragraph (d) of § 563.9-1 of the rules and regulations for Insurance of Accounts to read as follows:

§ 563.9-1 Participation loans.

• • • • •

(d) *Limitations.* No insured institution that originated the loan shall sell a participation in any loan at any time when the percentage of such institution's scheduled items, other than assets acquired in a merger instituted for supervisory reasons, exceeds 4 percent of its specified assets, as reported in its most recent semiannual report, or when the institution is not permitted to obtain Federal home loan bank advances for expansion purposes.

• • • • •

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than August 9, 1965, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 65-7212; Filed, July 8, 1965; 8:47 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice No. 788]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

JULY 2, 1965.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 504 (Sub-No. 81), filed June 14, 1965. Applicant: HARPER MOTOR LINES, INC., 213 Long Avenue, Elberton, Ga. Applicant's attorney: Monty Schumacher, Suite 693, 1375 Peachtree Street NE., Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Haddock, Ga., as an off-route point in connection with applicant's authorized regular-route operations between Eatonton, Ga., and Macon, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 1827 (Sub-No. 46), filed June 15, 1965. Applicant: K. W. McKEE, INCORPORATED, 2811 Highway 55, St. Paul, Minn. Applicant's attorney: Harrison P. Dilworth, W–1462 First National Bank Building, St. Paul 1, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, tractors and parts and attachments therefor*, when moving in the same vehicle therewith, in secondary movements, in truckaway and driveaway service, from Fargo, N. Dak., to points in Minnesota and Montana, and *damaged, defective and returned shipments* of the commodities specified above, on return. NOTE: Applicant states the proposed service to be under a continuing contract or contracts with Ford Motor Co. of Dearborn, Mich. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 1924 (Sub-No. 5), filed April 14, 1965. Applicant: WALLACE-COLVILLE MOTOR FREIGHT, INC., 400 North Sycamore Street, Spokane, Wash. Applicant's attorney: Joseph L. Thomas, 711 Old National Bank Building, Spokane, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Silver*, between Kellogg, Idaho, and Spokane, Wash., over U.S. Highway 10, serving the intermediate points of Dishman, Opportunity, and Greenacres, Wash., all intermediate points in Idaho, the off-route points of Morning, Morning Mine, Sunshine Mine, Big Creek, Page, Page Mine, Pine Creek, and those within 10 miles of Mullan and 15 miles of Kellogg, Idaho; the intermediate and off-route points within 3 miles of Burke, Coeur d'Alene, and Wallace, Idaho, and those within 15 miles of the Spokane and Eastern Trust Co. Building, Spokane, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 2253 (Sub-No. 24), filed June 16, 1965. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Cherryville, N.C. Applicant's attorney: Alan E. Serby, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala. NOTE: Applicant states that it intends to tack the proposed authority with that previously granted in Certificate No. MC 2253 and Sub-Nos. 9, 12, 14, 17, and 21, which authorize service in the District of Columbia and the states of North Carolina, Virginia, Maryland, Pennsylvania, New Jersey, New York, South Carolina, Georgia, Connecticut, Massachusetts, Rhode Island, and Delaware. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 2359 (Sub-No. 16), filed June 16, 1965. Applicant: DAMEO, INC., 346 Central Avenue, Somerville, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer and malt beverages*, in containers, *advertising and display supplies* and *materials*, on flatbed trailers, from Albany, N.Y.; Baltimore, Md.; Port Newark, N.J.; and New York, N.Y., to points in Bridgewater Township, N.J., and *empty containers and rejected, returned, and damaged shipments*, on return. NOTE: Applicant states the proposed operation will be under contract with Peter Lusardi, Inc., Bridgewater Township, N.J. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2607 (Sub-No. 11), filed June 18, 1965. Applicant: L. F. BERRY, doing business as BERRY VAN LINES, North Aurora Street, Easton, Md. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Delaware, points in Northampton and Accomack Counties, Va., and Wicomico, Caroline, Cecil, Dorchester, Kent, Somerset, Queen Annes, Talbot, and Worcester Counties, Md., on the one hand, and, on the other, points in Delaware, Maryland, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 7555 (Sub-No. 51), filed June 8, 1965. Applicant: TEXTILE MOTOR FREIGHT, INC., Post Office Box 6, Ellerbe, N.C. Applicant's attorney: Jacob P. Billig, 743 Investment Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Refused, damaged, rejected and returned shipments of foodstuffs* (except frozen foods and commodities in bulk, in tank vehicles), from points in North Carolina, South Carolina, Georgia, Florida, and Alabama, to the plantsites of the Duffy Mott Co., Inc., at Hamlin, Holley, and Williamson, N.Y.; (2) *refused, damaged, rejected and returned shipments of foodstuffs, including frozen*

[1] Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

foods, from points in Florida, to the plant site of American Home Foods at Milton, Pa.; (3) *refused, damaged, rejected and returned shipments of foodstuffs* (except frozen foods), from points in Louisiana, to the plantsite of American Home Foods at Milton, Pa.; and (4) *refused, damaged, rejected and returned shipments of frozen foods*, from points in Georgia, to the plantsite of American Home Foods at Milton, Pa. NOTE: Applicant states that the purpose of this application is to seek authority to transport back to their origin points refused, damaged, rejected and returned shipments for which applicant, under its present authority, performed the south bound transportation, but which were not tendered by the consignees for return immediately upon their delivery to such consignees. If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 9148 (Sub-No. 9), filed June 14, 1965. Applicant: DEAN THORNTON, doing business as KEYSTONE TRUCKING COMPANY, Rushford, N.Y. Applicant's representative: Raymond A. Richards, 35 Curtice Park, Webster, N.Y., 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Bradford, Emlenton, and Farmers Valley, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; points in New York, east and north of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 11 to junction New York Highway 31, north of Syracuse, thence westerly along New York Highway 31 to junction New York Highway 250, thence along New York Highway 250 to Lake Ontario; and points in New Jersey north, east, and west of Mercer and Monmouth Counties, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 11220 (Sub-No. 95), filed June 16, 1965. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between junction U.S. Highways 59 and 271 near Poteau, Okla., and Broken Bow, Okla.; from junction U.S. Highways 59 and 271 over U.S. Highway 59 to junction U.S. Highway 259, thence over U.S. Highway 259 to Broken Bow, and return over the same route, serving no intermediate points, but serving junction U.S. Highways 59 and 271 for joinder purposes only as an alternate route for operating convenience only in connection with carrier's authorized regular-route operations between Fort Smith, Ark., and Hugo, Okla., in MC 11220, Sub 71. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 15877 (Sub-No. 1), filed June 8, 1965. Applicant: RELIABLE LEASING, INC., 536 West 41st Street, New York, N.Y. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, (1) from Inwood, N.Y., to points in New York, N.Y., commercial zone, and *returned shipments*, on return, restricted to traffic having a subsequent movement beyond in interstate or foreign commerce, and (2) from points in New York, N.Y., commercial zone, to Inwood, N.Y., and *returned shipments*, on return, restricted to traffic having a prior movement beyond in interstate or foreign commerce. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 18088 (Sub-No. 38), filed June 1, 1965. Applicant: FLOYD & BEASLEY TRANSFER COMPANY, INC., Post Office Drawer 8, Sycamore, Ala. Applicant's attorney: John W. Cooper 805 Title Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as described by the Commission, commodities in bulk, and those requiring special equipment), between points in Russell County, Ala., including Phenix City, Ala., and its commercial zone on the one hand, and, on the other, Atlanta, Ga., and Birmingham, Ala. NOTE: Applicant states it proposes to tack authority applied for with its existing authority in Docket MC 18088 and Subs 23, 25, and 26 which authorize operations in Georgia, Tennessee, Alabama, and South Carolina. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 21170 (Sub-No. 100), filed June 21, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical appliances, household laundry equipment, and equipment, materials and supplies used in the manufacture, sale, and distribution of electrical appliances and household laundry equipment*, between Centerville, Iowa, and points in Illinois, Kansas, Missouri, Minnesota, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC 21170 (Sub-No. 101), filed June 21, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, paving, and roofing materials*, from Wilmington, Ill., to points in Iowa, Kansas, Minnesota, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21170 (Sub-No. 102), filed June 28, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Grand Rapids, Mich., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21170 (Sub-No. 103), filed June 28, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Oleomargarine, shortening, lard, tallow, salad dressings, and table sauces* in vehicles equipped with mechanical refrigeration, from Jacksonville, Ill., and points within one (1) mile thereof, to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 21170 (Sub-No. 104), filed June 28, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper products*, from Piqua, Ohio, to points in Illinois, Indiana, Kentucky, Michigan, New York, and Pennsylvania, and (2) *materials and supplies*, from points in Illinois, Indiana, Kentucky, Michigan, New York, and Pennsylvania, to Piqua, Ohio. NOTE: Applicant states the above operations will be restricted against the transportation of commodities in bulk, in tank vehicles. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 21170 (Sub-No. 105) filed June 28, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities* as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers, as described in sections A, B, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles) from points in Iowa to points in Illinois, Kansas, Missouri, Minnesota, Nebraska, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 21170 (Sub-No. 106), filed June 28, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities

in bulk, in tank vehicles and hides), from Taylorville, Ill., to points in Connecticut, Massachusetts, and Rhode Island, and (2) *empty containers and pallets*, from points in Connecticut, Massachusetts, and Rhode Island, to Taylorville and Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 21170 (Sub-No. 108), filed June 28, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from North East, Pa., to points in Iowa, Wisconsin, Minnesota, Nebraska, Missouri, Kansas, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 21170 (Sub-No. 109), filed June 28, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except commodities in bulk, in tank vehicles), from Phelps City, Mo., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 25798 (Sub-No. 132), filed June 16, 1965. Applicant: CLAY HYDER TRUCKING LINES, INC., 520 East Bridgers Avenue, Auburndale, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plant site of Missouri Beef Packers, Inc., located at or near Phelps City, Mo., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 29886 (Sub-No. 209), filed June 16, 1965. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's attorney: Charles M. Pieroni, 4000 West Sample Street, South Bend 21, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trucks*, in initial movement, in truckaway service, from Decatur, Ill., to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan (except the Upper Peninsula), New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 30720 (Sub-No. 5), filed June 15, 1965. Applicant: BRUNO & D'ELIA, INC., 109 McKinley Street, Hackensack, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint*, on rolls, from Garfield, N.J., to points in Nassau, Suffolk, Westchester, and Rockland Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 30837 (Sub-No. 316), filed June 8, 1965. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled street sweepers*, from Irwindale, Calif., to points in the United States (except Alaska, Arizona, Hawaii, Nevada, and New Mexico). NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 30837 (Sub-No. 317), filed June 14, 1965. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, in initial movements, in truckaway service, from Streator, Ill., and points within five (5) miles thereof, to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31600 (Sub-No. 593), filed June 21, 1965. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass., 02154. Applicant's attorney: Harry C. Ames, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum tanners oil*, in bulk, in tank vehicles, from East Boston, Mass., to Gloversville, N.Y. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 35484 (Sub-No. 60), filed June 9, 1965. Applicant: VIKING FREIGHT COMPANY, a corporation, 1525 South Broadway, St. Louis, Mo., 63104. Applicant's attorney: G. M. Rebman, Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. 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, commodities requiring special equipment, and those injurious or contaminating to other lading), between Martin and Como, Tenn., from Martin over Tennessee Highway 22 to junction Tennessee Highway 89, thence over Tennessee Highway 89 to junction Tennessee Highway 54, thence over Tennessee Highway 54 to Como, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with carrier's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 35484 (Sub-No. 61), filed June 7, 1965. Applicant: VIKING FREIGHT COMPANY, a corporation, 1525 South Broadway, St. Louis, Mo., 63104. Applicant's attorney: G. M. Rebman, Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, livestock, household goods as defined by the Commission, loose bulk commodities, commodities requiring special equipment, and those injurious or contaminating to other lading), between Indianapolis, Ind., and Nashville, Tenn., from Indianapolis over Interstate Highway 65 to junction U.S. Highway 31W, thence over U.S. Highway 31W to Nashville, and return over the same route, serving no intermediate points, but serving for joinder purposes Indianapolis, Ind., and Nashville, Tenn., as an alternate route for operating convenience only in connection with carrier's regular-route operations between Indianapolis, Ind., on the one hand, and, on the other, points in Tennessee (except Nashville, Tenn., and points in the Nashville commercial zone), and points in Louisiana and Mississippi. NOTE: Applicant states in connection with the above-proposed operation it will not seek authority to transport shipments between Indianapolis, Ind., and points in the Indianapolis commercial zone, on the one hand, and, on the other, Nashville, Tenn., and points in the Nashville commercial zone, including shipments moving locally between said points, or in joint or interline service to or from either of said points, nor will the route be used by applicant as a bridge carrier between said points. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 35484 (Sub-No. 62), filed June 11, 1965. Applicant: VIKING FREIGHT COMPANY, a corporation, 1525 South Broadway, St. Louis, Mo., 63104. Applicant's attorney: Harold D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. 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, commodities requiring special equipment, and those injurious or contaminating to other lading), between Jackson, Miss., and Hattiesburg, Miss., over U.S. Highway 49, serving no intermediate points and serving Jackson, Miss., for joinder purposes only, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations between Memphis, Tenn., and Hattiesburg, Miss., restricted against the handling of local traffic, whether interline or other moving between Jackson and Hattiesburg, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 35484 (Sub-No. 63), filed June 11, 1965. Applicant: VIKING FREIGHT COMPANY, a corporation, 1525 South Broadway, St. Louis, Mo., 63104. Applicant's attorney: Harold D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. 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, commodities requiring special equipment, and those injurious or contaminating to other lading), between junction Mississippi Highway 15 and U.S. Highway 80 at or near Newton, Miss., and Laurel, Miss., over Mississippi Highway 15, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 40428 (Sub-No. 12), filed June 7, 1965. Applicant: CROSS TRANSPORTATION, INC., Carll's Corner, Bridgeton, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, and, when moving as part loads in connection therewith, corrugated boxes*, knocked down, *caps and closures, plastic containers, plastic caps, plastic closures, and accessories for all the aforementioned commodities*, from points in Hudson County, N.J., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states duplicating authority is not requested. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 41347 (Sub-No. 5), filed June 7, 1965. Applicant: DE BACK CARTAGE COMPANY, INC., 4841 West Burnham Street, Milwaukee, Wis. Applicant's attorney: William C. Dineen, 412 Empire Building, Milwaukee, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal shipping containers and equipment, materials, and supplies used or useful in the manufacture of metal shipping containers, metal stampings and products manufactured therefrom, builders' hardware, luggage hardware, frames, and trimmings, toilet, lavatory, and dressingroom steel stall partitions, and steel shower stalls*, from points in Cook and Lake Counties, Ill., to Milwaukee, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 50069 (Sub-No. 323) (AMENDMENT), filed May 17, 1965, published FEDERAL REGISTER issue of June 3, 1965, amended June 21, 1965, and republished as amended this issue. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 111 West Jackson Boulevard, Chicago, Ill., 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petrochemicals), in bulk, in tank vehicles, from Swanton, Ohio, to points in Florida, Georgia, Kentucky, North Carolina, Pennsylvania, and South Carolina. NOTE: The purpose of this republication is to add Kentucky and Pennsylvania to the destination States. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.

No. MC 50069 (Sub-No. 326), filed June 8, 1965. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 111 West Jackson Boulevard, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients*, other than liquid, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary applicant does not specify place of hearing.

No. MC 52460 (Sub-No. 74), filed June 14, 1965. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer, fertilizer materials, and fertilizer ingredients*, other than liquid, in bulk, and in bags and other containers, from the plantsite of the American Cyanamid Co. at South River (Marion County), Mo., to point in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, and *refused and rejected shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 52460 (Sub-No. 75), filed June 10, 1965. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, in bulk, in tank vehicles, from the plantsite of American Cyanamid Co. at South River (Marion County), Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, and *refused and rejected shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 52709 (Sub-No. 267), filed June 21, 1965. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. 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 St. Louis, Mo., and Chicago, Ill., (1) over Interstate Highway 55 and (2) from St. Louis over Interstate Highway 70 to junction U.S. Highway 45, at or near Effingham, Ill., thence over U.S. Highway 45 to junction Interstate Highway 55, thence over Interstate Highway 55 to Chicago, and return over the same route, as alternate routes for operating convenience only, serving no intermediate points, with service at Chicago restricted to apply only on traffic destined for or originating at points authorized to be served by the carrier which are located west of Beatrice, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 52752 (Sub-No. 13), filed June 8, 1965. Applicant: WESTERN TRANSPORTATION COMPANY, a corporation, 1300 West 35th Street, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard* and *paperboard boxes*, from Clinton, Iowa, to Woodstock, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55848 (Sub-No. 35), filed June 10, 1965. Applicant: HUCKABEE TRANSPORT CORP., Post Office Box 479, Columbia, S.C. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), between Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala. NOTE: Applicant states that it intends to tack the above-proposed authority with that authority previously granted wherein applicant is authorized to serve points in North Carolina, South Carolina, and Georgia. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 57315 (Sub-No. 7), filed June 17, 1965. Applicant: TRI-STATE TRANSPORT, INC., 40 "B" Street, Boston, Mass. Applicant's attorney: Frank J. Weiner, 182 Forbes Building, Forbes Road, Braintree, Mass., 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fruits, fruit juices, table sauces, and salad dressings*, in vehicles equipped with mechanical refrigeration (restricted against the transportation of such commodities in bulk, in tank vehicles), from Boston, Mass., to points in Connecticut, and (2) *frozen foods*, from Boston and Watertown, Mass., to points in Connecticut. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 58998 (Sub-No. 4), filed June 17, 1965. Applicant: WILLIAM P. HAWS, doing business as H & H TRUCKING CO., 2 Enterprise Avenue, Trenton, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Minerals, earth, colors, and pigments*, from Trenton, N.J., to Philadelphia, Pa., and *rejected, damaged, and unused material*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Trenton, N.J.

No. MC 59680 (Sub-No. 147), filed June 16, 1965. Applicant: STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex. Applicant's attorney: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 3, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Atlanta, Ga., and Texarkana, Ark., from Atlanta over U.S. Highway 78 to Birmingham, Ala., thence over U.S. Highway 11 to junction U.S. Highway 82, thence over U.S. Highway 82 to Texarkana, and return over the same route, serving the intermediate points of Birmingham, Ala., Greenville, Miss., and those points on U.S. Highway 82 within the State of Arkansas, and (2) between Atlanta, Ga., and Shreveport, La., from Atlanta over U.S. Highway 78 to Birmingham, Ala., thence over U.S. Highway 11 to junction U.S. Highway 80, thence over U.S. Highway 80 to Shreveport, and return over the same route, serving the intermediate points of Jackson, Miss., and Monroe, La., with service to Monroe, La., being for purposes of joinder only. NOTE: Applicant does not specify place of hearing if one is deemed necessary.

No. MC 70322 (Sub-No. 5), filed June 17, 1965. Applicant: LOUIS MERIDY, doing business as M. & S. TRANSPORTATION COMPANY, 384 Wethersfield Avenue, Rear, Hartford, Conn. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mats, molds, plates, shells, vinylites, magazines, magazine parts, and inserts*, from Bradley Field, Windsor Locks, Conn., to Albany, N.Y. Restricted to traffic having a prior movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 76266 (Sub-No. 109), filed May 27, 1965. Applicant: ADMIRAL-MERCHANTS MOTOR FREIGHT, INC., 2625 Territorial Road, St. Paul 14, Minn. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Kansas City, Mo., and Denver, Colo.; from Kansas City over Interstate Highway 70 (over U.S. Highways 40, 83, and 24 as access routes between completed segments of Interstate Highway 70) to Denver and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 77005 (Sub-No. 5), filed June 11, 1965. Applicant: The CORAOPOLIS TRANSFER AND STORAGE COMPANY, a corporation, First and Talbot Streets, Braddock, Pa. Applicant's attorney: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in Appendix V to report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 276–279, between Cleveland, Lorain, and McDonald, Ohio, on the one hand, and, on the other, points in Illinois, Indiana and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 78947 (Sub-No. 6), filed June 21, 1965. Applicant: ELLIOTT BROS. TRUCK LINE, INC., Dysart, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52502. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Such merchandise* as is dealt in by retail hardware dealers, serving the Bethlehem Steel Co. plant at Burns Harbor, Porter County, Ind., as an off-route point in connection with applicant's authorized regular-route operations between Chicago, Ill., and Waterloo, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 84212 (Sub-No. 29), filed June 14, 1965. Applicant: DORN'S TRANSPORTATION, INC., Railroad Avenue Extension, Albany 5, N.Y. Applicant's attorney: John J. Brady, Jr., 75 State Street, Albany 7, N.Y. 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, commodities requiring special equipment and those injurious or contaminating to other lading), between Syracuse and Maple View, N.Y. over U.S. Highway 11, serving no intermediate points as an alternate route for operating convenience only in connection with carrier's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 87720 (Sub-No. 32), filed June 1, 1965. Applicant: BASS TRANSPORTATION CO., INC., Star Route A-Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rubber tire treads and tubes, and materials* used in the process of retreading, except those materials, in bulk, in tank vehicles, for the account of Oliver Tirecap Supply Co., from Flemington, N.J. to points in Indiana, Illinois, Missouri, and Wisconsin, (2) *returned shipments* of the above-mentioned commodities, from points in the above-specified destination States to Flemington, N.J., and (3) *rubber compounds*, except in bulk, in tank vehicles, for the account of Oliver Tirecap Supply Co., from Burton, Ohio, Dyersburg, Tenn., and Borger, Tex., to Flemington, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 92983 (Sub-No. 472), filed June 16, 1965. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in Buchanan, Clinton, and Lafayette Counties, Mo., to points in Illinois, Indiana, Iowa, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 94350 (Sub-No. 79), filed June 10, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1628, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings*, traveling on their own or removable undercarriages which are designed to be joined together to form a complete structure equipped with hitch ball coupler, excluding trailers or mobile homes designed to be drawn by passenger automobiles, and oilfield or industrial buildings, from points in Vermont to points in Louisiana and points in States east of the Mississippi River, namely, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and *damaged and rejected shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 94350 (Sub-No. 80), filed June 11, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1628, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings traveling on their own or removable undercarriages*, which are designed to be joined together to form a complete structure equipped with hitch ball coupler (excluding trailers or mobile homes designed to be drawn by passenger automobiles and oilfield or industrial buildings), from points in Ohio, to points in the United States, including Alaska (but excluding points in Hawaii), and

damaged and rejected shipments of the commodities specified above, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 94350 (Sub-No. 81), filed June 14, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1628, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings* traveling on their own or removable undercarriages which are designed to be joined together to form a complete structure, equipped with hitch ball coupler, excluding trailers or mobile homes designed to be drawn by passenger automobiles, and oilfield or industrial buildings, from points in Texas to points in Louisiana and those in States west of the Mississippi River; namely, Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Austin, Tex.

No. MC 94350 (Sub-No. 82), filed June 14, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Box 1628, Greenville, S.C., 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings* traveling on their own or removable undercarriages which are designed to be joined together to form a complete structure, equipped with hitch ball coupler (excluding trailers or mobile homes designed to be drawn by passenger automobiles and oilfield or industrial buildings), from points in Nebraska, to points in Louisiana and points in those states west of the Mississippi River; namely, Washington, Oregon, California, Arizona, Nevada, Idaho, Utah, New Mexico, Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Arkansas, Missouri, Iowa, and Minnesota and *damaged and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 94350 (Sub-No. 83), filed June 16, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1628, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings* traveling on their own or removable undercarriages which are designed to be joined together to form a complete structure, equipped with hitch ball coupler (excluding trailers or mobile homes designed to be drawn by passenger automobiles and oilfield or industrial buildings), from points in Indiana, to points in Louisiana and points in those states east of the Mississippi River; namely, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia and *damaged and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 94350 (Sub-No. 84), filed June 17, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1628, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings* traveling on their own or removable undercarriages which are designed to be joined together to form a complete structure, equipped with hitch ball coupler (excluding trailers or mobile homes designed to be drawn by passenger automobiles and oilfield or industrial buildings), from points in Mississippi, to points in Louisiana and points in those states east of the Mississippi River; namely, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and *damaged and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 95540 (Sub-No. 642), filed June 4, 1965. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts* (except commodities in bulk, in tank vehicles), from Louisville, Ky., to points in Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Florida. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 95540 (Sub-No. 645), filed June 17, 1965. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (272–273), from Denison and Iowa Falls, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and Lincoln, and Omaha, Nebr. NOTE: Applicant states authority to transport hides or commodities in bulk, in tank vehicles, is not sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 98088 (Sub-No. 13), filed June 14, 1965. Applicant: LINDLEY TRUCKING SERVICE, INC., 1701 Grand Avenue, Granite City, Ill. Applicant's attorney: Dale Woodall, 150 East Court Avenue, Memphis, Tenn., 38101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Alton, Granite City and Madison, Ill., and St. Louis, Mo., to points in Minnesota, Nebraska, North Dakota, and South Dakota, and *rejected and refused shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 98869 (Sub-No. 2), filed June 14, 1965. Applicant: KOSCHKEE TRANSFER, INC., Fennimore, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Madison, Wis., and Prairie du Chien, Wis., over U.S. Highway 18, serving all intermediate points, restricted against service wholly between Madison, Dodgeville, and points intermediate to Madison and Dodgeville, Wis.; (2) between Fennimore, Wis., and the Iowa-Wisconsin State line, over U.S. Highway 61, serving all intermediate points; (3) between Highland, Wis., and Platteville, Wis., over Wisconsin Highway 80, serving all intermediate points; (4) between Platteville, Wis.; and Cassville, Wis., over Wisconsin Highway 81, serving all intermediate points; (5) between Platteville, Wis., and junction U.S. Highways 151 and 61 at Dickeyville, Wis., over U.S. Highways 151, serving all intermediate points; (6) between Bloomington, Wis., and junction Wisconsin Highway 133 and U.S. Highway 61, over Wisconsin Highway 133, serving all intermediate points; (7) between Prairie du Chien, Wis., and junction Wisconsin Highways 35 and 81, over Wisconsin Highway 35, serving all intermediate points; (8) between Stitzer, Wis., and junction Grant County Highway F and U.S. Highway 18, over Grant County Highway F, serving all intermediate points; (9) between Stitzer, Wis., and junction Grant County Highway E and U.S. Highway 61, over Grant County Highway E, serving all intermediate points; (10) between Beetown, Wis., and junction Grant County Highway V and Wisconsin Highway 133, over Grant County Highway V, serving all intermediate points; (11) between junction Grant County Highway K and U.S. Highway 61 and junction Grant County Highway K and U.S. Highway 18, over Grant County Highway K, serving all intermediate points; (12) between Livingston, Wis., and Rewey, Wis., over Iowa County Highway E, serving all intermediate points; and (13) between Rewey, Wis., and junction Iowa and Grant County Highways A and Wisconsin Highway 80,

over Iowa and Grant County Highways A, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 99090 (Sub-No. 6), filed June 16, 1965. Applicant: YATES TRUCK LINES, INC., Maud, Ky. Applicant's attorney: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed, feed ingredients, and insecticides*, from Cincinnati, Ohio to points in Kentucky, and *returned and rejected shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 105172 (Sub-No. 7), filed June 14, 1965. Applicant: GORDON DEHMLER, doing business as COVERED WAGON TRAIN, 45 Clara Barton Street, Dansville, N.Y. Applicant's representative: Raymond A. Richards, 35 Curtice Park, Webster, N.Y., 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Bradford, Emlenton, and Farmers Valley, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, points in New York east and north of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 11 to junction New York Highway 31, north of Syracuse, N.Y., thence westerly along New York Highway 31 to junction New York Highway 250, thence along New York Highway 250 to Lake Ontario, and points in New Jersey, north, east, and west of Mercer and Monmouth Counties, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 105444 (Sub-No. 6), filed June 14, 1965. Applicant: ANTHONY CHANICE AND VINCENT CHANICE, a partnership, doing business as CHANICE & CHANICE, 851 Liberty Avenue, Brooklyn 8, N.Y. Applicant's representative: William D. Traub, 10 East 40th Street, New York 16, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New laboratory furniture and equipment, shower stalls, metal cabinets, cabinet tops, and sink tops, and fixtures* in connection with the above commodities, from New York, N.Y., to points in Connecticut, New York, New Jersey, Pennsylvania, Delaware, Massachusetts, Rhode Island, Maryland, Virginia, West Virginia, Ohio, and the District of Columbia (except those points in Connecticut, New York, New Jersey, Pennsylvania, and Delaware within 150 miles of New York, N.Y.). NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 126652 therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 105461 (Sub-No. 65), filed June 15, 1965. Applicant: HERR'S MOTOR EXPRESS, INC., Quarryville, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa., 17566. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in containers, *antifreeze*, in containers, and *starting fluid*, in containers, from the plant site of the Pioneer Terminal, Inc., doing business as Pioneer Oil Co., at Philadelphia, Pa., to Baltimore, Md., Akron, Boardman, and Cleveland, Ohio, Providence, R.I., Richmond, Va., Wheeling, W. Va., and points in Connecticut, Massachusetts, New Jersey, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107002 (Sub-No. 257), filed June 21, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss. Applicant's attorneys: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., and H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium chlorate*, in bulk, from points in Lowndes and Monroe Counties, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Missouri, North Carolina, South Carolina, Tennessee, and Texas. NOTE: Applicant states it seeks no duplicate authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 107107 (Sub-No. 349), filed June 17, 1965. Applicant: ALTERMAN TRANSPORT LINES, INC., Post Office Box 458, Allapattah Station, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plant site of Missouri Beef Packers, Inc., located at or near Phelps City, Mo., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. NOTE: Applicant states the proposed service to be restricted to traffic originating at such facilities. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 107496 (Sub-No. 383), filed June 17, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, sand with additives* in pneumatic tanks and bags, (1) from Bridgman, Mich., to points in Illinois, Wisconsin, Indiana, Iowa, and Kentucky, and (2) from Troy Grove, Ill., to points in Indiana, Ohio, Kentucky, Michigan, Wisconsin, Iowa, Nebraska, Missouri, Kansas, and Oklahoma. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107643 (Sub-No. 68), filed June 16, 1965. Applicant: ST. JOHNS MOTOR EXPRESS CO., a corporation, 10145 North Portland Road, Portland, Oreg. Applicant's attorney: George H. Hart, 1100 IBM Building, Seattle, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals and dry fertilizer and liquid fertilizer*, in bulk, in tank vehicles, and *rejected and contaminated shipments* of the commodities specified, between points in Columbia County, Oreg., on the one hand, and, on the other, points in Washington and Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 108335 (Sub-No. 4), filed June 11, 1965. Applicant: ALL PURPOSE APPLIANCE DELIVERIES, INC., 32-04 Northern Boulevard, Long Island City, N.Y. Applicant's attorney: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stereophonic record players and combination stereophonic record players, radio and television receiving sets* and *combination stereophonic record players and television receiving sets*, from Long Island, City, N.Y., to points in Fairfield County, Conn., and those in Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, and Warren Counties, N.J.. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 108884 (Sub-No. 9), filed June 21, 1965. Applicant: ROGERS AND KASPER, INC., Route 46, Great Meadows, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish* (including shellfish) exempt from economic regulation under section 203-(b) (6) of the Interstate Commerce Act, *in mixed shipments with onion products*, frozen, in vehicles equipped with mechanical refrigeration, from Gloucester, Mass., to points in New Haven, Hartford, Fairfield, New London, Litchfield, and Middlesex Counties, Conn.; New York, N.Y., Nassau, Suffolk, Westchester, Orange, Rockland, and Broome Counties, N.Y.; Passaic, Bergen, Essex, Hudson, Union, Morris, and Warren Counties, N.J., and Lehigh, Northampton, Berks, Lackawanna, Luzerne, York, Dauphin, and Lebanon Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109533 (Sub-No. 24), filed June 21, 1965. Applicant: OVERNITE TRANSPORTATION COMPANY, a corporation, Post Office Box 1216, Richmond, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment), between Lenoir, N.C., and Damascus, Va.; from Lenoir over U.S. Highway 321 to Blowing Rock, N.C., thence over U.S. Highway 221 to Boone, N.C., thence over U.S. Highway 421 to Moun-

tain City, Tenn., thence over Tennessee Highway 91 to the Tennessee-Virginia State line and thence over Virginia Highway 91 to Damascus, and return over the same route serving no intermediate points. NOTE: Applicant states it presently holds authority to operate over the route herein sought in Certificate MC 109533, Sub 22, but it must observe the gateway point of Charlotte, N.C. A closed door route is authorized between Bristol, Tenn.-Va., and Rock Hill, S.C., serving Damascus, Va., Charlotte, N.C., and Gastonia, N.C., as intermediate points. These routes include the route herein sought. The purpose of this application is to provide an economy in the operations of applicant by eliminating excess mileage and transportation as well as extra terminal handling in some cases at Charlotte, N.C. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110157 (Sub-No. 26), filed June 15, 1965. Applicant: LANG TRANSIT COMPANY, a corporation, 38th and Quirt Avenue, Lubbock, Tex. Applicant's attorney: W. D. Benson, Jr., 13th Floor, Great Plains Building, Lubbock, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Hobbs, N. Mex., and Lubbock, Tex., over U.S. Highway 62, serving the intermediate points of Seminole, Seagraves, and Brownfield, Tex. NOTE: Applicant states it does not seek duplicate authority. If a hearing is deemed necessary, applicant requests it be held at Lubbock, Tex.

No. MC 110420 (Sub-No. 461), filed June 14, 1965. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis., 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Indiana and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 110420 (Sub-No. 462), filed June 14, 1965. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizers and fertilizer ingredients*, in bulk, between points in Illinois, Indiana, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 734), filed June 17, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downington, Pa. Applicant's attorneys: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005 and Edwin H. van Deusen, 520 East Lancaster Avenue, Downington, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, between Carrollton, Ky., and Midland, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 735), filed June 23, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen, 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Rotterdam Junction, N.Y., to Albion and Muskegon, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110563 (Sub-No. 31), filed June 9, 1965. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Sidney, Ohio. Applicant's attorney: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 61 M.C.C. 766, from West Richfield, Ohio, to points in Connecticut, Massachusetts, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia, and *refused or rejected shipments* of the commodities specified above, on return. NOTE: The above proposed operations will be restricted against the transportation of commodities in bulk, in tank vehicles. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 110988 (Sub-No. 131), filed June 11, 1965. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, hydrated or quick, in bulk, in pneumatic equipment, from Chicago, Ill., to Marion, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 132), filed June 14, 1965. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, having a prior or subsequent movement by water, between points in Wisconsin, Minnesota, Michigan, Illinois, Indiana, Iowa, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 133), filed June 15, 1965. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Silica gel catalyst* and *processed clay*, in bulk, in tank vehicles, from Chicago, Ill., to points in North Dakota, Montana, Wyoming, Colorado, Kansas, and Oklahoma, and (2) *spent and reprocessed silica gel catalyst* and *processed clay*, in bulk, in tank vehicles, from points in North Dakota, Montana, Wyoming, Colorado, Kansas, and Oklahoma to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 134), filed June 15, 1965. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, from River Rouge, Mich., to points in Illinois, Indiana, Iowa, Kentucky, Missouri, Ohio, New York, Pennsylvania, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 111231 (Sub-No. 68), filed June 17, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Springdale, Ark., and points within five (5) miles thereof, to points in Arizona, Colorado, Idaho, Montana, Nebraska, New Mexico, Utah, Wyoming and Alpine, Ashley, El Paso, and Peco, Tex. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111545 (Sub-No. 79), filed June 16, 1965. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Post Office Box 6426, Station A, Marietta, Ga. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Firebrick*, (2) *bonding mortar*, and (3) *castable cement*, from Augusta, Ga., to points in Connecticut, Illinois, Indiana, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111729 (Sub-No. 95), filed June 17, 1965. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Claude J. Jasper, Suite 301, 111 South Fairchild Street, Madison, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Impressions, models and bites, articulators and dentures, and products relating to restorative dentistry*, between

Omaha, Nebr., on the one hand, and, on the other, points in Iowa. Restriction: No service shall be performed under the authority granted herein for any bank or banking institution; namely, any National bank, State bank, Federal Reserve bank, savings and loan association, or savings bank. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 112750 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 112030 (Sub-No. 17), filed June 15, 1965. Applicant: PAUL W. WILLS, INC., Post Office Box 5407, Cleveland, Ohio. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed raw limestone*, in bulk, in dump vehicles, from Clay Center, Ohio, and points within ten (10) miles thereof, to the plantsite of Friendship Block & Brick Co., Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 112520 (Sub-No. 122), filed June 14, 1965. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Norman J. Bolinger, 1730 American Heritage Life Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosote oil*, from Pensacola, Fla., to points in Alabama and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 113267 (Sub-No. 153), filed June 14, 1965. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris, Caseyville, Ill. Applicant's attorney: R. H. Burroughs, 115 East Main, Collinsville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of Missouri Beef Packers, Inc., at or near Phelps City, Mo., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. Restricted to traffic originating at said plantsite. NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 113267 (Sub-No. 154), filed June 11, 1965. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris, Caseyville, Ill. Applicant's attorney: R. H. Burroughs, 115 East Main Street, Collinsville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, rugs, tufted textiles, and mats*, from points in Dade, Catoosa, Whitfield, Murray, Walker, Chattooga, Gordon, Floyd, and Bartow Counties, Ga., to points in Missouri, Kansas, Illinois, Wisconsin, Minnesota, Iowa, North Dakota, South Dakota, Nebraska, and Arkansas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113349 (Sub-No. 4), filed June 7, 1965. Applicant: IURATO TRUCKING CO., a corporation, 1164 Belmont Avenue, North Haledon, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (I) *Acetate yarns* (not thrown or dyed) (1) between Paterson, N.J., on the one hand, and on the other, Pawtucket, West Warwick, Providence, and East Providence, R.I., Fall River and New Bedford, Mass., Manchester, Greenville, Franklin, and New Market, N.H., New York, St. Johnsville, and Amsterdam, N.Y., Beavertown, Selingsgrove, Lebanon, York, Scranton, Philadelphia, Shippensburg, and Middleburg, Pa., Cumberland, Md., Narrows, Va., Rock Hill, S.C., and Rome, Ga., and (2) from Cumberland, Md., Narrows, Va., Rock Hill, S.C., and Rome, Ga., to Paterson, N.J., Pawtucket, West Warwick, Providence, and East Providence, R.I., Fall River, and New Bedford, Mass., Manchester, Greenville, Franklin, and New Market, N.H., (II) *empty beams*, between Cumberland, Md., Narrows, Va., and Rock Hill, S.C., on the one hand, and, on the other, Paterson, N.J., Pawtucket, West Warwick, Providence, and East Providence, R.I., Fall River and New Bedford, Mass., Manchester, Greenville, Franklin, and New Market, N.H., New York, St. Johnsville, and Amsterdam, N.Y., Beavertown, Selingsgrove, Lebanon, York, Scranton, Philadelphia, Shippensburg, and Middleburg, Pa., (III) *polyester and nylon*, between Shelby and Greenville, N.C., on the one hand, and, on the other, Paterson, N.J., Pawtucket, West Warwick, Providence, and East Providence, R.I., Fall River and New Bedford, Mass., Manchester, Greenville, Franklin, and New Market, N.H., New York, St. Johnsville, and Amsterdam, N.Y., Beavertown, Selingsgrove, Lebanon, York, Scranton, Philadelphia, Shippensburg, and Middleburg, Pa., Cumberland, Md., Buena Vista, Altavista, Strasburg, Narrows, and Emporia, Va., Rock Hill, and Glendale, S.C., and Rome and Clarksville, Ga., and (IV) *polyester and nylon*, between Paterson, N.J., Pawtucket, West Warwick, Providence, and East Providence, R.I., Fall River and New Bedford, Mass., Manchester, Greenville, Franklin, and New Market, N.H., New York, St. Johnsville, and Amsterdam, N.Y., Beavertown, Selingsgrove, Lebanon, York, Scranton, Philadelphia, Shippensburg, and Middleburg, Pa., on the one hand, and, on the other, Buena Vista, Altavista, Strasburg, and Emporia, Va., Rocky Mount, Wadesboro, High Point, Charlotte, Morgantown, and Liberty, N.C., Glendale, S.C., Rome and Clarksville, Ga. NOTE: Applicant states the proposed service to be under continuing contract with Atlas Yarn Co., Inc., Paterson, N.J. Applicant has common carrier authority under MC 116869 therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113362 (Sub-No. 74), filed June 8, 1965. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor and wall tile*, from Trenton, N.J., to Des Moines, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 113362 (Sub-No. 75), filed June 14, 1965. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's attorney: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in containers, and *carbon, gum, and sludge-removing compounds*, in containers, from Buffalo, N.Y.; Farmers Valley, Bradford, Emlenton, Warren, Franklin, Reno, Oil City, Rouseville, Petrolia, and Karns City, Pa.; and St. Marys, W. Va., to points in Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 113362 (Sub-No. 76), filed June 17, 1965. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's attorney: William J. Boyd, 30 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from North East, Pa., to points in Wisconsin, Iowa, Missouri, Kansas, Nebraska, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 113651 (Sub-No. 76) (AMENDMENT), filed November 12, 1964, published FEDERAL REGISTER issue December 2, 1964, and republished as amended this issue. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides) from points in Dakota County, Nebr., and Sioux City, Iowa, to points in Connecticut, Delaware, District of Columbia, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia. NOTE: The purpose of this republication is to add the origin point of Sioux City, Iowa. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Washington, D.C.

No. MC 113651 (Sub-No. 81) (AMENDMENT), filed March 22, 1965, published in FEDERAL REGISTER issue of April 8, 1965, amended June 24, 1965, and republished as amended this issue. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from points in Dakota County, Nebr., and Sioux City, Iowa, to points in Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Florida, Louisiana, and Mississippi. NOTE: The purpose of this republication is to add Sioux City, Iowa, as origin point. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Washington, D.C.

No. MC 113678 (Sub-No. 140) (AMENDMENT), filed May 6, 1965, published in FEDERAL REGISTER issue of May 26, 1965, amended June 25, 1965, and republished as amended this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts* and *articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Dawson and Kearney Counties, Nebr., to points in Colorado (except Denver, Colo.), Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois (except Chicago, Ill., and its commercial zone), New York, Vermont, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, Maryland, Delaware, the District of Columbia, Virginia, West Virginia, New Jersey, and Michigan. NOTE: The purpose of this republication is to substitute points in Dawson and Kearney Counties, Nebr., as origin points in lieu of Lexington and Minden, Nebr., and points within 5 miles thereof. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113678 (Sub-No. 142) (AMENDMENT), filed May 10, 1965, published in FEDERAL REGISTER issue of May 26, 1965, amended June 25, 1965, and republished as amended this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Dawson and Kearney Counties, Nebr., to points in Arizona, Arkansas, California, Idaho, Louisiana, Nevada, Oregon, Texas, Utah, and Washington. NOTE: The purpose of this republication is to change the origin points as shown above. If a hearing is deemed necessary, applicant does not specify a place of hearing.

No. MC 113678 (Sub-No. 144) (AMENDMENT), filed May 24, 1965, published FEDERAL REGISTER issue June 9, 1965, and republished as amended this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Dawson County, Nebr., to points in Florida, Georgia, Alabama, North Carolina, and South Carolina. NOTE: The purpose of this republication is to broaden the origin point. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113678 (Sub-No. 145) (AMENDMENT), filed May 24, 1965, published FEDERAL REGISTER issue June 9, 1965, and republished as amended this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Kearney County, Nebr., to points in Florida, Georgia, Alabama, North Carolina, and South Carolina. NOTE: The purpose of this republication is to change the origin point to Kearney County, Nebr. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113678 (Sub-No. 153), filed June 11, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs*, from St. Louis, Mo., to points in Iowa, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant does not specify any particular area.

No. MC 113678 (Sub-No. 154), filed June 14, 1965. Applicant: CURTIS INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Humboldt, Tenn., to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 113678 (Sub-No. 155), filed June 21, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, meat articles distributed by meat packinghouses*, from points in Dawson County, Nebr., to points in Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant does not specify any particular area.

No. MC 113678 (Sub-No. 156), filed June 18, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Frozen food and frozen products, including frozen animal and poultry food*, from New Bedford, Mass., and points within twenty (20) miles of New Bedford, Mass., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 113678 (Sub-No. 157), filed June 28, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, and *such commodities* used by meatpackers in the conduct of their business when destined to and for use by meatpackers, from Greeley, Colo., to points in Alabama, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 113908 (Sub-No. 163), filed June 16, 1965. Applicant: ERICKSON TRANSPORT CORPORATION, 706 West Tampa, Post Office Box 3180, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats and animal oils*, in bulk, in tank vehicles, from Omaha, Nebr., to San Francisco, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113908 (Sub-No. 164), filed June 16, 1965. Applicant: ERICKSON TRANSPORT CORPORATION, 706 West Tampa (Post Office Box 3180), Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Liquid animal and poultry feed supplements*, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in Maryland. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 114004 (Sub-No. 60), filed June 8, 1965. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings*, traveling on their own, or removable undercarriages, with hitch ball hook up, that require special equipment in the movement thereof, excluding trailers, designed to be drawn by passenger automobiles, or oilfield or industrial buildings, and prefabricated buildings hauled on special built trailers, between points in the United States including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 114019 (Sub-No. 139), filed June 16, 1965. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, prepared, and preserved (other than frozen) from Fruitland, Md., to points in Illinois, Wisconsin, Minnesota, Iowa, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114091 (Sub-No. 70), filed June 14, 1965. Applicant: HUFF TRANSPORT CO., INC., Fern Valley Road, Louisville, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, nitrogen fertilizer solutions, ammoniating solutions and aqua ammonia*, in bulk, in tank vehicles, from the plantsite of Southern Nitrogen Co., Inc., located at or near Columbia Park (Finney), Hamilton County, Ohio, to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 114211 (Sub-No. 79), filed June 10, 1965. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Black Hawk County, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Land forming equipment and machinery, contractors and farm and logging equipment and machinery, and attachments and parts* for the above-described items, from Ashland, Wis., to points in the United States (except points in Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115180 (Sub-No. 17), filed June 11, 1965. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts* and *articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Sioux City, Iowa, and points in Dakota County, Nebr., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115826 (Sub-No. 69), filed June 14, 1965. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles* distributed by meat packinghouses as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Gooding, Idaho, and points within 5 miles thereof, to points in Utah, Nevada, Arizona, California, Oregon, Washington, Texas, Colorado, Iowa, Illinois, Pennsylvania, New Jersey, New York, and Massachusetts, and *damaged or rejected shipments and such articles as are used to operate packinghouses*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 115841 (Sub-No. 240), filed June 8, 1965. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite and warehouses of the Pet Milk Co. located at Allentown and Chambersburg, Pa., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee, and points in Virginia on and west of U.S. Highway 220. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 115841 (Sub-No. 241), filed June 9, 1965. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Humboldt, Tenn., to points in Wisconsin, Minnesota, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming and points in Kansas and Nebraska west of U.S. Highway 81. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115841 (Sub-No. 243), filed June 14, 1965. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods*, (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with canned goods, from Lindale, Tex., to points in Kentucky, Indiana, Kansas, Missouri, Illinois, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 116099 (Sub-No. 3), filed June 11, 1965. Applicant: WOODWORTH & SONS, INC., Tolono, Ill. Applicant's attorney: Robert T. Lawley, 306-308 Reisch Building, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in tank vehicles, from Thorntown, Ind., to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 116273 (Sub-No. 44), filed June 7, 1965. Applicant: D&L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, in bulk, in tank and hopper type vehicles, (1) from Chicago Heights, Ill., to points in Indiana, Iowa, Michigan, and Wisconsin, and (2) from Chicago, Ill., to points in Indiana, Iowa, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 213), filed June 7, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with bananas, from Los Angeles and San Francisco, Calif., to Boise, Nampa, and Lewiston, Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 117119 (Sub-No. 214), filed June 17, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from points in Washington, Oregon, Idaho, and Utah, to points in Oklahoma. NOTE:

If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117119 (Sub-No. 215), filed June 17, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Hidalgo County, Tex., to points in Minnesota, Iowa, Nebraska, Colorado, Oklahoma, Arkansas, Louisiana, Mississippi, Wisconsin, Michigan, Illinois, Indiana, Kentucky, Tennessee, Alabama, Ohio, Georgia, North Carolina, South Carolina, Florida, Virginia, West Virginia, Pennsylvania, New York, New Jersey, Maryland, Delaware, Connecticut, Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, District of Columbia, Kansas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117119 (Sub-No. 216), filed June 14, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and frozen products, including frozen animal and poultry food*, from New Bedford, Mass., and points within twenty (20) miles thereof to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 117119 (Sub-No. 217), filed June 14, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, prepared or preserved, from points in Delaware and Maryland and points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem Counties, N.J., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117119 (Sub-No. 218), filed June 18, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Piecegoods*, from Harrisonburg, Va., to Huntsville, Ark., and (2) *clothing*, from Huntsville, Ark., to Harrisonburg, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117119 (Sub-No. 219), filed June 18, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Plant City, Fla., to points in Mississippi, Louisiana, Arkansas, Texas, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, California, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 117119 (Sub-No. 220), filed June 18, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, prepared and preserved (other than frozen) from Fruitland, Md., to points in Illinois, Iowa, Minnesota, Nebraska, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify any particular area.

No. MC 117119 (Sub-No. 221), filed June 25, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Piecegoods*, from Marshall, Tex., to Huntsville, Ark., and (2) *clothing*, from Huntsville, Ark., to Marshall, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117119 (Sub-No. 222), filed June 25, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Piecegoods*, from Cleveland, Ohio, to Huntsville, Ark.; and (2) *clothing*, from Huntsville, Ark., to Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117119 (Sub-No. 223), filed June 25, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Piecegoods* and *clothing materials*, from Lynchburg, Va., to Huntsville, Ark.; and (2) *clothing*, from Huntsville, Ark., to Lynchburg, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117200 (Sub-No. 7), filed June 14, 1965. Applicant: ALLEN TISCH AND MERDON DREWS, doing business as TISCH AND DREWS, 212 Green Bay Avenue, Oconto Falls, Wis. Applicant's attorney: Eugene E. Behling, Oconto Falls, Wis., 54154. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Inedible salt*, from Milwaukee, Wis., to points in the Upper Peninsula of Michigan. NOTE: Applicant states the proposed operation will be under a continuing contract with International Salt Co., Clarks Summit, Pa. If a hearing is deemed necessary applicant requests it be held at Madison, Wis.

No. MC 117427 (Sub-No. 42), filed June 8, 1965. Applicant: G. G. PARSONS TRUCKING CO., a corporation, Post Office Box 746, North Wilkesboro, N.C. Applicant's attorney: Earl F. Rieger, 1366 National Press Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in New Jersey to points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, North Carolina, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin. NOTE: Applicant is also authorized to conduct operations as contract carrier in Permit No. MC 116145 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117815 (Sub-No. 42), filed June 8, 1965. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from North Chicago, Ill., to points in Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 117815 (Sub-No. 43), filed June 14, 1965. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), (1) from Peoria, Ill., to points in Iowa and Wisconsin, (2) from Des Moines, Dubuque, Ottumwa, and Waterloo, Iowa, Omaha, Nebr., and St. Joseph, Mo., to points in Illinois and points in Lake, Porter, Jasper, La Porte, Newton, Pulaski, Starke, St. Joseph, Elkhart, and Marshall Counties, Ind., and (3) from Cedar Rapids, Iowa, to points in St. Joseph, Elkhart, and Marshall Counties, Ind., and *empty containers or other articles used in transporting the above commodities*, on return. NOTE: Applicant states it does not propose to tack or join the authority sought in the proposed service above for the purpose of performing a through service, nor would applicant propose to utilize the authority sought above in performing an interline service with other carriers. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117898 (Sub-No. 4), filed June 11, 1965. Applicant: WILLIAM EARN-

HARDT, doing business as EARNHARDT TRANSPCRT, 205 East Council Street, Post Office Box 376, Salisbury, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated metal and wooden forms, components, materials and supplies*, uncrated, for use in construction of miniature golf courses, from Fayetteville, N.C., to points in the United States (except points in Alaska and Hawaii), and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fayetteville, or Charlotte, N.C.

No. MC 118755 (Sub-No. 4), filed June 14, 1965. Applicant: S. S. CIEUTAT, doing business at CIEUTAT PRODUCE CO., Route 1, Box 147A, Riverdale, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Jacksonville, Fla., to Atlanta, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 119099 (Sub-No. 2), filed June 16, 1965. Applicant: HAROLD E. BJORKLUND, doing business as BJORKLUND TRUCKING, Route 1, Buffalo, Minn. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry mink feed ingredients* in bulk and in bags, from Fond du Lac, Wis., to Glencoe, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119164 (Sub-No. 20), filed June 14, 1965. Applicant: J-E-M TRANSPORTATION CO., INC., 509 Liberty Street, Syracuse, N.Y., 13204. Applicant's representative: Charles H. Trayford, 200 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk (excluding cement), (1) between points in New York; (2) between points in Massachusetts; (3) from points in New York and Massachusetts, to points in Massachusetts, Connecticut, Rhode Island, New Hampshire, and Vermont, and (4) from points in New York, to points in Pennsylvania, restricted to shipments having a prior movement by rail from points on the lines of the New York Central System. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119531 (Sub-No. 41), filed June 16, 1965. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio, 45226. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glassware, glass containers, caps, covers, stoppers, or tops* for glass containers, and *paper cartons*, between Bremen, Canal Winchester, and Lancaster, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, and Wisconsin, and (2) *damaged and rejected shipments* of the above commodities, from points in Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, and Wisconsin, to Bremen, Canal Winchester, and Lancaster, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119732 (Sub-No. 7), filed June 14, 1965. Applicant: PLAINFIELD TRUCKING, INC., Plainfield, Wis. Applicant's attorney: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison 5, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bean harvesters* (bean harvesting machinery), between points in Wisconsin, Illinois, Indiana, Arkansas, Oklahoma, Missouri, Tennessee, Kentucky, Michigan, Minnesota, Iowa, and those in Texas on and east of U.S. Highway 83, restricted to service to be performed under a continuing contract, or contracts, with the Green Giant Co., Beaver Dam, Wis. NOTE: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 119767 (Sub-No. 87), filed June 14, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Humboldt, Tenn., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 88), filed June 14, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, from Duluth, Minn., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 89), filed June 16, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, bakery goods, and frozen foods*, from points in Coles County, Ill., to points in Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123393 (Sub-No. 65), filed June 21, 1965. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 1914 East Blaine Street, Springfield, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products* (except frozen foods) in vehicles equipped with mechanical refrigeration, from New York, N.Y., and points in the New York, N.Y., commercial zone and Union County, N.J., to points in Ohio, West Virginia, Kentucky, Indiana, Illinois, Missouri, Arkansas, Oklahoma, Michigan, Kansas, Colorado, New Mexico, Arizona, California, Nevada, Utah, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Wyoming, Idaho, Montana, Oregon, and Washington, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123885 (Sub-No. 3), filed June 14, 1965. Applicant: C AND R TRANSFER CO., a corporation, 1315 West Blackhawk, Sioux Falls, S. Dak. Applicant's attorney: Mead Bailey, 509 South Dakota Avenue, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and contractors' materials, equipment, and supplies, and commodities* which, by reason of their size or weight, require the use of special equipment or special handling, between points in South Dakota, Montana, Nebraska, North Dakota, and Wyoming. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 112306 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak.

No. MC 124211 (Sub-No. 36), filed June 3, 1965. Applicant: HILT TRUCK LINE, INC., 1813 Yolande, Post Office Box 824, Lincoln, Nebr. Applicant's attorney: Richard A. Peterson, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk and in bags, and *damaged and rejected shipments* of the commodities specified, between the plantsites of Darling & Co., located at Cedar Rapids and Alpha, Iowa, on the one hand, and, on the other, points in Nebraska, North Dakota, South Dakota, Wyoming, Montana, Colorado, Utah, and Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124218 (Sub-No. 8), filed June 14, 1965. Applicant: UNIT TRANSPORTATION, INC., Ford Boulevard and Fifth Street, Post Office Box 86, Hamilton, Ohio. Applicant's attorney: Albert J. Tener, Bank of Jamestown Building, Jamestown, N.Y., 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Folding tent trailers, incidental parts and accessories, and advertising material related thereto*, in initial movements, in truckaway service, from Lodi, Calif., to points in the United States, except Hawaii and Alaska, and *returned folding tent trailers* (including

transportation by the truckaway service) in secondary movements, from points in the United States, except Hawaii and Alaska, to Lodi, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 124652 (Sub-No. 4), filed June 10, 1965. Applicant: JULIAN F. DUNCAN, doing business as DUNCAN TRANSFER, Box 1, Riverton, Va. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Masonry and mortar cement*, from Riverton, Va., to points in New York, Ohio, South Carolina, and Tennessee. NOTE: Applicant states the proposed service to be under continuing contract or contracts with Riverton Lime and Stone Co., Inc., of Riverton, Va. It is further noted that applicant has common carrier authority under MC 110422 therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125261 (Sub-No. 1), filed June 9, 1965. Applicant: O. H. NICHOLAS TRANSFER AND STORAGE COMPANY, a corporation, 324 South McKean Street, Butler, Pa. Applicant's attorney: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (restricted to traffic having a prior or subsequent movement in rail trailer-on-flatcar service) between Butler, Pa., on the one hand, and, on the other, points in Allegheny, Beaver, Butler, and Mercer Counties, Pa., and (2) *soap and soap products*, between Butler, Pa., on the one hand, and, on the other, points in Allegheny, Armstrong, Butler, and Westmoreland Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 125506 (Sub-No. 3), filed June 16, 1965. Applicant: JOSEPH ELETTO TRANSFER, INC., 31 West Street, Marks Place, Valley Stream, N.Y. Applicant's attorney: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail department stores, between New York, N.Y., and Stamford, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125777 (Sub-No. 67), filed June 17, 1965. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, in bulk, in dump vehicles, from Pacific, Mo., and points within five (5) miles thereof, to points in Illinois and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 68), filed June 17, 1965. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum dross*, in bulk, in dump vehicles, from East Chicago, Ind., and Toledo, Ohio, to points in Indiana, Ohio, Michigan, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125918 (Sub-No. 4), filed June 17, 1965. Applicant: JOHN A. DI MEGLIO, Whitehorse Pike, Ancora, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, tile and clay products*, from Ancora, N.J., to points in New Jersey, restricted to traffic having prior movement by railroad. NOTE: Applicant states the proposed operations will be under continuing contract with Diener Brick Co., Collingswood, N.J. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 126091 (Sub-No. 1) (AMENDMENT), filed April 22, 1965, published FEDERAL REGISTER issue May 26, 1965, amended June 23, 1965, and republished as amended this issue. Applicant: K. J. FRALEY AND E. W. SCHILLING, a partnership, doing business as FRALEY AND SHILLING, Rural Route 1, Rushville, Ind. Applicant's attorney: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metals and metal alloys, refractories, gravel and crushed rock, ores, and lime*, in containers and in bulk, in dump trucks, and *chemicals*, in containers, from points in Delaware, Illinois, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin, to the plant sites of Vanadium Corp. of America, located near Mingo Junction and Byesville, Ohio, and Graham, W. Va., (2) *metals and metal alloys*, from the plantsites of Vanadium Corp. of America, located near Mingo Junction, Ohio, and Graham, W. Va., to points in Maryland, Delaware, New Jersey, New York, Pennsylvania, Virginia, Michigan, Indiana, Illinois, Ohio, West Virginia, and Wisconsin, and (3) *metals and metal alloys, and chemicals*, in containers, from the plantsite of Vanadium Corp. of America, located near Byesville, Ohio, to points in Maryland, Delaware, New Jersey, New York, Pennsylvania, Virginia, Michigan, Indiana, Illinois, Ohio, West Virginia, and Wisconsin. NOTE: Applicant states the operations as proposed are "limited to a transportation service to be performed under a continuing contract or contracts with the Vanadium Corp. of America, New York, N.Y." The purpose of this republication is to more clearly show the commodity description as shown above, in lieu of that previously published. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126118 (Sub-No. 2), filed June 18, 1965. Applicant: GEORGE M. HILL, doing business as HILL TRUCKING COMPANY, Route 8, Johnson City, Tenn. Applicant's attorney: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn., 37660. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from Baltimore, Md., to Johnson City, Tenn., and Marion and Norton, Va., and (2) from Evansville, Ind., to Johnson City, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126159 (Sub-No. 1), filed June 18, 1965. Applicant: ROC-SALT TRANSPORT, INC., 4875 North 32d Street, Milwaukee, Wis. Applicant's attorney: Frank M. Coyne, Bank of Madison Building, 1 West Main Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from Milwaukee, Wis., to points in Illinois and the Upper Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 126504 (Sub-No. 2), filed June 11, 1965. Applicant: BENEDETTO TRUCKING CO., INC., 1345 Dumont Avenue, Brooklyn, N.Y. Applicant's attorney: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Woodenware, stainless steel flatware, enamelware, stoneware, stainless steel holloware, sterling silver flatware, glassware, household linens, candles and cast iron candlesticks*, from the piers and appraisers' stores and public warehouses in New York, N.Y., commercial zone as defined by the Commission to Mt. Kisco, N.Y. NOTE: Applicant states the proposed operation will be under a continuing contract with Dansk Importing Co., Inc. Applicant has a pending application in MC 126504 (in part) seeking authority to transport the same commodities for the same shipper to Great Neck, N.Y. Applicant states that shipper has moved its plant facilities from Great Neck, N.Y., to Mt. Kisco, N.Y., and if and when such part in MC 126504 is granted it will consent to cancellation of that authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 126810 (Sub-No. 2), filed June 11, 1965. Applicant: GREIFF TRUCKING CORP., 34 Bogart Street, Brooklyn, N.Y. Applicant's attorney: Abel Just, 135 Broadway, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Garments, textiles, finished textiles, sweaters and curtains*, between New York, N.Y., on the one hand, and, on the other, points in Nassau County, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 126859 (Sub-No. 1), filed June 11, 1965. Applicant: M. HURLIMAN, 8625 North Borthwick Avenue, Portland, Oreg. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark, N.J. Authority sought to operate as a

contract carrier, by motor vehicle, over irregular routes, transporting: *Automotive and truck parts* and *accessories*, from Chicago, East Chicago, and Rockford, Ill., Nappanee, Ind., Davenport, Iowa, Baltimore, Md., Detroit, Wyandotte, Grand Rapids, Lansing, and Saginaw, Mich., Toledo and Cleveland, Ohio, and Milwaukee, Wis., to Bend, Grants Pass, and Portland, Oreg. NOTE: Applicant states the service proposed to be restricted to service to be performed under a continuing contract or contracts with Auto Wheel Service, Inc., of Portland, Oreg. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127063 (CLARIFICATION), filed March 15, 1965, published FEDERAL REGISTER issue of April 14, 1965, clarified June 16, 1965, and republished this issue. Applicant: WILLIAM R. WEATHERFORD AND CHARLES E. McLEAN, a partnership, doing business as DALLAS DIRECT CONTRACT CARRIER, 2813 Beasley Drive, Garland, Tex. Applicant's attorney: Virgil A. Lowrie, 2620 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New uncrated and crated household furniture*, from Hazelwood, Morganton, Lenoir, Hickory, Statesville, Lexington, Thomasville, High Point, and Sanford, N.C., Martinsville, Stanleytown, Bassett, Roanoke, and Altavista, Va., to points in Dallas County, Tex., and *defective shipments* on return. NOTE: The purpose of this republication is to clearly set forth the authority sought. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 127163 (Sub-No. 1), filed June 11, 1965. Applicant: LOUIS MAURO, 134 Dakar Street, Port Elizabeth, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the warehouse of L&M Stores, Inc., located at Port Elizabeth, N.J., to points in Connecticut. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127198 (Sub-No. 1), filed June 9, 1965. Applicant: C. F. HEARN, doing business as HEARN TRUCKING COMPANY, Colon, N.C. Applicant's attorney: Vaughan S. Winborne, Capital Club Building, Raleigh, N.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, in truckloads, from Colon, N.C., to points in Virginia, South Carolina, Washington, D.C., commercial zone, Baltimore, Md., commercial zone, and Atlanta, Ga., commercial zone, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 127215 (Sub-No. 4), filed June 17, 1965. Applicant: KENDRICK CARTAGE CO., a corporation, Salem, Ill. Applicant's attorney: Thomas F. Kilroy, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer*, and *fertilizer ingredients*, between points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 110117 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 127253 (Sub-No. 10), filed June 14, 1965. Applicant: GRACE LEE CORBETT, doing business as R. A. CORBETT TRANSPORT, Post Office Box 86, Lufkin, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Rila, La., and points within five (5) miles thereof, to points in Mississippi and Louisiana. NOTE: Applicant states the above-proposed operation will be restricted against tacking or joining with any other authority held by carrier for the purpose of performing through service. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 127306 (Sub-No. 1), filed June 14, 1965. Applicant: M. W. McCURDY & CO., INC., 401 Nora's Lane, Houston, Tex. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Freeport, Tex., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Utah. NOTE: If a hearing is deemed necessary applicant requests it be held at New Orleans, La.

No. MC 127327, filed June 7, 1965. Applicant: INTERSTATE DRIVERS SERVICE INC., c/o T. Stanley Bloch, Esq., 32 Broadway, Room 714, New York, N.Y., 10004. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles, station wagons and small trucks under 1-ton capacity*, in driveaway service, with or without baggage, personal effects and pets, between points in New York, New Jersey, and Connecticut, on the one hand, and, on the other, points in New York, North Carolina, South Carolina, Georgia, Florida, Ohio, Indiana, New Jersey, Illinois, Missouri, Kansas, Oklahoma, Texas, Colorado, Connecticut, New Mexico, Arizona, Nevada, California, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127345, filed June 7, 1965. Applicant: LOWAL LEON HAND, doing business as LOWAL HAND TRUCKING CO., Post Office Box 287, Buffalo, Okla. Applicant's attorney: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton seed feed products, premix, alfalfa pellets*, and *other feed or mixture of feeds for feed lots*, in bulk, between points in that part of Oklahoma bounded by a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 77 to Oklahoma City, Okla., thence west along U.S. Highway 66 to the Oklahoma-Texas State line, points in that part of Texas bounded by a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 283 to junction U.S. Highway 380, thence along U.S. Highway 380 to the Texas-New Mexico State line, points in Curry County, N. Mex., and points in that part of Kansas bounded by a line beginning at the Kansas-Colorado State line and extending along U.S. Highway 50 to junction U.S. Highway 283, thence south along U.S. Highway 283 to the Kansas-Oklahoma State line. NOTE: Applicant states that it intends to transport exempt commodities on return movements. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 127347, filed June 7, 1965. Applicant: G. BERNARD KALLIO, GENE A. HESTERBERG, JOHN D. RIIPPA, AND JOHN R. RIIPPA, a partnership, doing business as LAKE FOREST TRUCKING CO., 801 Calumet Street, Lake Linden, Mich. Applicant's attorney: Gordon J. Jaaskelainen (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Unfinished lumber, logs, and pulpwood and other secondary forest products* limited to continuing contracts with Silver Forest Products and Portage Lake Lumber Co., from points in Houghton County, Mich., to points in Oconto, Langlade, Forest, Lincoln, Marathon, Marinette, Winnebago, Brown, and Manitowac Counties, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 127358, filed June 14, 1965. Applicant: J. W. DAUGHERTY, 600 Leigh Avenue, Pennington Gap, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper, scrap copper, scrap aluminum, scrap lead, and scrap iron*, from Kingsport, Tenn., to Sandusky, Ohio, and *feed, grain and hay* from Cincinnati, Ohio to Kingsport, Tenn., on return. NOTE: Applicant is also authorized to conduct operations as a common carrier in Certificate MC 116175, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Big Stone Gap, Va.

No. MC 127362, filed June 15, 1965. Applicant: H. L. KNEPSHIELD, Rural Delivery No. 1, Sigel, Pa. Applicant's attorney: H. Ray Pope, Jr., 10 Grant Street, Clarion, Pa., 16214. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Logs and lumber*, between points in Jefferson, Forest, Clarion, and Venango Counties, Pa., on the one hand, and, on the other, points in Ohio, New

York, Michigan, Virginia, and ports of entry on the international boundary line between the United States and Canada at Buffalo, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Buffalo, N.Y.

No. MC 127365, filed June 28, 1965. Applicant: ALAMO TRANSPORTATION, INC., Route 13, Box 540, San Antonio, Tex. Applicant's attorney: Dan Felts, Post Office Box 1117, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fixtures*, including but not limited to *refrigeration units, display cases, prefabricated walk-in coolers, and air-conditioning units* other than window, when moving in mixed shipments consisting of crated and uncrated items, between San Antonio, Tex., on the one hand, and, on the other, points in the continental United States including the ports of entry located on the international boundary lines between the United States and Canada and between the United States and Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 127367, filed June 11, 1965. Applicant: NORMAN J. NISSEN, doing business as NUBS AUTO SALES & SERVICE, 2007 Woodville Road, Oregon, Ohio. Applicant's attorney: James A. Baird, Suite 1019 Edison Building, Toledo, Ohio, 43604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Damaged and/or disabled motor vehicles, including automobiles, trucks, semitractors and trailers* via tow-a-way service and *replacement motor vehicles* where applicable via tow-a-way service, between points in Lucas, Wood, and Sandusky Counties, Ohio, on the one hand, and, on the other, points in that part of Indiana east of U.S. Highway 41 and north of U.S. Highway 50, points in that part of Michigan south of Michigan Highway 55 and points in Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127370, filed June 11, 1965. Applicant: VERNON A. LINTON, R.F.D. 4, Box 85, Sykesville, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Apple juice*, in bulk, in tank vehicles, from Winchester, Va., to Sykesville, Md., and (2) *apple products* and *prune juice*, from Sykesville, Md., to points in Virginia, West Virginia, Tennessee, and those points in Pennsylvania on and west of U.S. Highway 219, and Altoona, Pa. NOTE: Applicant states the proposed service to be restricted to service under a continuing contract or contracts with A. H. Renehan & Son, Sykesville, Md. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127380, filed June 21, 1965. Applicant: D. MERCIER, doing business as AUDET TRANSPORT ENRG, 34 Lemieux Street, Lake Megantic, Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Construction granite*, from the port of entry located on the international boundary line between the United States and Canada located at or near Derby Line, Vt., to New York, N.Y., restricted to traffic consigned by Silver Granite Industries, St. Samuel, Quebec, Canada; and (2) *lumber*, from the ports of entry located on the international boundary line between the United States and Canada located at or near Rouses Point, N.Y., and Derby Line, Vt., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and New York, restricted to traffic consigned by Lake Megantic Pulp Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

MOTOR CARRIERS OF PASSENGERS

No. MC 109736 (Sub-No. 24), filed June 11, 1965. Applicant: CAPITOL BUS COMPANY, a corporation, Fourth and Chestnut Streets, Harrisburg, Pa. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between Binghamtown, N.Y., and Scranton, Pa.: From Binghamton over New York Highway 17 to junction Interstate Highway 81, thence over Interstate Highway 81 to Scranton, and return over the same route serving no intermediate points. Restriction: Transportation of passengers originating at or destined to New York, N.Y., Newark, N.J., Scranton, Pa., or Wilkes-Barre, Pa., is prohibited. NOTE: If a hearing is deemed necessary, applicant requests it be held at Scranton, Pa.

No. MC 119098 (Sub-No. 5), filed June 11, 1965. Applicant: SMITH BUS SERVICE, INC., 302 York Street, Manchester, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Post Office Box 880, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, between Baltimore, Md., and Littlestown, Pa., (a) from Baltimore over Maryland Highway 26 to Eldersburg, Md., thence over Maryland Highway 32 to junction Maryland Highway 97, thence over Maryland Highway 97 to Westminster, Md., thence over U.S. Highway 140 to Littlestown, and return over the same route, and (b) between Baltimore and Littlestown, over U.S. Highway 140, serving all intermediate points in (a) and (b) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Westminster, Md.

APPLICATIONS OF FREIGHT FORWARDERS

FREIGHT FORWARDERS OF PROPERTY

No. FF-283 (Sub-No. 2) (SMYTH WORLDWIDE MOVERS, INC.) Freight Forwarder Application (all States), filed June 22, 1965. Applicant: SMYTH WORLDWIDE MOVERS, INC., 11616 Aurora Avenue North, Seattle, Wash. Applicant's attorney: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought under Part IV of the Interstate Commerce Act as a freight forwarder in interstate or foreign commerce, in the forwarding of *used household goods, used automobiles* and *unaccompanied baggage*, between points in the United States, including Alaska and Hawaii.

No. FF-318 (THE LOOP LINE INC.) Freight Forwarder Application, filed June 15, 1965. Applicant: THE LOOP LINE INC., 339 West Pittsburgh Avenue, Milwaukee, Wis. Authority sought under Part IV of the Interstate Commerce Act as a freight forwarder, in interstate or foreign commerce, through the use of facilities of common carriers by railroad and motor vehicle in the transportation of *general commodities*, from Metropolitan Chicago, Ill., to Metropolitan Milwaukee, Wis.

No. FF-319 (JOSEPH H. BROWN & SON) Freight Forwarder Application, filed June 21, 1965. Applicant: JOSEPH H. BROWN & SON, 6930 Market Street, El Paso, Tex. Authority sought under Part IV of the Interstate Commerce Act as a *freight forwarder* in interstate or foreign commerce, through the use of facilities of common carriers by railroad and motor vehicle in the transportation of *imported fresh and frozen perishable food products*, from El Paso, Tex., to Phoenix and Tucson, Ariz.; St. Louis and Marshall, Mo.; San Diego, Oakland, Los Angeles, and San Francisco, Calif.; Chicago, Ill.; Jersey City, N.J.; and Philadelphia, Pa.

WATER CARRIER APPLICATIONS

WATER CARRIERS OF PROPERTY

No. W-630 (Sub-No. 25) (A. L. MECHLING BARGE LINES, INC.), Extension, Arkansas River, filed June 23, 1965. Applicant: A. L. MECHLING BARGE LINES, INC., 51 North Desplaines Street, Joliet, Ill. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Application of A. L. Mechling Barge Lines, Inc., filed June 23, 1965, for a revised certificate to include operations as a *common carrier* by water in interstate or foreign commerce, by non-self-propelled vessels with the use of separate towing vessels in the transportation of *general commodities*, and by towing vessels in the performance of general towage (a) between ports and points along the Verdigris River and the Arkansas River from Catoosa, Okla., to the confluence of the Arkansas River with the Mississippi River, and (b) between ports and points specified in (a) above, on the one hand, and, on the other, ports and points on other waterways it is authorized to serve pursuant to its certificate of public convenience and necessity issued March 20, 1964, in Docket No. W-630, as amended.

No. W-1164 (Sub-No. 2) (A. & O. BARGE LINE, INC.), Extension, Arkansas River, filed June 14, 1965. Applicant: A. & O. BARGE LINE, INC., 420 Drennen Street, Van Buren, Ark. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth, Tex., 76102. Application of A. & O. Barge Line, Inc., filed June 14, 1965, for a revised certificate authorizing extension of its operations

to include operation as a common carrier by water in interstate or foreign commerce, transporting *general commodities*, by non-self-propelled vessels, with the use of separate towing vessels, as follows: (1) Between ports and points on the Verdigris and Arkansas Rivers as follows: From Catoosa, Okla., over the Verdigris River to the confluence of the Arkansas River and the Verdigris River, near Muskogee, Okla., thence over the Arkansas River to its confluence with the Mississippi River, returning over the same route, serving all intermediate points and ports; (2) between ports and points on the White River as follows: From the construction site of the Arkansas Post Canal and Lock and Dam No. 1 over the Arkansas Post Canal to Lock with the Mississippi River, returning over the same route, serving all intermediate points and ports; (3) between Lock and Dam No. 2 on the Arkansas River and Lock and Dam No. 1 on the White River as follows: From Lock and Dam No. 2 over the Arkansas Post Canal to Lock and Dam No. 1, returning over the same route, serving all intermediate points and ports; and (4) between ports and points described in (1), (2), and (3) above on the one hand, and, on the other, ports and points on the Mississippi River from the mouth of the White River to Greenville, Miss., both inclusive. Service between points and ports in (1), (2), (3), and (4) above and ports and points beyond Greenville, Miss., will be rendered by interchange with other carriers at Greenville.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 3753 (Sub-No. 13) (AMENDMENT), filed February 26, 1965, published FEDERAL REGISTER issue April 1, 1965, amended June 21, 1965, and republished as amended this issue. Applicant: A.A.A. TRUCKING CORPORATION, 551 New York Avenue, Trenton, N.J. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington, 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, live animals, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, clay products, refractory products, undeliverable and refused clay products and refractory products), (1) between Newark, N.J., and Harrisburg, Pa., (a) from Newark over U.S. Highway 22 to Harrisburg, and return over the same route, serving all intermediate points on traffic moving to, from, and through Newark, N.J., (b) from Newark over U.S. Highway 22 to Allentown, Pa., thence over U.S. Highway 222 to Reading, Pa., thence over U.S. Highway 422 to Harrisburg (also from Reading, Pa., over Pennsylvania Highway 61 to junction U.S. Highway 22, thence over U.S. Highway 22 to Harrisburg), and return over the same routes, serving all intermediate points on traffic moving to, from and through Newark, N.J., and (c) from Newark over U.S. Highway 22 to junction Pennsylvania Highway 61, thence over Pennsylvania Highway 61 to Reading, thence over U.S. Highway 422 to Harrisburg, and return over the same route, serving all intermediate points on traffic moving to, from and through Newark, N.J. Applicant states the proposed service in (1) above, will be restricted against service to points on or west of the Susquehanna River, (2) between Linden, N.J., and Reading, Pa., from Linden over U.S. Highway 1 to junction Pennsylvania Turnpike, thence over Pennsylvania Turnpike to junction Pennsylvania Highway 10, thence over Pennsylvania Highway 10 to junction Interstate Highway 176, thence over Interstate Highway 176 to junction U.S. Highway 422.

Thence over U.S. Highway 422 to Reading, and return over the same route, serving all intermediate points on traffic moving to, from, or through Linden, N.J., (3) between Trenton, N.J., and Washington, D.C., (a) from Trenton over U.S. Highway 1 through Baltimore to Washington, D.C., and return over the same route, serving the intermediate point of Baltimore, Md., and (b) from Trenton over U.S. Highway 1 to Philadelphia, Pa., thence over U.S. Highway 13 to Wilmington, Del., thence over U.S. Highway 40 to Baltimore, Md., thence over U.S. Highway 1 to Washington, D.C., and return over the same route, serving the intermediate point of Baltimore, Md., (4) between Linden, N.J., and Scranton, Pa., from Linden over U.S. Highway 1 to junction U.S. Highway 22, thence over U.S. Highway 22 to junction New Jersey Highway 69, thence over New Jersey Highway 69 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction U.S. Highway 611, thence over U.S. Highway 611 to Scranton, Pa., and return over the same route, serving all intermediate points on traffic moving to, from, and through Linden, N.J., and (5) between Trenton, N.J., and Scranton, Pa., from Trenton, N.J., over New Jersey Highway 69 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction U.S. Highway 611, thence over U.S. Highway 611 to Scranton, and return over the same route, serving no intermediate points. NOTE: As a condition to the grant of the above-requested authority, applicant agrees to accept a restriction upon its presently held authority to transport general commodities, over irregular routes as set forth in Certificate No. MC 3753, as follows: RESTRICTION: Restricted against service between all points served on applicant's authorized regular routes, between (1) Newark, N.J., and Harrisburg, Pa., (2) Linden, N.J., and Reading, Pa., and (3) Linden, N.J., and Scranton, Pa. Applicant further agrees to request coincidental cancellation of its presently held authority to transport general commodities over irregular routes, between Trenton, N.J., on the one hand, and, on the other, Scranton, Pa., Baltimore, Md., and Washington, D.C. The purpose of this republication is to restrict service in (1) to that portion of Harrisburg, Pa., located east of the Susquehanna River, to restrict service at intermediate points in (1) and (2) to traffic moving to, from and through the New Jersey termini and to add routes (4) and (5). This application is filed pursuant to MC-C 4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular route motor carrier operations SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 44592 (Sub-No. 20), filed March 1, 1965. Applicant: MIDDLE ATLANTIC TRANSPORTATION CO., INC., 976 West Main Street, New Britain, Conn. Applicant's attorney: John C. Bradley, Suite 618 Perpetual Building, 1111 E Street NW., Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, dangerous explosives, commodities in bulk, commodities injurious or contaminating to other lading, and household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467), between Columbus, Ohio, and junction Interstate Highway 70 and Interstate Highway 80S at or near New Stanton, Pa., (1) from Columbus over U.S. Highway 40 to Washington, Pa., thence over Interstate Highway 70 to junction Interstate Highway 80S at or near New Stanton; and return over the same route, (1a) from Columbus over Interstate Highway 70 to junction Interstate Highway 80S, at or near New Stanton; and return over the same route, serving no intermediate points in (1) and (1a), but serving New Stanton for joinder purposes only; between Columbus, Ohio, and Cleveland, Ohio, (2) from Columbus over Interstate Highway 71 to junction Ohio Highway 3, thence over Ohio Highway 3 to Cleveland, and return over the same route; (2a) over Interstate Highway 71; serving no intermediate points in (2) and (2a), but serving Akron, Ohio, as an off-route point; (3) between Columbus, Ohio, and junction Ohio Highway 14A and Ohio Highway 14 at or near Columbiana, Ohio, from Columbus over U.S. Highway 62 to Salem, Ohio.

Thence over Ohio Highway 14A to junction Ohio Highway 14, and return over the same route, serving the intermediate points of Canton, Alliance, and Salem, Ohio, and the off-route points of North Canton and Akron, Ohio; (4) between Cambridge, Ohio, and Pittsburgh, Pa., over U.S. Highway 22, serving no intermediate points, but serving Cambridge for purposes of joinder only; (5) between Columbus, Ohio, and Toledo, Ohio, over U.S. Highway 23, serving no intermediate points, but serving the off-route point of Lima, Ohio; (6) between Cincinnati, Ohio, and Zanesville, Ohio, over U.S. Highway 22, serving no intermediate points, but serving Zanesville, Ohio, for purposes of joinder only; (7) between Washington Court House, Ohio, and Columbus, Ohio, over U.S. Highway 62, serving no intermediate points, but serving Washington Court House for purposes of joinder only; (7a) between Cincinnati, Ohio, and Columbus, Ohio, over Interstate Highway 71, serving no intermediate points; (8) between Cincinnati, Ohio, and Cleveland, Ohio, over U.S. Highway 42, serving no intermediate

points but serving the off-route point of Akron, Ohio, and serving Delaware, Ohio, for purposes of joinder only; (9) between Cincinnati, Ohio, and Dayton, Ohio, over U.S. Highway 25 (Interstate Highway 75), serving no intermediate points; between Dayton, Ohio, and Columbus, Ohio, (10) from Dayton over Ohio Highway 4 to junction U.S. Highway 40, thence over U.S. Highway 40 to Columbus, and return over the same route, (10a) from Dayton over Ohio Highway 4 to junction Interstate Highway 70.

Thence over Interstate Highway 70 to Columbus, and return over the same route serving no intermediate points in (10) and (10a); (11) between Dayton, Ohio, and junction U.S. Highway 36 and Interstate Highway 71 at or near Berkshire, Ohio, from Dayton over Ohio Highway 4 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction Interstate Highway 71 at or near Berkshire, and return over the same route, serving no intermediate points, but serving Berkshire and Delaware, Ohio, for joinder purposes only; (12) between Dayton, Ohio, and Lima, Ohio, over U.S. Highway 25 (Interstate Highway 75), serving no intermediate points; between Lima, Ohio, and Toledo, Ohio, (13) over U.S. Highway 25, (13a) over Interstate Highway 75, serving no intermediate points in (13) and (13a); (14) between Lima, Ohio, and Cleveland, Ohio, from Lima over U.S. Highway 25 to Findlay, Ohio, thence over Ohio Highway 12 to junction U.S. Highway 20 at or near Fremont, Ohio, thence over U.S. Highway 20 to Cleveland, and return over the same route, serving no intermediate points, but serving Lorain, Ohio, as an off-route point; (15) between Lima, Ohio, and junction Ohio Highway 14 and Ohio Highway 14A at or near Columbiana, Ohio, from Lima over U.S. Highway 25 to junction U.S. Highway 30N at or near Beaverdam, Ohio, thence over U.S. Highway 30N to junction U.S. Highway 30 at or near Mansfield, Ohio, thence over U.S. Highway 30 to Canton, thence over U.S. Highway 62 to Salem, Ohio, thence over Ohio Highway 14A to junction Ohio Highway 14 and return over the same route, serving the intermediate points of Canton, Alliance, and Salem, Ohio, and the off-route points of North Canton and Akron, Ohio. NOTE: This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations. SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 109533 (Sub-No. 20), filed February 25, 1965. Applicant: OVERNITE TRANSPORTATION COMPANY, a corporation, 1100 Commerce Road, Post Office Box 1216, Richmond, Va. Applicant's attorney: William T. Croft, Federal Bar Building, 1815 H Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment), (1) Between Charleston, S.C., and Little River, S.C.: From Charleston, S.C. over U.S. Highway 17 to Little River, S.C., returning over the same route. (2) Between Pageland, S.C., and Cherry Grove Beach, S.C.: From Pageland, S.C., over South Carolina Highway 9 to Cherry Grove Beach, S.C., returning over the same route. (3) Between Goose Creek, S.C., and Cheraw, S.C.: From Goose Creek, S.C., over U.S. Highway 52 to Cheraw, S.C., returning over the same route. (4) Between Kingsburg, S.C., and junction South Carolina Highway 41 and U.S. Highway 17: From Kingsburg, S.C. over South Carolina Highway 41 to junction U.S. Highway 17, returning over the same route. (5) Between Columbia, S.C., and Charleston, S.C.: From Columbia, S.C., over U.S. Highway 176 to Charleston, S.C., returning over the same route. (6) Between Columbia, S.C., and Nichols, S.C.: From Columbia, S.C., over U.S. Highway 76 to Nichols, S.C., returning over the same route. (7) Between Columbia, S.C., and Cheraw, S.C., from Columbia, S.C., over U.S. Highway 1 to Cheraw, S.C., returning over the same route. (8) Between Sumter, S.C., and Conway, S.C.: From Sumter, S.C., over U.S. Highway 378 to Conway, S.C., returning over the same route. (9) Between Marion, S.C., and Myrtle Beach, S.C.: From Marion, S.C., over U.S. Highway 501 to Myrtle Beach, S.C., returning over the same route. (10 Between Sumter, S.C., and Bennettsville, S.C.: From Sumter, S.C., over U.S. Highway 15 to Bennettsville, S.C., returning over the same route. (11) Between Dillon, S.C., and Pee Dee, S.C.: From Dillon, S.C., over U.S. Highway 301 to Pee Dee, S.C., returning over the same route. (12) Between Florence, S.C., and Salem, S.C.: From Florence, S.C., over South Carolina Highway 51 to Salem, S.C., returning over the same route. (13) Between Effingham, S.C., and junction U.S. Highway 301 and U.S. Highway 176: From Effingham, S.C., over U.S. Highway 301 to junction U.S. Highways 301 and 176, returning over the same route. (14) Between Columbia, S.C., and Savannah, Ga.: From Columbia, S.C., over U.S. Highway 321 to junction U.S. Highway 17.

Thence over U.S. Highway 17 and 17A to Savannah, Ga., returning over the same route. (15) Between Camden, S.C., and Manning, S.C.: From Camden, S.C., over South Carolina Highway 261 to Manning, S.C., returning over the same route. (16) Between Lancaster, S.C., and junction U.S. Highways 52 and 521: From Lancaster, S.C., over U.S. Highway 521 to junction U.S. Highways 52 and 521, returning over the same route. (17) Between Lancaster, S.C., and Fort Lawn, S.C.: From Lancaster, S.C., over South Carolina Highway 9 to Fort Lawn, S.C., returning over the same route. (18) Between Rock Hill, S.C., and Ridgeway, S.C.: From Rock Hill, S.C., over U.S. Highway 21 to Ridgeway, S.C., returning over the same route. (19) Between junction U.S. Highway 76 and South Carolina Highway 53 and junction South Carolina Highway 53 and U.S. Highway 378: From junction U.S. Highway 76 and South Carolina Highway 53 over South Carolina Highway 53 to junction U.S. Highway 378 and South Carolina Highway 53, returning over the same route. (20) Between North, S.C., and junction U.S. Highways 78 and 178: From North, S.C., over U.S. Highway 178 to junction U.S. Highways 78 and 178, returning over the same route. (21) Between North Augusta, S.C., and Charleston, S.C.: From North Augusta, S.C., over U.S. Highway 78 to Charleston, S.C., returning over the same route. (22) Between Jamestown, S.C., and Walterboro, S.C.: From Jamestown, S.C., over U.S. Highway 17A to Walterboro, S.C., returning over the same route. (23) Between Walterboro, S.C., and Charleston, S.C.: From Walterboro, S.C., over South Carolina Highway 64 to Jacksonboro, S.C., thence over U.S. Highway 17 to Charleston, S.C., returning over the same route. (24) Between Charleston, S.C., and Rockville, S.C.: From Charleston, S.C., over South Carolina Highway 700 to Rockville, S.C., returning over the same route. (25) Between Charleston, S.C., and Folly Beach, S.C.: From Charleston, S.C., over South Carolina Highway 171 to Folly Beach, S.C., returning over the same route. (26) Between junction U.S. Highway 176 and South Carolina Highway 6 and Santee, S.C.: From junction U.S. Highway 176 and South Carolina Highway 6 over South Carolina Highway 6 to Santee, S.C., returning over the same route. (27) Between Rantowles, S.C., and Edisto Beach State Park, S.C.: From Rantowles, S.C., over South Carolina Highway 162 to Adams Run, S.C.

Thence over South Carolina Highway 174 to Edisto Beach State Park, S.C., returning over the same route. (28) Between Walterboro, S.C., and Jacksonboro, S.C.: From Walterboro, S.C., over South Carolina Highway 303 through Green Pond, S.C., to junction U.S. Highway 17, thence over U.S. Highway 17 to Jacksonboro, S.C., returning over the same route. (29) Between Branchville, S.C., and Ruffin, S.C.: From Branchville, S.C., over U.S. Highway 21 to Ruffin, S.C., returning over the same route. (30) Between Holly Hill, S.C., and Moncks Corner, S.C.: From Holly Hill, S.C., over South Carolina Highway 453 to Eutawville, S.C., thence over South Carolina Highway 6 to Moncks Corner, S.C., returning over the same route. (31) Between junction South Carolina Highways 6 and 45 and St. Stephens, S.C.: From junction South Carolina Highways 6 and 45 over South Carolina Highway 45 to St. Stephens, S.C., returning over the same route. (32) Between Pageland, S.C., and Hartsville, S.C.: From Pageland, S.C., over South Carolina Highway 151 to Hartsville, S.C., returning over the same route. (33) Between Chesterfield, S.C., and Patrick, S.C.: From Chesterfield, S.C., over South Carolina Highway 102 to Patrick, S.C., returning over the same route. (34) Between Kershaw, S.C., and Bishopville, S.C.: From Kershaw, S.C., over South Carolina Highway 341 to Bishopville, S.C., returning over the same route. (35) Between Anderson, S.C., and North

Augusta, S.C.: From Anderson, S.C., over U.S. Highway 178 to Greenwood, S.C., thence over U.S. Highway 25 to North Augusta, S.C., returning over the same route. (36) Between Spartanburg, S.C., and Trenton, S.C.: From Spartanburg, S.C., over U.S. Highway 176 to Whitmire, S.C., thence over South Carolina Highway 121 to Trenton, S.C., returning over the same route. (37) Between Anderson, S.C., and South Carolina-Georgia State line.: From Anderson, S.C., over South Carolina Highway 81 to junction South Carolina Highways 81 and 28, thence over South Carolina Highway 28 to South Carolina-Georgia State line, returning over the same route. (38) Between Greenville, S.C., and Hodges, S.C.: From Greenville, S.C., over U.S. Highway 25 to Hodges, S.C., returning over the same route. (39) Between Greenville, S.C., and Columbia, S.C.: From Greenville, S.C., over U.S. Highway 276 to junction U.S. Highway 76.

Thence over U.S. Highway 76 to Columbia, S.C., returning over the same route. (40) Between Chester, S.C., and Calhoun Falls, S.C.: From Chester, S.C., over South Carolina Highway 72 to Calhoun Falls, S.C., returning over the same route. (41) Between Jonesville, S.C., and Chester, S.C.: From Jonesville, S.C., over South Carolina Highway 9 to Chester, S.C., returning over the same route. (42) Between Union, S.C., and Lockhart, S.C.: From Union, S.C., over South Carolina Highway 49 to Lockhart, S.C., returning over the same route. (43) Between Spartanburg, S.C., and Ware Shoals, S.C.: From Spartanburg, S.C., over U.S. Highway 221 to Laurens, S.C., thence over South Carolina Highway 252 to Ware Shoals, S.C., returning over the same route. (44) Between Silverstreet, S.C., and Greenwood, S.C.: From Silverstreet, S.C., over South Carolina Highway 34 to Greenwood, S.C., returning over the same route. (45) Between Saluda, S.C., and junction U.S. Highways 25 and 178: From Saluda, S.C., over U.S. Highway 178 to junction U.S. Highway 25, returning over the same route. (46) Between McCormick, S.C., and junction U.S. Highways 25 and 378: From McCormick, S.C., over U.S. Highway 378 to junction U.S. Highways 25 and 378, returning over the same route. (47) Between Modoc, S.C., and North Augusta, S.C.: From Modoc, S.C., over South Carolina Highway 23 to junction South Carolina Highways 23 and 230, thence over South Carolina Highway 230 to North Augusta, S.C., returning over the same route. (48) Between junction South Carolina Highways 28 and 81 and junction South Carolina Highways 28 and 72: From junction South Carolina Highways 28 and 81 over South Carolina Highway 28 to junction South Carolina Highway 72, returning over the same route.

(49) Between Iva, S.C., and Donalds, S.C.: From Iva, S.C., over South Carolina Highway 184 to Donalds, S.C., returning over the same route. (50) Between Greenwood, S.C., and McCormack, S.C.: From Greenwood, S.C., over U.S. Highway 221 to McCormack, S.C., returning over the same route. (51) Between North Augusta, S.C., and Jackson, S.C.: From North Augusta, S.C., over South Carolina Highway 125 to Jackson, S.C., returning over the same route. (52) Between Beech Island, S.C., and Yemassee, S.C.: From Beech Island, S.C., over South Carolina Highway 28 to Yemassee, S.C., returning over the same route. (53) Between Trenton, S.C., and Aiken, S.C.: From Trenton, S.C., over South Carolina Highway 19 to Aiken, S.C., returning over the same route. (54) Between Aiken, S.C., and Columbia, S.C.: From Aiken, S.C., over South Carolina Highway 215 to Columbia, S.C., returning over the same route. (55) Between Wagener, S.C., and Barnwell, S.C.: From Wagener over South Carolina Highway 39 to Junction South Carolina Highway 3, thence over South Carolina Highway 3 to Barnwell, S.C., returning over the same route. (56) Between Snelling, S.C., and Walterboro, S.C.: From Snelling, S.C., over South Carolina Highway 64 to Walterboro, S.C., returning over the same route. (57) Between Yemassee, S.C., and Hunting Island State Park, S.C.: From Yemassee, S.C., over U.S. Highway 21 to Hunting Island State Park, S.C., returning over the same route. (58) Between Hardeeville, S.C., and Pocotaligo, S.C.: From Hardeeville, S.C., over U.S. Highway 17 to Pocotaligo, S.C., returning over the same route. (59) Between Tarboro, S.C., and Ehrhardt, S.C.: From Tarboro, S.C., over U.S. Highway 601 to Ehrhardt, S.C., returning over the same route. (60) Between Beaufort, S.C., and junction South Carolina Highway 170 and U.S. Highway 17: From Beaufort, S.C., over South Carolina Highway 170 to junction South Carolina Highway 170 and U.S. Highway 17, returning over the same route. (61) Between Prichardville, S.C., and Forest Beach, S.C.: From Prichardville, S.C., over South Carolina Highway 46 to Forest Beach, S.C., returning over the same route. (62) Between Allendale, S.C., and Savannah River Plant, Atomic Energy Commission, S.C.: From Allendale, S.C., over South Carolina Highway 641 to Savannah River Plant, Atomic Energy Commission, S.C., returning over the same route. (63) Between Batesburg, S.C., and junction South Carolina Highways 23 and 290: From Batesburg, S.C., over South Carolina Highway 23 to junction South Carolina Highway 290, returning over the same route.

(64) Between Anderson, S.C., and Clemson, S.C.: From Anderson, S.C., over U.S. Highway 76 to Clemson, S.C., returning over the same route. (65) Between Westminster, S.C., and Townville, S.C.: From Westminster, S.C., over S.C. Highway 24 to Townville, S.C., returning over the same route. (66) Between Seneca, S.C., and Fair Play, S.C.: From Seneca, S.C., over South Carolina Highway 59 to Fair Play, S.C., returning over the same route. (67) Between Travelers Rest, S.C., and Cleveland, S.C.: From Travelers Rest, S.C., over U.S. Highway 276 to Cleveland, S.C., returning over the same route. (68) Between Tigerville, S.C., and junction S.C. Highway 414 and U.S. Highway 276: From Tigerville, S.C., over South Carolina Highway 414 to junction U.S. Highway 276, returning over the same route. (69) Between Easley, S.C., and Pumpkintown, S.C.: From Easley, S.C., over South Carolina Highway 8 to Pumpkintown, S.C., returning over the same route. (70) Between Seneca, S.C., and Mountain Rest, S.C.: From Seneca, S.C., over South Carolina Highway 28 to Mountain Rest, S.C., returning over the same route. (71) Between West Union, S.C., and Salem, S.C.: From West Union, S.C., over South Carolina Highway 11 to Salem, S.C., returning over the same route. (72) Between Rock Hill, S.C., and Blacksburg, S.C.: From Rock Hill, S.C., over South Carolina Highway 5 to Blacksburg, S.C., returning over the same route. (73) Between Andrews, S.C., and Georgetown, S.C.: From Andrews, S.C., over U.S. Highway 521 to Georgetown, S.C., returning over the same route. Applicant proposes to serve all intermediate points on routes 1–73, and all off-route points within 30 miles of the above-designated routes 1–73. NOTE: This application is filed pursuant to MC–C–4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations. SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 114897 (Sub-No. 61), filed June 21, 1965. Applicant: WHITFIELD TANK LINES, INC., 300–316 North Clark Road, (Post Office Drawer 9897), El Paso, Tex., 79989. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and soil conditioners solutions*, in bulk, in tank vehicles, from Clint, Tex., to Anthony, Hatch, and Las Cruces, N. Mex.

No. MC 127294 (Sub-No. 1), filed June 9, 1965. Applicant: LEONARD S. TERRILL, doing business as TERRILL TRUCKING, Rural Delivery No. 1, Pierpont, Ohio. Applicant's attorney: Sheldon M. Gisser, 1625 The Illuminating Building, 55 Public Square, Cleveland, Ohio, 44113. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and forest products*, between points in Astabula, Columbiana, Cuyahoga, Geauga, Lake, Lorain, Mahoning, and Trumbull Counties, Ohio, points in Cattaraugus, Chautauqua, Erie, Monroe, and Niagara Counties, N.Y., and points in Allegheny, Crawford, Erie, Mercer, and Warren Counties, Pa.

No. MC 127355, filed June 11, 1965. Applicant: M & N GRAIN COMPANY, a corporation, 902 East Wooter, Nevada, Mo. Applicant's attorney: Donald J. Quinn, Suite 900, 1012 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fish meal*, in bulk or in bags, from Houston and Port Arthur, Tex., Dulac and Morgan City, La., and Moss Point, Gulfport, and Pascagoula, Miss., to Lynn Center, Monmouth, and Morrison, Ill., points in Iowa, Minnesota, and Nebraska, Eggen, S. Dak., and Fond Du Lac and Madison, Wis., and *exempt grain*, on return, and (2) *cottonseed meal*, in bulk or in bags, from points in Arkansas and Mississippi, Portageville,

Mo., Memphis and West Memphis, Tenn., to Lynn Center, Monmouth, and Morrison, Ill., points in Iowa, Minnesota, and Nebraska, Eggen, S. Dak., Fond Du Lac and Madison, Wis., and *exempt grain* on return.

By the Commission.

[SEAL] BERTHA F. ARMES, *Acting Secretary.*

[F.R. Doc. 65-7152; Filed, July 8, 1965; 8:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 6, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39880—*Joint Motor-Rail Rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 113), for interested carriers. Rates on commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in middlewest territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 21 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1312.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 65-7235; Filed, July 8, 1965; 8:50 a.m.]

[Notice 1201]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 6, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67977. By order of July 2, 1965, the Transfer Board approved the transfer to Samuel M. Niglio, Philadelphia, Pa., of license in No. MC-12396, issued August 9, 1961, to New England Truck Brokerage, Inc., Collinsville, Conn., authorizing service as a broker of general commodities, with the usual exceptions including household goods and commodities in bulk, between Philadelphia, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Maryland, Massachusetts, Ohio, Rhode Island, South Carolina, Virginia, West Virginia, and the District of Columbia, restricted against using the services of Redigo Trucking, Inc., No. MC-11431. Morris, J. Winokur, Esq., 1920 Two Penn. Center Plaza, Philadelphia, Pa., 19102, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 65-7236; Filed, July 8, 1965; 8:50 a.m.]

RAYMOND REX MANION

Statement of Appointment

Pursuant to subsection 302(a), Part III, Executive Order No. 10647 (20 F.R. 8769), "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as amended," the following information is furnished for publication in the FEDERAL REGISTER:

1. Name of appointee: Raymond Rex Manion.

2. Name of employing agency: Interstate Commerce Commission.

3. Date of appointment: July 2, 1965.

4. Title of appointee's position: Consultant.

5. Name of appointee's private employer: Association of American Railroads.

Dated at Washington, D.C., this 2d day of July 1965.

INTERSTATE COMMERCE COMMISSION, CHARLES A. WEBB, *Chairman.*

[F.R. Doc. 65-7194; Filed, July 8, 1965; 8:47 a.m.]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

INSURED BANKS

Joint Call for Report of Condition

CROSS REFERENCE: For a document relating to a joint call for report of condition of insured banks, see F.R. Doc. 65-7202, Federal Deposit Insurance Corporation, *infra.*

Office of the Secretary

[Dept. Circ. 570; 1965 Rev. Supp. 2]

STANDARD FIRE INSURANCE CO.

Surety Company Acceptable on Federal Bonds

JULY 2, 1965.

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U.S.C. 6-13.

An underwriting limitation of $2,390,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next revision of Department Circular 570, to be issued as of June 1, 1966. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington, D.C., 20226.

State in which incorporated, name of company, and location of principal executive office. Connecticut, The Standard Fire Insurance Co.; Hartford, Conn.

[SEAL] JOHN K. CARLOCK, *Fiscal Assistant Secretary.*

[F.R. Doc. 65-7208; Filed, July 8, 1965; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

Notice of Filing of Protraction Diagrams

JULY 2, 1965.

Notice is hereby given that effective August 16, 1965, the following approved protraction diagrams are officially filed of record in the Colorado Land Office. In accordance with Title 43 CFR, these protractions will become the basic record for describing the land for all authorized purposes at and after 10:00 a.m. on the above effective date. Until this date and time, the diagrams have been placed in the open files and are available to the public for information only.

COLORADO PROTRACTION DIAGRAM NO. 2-A

(APPROVED MAY 6, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 9 N., R. 83 W.
T. 10, N., R. 83 W.
T. 10 N., R. 84 W.
T. 11 N., R. 83 W.
T. 11 N., R. 84 W.
T. 12 N., R. 83 W.
T. 12 N., R. 84 W.
T. 12 N., R. 85 W.

COLORADO PROTRACTION DIAGRAM NO. 2-B

(APPROVED MAY 6, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 4 N., R. 83 W.
T. 5 N., R. 83 W.
T. 6 N., R. 83 W.
T. 7 N., R. 83 W.
T. 8 N., R. 83 W..

COLORADO PROTRACTION DIAGRAM NO. 4

(APPROVED MAY 5, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 6 N., R. 101 W.,
Secs. 1 through 6;
Sec. 7, N½;
Secs. 8 through 15;
Sec. 24, E½.
T. 6 N., R. 102 W.,
Secs. 1 through 12;
Sec. 13, NW¼;
Sec. 14, N½;
Sec. 15;
Sec. 16 except tract 38;
Sec. 17, NE¼, E½NW¼.
T. 6 N., R. 103 W.,
Sec. 1.
T. 6 N., R. 104 W.,
Secs. 1 and 2;
Sec. 11;
Sec. 12, N½.

T. 7 N., R. 101 W.,
Secs. 28 through 33;
Sec. 34, S½ except tract 38.
T. 7 N., R. 102 W.,
Sec. 18 except tract 37;
Secs. 19 and 20;
Secs. 25 through 36.
T. 7 N., R. 103 W.,
Secs. 2 through 5;
Secs. 8 through 11;
Secs. 13 through 16;
Sec. 17, S½, NE¼, S½NW¼, NE¼NW¼;
Sec. 18, S½;
Secs. 19 through 31;
Secs. 33 through 36.
T. 8 N., R. 102 W.,
Secs. 5 through 7;
Sec. 8, N½.
T. 8 N., R. 103 W.,
Sec. 1;
Sec. 11, SE¼;
Secs. 12 through 14;
Sec. 23;
Sec. 24, W½;
Sec. 26, W½;
Sec. 27, E½;
Sec. 32, SE¼;
Sec. 33, S½;
Sec. 34;
Sec. 35, W½.
T. 8 N., R. 104 W.,
Secs. 35 and 36.
T. 9 N., R. 102 W.,
Sec. 29, SW¼;
Sec. 30, W½, SE¼;
Sec. 31;
Sec. 32, W½.

COLORADO PROTRACTION DIAGRAM NO. 5

(APPROVED MAY 10, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 2 S., R. 93 W.,
Secs. 23 through 26;
Secs. 35 through 36.
T. 3 S., R. 91 W.,
Secs. 1 through 28;
Secs. 33 through 36.
T. 4 S., R. 91 W.
T. 4 S., R. 94 W.,
Sec. 8, S½;
Sec. 9, SW¼;
Sec. 16, S½, NW¼;
Sec. 17;
Sec. 18, E½;
Secs. 20 and 21;
Sec. 28, N½, SW¼;
Sec. 29, N½, SE¼.
T. 4 S., R. 96 W.,
Sec. 5, S½, NW¼;
Sec. 6, S½, NE¼;
Sec. 7;
Sec. 8, N½, SW¼;
Sec. 17, W½;
Secs. 18 and 19;
Sec. 20, NW¼;
Sec. 30, N½.
T. 6 S., R. 94 W.,
Secs. 7 through 9.
T. 7 S., R. 94 W.,
Secs. 21 through 23;
Secs. 26 through 36.

COLORADO PROTRACTION DIAGRAM NO. 9

(APPROVED APRIL 26, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 7 S., R. 78 W.,
Secs. 2 through 36.
T. 7 S., R. 79 W.
T. 9 S., R. 79 W.

COLORADO PROTRACTION DIAGRAM NO. 10

(APPROVED MAY 10, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 6 S., R. 81 W.
T. 6 S., R. 82 W.
T. 6 S., R. 82½ W.
T. 6 S., R. 84 W.,
Secs. 2 through 11;
Secs. 13 through 29.
T. 6 S., R. 85 W.,
Secs. 1 through 4;
Secs. 7 through 14;
Sec. 15, N½;
Secs. 16 through 21;
Sec. 22, W½;
Sec. 23, NW¼;
Sec. 24;
Sec. 26, SW¼;
Secs. 27 through 35.
T. 7 S., R. 82 W.
T. 7 S., R. 83 W.,
Secs. 1 through 4;
Secs. 7 through 21;
Sec. 29, W½;
Secs. 30 through 32.
T. 7 S., R. 84 W.,
Secs. 7 through 36.
T. 7 S., R. 85 W.,
Secs. 1 through 18;
Sec. 19, N½, SE¼;
Secs. 20 through 29;
Sec. 30, E½;
Sec. 31, S½, NE¼;
Secs. 32 through 36.
T. 8 S., R. 81 W.
T. 8 S., R. 82 W.
Secs. 1 through 30;
Secs. 32 through 36.
T. 8 S., R. 83 W.,
Secs. 1 through 4;
Secs. 9 through 15;
Sec. 16, N½.
T. 8 S., R. 84 W.,
Sec. 16, S½;
Sec. 17, S½, NW¼;
Sec. 18, S½, NE¼;
Secs. 19 through 21;
Secs. 25 and 26;
Secs. 28 through 36.
T. 9 S., R. 81 W.,
Secs. 1 through 9;
Secs. 16 through 23;
Secs. 26 through 35.
T. 9 S., R. 82 W.
T. 9 S., R. 83 W.
T. 9 S., R. 84 W.
T. 10 S., R. 81 W.
T. 10 S., R. 82 W.
T. 10 S., R. 83 W.
T. 10 S., R. 84 W.,
Secs. 1 and 2;
Sec. 3, N½, SE¼;
Sec. 4, N½;
Sec. 5, N½N½;
Sec. 6, N½, N½SE¼;
Sec. 8, S½, S½NE¼;
Sec. 9, S½, S½N½, NE¼NE¼;
Secs. 10 through 16;
Sec. 17, E½, N½NW¼;
Sec. 19, S½;
Secs. 21 through 27;
Sec. 28, E½;
Sec. 29, S½, S½NW¼, NW¼NW¼;
Sec. 30;
Sec. 31, E½, NW¼;
Sec. 32;
Sec. 33, S½, NW¼;
Sec. 34, N½;
Secs. 35 and 36.
T. 10 S., R. 85 W.,
Sec. 19;
Sec. 20, S½, S½NE¼, NW¼NE¼, NW¼;
Sec. 21, SW¼, S½NW¼;
Sec. 22, S½;
Sec. 23, SE¼, S½SW¼, NE¼SW¼, SE¼NW¼, SW¼NE¼, E½NE¼;
Sec. 24, N½, SW¼;
Sec. 25, S½, NW¼;
Sec. 26, N½, SW¼, W½SE¼;
Secs. 27 through 34;
Sec. 35, W½, W½NE¼;
Sec. 36, N½.

COLORADO PROTRACTION DIAGRAM NO. 15

(APPROVED MAY 10, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 11 S., R. 83 W.
T. 11 S., R. 84 W.,
Sec. 1 and 2;
Sec. 3, S½;
Secs. 4 through 36.
T. 11 S., R. 85 W.
T. 12 S., R. 83 W.
T. 12 S., R. 84 W.
T. 12 S., R. 85 W.
T. 12 S., R. 86 W.
T. 14 S., R. 83 W.,
Sec. 25, SE¼;
Sec. 35, SE¼;
Sec. 36, S½, NE¼.
T. 15 S., R. 83 W.,
Secs. 1 through 3;
Secs. 10 through 15;
Secs. 22 through 27;
Secs. 34 through 36.

COLORADO PROTRACTION DIAGRAM NO. 22

(APPROVED MAY 5, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 28 S., R. 71 W.,
Secs. 1 and 3 through 7, except Sangre De Cristo land grant.
T. 28 S., R. 72 W.,
Secs. 1 through 9;
Secs. 10 through 12, 16 through 21, and 29 through 31, except Sangre De Cristo land grant.
T. 28 S., R. 73 W.,
Secs. 1 through 3;
Secs. 9 through 16;
Sec. 21, E½, E½NW¼;
Secs. 22 through 28;
Secs. 33 through 35;
Sec. 36, except Sangre De Cristo land grant.
T. 29 S., R. 73 W.,
Secs. 1 and 2, except Sangre De Cristo land grant;
Sec. 3;
Sec. 4, N½, SE¼, E½SW¼, NW¼SW¼;
Sec. 9, S½, NE¼, E½NW¼;
Sec. 10, 11, 15, and 16, except Sangre De Cristo land grant.
T. 30 S., R. 70 W.,
Secs. 1, 12, and 36, except Sangre De Cristo land grant.
T. 31 S., R. 70 W.,
Secs. 1, 12, 13, 24, 25, and 36, except Sangre De Cristo land grant.
T. 32 S., R. 69 W.,
Secs. 3 through 10;
Secs. 15 through 18;
Secs. 19 through 21, less Maxwell land grant;
Sec. 22;
Secs. 26 through 28 and 35, less Maxwell land grant.
T. 32 S., R. 70 W.,
Secs. 1, 12, 13, and 24, less Sangre De Cristo land grant.

COLORADO PROTRACTION DIAGRAM NO. 16

(APPROVED MAY 5, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 43 N., R. 4 E.
T. 45 N., R. 3 E.
T. 48 N., R. 6 E.,
Secs. 2 through 11;
Secs. 15 through 22;
Secs. 26 through 35.
T. 48 N., R. 7 E.

COLORADO PROTRACTION DIAGRAM NO. 20

(APPROVED MAY 5, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 44 N., R. 4 W.,
Secs. 4 through 9;
Secs. 16 through 21;
Secs. 29 and 30.

T. 44 N., R. 5 W.
T. 45 N., R. 5 W.
T. 45 N., R. 6 W.
T. 46 N., R. 5 W.,
Secs. 8 through 36.
T. 46 N., R. 6 W.,
Secs. 7 and 8;
Secs. 13 through 36.

COLORADO PROTRACTION DIAGRAM NO. 21

(APPROVED APRIL 26, 1965)

SIXTH PRINCIPAL MERIDIAN

T. 24 S., R. 73 W.
T. 25 S., R. 68 W.,
Secs. 3 and 4;
Sec. 5, N½N½, S½NE¼;
Sec. 9, N½, SE¼;
Secs. 10 and 15;
Sec. 16, S½, NE¼;
Sec. 21, N½;
Sec. 22, N½.
T. 25 S., R. 72 W.,
Sec. 31.
T. 25 S., R. 73 W.,
Secs. 1 through 18;
Secs. 22 through 27;
Secs. 34 through 36.
T. 26 S., R. 73 W.,
Secs. 3 through 10;
Secs. 15 through 22;
Secs. 27 through 34.

NEW MEXICO PRINCIPAL MERIDIAN

T. 40 N., R. 13 E.,
Secs. 6, 7, and 18.
T. 41 N., R. 13 E.
T. 43 N., R. 12 E.,
Secs. 1 and 2;
Sec. 3, E½;
Secs. 10 through 12.
T. 44 N., R. 11 E.,
Secs. 1 through 3;
Sec. 4, E½;
Sec. 9, NE¼;
Secs. 10 through 14;
Sec. 15, E½;
Sec. 23, N½;
Sec. 24.
T. 44 N., R. 12 E.
T. 45 N., R. 12 E.,
Sec. 5, N½;
Sec. 6, N½.
T. 46 N., R. 12 E.,
Sec. 18, S½, NW¼;
Secs. 19, 30, 31;
Sec. 32, S½, NW¼.

COLORADO PROTRACTION DIAGRAM NO. 23 WITH SUPPLEMENTAL SHEET SHOWING EXTERIOR BOUNDARIES OF MINERAL SURVEYS FOR LANDS INDICATED BY ASTERISK

(APPROVED MAY 6, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 41 N., R. 4 W.,
Sec. 3 through 10;
Sec. 15 through 22;
Sec. 27 through 30.
T. 41 N., R. 5 W.
T. 42 N., R. 1 E.,*
T. 42 N., R. 1 W.,*
Secs. 1 through 35.
T. 42 N., R. 4 W.,
Secs. 1 through 3;
Secs. 10 through 15;
Secs. 19 through 23;
Secs. 26 through 35.
T. 42 N., R. 5 W.
T. 43 N., R. 5 W.

COLORADO PROTRACTION DIAGRAM NO. 24 WITH SUPPLEMENTAL SHEETS SHOWING EXTERIOR BOUNDARIES OF MINERAL SURVEYS IN EACH TOWNSHIP

(APPROVED MAY 5, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 41 N., R. 6 W.
T. 41 N., R. 7 W.
T. 41 N., R. 8 W.
T. 41 N., R. 9 W.,
Secs. 1 through 4;
Secs. 9 through 16;
Secs. 20 through 36.
T. 42 N., R. 6 W.
T. 42 N., R. 7 W.
T. 42 N., R. 8 W.
T. 43 N., R. 6 W.
T. 43 N., R. 7 W.
T. 43 N., R. 8 W.

COLORADO PROTRACTION DIAGRAM NO. 25

(APPROVED MAY 10, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 41 N., R. 17 W.,
Secs. 6 and 7;
Secs. 16 through 21;
Secs. 28 through 30;
Secs. 32 through 35.
T. 41 N., R. 18 W.,
Sec. 1;
Sec. 2, N½, SE¼;
Secs. 11 through 14;
Secs. 22 through 24;
Secs. 26 and 27.
T. 42 N., R. 17 W.,
Secs. 6 and 7.
T. 42 N., R. 18 W.,
Secs. 1 through 3;
Sec. 4, E½;
Secs. 11 through 14;
Secs. 23 through 26;
Secs. 35 and 36.
T. 44 N., R. 18 W.,
Sec. 1;
Sec. 12, N½.

COLORADO PROTRACTION DIAGRAM NO. 26

(APPROVED MAY 10, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 34 N., R. 11 W.,
Secs. 1 through 4;
Secs. 9 through 12.
T. 37 N., R. 10 W.
T. 37 N., R. 11 W.

COLORADO PROTRACTION DIAGRAM NO. 28

(APPROVED MAY 6, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 37 N., R. 4½ W.
T. 37 N., R. 5 W.,
Secs. 1 through 3;
Secs. 10 through 15;
Secs. 22 through 27;
Secs. 34 through 36.
T. 38 N., R. 4½ W.
T. 38 N., R. 5 W.
T. 39 N., R. 2 W.
T. 39 N., R. 3 W.
T. 39 N., R. 4 W.
T. 39 N., R. 4½ W.
T. 39 N., R. 5 W.
T. 39½ N., R. 2 W.
T. 39½ N., R. 3 W.
T. 39½ N., R. 4 W.
T. 39½ N., R. 4½ W.
T. 40 N., R. 5 W.

COLORADO PROTRACTION DIAGRAM NO. 29

(APPROVED MAY 6, 1965)

NEW MEXICO PRINCIPAL MERIDIAN

T. 32 N., R. 4 E.,
Sec. 2, W½;
Secs. 3 and 11, except Tierra Amarilla grant.
T. 33 N., R. 3 E.,
Sec. 1, except Tierra Amarilla grant.
T. 33 N., R. 4 E.,
Secs. 1 through 18 except Tierra Amarilla grant;
Secs. 20 through 28 except Tierra Amarilla grant;
Secs. 33 through 36 except Tierra Amarilla grant.
T. 34 N., R. 2 E.,
Sec. 1, except Tierra Amarilla grant;
Sec. 2, N½, SE¼;
Sec. 11, NE¼;
Sec. 12, N½, SE¼, except Tierra Amarilla grant;
Sec. 15 and S½ of Sec. 16, except Tierra Amarilla grant;
Sec. 20, E½;
Secs. 21 and 28, except Tierra Amarilla grant;
Sec. 29, E½ except Tierra Amarilla grant;
Sec. 32, E½;
Sec. 33, except Tierra Amarilla grant.
T. 34 N., R. 3 E.,
Secs. 1 through 5, except Tierra Amarilla grant;
Sec. 8, except Tierra Amarilla grant;
Secs. 11 and 12, except Tierra Amarilla grant.
T. 34 N., R. 4 E.,
All except Tierra Amarilla grant.
T. 34 N., R. 4½ E.
T. 35 N., R. 2 E.,
Secs. 1 through 8;
Sec. 9, N½;
Sec. 10, N½, SE¼;
Secs. 11 through 13;
Sec. 17, N½, SW¼;
Sec. 18;
Sec. 19, N½, SW¼;
Sec. 20, NW¼;
Sec. 23, S½, NE¼;
Secs. 24 through 26;
Sec. 30, NW¼;
Secs. 35 and 36, except Tierra Amarilla grant.
T. 35 N., R. 3 E.,
All except Tierra Amarilla grant.
T. 35 N., R. 4 E.
T. 36 N., R. 1 E.,
Secs. 1 and 2;
Sec. 3, E½;
Secs. 4 and 5;
Sec. 6, E½;
Sec. 8, N½;
Sec. 9, NW¼;
Sec. 11, N½;
Sec. 12, N½;
Sec. 19, S½;
Sec. 30, N½.
T. 36 N., R. 2 E.,
Secs. 1 through 3;
Sec. 4, E½;
Sec. 5, W½;
Secs. 6 and 7;
Sec. 8, W½;
Sec. 10, N½;
Secs. 12 and 13;
Sec. 24;
Sec. 25, N½.
T. 36 N., R. 3 E.
T. 36 N., R. 4 E.

Copies of all diagrams are for sale for $1.50 each at the Colorado Land Office, Bureau of Land Management, 15019 Federal Building, 1961 Stout Street, Denver, Colo., 80202.

W. F. MEEK,
Land Office Manager.

[F.R. Doc. 65-7192; Filed, July 8, 1965; 8:47 a.m.]

National Park Service

[Order 3]

GREAT SMOKY MOUNTAINS NATIONAL PARK

Assistant Superintendent and Certain Other Officials; Delegation of Authority

SECTION 1. *Assistant Superintendent.* The Assistant Superintendent may execute and approve contracts not in excess of $100,000 for construction, supplies,

equipment, and services in conformity with applicable regulations and statutory authority and availability of allotted funds.

SEC. 2. *Administrative Officer.* The Administrative Officer may execute and approve contracts not in excess of $100,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and availability of allotted funds.

SEC. 3. *General Supply Officer.* The General Supply Officer may execute and approve contracts not in excess of $25,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and availability of allotted funds.

SEC. 4. *Chief of Maintenance.* The Chief of Maintenance may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 5. *Supervisory Park Rangers.* Supervisory Park Rangers in grades GS-9 and above may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 6. *Foremen III and IV.* Foremen III and IV may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 7. *Storage Management Assistant.* The Storage Management Assistant may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 8. *Supply Clerk.* The Supply Clerk may issue purchase orders not in excess of $300 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 9. *Oconaluftee and Tremont Job Corps Conservation Center Directors and Administrative Assistants.* Oconaluftee and Tremont Job Corps Conservation Center Directors and Administrative Assistants may issue purchase orders not to exceed $2,500 for supplies, materials, and equipment in conformity with applicable regulations and statutory authority and subject to availability of funds.

SEC. 10. *Revocation.* This order supersedes Order No. 2 issued June 12, 1963.

(National Park Service Order 14 (19 F.R. 3824) as amended; 39 Stat. 535, 16 U.S.C. sec. 2; Southeast Region Order 3 (21 F.R. 1493))

GEORGE W. FRY,
Superintendent, Great Smoky Mountains National Park.

MAY 28, 1965.

[F.R. Doc. 65-7189; Filed, July 8, 1965; 8:47 a.m.]

Office of the Secretary

INDIAN PROPERTY IN CALIFORNIA

Adoption and Application of State Laws

Pursuant to § 1.4(b), Title 25, Code of Federal Regulations (30 F.R. 7520), the Secretary of the Interior does hereby adopt and make applicable, subject to the conditions hereinafter provided, all of the laws, ordinances, codes, resolutions, rules or other regulations of the State of California, now existing or as they may be amended or enacted in the future, limiting, zoning, or otherwise governing, regulating, or controlling the use or development of any real or personal property, including water rights, leased from or held or used under agreement with and belonging to any Indian or Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States and located within the State of California. This adoption and application does not include the laws, ordinances, codes, resolutions, rules, or other regulations of the various counties and cities within the State of California which will be adopted and applied by separate action with such exceptions as are determined to be appropriate.

Nothing contained in this notice shall be construed to in any way alter or limit the provisions of sections 2(b) and 4(b) and (c) of the Act of August 15, 1953 (67 Stat. 588).

Nothing contained in this notice shall be construed to in any way alter, limit, or abridge any vested rights to real or personal property, including water rights, belonging to any Indian or Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States.

The Secretary of the Interior may by appropriate notice expressly revoke the adoption and application of any such laws, ordinances, codes, resolutions, rules or other regulations if he determines such revocation to be in the best interests of the Indian owner or owners in achieving the highest and best use of such property.

JOHN A. CARVER, Jr.,
Under Secretary of the Interior.

JULY 2, 1965.

[F.R. Doc. 65-7193; Filed, July 8, 1965; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

GENERAL COUNSEL AND CERTAIN OTHER OFFICIALS

Delegation of Authority To Settle Claims of Personnel

Delegation of authority under the Military Personnel and Civilian Employees' Claims Act of 1964, P.L. 88-558, 88th Congress, 78 Stat. 767, to settle claims of personnel.

The General Counsel, the Assistant General Counsel for Marketing, Regulatory Laws, Research and Operations, and the Director, Research and Operations Division, or persons acting in their stead, are hereby authorized to determine, settle and pay claims under the Military Personnel and Civilian Employees' Claims Act of 1964.

Done at Washington, D.C., this 2d day of July 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-7198; Filed, July 8, 1965; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CI65-1054, etc.]

GERWIG & KOETHE OIL AND GAS CO.

Notice of Applications To Abandon Service [1]

JUNE 30, 1965.

Take notice that on April 22, 1965, each Applicant herein filed an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas to Cabot Corp. (Cabot) for resale to Hope Natural Gas Co. (Hope),[2] all as more fully set forth in the tabulation herein and in the applications on file with the Commission and open to public inspection.

Cabot was authorized on June 11, 1964, in Docket No. CI64-1193 to abandon the resale of the subject gas to Hope. Said resale had been authorized in Docket No. G-5236. The applications state that the subject gas is now being sold wholly in intrastate commerce by Cabot.

Concurrently with the applications each Applicant submitted a notice of cancellation of its related FPC gas rate schedule.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10), on or before July 21, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that the proposed abandonments are required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

[2] Now Consolidated Gas Supply Corp.

Docket No.	Applicant	Location
CI65-1054 (G-2744)[1]	Gerwig & Koethe Oil & Gas Co.	Acreage in Calhoun County, W. Va.
CI65-1055 (G-3210)[2,3]	Southeastern Gas Co.	Do.
CI65-1056 (G-3210)[2,3]	do	Do.
CI65-1057 (G-3210)[2,3]	do	Do.
CI65-1058 (G-3210)[2,3]	do	Do.
CI65-1059 (G-3210)[2,3]	do	Do.
CI65-1060 (G-3612)	Sophia M. Smith, et al. (now Okmar Oil Co.).	Do.
CI65-1061 (G-3622) (CI63-1094)[4]	Elias Floyd Fox [5]	Do.
CI65-1062 (G-4187)[6,7]	Glen Tompkins	Acreage in Gilmer County, W. Va.
CI65-1063 (G-4653)[8]	Nettie Armstrong.[9]	Acreage in Calhoun County, W. Va.
CI65-1064 (G-4972)	W. H. Mossor	Do.
CI65-1065 (G-4980)	W. H. Mossor (now Okmar Oil Co.).	Do.
CI65-1066 (G-4981)	McCune Oil & Gas Co. (now Virgil E. Daugherty, agent).	Do.
CI65-1067 (G-4982)	Ola O. White Farm Oil & Gas Co.	Do.
CI65-1068 (G-5700)	L. B. Carroll, et al.	Do.
CI65-1069 (G-5957)	Okmar Oil Co.	Do.
CI65-1070 (G-5959)	do	Do.
CI65-1071 (G-6009)	C. S. Despard	Do.
CI65-1072 (G-6485)[10]	Gail Nutter [11]	Do.
CI65-1073 (G-6487)[10]	do.[12]	Do.
CI65-1074 (G-6578)	Conservation Oil & Gas Co.	Do.
CI65-1075 (G-6720)	Steer Creek Oil & Gas Co.	Acreage in Gilmer County, W. Va.
CI65-1076 (G-6726)	J. S. Wade, Lease	Acreage in Calhoun County, W. Va.
CI65-1077 (G-6729)	Johnson Gas Co.	Acreage in Ritchie County, W. Va.
CI65-1078 (G-6732)	Connally Oil & Gas Co.	Do.
CI65-1079 (G-10732)	Parker Oil Co.	Do.
CI65-1080 (G-6903)	The Preston Oil Co.	Acreage in Calhoun County, W. Va.
CI65-1081 (G-6964)[13]	Lima Gas Co.	Do.
CI65-1082 (G-7118)[2,14]	Wirt County Oil & Gas Co.	Acreage in Wirt County, W. Va.
CI65-1083 (G-7121)[13]	Carroll Gas Co.	Acreage in Calhoun County, W. Va.
CI63-1084 (G-7127)	Creed Barker	Do.
CI65-1085 (G-6971)[10]	do	Do.
CI65-1086 (G-7130)[15]	Simmons Gas Co.	Do.
CI65-1087 (G-7131)[13]	Stump Gas Co.	Acreage in Gilmer County, W. Va.
CI63-1088 (G-7133)	Creed Barker	Acreage in Calhoun County, W. Va.
CI65-1089 (G-6969)[13]	H. B. Scott	Do.
CI65-1090 (G-7280)	P. P. Gunn et al.	Do.
CI65-1091 (G-7279)	A. H. Stump Gas Co. No. 1.	Do.
CI65-1092 (G-7783)[16]	Phil D. Phillips, et al.	Acreage in Gilmer County, W. Va.
CI65-1093 (G-7812)[16]	do	Acreage in Calhoun County, W. Va.

Docket No.	Applicant	Location
CI65-1094 (G-7806)[17]	Valentine Oil & Gas Co.	Acreage in Ritchie County, W. Va.
CI65-1095 (G-7867)	Z. N. Connolly, et al.	Acreage in Calhoun County, W. Va.
CI65-1096 (G-7868)[13]	J. F. Gainer Gas Co.	Acreage in Gilmer County, W. Va.
CI65-1097 (G-7869)[13]	Gill Oil & Gas Co.	Acreage in Ritchie County, W. Va.
CI65-1098 (G-7876)	Thomas J. Davis Estate.	Do.
CI65-1099 (G-7877)	M. G. Drake Gas Co.	Do.
CI65-1100 (G-7886)[18]	Drake Oil & Gas Co.	Do.
CI65-1101 (G-7898)[13]	T. V. Cunningham Gas Co.	Do.
CI65-1102 (G-7904)[19]	Nobe Oil & Gas Co.	Acreage in Gilmer County, W. Va.
CI65-1103 (G-7905)[17]	L. W. Cunningham Gas Co. and Rexrod Oil & Gas Co.	Acreage in Ritchie County, W. Va.
CI65-1104 (G-7907)[16]	W. F. Roberts Gas Co.	Acreage in Gilmer County, W. Va.
CI65-1105 (G-7909)[19]	Cox Oil & Gas Co.	Acreage in Ritchie County, W. Va.
CI65-1106 (G-7910)[13]	W. B. Cunningham Gas Co.	Do.
CI65-1107 (G-7912)[13]	Van Camp Oil & Gas Co.	Acreage in Calhoun County, W. Va.
CI65-1108 (G-7913)[13]	Crabbe Oil & Gas Co.	Acreage in Gilmer County, W. Va.
CI65-1109 (G-7914)[13]	Barnes Oil & Gas Co.	Do.
CI65-1110 (G-7944)[13]	McCall Drilling Co., Inc.	Acreage in Calhoun County, W. Va.
CI65-1111 (G-7946)[13]	do	Acreage in Gilmer County, W. Va.
CI65-1112 (G-7947)[13]	do	Do.
CI65-1113 (G-7948)[13]	do	Acreage in Calhoun County, W. Va.
CI65-1114 (G-7949)[13]	do	Do.
CI65-1115 (G-7950)[13]	do	Acreage in Gilmer County, W. Va.
CI65-1116 (G-7951)[13]	do	Acreage in Calhoun County, W. Va.
CI65-1117 (G-7952)[13]	do	Do.
CI65-1118 (G-7953)	do	Do.
CI65-1119 (G-8068)	Physicians Oil & Gas Co.	Acreage in Ritchie County, W. Va.
CI65-1120 (G-8412)	Bowser Gas & Oil Co.[20]	Acreage in Calhoun County, W. Va.
CI65-1121 (G-8412)	T. E. Bickel Estate.[20]	Do.
CI65-1122 (G-8412)	Bowser Gas & Oil Co.[20]	Do.
CI65-1123 (G-8412)	do.[20]	Do.
CI65-1124 (G-10731)	The Slug Oil Co.	Acreage in Ritchie County, W. Va.
CI65-1125 (G-10733)	G. B. S. Oil Co.	Do.
CI65-1126 (G-10734)	Coony Oil Co.	Do.
CI65-1127 (G-16149)	Everson Oil & Gas Co.	Acreage in Calhoun County, W. Va.
CI65-1128 (CI61-668)	Leonard Cain, et al.	Do.
CI65-1129 (CI62-1035)[17]	Bell Oil & Gas Co.	Acreage in Gilmer County, W. Va.
CI65-1130 (CI62-1086)[13]	Va Roy Hildreth, et al.	Acreage in Calhoun County, W. Va.

Docket No.	Applicant	Location
CI65-1131 (G-4975)	Middle Run Oil & Gas Co.	Acreage in Gilmer County, W. Va.
CI65-1132 (CI63-493)[18]	W. E. Smith, et al., doing business as White Pine Oil & Gas Co., S. H. Simmers No. 1.	Acreage in Calhoun County, W. Va.
CI65-1133 (CI63-494)[19]	W. E. Smith, et al., doing business as White Pine Oil & Gas Co., Simmers Heirs No. 1.	Do.
CI65-1134 (CI63-495)[21]	W. E. Smith, et al., doing business as White Pine Oil & Gas Co., M. J. Ayers Lease.	Do.
CI65-1135 (CI63-496)[19]	W. E. Smith, et al., doing business as White Pine Oil & Gas Co., W. H. Ayers No. 1.	Do.
CI65-1136 (CI63-497)[20]	W. E. Smith, et al., doing business as White Pine Oil & Gas Co., Malinda Knight No. 1.	Do.
CI65-1137 (CI63-498)[17]	W. E. Smith, et al., doing business as Cleo H. Smith Oil & Gas Co.	Do.
CI65-1138 (CI63-622)[13]	Walter E. Smith, et al., doing business as G. M. Yeager Gas Co.	Do.
CI65-1139 (CI63-623)[13]	Walter E. Smith, et al., doing business as J. L. Jarvis, et al., Oil & Gas Co.	Do.
CI65-1140 (G-6967)	Creed Barker [13]	Do.
CI65-1141 (G-6965)	do.[13]	Do.
CI65-1142 (G-7578)[2]	Morley Oil & Gas Co.	Do.
CI65-1181 (G-7128)[13]	O. L. Warren [16]	Acreage in Gilmer County, W. Va.

[1] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-378.
[2] Other sales authorized in this docket.
[3] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-324.
[4] Rate of 13.824 cents in effect subject to refund in Docket No. RI64-407.
[5] Formerly Carl D. and Edith R. Jackson, doing business as Jackson Brothers, FPC GRS No. 3 (G-3622).
[6] Erroneously terminated by order issued May 20, 1963; should have been terminated in part only at that time. This application covers all remaining service thereunder.
[7] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-10.
[8] Rate of 13.824 cents in effect subject to refund in Docket No. RI64-633.
[9] Shown in application as Nettie Armstrong and Jerold W. DeWitt.
[10] Rate of 13.824 cents in effect subject to refund in Docket No. RI63-65.
[11] Formerly Verle M. Stewart, et al., FPC GRS No. 1—certificate in name of G. B. Francis, et al. Lease, Verle M. Stewart, agent.
[12] Formerly Verle M. Stewart, et al., FPC GRS No. 2—certificate in name of Albert E. Rice, et al. Lease.
[13] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-135.
[14] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-159.
[15] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-165.
[16] Certificate in name of Hathaway and Miller—Creed Barker.
[17] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-128.

See footnotes at end of table.

[13] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-161.
[14] Certificate in name of G. S. Wilson and Wm. C. Beal, et al.
[15] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-163.
[16] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-428.
[17] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-424.
[18] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-426.
[19] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-429.
[20] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-434.
[21] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-462.
[22] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-423.
[23] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-436.
[24] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-427.
[25] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-431.
[26] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-435.
[27] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-425.
[28] Rate of 13.824 cents in effect subject to refund in Docket No. RI61-433.
[29] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-44.
[30] Formerly T. E. Bickel Estate. Filing submitted as Bowser Gas Co.
[31] Filing submitted by Okmar Oil Co., present owner of the property involved.
[32] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-340.
[33] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-386.
[34] Rate of 13.824 cents in effect subject to refund in Docket No. RI63-189.
[35] Rate of 13.824 cents in effect subject to refund in Docket No. RI63-190.
[36] Rate of 13.824 cents in effect subject to refund in Docket No. RI63-227.
[37] Rate of 13.824 cents in effect subject to refund in Docket No. RI63-226.
[38] Certificate issued in the name of Sida Hathaway Lease—Creed Barker.
[39] Certificate issued in the name of Lloyd Kelley Lease—Creed Barker.
[40] Rate of 13.824 cents in effect subject to refund in Docket No. RI62-162.
[41] Certificate issued in the name of Park Norman Lease.

[F.R. Doc. 65-7132; Filed, July 8, 1965; 8:45 a.m.]

[Docket No. CP65-417]

BLUEBONNET GAS CORP.

Notice of Application

JULY 1, 1965.

Take notice that on June 28, 1965, Bluebonnet Gas Corp. (Applicant), 1215 Chamber of Commerce Building, Houston, Tex., 77002, filed in Docket No. CP65-417 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of natural gas gathering facilities and the transportation and sale of natural gas to Florida Gas Transmission Co. (Florida), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate metering, regulating and interconnecting facilities in St. Landry Parish, La., and sell gas to Florida in accordance with the terms and conditions of Applicant's Rate Schedule X-1 which governs service to Florida heretofore authorized by the Commission in its order issued May 21, 1965, in Docket No. CP65-326.

The gas will be acquired from George J. Despot, Operator (Despot).[1] Despot will construct a 4-inch gathering line from which Applicant's facilities will extend to Florida's transmission system. The estimated reserves dedicated to Applicant under the Despot contract are 6,755 MMcf. Estimated initial deliveries are 1,500 Mcf per day.

Applicant estimates its cost of construction to be $14,000, which will be financed through the sale of common stock.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before July 29, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, and the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-7133; Filed, July 8, 1965; 8:47 a.m.]

[Docket No. RI65-651]

FOREST OIL CORP.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

JULY 1, 1965.

On June 1, 1965, Forest Oil Corp. (Forest)[1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated May 28, 1965.
Purchaser and producing area: Texas Eastern Transmission Corp. (Dallas Husky Field, Goliad County, Tex.) (R.R. District No. 2).
Rate schedule designation: Supplement No. 4 to Forest's FPC Gas Rate Schedule No. 33.
Effective date: July 2, 1965.[2]
Amount of annual increase: [3].
Effective rate: 13.8733 cents per Mcf.[4]
Proposed rate: 14.3733 cents per Mcf.[5][6]
Pressure base: 14.65 p.s.i.a.

The gas purchased by Texas Eastern Transmission Corp. (Texas Eastern) in this area (Wilcox Trend) is transported by Texas Eastern to the Goliad Plant, operated by Socony Mobil Oil Co., processed for extraction of liquid components, dehydrated and redelivered to Texas Eastern at the outlet of such plant. Texas Eastern maintains a standard contract differential of 0.5 cent per Mcf for dehydrated gas delivered to a central point in the Wilcox Trend area. The addition of this 0.5 cent per Mcf differential to the instant proposed rate would cause such rate to exceed the area increased ceiling level of 14.6 cents per Mcf established by the Commission for pipeline quality gas. Pipeline quality gas in this area is understood to apply to sales of dehydrated gas delivered at a central point in the field. Under the circumstances, Forest's proposed rate increase, although not in excess of the area increased ceiling price of 14.6 cents per Mcf for Texas Railroad District No. 2, is suspended because the gas is considered to be nonpipeline quality gas within the meaning of the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, ch. I, pt. 2, § 2.56), because of the cost incurred by the buyer for gathering, dehydration, and delivery.

The proposed changed rate and charge 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 a hearing concerning the lawfulness of the proposed change, and that Supplement No. 4 to Forest's FPC Gas Rate Schedule No. 33 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), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Forest's FPC Gas Rate Schedule No. 33.

(B) Pending such hearing and decision thereon, Supplement No. 4 to Forest's FPC Gas Rate Schedule No. 33 is hereby suspended and the use thereof deferred until December 2, 1965, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

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[1] Despot has filed an application in Docket No. CI65-1225 for a certificate of public convenience and necessity authorizing the sale of gas to Applicant.

[1] Address is: 1300 National Bank of Commerce Building, San Antonio, Tex., 78205.
[2] The stated effective date is the effective date requested by respondent.
[3] Presently engaged in cycling project with no sales of residue gas anticipated for an indeterminate period.

[4] Settlement rate accepted by the Commission under Forest's predecessor in interest, W. Earl Rowe (Operator), et al., FPC Gas Rate Schedule No. 3, by order issued Apr. 20, 1960.
[5] Periodic rate increase.
[6] Equivalent to 14.8733 cents per Mcf when a standard differential of 0.5 cent per Mcf by Texas Eastern Transmission Corporation for delivery of dehydrated gas at a central point, is taken into consideration.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 16, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 65-7184; Filed, July 8, 1965; 8:47 a.m.]

[Docket No. RI65-647]

GAS GATHERING CORP.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, Effective Subject to Refund

JULY 1, 1965.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Comission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 10, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI65-647..	Gas Gathering Corp., 114 North Cherry St., Post Office Box 519, Hammond, La., 70401. Attention: Mr. E. A. Courtney.	2	[1] 10	Transcontinental Gas Pipe Line Corp. (Happytown Field, St. Martin Parish, La.) (South Louisiana).	$71,576	6-1-65	[2] 7-3-65	[3] 7-3-65	[4] 18.25	[5] [6] 23.55	

[1] Increase in rate applies only to gas purchased from Shell Oil Co., pursuant to Shell's FPC Gas Rate Schedule No. 126.
[2] The stated effective date is the first day after expiration of the required statutory notice.
[3] The suspension period is limited to 1 day.
[4] Instant filing represents a "fractured" rate increase. Contractually entitled to file for a 7.3 cents per Mcf increase.
[5] Pressure base is 15.025 p.s.i.a.
[6] Includes applicable tax reimbursement and a 2.5 cents per Mcf service charge paid by the buyer.

Gas Gathering Corp. (Gas Gathering) requests a retroactive effective date of January 1, 1965, for its proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Gas Gathering's rate filing and such request is denied.

Gas Gathering's proposed notice of change in rate, from 18.25 cents to 23.55 cents per Mcf (both rates inclusive of applicable tax reimbursement), is for gas sold to Transcontinental Gas Pipe Line Corp. (Transco) under its FPC Gas Rate Schedule No. 2, applicable only as to gas which it purchases from Shell Oil Co. (Shell) under Shell's FPC Gas Rate Schedule No. 126. The proposed 5.3 cents per Mcf increase, amounting to $71,576 annually, is a result of a related rate increase filed by Shell. Shell's rate increase to 21.05 cents per Mcf was suspended in Docket No. RI65-475 until July 1, 1965.

In addition to Shell's gas, Gas Gathering purchases gas from two other producers (Humble Oil & Refining Co. and Continental Oil Co.) and resells such gas under its FPC Gas Rate Schedule No. 2. The resale rate which Gas Gathering charges Transco consists of the price it pays the producers plus a service charge for gathering, dehydration, metering and transportation of the producers' gas to Transco. The proposed 23.55 cents per Mcf increased rate represents Shell's 21.05 cents per Mcf rate plus a 2.5 cents per Mcf charge for Gas Gathering's services.

Gas Gathering's proposed increased rate and charge exceeds the applicable area price level for increased rates in South Louisiana as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56) and should be suspended as hereinbefore ordered. Under the circumstances, we conclude that Gas Gathering's proposed rate increase should be suspended for only 1 day from July 2, 1965.

[F.R. Doc. 65-7185; Filed, July 8, 1965; 8:47 a.m.]

[Docket Nos. RI65-649, etc.]

SHELL OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JULY 1, 1965.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made

[1] Does not consolidate for hearing or dispose of the several matters herein.

effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 16, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI65-649...	Shell Oil Co. (Operator), et al., 50 West 50th St., New York, N.Y., 10020.	268	27	Michigan Wisconsin Pipe Line Co. (Woodward Area, Major, Dewey and Woods Counties, Okla.) (Panhandle Area).	$129,245 19,698	6-4-65	[1] 7-5-65	12-5-65	[2 6 7] 15.0 [6 7 8] 17.0	[2 4 6 7 8] 17.9 [7 9 10 11] 19.5	
	Shell Oil Co. (Operator), et al.	291	5	Panhandle Eastern Pipe Line Co. (Avard and W. Valley Center Area, Woods and Dewey Counties, Okla.) (Oklahoma "Other" Area).	8,652	6-4-65	[1] 7-5-65	12-5-65	[4 10 12] 15.0	[4 10 11 12] 17.0	
RI65-650...	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla., 74102.	108	7	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper and Beaver Counties, and Luther Hill Field, Ellis County, Okla.) (Panhandle Area).	8,726	6-10-65	[3] 7-15-65	12-15-65	[5 7] 17.0	[5 6 8 9] 19.0	

[1] The stated effective date is the effective date requested by respondent.
[2] "Fractured" rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Oklahoma "Other" Area.
[6] Initial certificated rate.
[7] Subject to an upward B.t.u. adjustment.
[8] Seller contractually due base rate of 19.5 cents per Mcf.
[9] Oklahoma Panhandle Area.
[10] Seller filing from initial certificated rate to initial contract rate.
[11] Initial contract rate.
[12] Subject to an upward and downward B.t.u. adjustment.

The proposed rate filings of Shell Oil Co. (Operator), et al., (Shell) (Supplement No. 27 to Shell's FPC Gas Rate Schedule No. 268) and Amerada Petroleum Corp. (Amerada) contain "fractured" rate increases from permanently certificated base rates of 17.0 cents to 17.9 cents and 19.0 cents per Mcf, respectively, plus an upward Btu adjustment. Shell and Amerada are contractually due a 19.5 cent per Mcf base rate plus upward Btu adjustment. The proposed rates, being lower than the contractually authorized rates, are considered to be "fractured" rates and should be suspended as hereinbefore ordered.

Shell and Amerada's proposed increased rates and charges exceed the applicable price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

[F.R. Doc. 65-7187; Filed, July 8, 1965; 8:47 a.m.]

[Docket No. RI65-648]

TEXACO, INC.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, Effective Subject to Refund

JULY 1, 1965.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 10, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI65-648...	Texaco Inc., Post Office Box 52332, Houston, Tex., 77052.	219	2	Phillips Petroleum Co. (Texas-Hugoton Field, Sherman County, Tex.) (R.R. District No. 10).	$460	6-1-65	[1] 7-2-65	[3] 7-3-65	[4] 8.0	[4 5] 9.0	

[1] The stated effective date is the first day after expiration of the required statutory notice.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Subject to a deduction of 0.4466 cent per Mcf for sour gas (gas is sour).

Texaco Inc. (Texaco) requests that its proposed rate increase be permitted to become effective as of July 1, 1965. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Texaco's rate filing and such request is denied.

Texaco proposes an increased rate for a wellhead sale of sour gas to Phillips Petroleum Co. (Phillips), the plant operator, who gathers and processes the gas in its Sherman Gasoline Plant and resells the residue gas after processing to Michigan Wisconsin Pipe Line Co. Phillips' resale of the gas is made under its Rate Schedule No. 4 at a current rate of 14.0635 cents per Mcf plus applicable tax reimbursement, which is in effect subject to refund in Docket No. RI60-349. Although Texaco's proposed rate is below the area increased rate ceiling of 11.0 cents per Mcf for Railroad District No. 10 as set forth in the Commission's Statement of General Policy No. 61-1, as amended, it is suspended for 1 day from July 2, 1965, the date of expiration of the statutory notice, because the sale related thereto is considered to be for nonpipeline quality gas. We consider the area rate ceiling to be applicable to sales of residue gas at the outlet of the plant which is the point of delivery to the pipeline company.

[F.R. Doc. 65-7188; Filed, July 8, 1965; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CERTIFIED COLOR INDUSTRY COMMITTEE

Notice of Filing of Petition Regarding Color Additive Orange B

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 403; 21 U.S.C. 376(d)), notice is given that a petition (CAP 27) has been filed by Certified Color Industry Committee, c/o Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va., 22046, proposing the issuance of a regulation to provide for the safe use and certification of Orange B (disodium salt of 1-(*p*-sulfophenyl)-3-ethylcarboxy-4(*p*-sulfonaphthylazo)-5-hydroxypyrazole; disodium salt of 1-(4-sulfophenyl)-3-ethylcarboxy-4-(4-sulfonaphthylazo)-5-hydroxypyrazole) as a color in casings for frankfurters and sausages. Use of the casings will result in application of the color to the meat.

Dated: July 1, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-7205; Filed, July 8, 1965; 8:47 a.m.]

DREW CHEMICAL CORP.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5H1661) has been filed by Drew Chemical Corp., 418 Division Street, Boonton, N.J., 07005, proposing that § 121.1155 *Chemicals used for the control of micro-organisms in cane-sugar mills* be amended to provide for the safe use of disodium ethylenebisdithiocarbamate and sodium dimethyldithiocarbamate for the control of micro-organisms in cane-sugar mills.

Dated: July 1, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-7206; Filed, July 8, 1965; 8:47 a.m.]

MONSANTO CO.

Notice of Filing of Petition for Food Additive Monochlorobenzene

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5B1667) has been filed by Monsanto Co., Post Office Box 1531, Springfield, Mass., 01101, proposing that paragraph (b) of § 121.2574 *Polycarbonate resins* be amended by inserting alphabetically in the list of substances therein, the new item "Monochlorobenzene."

Dated: July 1, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-7207; Filed July 8, 1965; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-235]

GENERAL DYNAMICS CORP.

Notice of Issuance of Facility License

Please take notice, that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Facility License No. R-99 to General Dynamics Corp., authorizing operation of an accelerator pulsed fast critical assembly type nuclear reactor on the corporation's laboratory site at Torrey Pines Mesa, Calif. The facility license, as issued, was substantially as set forth in the notice of proposed issuance of construction permit and facility license published in the FEDERAL REGISTER on April 17, 1965, 30 F.R. 5536, except that the findings set forth in the notice have been incorporated in the facility license.

Dated at Bethesda, Md., this 29th day of June 1965.

For the Atomic Energy Commission.

R. C. DEYOUNG,
Acting Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-7171; Filed, July 8, 1965; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15684]

CHICAGO HELICOPTER AIRWAYS, INC.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on August 2, 1965, at 10 a.m., e.d.s.t., in Room 607, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., July 2, 1965.

[SEAL] JAMES S. KEITH,
Hearing Examiner.

[F.R. Doc. 65-7215; Filed, July 8, 1965; 8:48 a.m.]

[Docket No. 15459 etc.]

PACIFIC NORTHWEST-SOUTHWEST SERVICE INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that public hearings in the Pacific Northwest-Southwest Service Investigation will be held before the undersigned Examiner at Seattle, Wash.; Denver, Colo.; Houston, Tex.; and New Orleans, La. for the purpose of enabling the civic parties to present their factual evidence at a convenient location. Unless special permission is obtained from the Examiner, each civic party shall present its case at the hearing site nearest to it.

The hearing will commence in Seattle on August 10, 1965, at 10 a.m., local time, in the Snoqualmie Room, adjacent to the Coliseum, at the Seattle Center. The hearing will be held in Denver about August 17 in the Onyx Room of the Brown Palace Hotel; in Houston about August 24 at the Sheraton-Lincoln Hotel; and in New Orleans about August 31 in Room 13030, Federal Office Building, located at 701 Loyola Avenue.

Notice is further given that any person, other than a party of record, may appear at any of these sessions and present factual evidence which is relevant to the issues in accordance with Rule 14 of the Board's rules of practice. All such participants should promptly notify the Examiner of their desire to be heard.

At the conclusion of these sessions, the hearing will be moved to Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., where the airline and Government parties will present their cases beginning at 10 a.m., e.d.t., on September 8, 1965.

For details of the issues involved in this proceeding, interested persons are referred to the Board's Orders of Investigation Order E-21186, dated August 13, 1964; Order E-21601, dated December 21, 1964; and Order E-21737, dated January 29, 1965; the Prehearing Conference Report served on February 25,

1965; the Supplemental Prehearing Conference Report served on March 12, 1965; and other documents which are in the docket of this proceeding on file in the docket section of the Civil Aeronautics Board.

Dated at Washington, D.C., July 6, 1965.

[SEAL] ROSS I. NEWMANN,
Hearing Examiner.

[F.R. Doc. 65-7216; Filed, July 8, 1965; 8:48 a.m.]

[Docket No. 16056]

WHEATON VAN LINES, INC., ET AL.

Notice of Proposed Approval

Application of Wheaton Van Lines, Inc., et al., for approval of control and interlocking relationships under sections 408 and 409 of the Federal Aviation Act of 1958, as amended, Docket 16056.

Notice is hereby given, pursuant to the statutory requirements of section 408(b), that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 15 days from date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., July 6, 1965.

[SEAL] J. W. ROSENTHAL,
Routes and Agreements Division, Bureau of Economic Regulation.

APPROVING CONTROL AND INTERLOCKING RELATIONSHIPS

By application filed April 14, 1965, as amended May 17, and May 28, 1965, the Board has been requested to approve under section 408 of the Federal Aviation Act of 1958, as amended (the Act), the common control of Wheaton Van Lines, Inc. (Wheaton), Furniture Forwarding, Inc. (Furniture), and Crown Moving and Storage, Inc. (Crown), by Mr. E. S. Wheaton and family.[1] The application also requests approval of certain interlocking relationships,[2] as shown in the appendix hereto.[3]

Wheaton is an interstate motor common carrier of household goods and a surface freight forwarder of household goods. It is also an applicant for interstate and international air freight forwarder authority.[4] Crown is an intrastate motor common carrier of household goods, and Furniture is a surface freight forwarder of household goods.

The application states that the instant control and interlocking relationships do not raise any new substantive issues and are similar to those approved by the Board in the past. The application also states that the public interest will not be adversely affected by approval of the relationships, that there will be no restraint of competition and that no monopoly will be created.

No adverse comments or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later that the day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

Upon consideration of the application, it is concluded that Furniture and Crown are common carriers within the meaning of section 408 of the Act and that the common control of Wheaton, Furniture, and Crown by E. S. Wheaton and family is subject to section 408 of the Act.[5] However, it has been further concluded that such relationships do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly and do not restrain competition. Furthermore, no person disclosing a substantial interest in this proceeding is currently requesting a hearing and it is found that the public interest does not require a hearing. It therefore appears that approval of the control relationships would not be inconsistent with the public interest.

It is also concluded that interlocking relationships within the scope of section 409(a) of the Act will exist between the companies as a result of the holding by the individual applicants of the positions described in the appendix hereto.[3] However, it is further concluded that the parties have made a due showing in the form and manner prescribed that such interlocking relationships, and any future relationships resulting from the election or appointment of the individual applicants to further positions as officers and/or directors of Wheaton, Crown, and Furniture, will not adversely affect the public interest.

Pursuant to authority duly delegated by the Board in the Board's regulations 14 CFR 385.13, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, without a hearing, and that the interlocking relationships described above should be approved under section 409 of the Act.

Accordingly, *It is ordered:*

1. That the common control by E. S. Wheaton and family of Wheaton, Crown, and Furniture be and it hereby is approved;

2. That, subject to the provisions of Part 251 of the Board's economic regulations, as now in effect or hereafter amended, the interlocking relationships existing by reason of the holding by the individual applicants of the positions set forth in the appendix hereto[3] be and they hereby are approved; and

3. That future interlocking relationships resulting from the election or appointment of the individual applicants to positions as officers and/or directors of Wheaton, Crown, and Furniture, other than as shown herein, be and they hereby are approved.

Persons entitled to petition the Board for review of this Order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this Order.

This Order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this Order on its own motion.

By J. W. ROSENTHAL,
Chief, Routes and Agreements Division, Bureau of Economic Regulation.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 65-7217; Filed, July 8, 1965; 8:48 a.m.]

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[1] Mr. E. S. Wheaton and his wife, Marjorie A. Wheaton, own 100 percent of the stock of Wheaton which, in turn, owns 100 percent of the stock of Furniture. E. S. Wheaton, Constance J. Wheaton, his daughter, Richard J. Wheaton, his son, C. Lloyd Kroger, his son-in-law, and Paul H. Feucht, his son-in-law, together own 62½ percent of the stock of Crown, i.e., 12½ percent each.

[2] The application also requests that the Board authorize the individual applicants to hold generally, in addition to the positions set forth herein, directorships and offices within the Wheaton system of affiliated and subsidiary companies, i.e., Wheaton, Furniture, and Crown.

[3] Appendix filed as part of original document.

[4] Such application is construed to be a request for authority to engage in the movement of used household goods. For purposes of the instant proceeding (Docket 16056), Wheaton is considered to be an air carrier.

[5] As used herein, "family" means those persons named in footnote 1, supra.

FEDERAL AVIATION AGENCY

DIRECTOR, FLIGHT STANDARDS SERVICE

Delegation of Exemption Authority

Section 610(b) of the Federal Aviation Act, 49 U.S.C. 1430(b), authorizes the Administrator of the Federal Aviation Agency to exempt foreign aircraft and airmen serving in connection therewith from the provisions of section 610(a), 49 U.S.C. 1430(a), except with respect to the observance by such airmen of the air traffic rules, upon such terms and conditions as he may prescribe as being in the interest of the public. Authority to grant individual exemptions under this provision is being delegated to the Director, Flight Standards Service, effective July 9, 1965, pursuant to section 303(d), 49 U.S.C. 1344(d). The "general provisions," governing delegations, of section 1(b) of Subpart D of the FAA Organization Statement, 30 F.R. 3395, 3400, apply to this delegation.

Issued in Washington, D.C., on July 1, 1965.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 65-7169; Filed, July 8, 1965; 8:46 a.m.]

[Amdt. 1]

ORGANIZATION STATEMENT

Delegation of Authority

The Federal Aviation Agency Organization Statement, issued March 10, 1965 (30 F.R. 3395), sets forth in Subpart D, Section 2 the delegation of authority from the Administrator to the Deputy Administrator. As that section was then written, subparagraph (a)(1)*b* excludes from the delegation the functions of promulgating rules, regulations, orders, and exemptions, except those specifically listed in delegations to the Deputy Administrator or to any other officer of the Agency. Authority to exercise these powers has now been delegated to the Deputy Administrator. An appropriate amendment to the Organization Statement must therefore be published.

For the foregoing reasons, the Organization Statement is hereby amended, effective July 1, 1965, by deleting subparagraph *b* of section 2(a)(1). Present subparagraphs *c* and *d* are redesignated as subparagraphs *b* and *c*, respectively.

Issued in Washington, D.C., on July 6, 1965.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 65-7261; Filed, July 8, 1965; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15861, 15862; FCC 65M-859]

CHARLOTTESVILLE BROADCASTING CORP. (WINA) AND WBXM BROADCASTING CO., INC.

Memorandum Opinion and Order Scheduling Prehearing Conference

In re applications of Charlottesville Broadcasting Corp. (WINA), Charlottesville, Va., Docket No. 15861, File No. BP-15768; WBXM Broadcasting Co., Inc., Springfield, Va., Docket No. 15862, File No. BP-15808; for construction permits.

1. The Hearing Examiner has under consideration (1) a "Joint Petition for Leave To Amend" the above-entitled applications filed on June 4, 1965, by the applicants' attorneys and (2) a letter from counsel for WBXM Broadcasting Co., Inc., with a purported "further amendment" to its application, said letter having been received June 24, 1965.

2. There also are oppositions and comments to the above filed by two intervenors and the Commission's Broadcast Bureau which need not be considered in this memorandum opinion and order.

3. The Hearing Examiner is constrained to conclude that the joint amendment cannot be accepted because (1) its Exhibit E2 is undecipherable and hence meaningless, and (2) the aforesaid letter is defective as a petition and, in any event, it is doubtful whether a joint petition to amend may be revised unilaterally even though the revision would apply to only one application.

4. The following ordering clauses will not bar the Hearing Examiner's consideration of a new petition (with amendment(s)) properly phrased with legible exhibits and an inclusive prayer for relief.

Accordingly, it is ordered, This 1st day of July 1965, that the joint petition aforementioned is denied and the accompanying amendment and its attempted revisions are rejected, and

It is further ordered, That a further prehearing conference in this matter is scheduled to commence at 9 a.m., July 9, 1965, in the Commission's offices in Washington, D.C.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7166; Filed, July 8, 1965; 8:46 a.m.]

[Docket No. 16070; FCC 65M-866]

COMMUNICATIONS SATELLITE CORP.

Order Following Prehearing Conference

In the matter of Communications Satellite Corp., Docket No. 16070; charges, practices, classifications, rates and regulations for and in connection with the leasing of voice grade and television channels to common carriers authorized by the Federal Communications Commission, between Andover, Maine, and a communications-satellite in connection with the establishment of communication paths between points in the United States and Europe for the transmission and reception of voice, record, data, telephoto, facsimile, television and other signals.

The Examiner having under consideration the prehearing conference held July 1, 1965;

It is ordered, This 1st day of July 1965, that the parties to this proceeding endeavor to work out a resolution of the suspended items of Communications Satellite Corp. (Comsat) Tariff FCC No. 1, and that a further prehearing conference be held herein at 9 a.m., on July 16, 1965, at the offices of the Commission in Washington, D.C., at which time a report shall be rendered concerning the areas of agreement and disagreement remaining with respect to such items; and

It is further ordered, That consideration will then be given to the setting of an appropriate hearing date for disposition of any remaining matters of disagreement related to such suspended item; and

It is further ordered, Pursuant to acquiescence stated by Comsat on the record, that the period of suspension relating to any disputed and suspended tariff items shall be continued for a minimum period of 60 days following the presently effective terminal date of such suspension, unless such items are earlier resolved by mutual agreement of the interested parties; and

It is further ordered, That the hearing on all other matters in issue relative to Comsat Tariff FCC No .1 shall be deferred for a minimum period of 6 months, and that the Examiner shall call a further conference in January 1966 to deal with such problems and the matter of setting a discrete date for hearing thereon; and

It is further ordered, That any interested party may, at any time, petition the Examiner to convene a hearing conference for the purpose of considering any appropriate action to be taken with respect to disposition of the issues pertaining to Comsat Tariff No. 1.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7167; Filed, July 8, 1965; 8:46 a.m.]

[Docket No. 16072; FCC 65M-865]

AMERICAN TELEPHONE & TELEGRAPH CO.

Order Scheduling Hearing

In the matter of American Telephone & Telegraph Co., Docket No. 16072; revision of definition of service point in connection with private line services and channels (20th revised page 18, American Telephone & Telegraph Co. Tariff FCC No. 134).

It is ordered, This 1st day of July 1965, that Herbert Sharfman shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m., on September 28, 1965; and that a prehearing conference shall be convened at 9 a.m., on July 27, 1965; *And, it is further ordered,* That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7321; Filed, July 8, 1965; 8:48 a.m.]

[Docket No. 16084; FCC 65-567]

AMERICAN TELEPHONE & TELEGRAPH CO.

Memorandum Opinion and Order Instituting Investigation

In the matter of American Telephone & Telegraph Co., Docket No. 16084; Tariff FCC No. 134, paragraph 27, second revised page 10H.

1. On May 28, 1965, American Telephone & Telegraph Co. filed a proposed tariff revision, third revised page 10H to A.T. & T. Tariff FCC No. 134, which would limit the availability of press rates to press users who use more than 50 percent of private line services and channels for the collection and dissemination of general news. The currently effective tariff provisions do not contain any similar provision. The revision is scheduled to become effective July 5, 1965.

2. The National Broadcasting Co., Inc., has filed a petition, dated June 18, 1965, in which it has requested the Commission to suspend and after hearing reject A.T. & T.'s proposed tariff amendment limiting the availability of press rates. A.T. & T. has filed an opposition to the grant of NBC's petition.

3. NBC in support of its petition to suspend contends that the proposed tariff revision is unjust and unreasonable. It argues that if the proposed tariff becomes effective (1) it will result in further attempts by A.T. & T. to undermine the present press rate tariff structure; (2) it will require close and constant analysis of traffic on every circuit in order to determine whether or not such traffic falls within the definition of "general news," which, in turn, could lead to harassment of the customer by the carrier; and (3) it will place an undue burden on the Commission in deciding the many controversial questions which will arise under the proposed tariff.

4. A.T. & T. in support of its opposition states that (1) NBC seeks to eliminate one of the tests established by the Commission for obtaining press rates, namely that it be used for the collection and dissemination of general news; (2) there is nothing in the petition that indicates the 50 percent use provision is unreasonable; and (3) a predominant use provision is reasonably implied in a situation requiring a dual classification of services.

5. It appears that the proposed revision may be so ambiguous that it would be impossible to determine whether it was being applied properly. For example, it does not specify over what time period the use must be 50 percent. Moreover, as pointed out in the petition, a question is raised as to the reasonableness of a provision which might be construed to apply press rates if general news were transmitted 3 hours out of 8, with the rest of the time idle, but not where the rest of the time is used for other transmission. Further, the choice of 50 percent rather than some other figure has not been explained.

6. In view of the foregoing, it appears that if the proposed tariff revision were to become effective as scheduled the interests of the public would be adversely affected.

Accordingly, it is ordered, That pursuant to the provisions of section 204 of the Communications Act of 1934, the operation of the above-mentioned revision of third revised page 10H of American Telephone & Telegraph Co. Tariff F.C.C. No. 134 is hereby suspended until the fifth day of October 1965, unless otherwise ordered by the Commission; and that during such period no changes should be made unless authorized by special permission of the Commission; and

It is further ordered, That pursuant to the provisions of sections 201, 202, 204, 205, and 403 of the Communications Act of 1934, as amended, an investigation is hereby instituted into the lawfulness of the above-mentioned tariff; and

It is further ordered, That A.T. & T. and all companies listed as concurring carriers in the above-mentioned tariff schedules are made parties respondent and the National Broadcasting Co., Inc., is granted leave to intervene upon filing a notice of intention to intervene in this investigation.

It is further ordered, That without limiting the scope of the investigation, inquiry shall be made into the following:

(a) Whether the above-mentioned tariff provision is or will be unjust and unreasonable within the meaning of section 201(b) of the Communications Act of 1934, as amended;

(b) Whether this tariff provision will subject any person or class of persons to unjust or unreasonable discrimination or give any undue or unreasonable preference or advantage to any person, class of persons or locality, or subject any person, class of persons or locality to any undue or unreasonable prejudice or disadvantage within the meaning of section 202(a) of the Communications Act of 1934, as amended;

(c) Whether the Commission should prescribe a just and reasonable tariff provision and, if so, what tariff provision should be prescribed; and

It is further ordered, That a hearing shall be held at the Commission's offices in Washington, D.C., at a time to be hereafter specified, and that the Hearing Examiner designated to preside at the hearing shall certify the record to the Commission for decision without preparing either an initial decision or a recommended decision; and that the Chief, Common Carrier Bureau, shall prepare and issue a recommended decision;

It is further ordered, That the above-mentioned petition is granted to the extent indicated and in all other respects is denied.

Adopted: June 30, 1965.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7222; Filed, July 8, 1965; 8:48 a.m.]

[Docket Nos. 16088—16092; FCC 65-587]

THEODORE GRANIK ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Theodore Granik, Washington, D.C., Docket No. 16088, File No. BPCT-3453; All American Television Features, Inc., Washington, D.C., Docket No. 16089, File No. BPCT-3459; The Greater Washington Educational Television Association, Inc., Washington, D.C., Docket No. 16090, File No. BPCT-3514; T.C.A. Broadcasting, Inc., Washington, D.C., Docket No. 16091, File No. BPCT-3498; Colonial Television Corp., Washington, D.C., Docket No. 16092, File No. BPCT-3549; for construction permit for new television broadcast station.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 30th day of June 1965;

The Commission, having under consideration the above-captioned applications, each requesting a construction permit for a new television broadcast station to operate on Channel 50, Washington, D.C.; and

It appearing that the above-captioned applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference; and

It further appearing that the following matters are to be considered in connection with the issues specified below:

a. Based on information contained in the application of All American Television Features, Inc., cash of approximately $179,000 will be required for the construction and initial operation of the proposed station. To meet these cash requirements, the applicant relies upon the availability of $1,000 in existing capital, $74,000 in new capital from the sale of stock to the sole stockholder, All American Features, Inc., and a loan of $75,000 from the sole stockholder. It appears, therefore, that the applicant will have available to it $150,000 in cash and no showing has been made as to how the necessary additional funds will be obtained. In addition, the applicant proposes to lease land and buildings, but no lease agreements have been furnished. It is not possible, therefore, to determine whether the applicant will be required to furnish additional cash in connection with its lease agreements. It cannot be determined, therefore, that the applicant is financially qualified.

b. Based on information contained in the application of The Greater Washington Educational Television Association, Inc., cash of approximately $627,000 will be required for the construction of the proposed new station, including approximately $69,000 required in connection with the applicant's application (BPET-221) for a construction permit to make changes in the facilities of Television Broadcast Station WETA-TV, Channel *26, Washington, D.C. To meet these cash requirements, the applicant relies upon the availability of $110,000 in existing capital, a grant of $328,756 from the Department of Health, Education, and Welfare, donations of $56,000, credits of $25,000 and production service revenue of $38,000, a total of approximately $558,000. Assuming the availability of these funds, the applicant has not shown how the additional necessary funds will be obtained. It cannot be determined, therefore, that the applicant is financially qualified. However, in view of the Commission's policy of reserving channels for noncommercial educational use where a noncommercial educational applicant is successful in a comparative proceeding with commercial applicants, for the purposes of this proceeding we will consider the funds relied upon from the Department of Health, Education, and Welfare as being available to GWETA.

c. Based on engineering information contained in the application of Colonial Television Corp., it appears that the applicant proposes to mount its antenna atop the existing antenna supporting structure of Television Broadcast Station WETA-TV, with the expectation that Station WETA-TV will change the site of its transmitter and tower to another location. No application manifesting such an intention has been filed by Station WETA-TV and, in fact, it appears the GWETA, licensee of Station WETA-TV and competing applicant in this proceeding, proposes to locate the antenna of the proposed new station on the existing tower. Question is raised, therefore, as to whether there is reasonable assurance that the antenna site proposed by the applicant is available.

It further appearing that on April 3, 1964, The Greater Washington Educational Television Association, Inc. (hereinafter GWETA), filed a petition for rule making (RM-790) in Docket No. 14229, pursuant to the Commission's further notice of proposed rule making (FCC 63-975, released October 28, 1963), requesting that the Commission reserve Channel 50, Washington, D.C., for noncommercial educational use. On December 14, 1964, GWETA filed a petition to deny against the above-captioned applications of Theodore Granik and All American Television Features, Inc., requesting that further action with respect to these applications be deferred pending a final decision in the rule making proceeding. On December 29, 1964, the applicants filed their opposition to the petition to deny and on January 8, 1965,

petitioner filed its reply thereto. The above-captioned application of GWETA was filed on December 24, 1964. Petitioner does not allege standing as a "party in interest" within the intent and meaning of section 309(d) of the Communications Act of 1934, as amended. Considered as an informal objection filed pursuant to § 1.587 of the Commission's rules, the petition must be dismissed as moot. On June 4, 1965, the Commission adopted the Fourth Report and Order in Docket No. 14229 (FCC 65-504, released June 8, 1965) promulgating a new television Table of Assignments and allocating, inter alia, Channel 50 to Washington, D.C., on an unreserved basis and not reserving the channel for noncommercial educational use as requested by GWETA. At the same time, the Commission dismissed the petition for rule making (RM-790) filed in that proceeding by GWETA. GWETA's reasons for requesting deferral of action having been disposed of, its petition is moot.

It further appearing that Theodore Granik and All American Television Features, Inc., have not disclosed the citizenship of staff officials enumerated in section IV, paragraph 12, FCC Form 301, the applicants should be required to amend their applications to furnish the said information; and

It further appearing that the engineering proposals of Theodore Granik and All American Television Features, Inc., are not consistent with the requirements of § 73.682(a)(15) of the Commission's rules, as amended effective April 19, 1965 (Docket No. 15404, FCC 65-172, released March 11, 1965) with respect to the ratio of effective radiated power of the aural transmitter to the peak radiated power of the visual transmitter; and

It further appearing, that All American Television Features, Inc., and GWETA, each proposes to mount its antenna on the existing tower of Television Broadcast Station WETA-TV, Channel *26, Washington, D.C., and that, in the event of a grant of either of these applications, an application must be filed and granted by the Commission for modification of the existing structure to make the necessary changes; that a grant of either of these applications should be made subject to the condition that construction shall not commence until an appropriate application has been filed and granted conferring authority to make the necessary changes; and

It further appearing that Theodore Granik is legally, technically, financially and otherwise qualified to construct, own, and operate the proposed television broadcast station; that, except as indicated above, All American Television Features, Inc. is legally, technically, and otherwise qualified to construct, own, and operate the proposed television broadcast station; and that, except as indicated above, The Greater Washington Educational Television Association, Inc., is legally, technically and otherwise qualified to construct, own and operate the proposed television broadcast station; and that T.C.A. Broadcasting, Inc., is legally, technically, financially, and otherwise qualified to construct, own, and operate the proposed television broadcast station; and Colonial Television Corp. is legally, technically, financially, and otherwise qualified to construct, own, and operate the proposed television broadcast station; and

It further appearing that the transmitter proposed by T.C.A. Broadcasting, Inc., has not been type-accepted by the Commission and that, in the event of a grant of the application, such grant should be made subject to the condition that, prior to licensing, acceptable data shall be submitted for type-acceptance in accordance with the requirements of § 73.640 of the Commission's rules; and

It further appearing, that upon due consideration of the above-captioned applications, the Commission finds that, pursuant to section 309(e) of the Communications Act of 1934, as amended, a hearing is necessary and that the said applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Theodore Granik, all American Television Features, Inc., The Greater Washington Educational Television Association, Inc., T.C.A. Broadcasting, Inc., and Colonial Television Corp., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether All American Television Features, Inc., is financially qualified to construct, own, and operate the proposed television broadcast station.

2. To determine whether The Greater Washington Educational Television Association, Inc., is financially qualified to construct, own, and operate the proposed television broadcast station.

3. To determine whether there is reasonable assurance that the antenna site proposed by Colonial Television Corp. will be available for its proposed use.

4. To determine, on a comparative basis, which of the operations proposed in the above-captioned applications would best serve the public interest, convenience, and necessity in light of the evidence adduced pursuant to the foregoing issues, and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each, bearing on its ability to own and operate the proposed television broadcast station.

(b) The proposals of each with respect to the management and operation of the proposed television broadcast station.

(c) The programing services proposed in each of the above-captioned applications.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the instant applications should be granted.

It is further ordered, That the petition to deny filed herein by The Greater Washington Educational Television Association, Inc., is dismissed, as moot.

It is further ordered, That within twenty (20) days of the date of release of this order, Theodore Granik and All American Television Features, Inc., shall amend their respective applications to furnish the information required by section IV, paragraph 12, FCC Form 301, with respect to the citizenship of the staff members there enumerated.

It is further ordered, That in the event of a grant of the application of Theodore Granik or All American Television Features, Inc., such grant shall be made subject to the condition that, prior to grant of program test authority, the permittee shall apply for authority to reduce aural power so that the effective radiated power of the aural transmitter shall not be less than 10 percent nor more than 20 percent of the peak radiated power of the visual transmitter, in accordance with the requirements of § 73.682(a)(15) of the Commission's rules.

It is further ordered, That in the event of a grant of the application of All American Television Features, Inc., or The Greater Washington Educational Television Association, Inc., such grant shall be subject to the condition that construction shall not commence until an appropriate application has been filed by the licensee of Television Broadcast Station WETA-TV and granted by the Commission for authority to make necessary changes in the existing antenna supporting structure of that station.

It is further ordered, That in the event of a grant of the application of T.C.A. Broadcasting, Inc., such grant shall be subject to the condition that, prior to licensing, acceptable data shall be submitted for type-acceptance of the proposed transmitter in accordance with the requirements of § 73.640 of the Commission's rules.

It is further ordered, That the issues in the above-captioned proceeding may be enlarged by the Examiner with respect to the applications of Theodore Granik, T.C.A. Broadcasting, Inc., and Colonial Television Corp., on his own motion or upon petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: "To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated."

It is further ordered, That to avail themselves of the opportunity to be heard, Theodore Granik, All American Television Features, Inc., The Greater Washington Educational Television Association, Inc., T.C.A. Broadcasting, Inc., and Colonial Television Corp., pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date set for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication

of such notice as required by § 1.594(g) of the rules.

Released: July 6, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7223; Filed, July 8, 1965; 8:48 a.m.]

[Docket Nos. 16074—16080; FCC 65-563]

RICHARD P. GREENSIDE ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re application of Richard P. Greenside, Mattapan, Mass., for a Class D station license in the Citizens Radio Service, Docket No. 16074, File No. 146-CD-64; Richard P. Greenside trading as Mobilwave, Mattapan, Mass., for a Class D station license in the Citizens Radio Service, Docket No. 16075, File No. 342-CD-64; Richard P. Greenside, Mattapan, Mass., for a Class C station license in the Citizens Radio Service, Docket No. 16076, File No. 739-CC-64; Michael S. Greenside trading as Autowave, Mattapan, Mass., for a Class D station license in the Citizens Radio Service, Docket No. 16077, File No. 665-CD-64; Bertha Greenside, Mattapan, Mass., for a Class D station license in the Citizens Radio Service, Docket No. 16078, File No. 665-CD-64; William Greenside, Mattapan, Mass., for a Class D station license in the Citizens Radio Service, Docket No. 16079, File No. 666-CD-64; Stephen R. Greenside trading as Northwest TV, Mattapan, Mass., for a Class D station license in the Citizens Radio Service, Docket No. 16080, File No. 667-CD-64.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 30th day of June 1965;

The Commission having under consideration the captioned applications for licenses in the Citizens Radio Service; and

It appearing, that all of the applicants are members of one family (Richard, Michael, and Stephen are brothers, William and Bertha are their parents) residing at one address and that the subject applications request authorization for a total of 70 Class D radio units and one Class C unit; and

It further appearing, that the Commission by letters addressed to each applicant requested each one to state in detail, among other things, the need and the purpose of each proposed radio station and that, in apparent response thereto, a single unsigned letter, purportedly sent by the "Greenside Family", stated merely that the proposed stations were for "personal and business use of the family", and that five of the applications could be "canceled" if the applications filed by Richard P. Greenside were granted within 15 days, but that otherwise the purpose of and the need for the proposed stations have not been given; and

It further appearing, that in the abovementioned letter of the "Greenside Family", it was stated that each of the proposed stations would be operated by the other members of the family; and

It further appearing, that at various times during the period March 1963, through January 1964, Richard P. Greenside has committed a number of violations of the Commission's rules in connection with the operation of a citizens radio station formerly licensed to his wife, Diann N. Roosa (Docket No. 15378), that he has on a number of occasions, including on or about the dates February 7, 1963, October 20, 1964, October 21, 1964, October 26, 1964, October 28, 1964, October 30, 1964, January 3, 1965, and March 9, 1965, operated a radio station on frequencies allocated to the Citizens Radio Service without a proper license, and that he has on or about the dates November 25, 1963, December 4, 1963, December 5, 1963, January 13, 1964, and January 15, 1964, transmitted obscene, indecent, or profane language over radio-communication facilities in violation of 18 U.S. Code 1464; and

It further appearing, that during the period October 1963, through March 1964, Bertha Greenside has operated citizens radio equipment improperly and without proper authorization; and

It further appearing, that during the period May 1963, through May 1964, Michael S. and Stephen R. Greenside also have operated citizens radio equipment improperly and without proper authorization, also raising questions as to their qualifications to be licensees; and

It further appearing, that Richard P. Greenside may be the real party in interest to the captioned applications filed by the members of his family or to some of them; and

It further appearing, that in view of the foregoing, the Commission has not been able to find that the public interest, convenience or necessity would be served by the grant of the captioned applications; and

It is ordered, Pursuant to section 309(e) of the Communications Act of 1934, as amended, and § 1.973(b) of the Commission's rules, that the captioned applications are designated for consolidated hearing, at a time and place to be specified by a subsequent order, upon the following issues:

1. To determine the need and the purpose of the radio facilities sought by the captioned applications.

2. To determine if Richard P. Greenside is the real party in interest to the applications filed by the other applicants herein, or to any of them.

3. To determine the extent to which Richard P., Michael S., and Stephen R. Greenside would operate the proposed stations of the other applicants herein.

4. To determine whether the applicants herein, other than William Greenside, have the requisite character qualifications to be licensees of the Commission in the Citizens radio service.

5. To determine, in the light of the evidence adduced under the foregoing issues, whether the public interest, convenience or necessity would be served by the grant of the captioned applications, or any of them.

6. To determine, if under Issue 5 it is decided to grant the applications of either William or Bertha Greenside, whether the grant should be subject to a condition that Richard P., Michael S., and Stephen R. Greenside not operate any unit of the station; and

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof on all issues shall be on the applicants; and

It is further ordered, That to avail himself of the opportunity to be heard, each applicant, in person or by his attorney, shall, pursuant to § 1.221(c) of the Commission's rules, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating that he will appear on the date fixed for hearing and present evidence on the issues specified in this order.

Released: July 6, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7224; Filed July 8, 1965; 8:49 a.m.]

[Docket Nos. 15965, 15966; FCC 65M-869]

PARISH BROADCASTING CO., AND CLINTON BROADCASTING CO.

Order Regarding Procedural Dates

In re applications of James A. Gatewood trading as Parish Broadcasting Co., Franklinton, La., Docket No. 15965, File No. BP-16360; William E. Hardy and James E. Myers, doing business as Clinton Broadcasting Co., Clinton, Miss., Docket No. 15966, File No. BP-16425; for construction permits.

The Hearing Examiner having for consideration a motion for extension of procedural dates, filed on June 29, 1965, by Parish Broadcasting Co., together with petitioner's statement that the Broadcast Bureau, the only other party hereto,[1] consents to immediate grant of the requested relief;

It appearing that the additional time is necessary for the petitioner to achieve substantial compliance with the Commission's rules relating to publication and to supplement its written exchange, and that good cause exists for a grant of the requested relief;

It is ordered, This 1st day of July 1965, that the subject petition is granted, and

[1] There is pending the petition of Clinton Broadcasting Co. for dismissal of its application, which petition will be ripe for action following the filing of an affidavit of no consideration by Parish pursuant to §1.525 (c)(1).

that the following procedural dates are established:

July 14, 1965—Exchange of supplemental written exhibits.
July 21, 1965—Notification of witnesses.
July 29, 1965—Commencement of hearing at 9 a.m.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7225; Filed, July 8, 1965; 8:49 a.m.]

[Docket No. 16087; FCC 65-585]

PATROON BROADCASTING CO., INC.

Order Designating Application for Hearing on Stated Issues

In re application of Patroon Broadcasting Co., Inc., Albany, N.Y., Docket No. 16087, File No. BR-2787; for renewal of license of Station WPTR.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 30th day of June 1965:

The Commission has under consideration (1) the above-captioned application and amendments and correspondence relating thereto; and (2) the various decisions by the courts[1][2] holding, among other matters, that:

(a) Schine Chain Theatres, Inc., et al., including J. Myer Schine had been guilty of violations of sections 1 and 2 of the Sherman Act (26 Stat. 209, 15 U.S.C.A. secs. 1 and 2); [3] and

(b) Schine Chain Theatres, Inc., et al., including J. Myer Schine and Donald G. Schine were convicted and fined $73,000 for criminal contempt[2] in violating a 1949 consent decree; [3] and

It appearing that (1) the unlawfulness of the activities of the Schine interests resulting in violations of the antitrust laws and the criminal contempt convictions have been determined fully by the courts; (2) Schine Chain Theatres, as well as the other named individuals, have exhausted fully their rights to judicial appeals relating to their above-described unlawful conduct; (3) the facts, findings, and holdings of the courts with respect to the above-described unlawful conduct of the Schine interests are deemed established and conclusive by this Commission; and (4) accordingly, there are no issues of fact or of law to be determined by this Commission with respect to the unlawfulness of the conduct of the Schine interests as established by the aforementioned decisions of the courts; and

It further appearing that the aforementioned findings of fact and conclusions of law show that, among other matters, the above-named individuals, and other respondents, had willfully violated the consent decree and were guilty of a fraud on the courts and of outright misrepresentations to the courts; and

It further appearing that in affirming the criminal contempt convictions of the above-named individuals, and other respondents, the appeal court found that; "The evidence shows not isolated instances of violation, but a conscious and continuous scheme to thwart the court's decree"; and

It further appearing that in view of the foregoing considerations and in accordance with the Commission's Report on Uniform Policy as to Violations by Applicants of Laws of the United States, 1 Pike & Fischer, R.R., part III, 91:495, "violation of a U.S. law per se raises * * * [a] presumption adverse to an applicant * * * regarding character * * * [which] may be overcome by countervailing circumstances * * * or other favorable facts and considerations that outweigh the record of unlawful conduct and qualify the applicant to operate a station in the public interest"; [4] and

It further appearing that based upon the facts now before us we are unable to find that there are either mitigating or countervailing considerations which outweigh the adverse presumption regarding the licensee's character qualifications; and

It further appearing that, prior to February 29, 1960, the licensee corporation was substantially owned and controlled by Schine Chain Theatres, Inc., which in turn was owned 100 percent by Schinebro, Inc., another Schine family corporation, which latter corporation had 181 shares of common stock outstanding of which 130 shares (71.8 percent) were owned by J. Myer Schine and 51 shares (28.2 percent) were owned by the Estate of Louis W. Schine; and

It further appearing that on February 29, 1960, Schinebro, Inc., and another Schine family corporation, Hildemart Corp., were merged and consolidated into a new corporation, Schine Enterprises, Inc., and as a result thereof all the stock in Schine Chain Theatres, Inc., previously owned by Schinebro, Inc., was transferred to Schine Enterprises, Inc., a corporation in which J. Myer Schine held a minority stock interest; and

It further appearing that the foregoing described transactions were effectuated without applying for and obtaining the prior consent of this Commission in contravention of section 310(b) of the Communications Act of 1934, as amended; and

It further appearing that, in light of the above considerations, the Commission is unable to find that a grant of the above-entitled application would serve the public interest, convenience and necessity, and, that said application must, therefore, be designated for hearing;

It is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine, in light of the Commission's Report on Uniform Policy as to Violations by Applicants of Laws of the United States, supra, whether, and to what extent, the conduct, as described above, of Schine Chain Theatres, Inc., of J. Myer Schine, and of Donald G. Schine, adversely reflect upon their character qualifications as stockholders, and/or officers and directors of the licensee of WPTR.

2. To determine whether there has been a transfer of control of Radio Station WPTR in contravention of section 310(b) of the Communications Act;

3. To determine whether, in light of the evidence adduced with respect to all of the foregoing issues, the licensee possesses the basic character qualifications to continue to be the licensee of Station WPTR.

4. To determine whether a grant of the application for renewal of license would serve the public interest, convenience, and necessity.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.221 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission thereof as required by § 1.594 of the Commission's rules.

Released: July 6, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[5]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7226; Filed, July 8, 1965; 8:49 a.m.]

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[1] United States v. Schine Chain Theatres, Inc., et al., 63 F. Supp. 229 (1945), 334 U.S. 110 (1947).

[2] Findings of fact and conclusions of law of the U.S. District Court for Western District of New York filed Dec. 27, 1956; judgment of conviction and fines of $73,000 entered by U.S. District Court for Western District of New York on Mar. 18, 1957; United States v. J. Myer Schine, et al., 260 F. 2d 552 (1958), criminal contempt conviction and fines affirmed; 358 U.S. 93 (1959), certiorari denied.

[3] The U.S. District Court for the Western District of New York entered a consent decree on June 24, 1949.

[4] The Commission has also taken into account the recent decisions under the Uniform Policy involving Westinghouse and General Electric, 22 Pike & Fischer, R.R., 1023; and 2 Pike & Fischer, R.R., 2d 1038. The essential difference between those cases and this one is that the principals of the broadcast operation not only engaged in antitrust violations but through fraudulent deals and outright misrepresentations deliberately set out to deceive the court and the Department of Justice as to compliance with the provisions of the consent decree. Such a pattern of deliberate deceit, misrepresentation to courts and governmental bodies, and fraud—which was not present in the above cited cases—is most serious (cf. FCC v. WOKO, Inc., 329 U.S. 223) and results in the hearing here ordered.

[5] Chairman Henry concurring in result; Commissioner Cox not participating.

[Docket No. 15983; FCC 65M-863]

TWELVE SEVENTY, INC.

Order Continuing Hearing

In the matter of Twelve Seventy, Inc., Docket No. 15983, File No. BR-1749; for renewal of license of Station WTID, Newport News, Va.

It is ordered, This 1st day of July 1965, in view of representations and developments during prehearing conference held this date indicating the futility of convening the hearings in the above-entitled proceeding on July 21, 1965, as previously scheduled, that the said hearings are continued to a date to be specified by subsequent order.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7227; Filed, July 8, 1965; 8:49 a.m.]

[Docket No. 15254 etc.; FCC 65-581]

ULTRAVISION BROADCASTING CO. ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of Florian R. Burczynski, Stanley J. Jasinski, and Roger K. Lund, doing business as Ultravision Broadcasting Co., Buffalo, N.Y., Docket No. 15254, File No. BPCT-3200; WEBR, Inc., Buffalo, N.Y., Docket No. 15255, File No. BPCT-3211; for construction permits for new television broadcast stations; The Superior Broadcasting Corp., Cleveland, Ohio, Docket No. 15250, File No. BPCT-3243; for a construction permit for a new television broadcast station; Integrated Communication Systems, Inc. of Massachusetts; Boston, Mass., Docket No. 15323, File No. BPCT-3167; for a construction permit for a new television broadcast station.

1. By petitions filed on April 1, 1965, Florian R. Burczynski, Stanley J. Jasinski, and Roger K. Lund, doing business as Ultravision Broadcasting Co. and The Superior Broadcasting Corp. seek review by the full Commission of the Memorandum Opinion and Order, FCC 65M-282, released March 12, 1965, by a Panel of the Commission.[1] Responsive pleadings filed on April 21, 1965, consist of an opposition by WEBR, Inc., and comments by the Broadcast Bureau. A reply to oppositions was filed by Ultravision on May 3, 1965.

2. These cases relate to applications for UHF television stations in Buffalo, N.Y.; Cleveland, Ohio; and Boston, Mass.[2] In each community, three commercial VHF stations are presently in operation, and the significant issue herein presented is whether a higher standard should be applied in determining the financial qualifications of applicants for UHF facilities under such circumstances. The Panel majority held that "we must seek to strike a balance between our desire, on the one hand, to stimulate the earliest possible development of the UHF medium, and the danger, on the other hand, that attainment of our alternate goal may be impaired if there should be any broad-scale repetition of the financial failures of the early UHF years" (par. 13). The Panel majority found that all of the applicants would depend upon advertising revenues for a continuing operation and noted the wide divergence in the estimates of revenues submitted by the applicants. The Panel concluded that each applicant should be required to project estimated annual revenues over a 3-year period and to establish by evidentiary proof the basis for such estimates. The Panel majority further concluded that a realistic estimate of construction costs and operating expenses is also essential and required that each applicant disclose all factors which were considered in computing such costs and expenses. The issues in each proceeding were therefore enlarged to include the following:

(a) To determine the basis of each applicant's (1) estimated construction costs, (2) estimated operating expenses for the first year of operation (or for a 3-year period, if desired), and (3) estimated annual revenues projected over a 3-year period; and

(b) To determine, in light of the evidence adduced, which of the applicants, if any, has demonstrated a reasonable likelihood of construction and continuing operation of its proposed station in the public interest.

3. Ultravision and Superior object to the additional issues. The principal arguments advanced are that the issues improperly delve into financial success rather than financial qualifications which is the test prescribed by section 308(b) of the Communications Act; that the information required by the Panel majority consists of intangible factors which would be difficult if not impossible of proof in an adjudicatory proceeding; that obtaining the said information will place an intolerable burden upon the applicants with no concomitant public interest value; that the issues favor the wealthy applicant over the one with more limited resources; and that the new financial standards adopted represent an unwarranted departure from Commission precedent, and they are inconsistent with the policy of encouraging the development of UHF. The Broadcast Bureau reiterates its proposal, rejected by the Panel, that the applicants demonstrate their ability to meet all fixed costs during the first year of operation in addition to the showing of sufficient funds for construction and operation for a period of 3 months without revenue.

4. In its opposition, WEBR states that petitioners rely entirely on arguments previously presented to and considered by the Panel; and that the Commission should not grant reconsideration merely for the purpose of again debating matters on which the tribunal has already deliberated and spoken. WEBR further contends that the Commission has not only the statutory responsibility but also the plain duty to require a reasonable showing of the ability of new UHF stations to survive the period of set conversion in all-VHF markets, and the Panel's decision is fully consistent with both the policy of the Communications Act and past actions of the Commission in other special situations; that the modified issue is not incapable of proof and would not unreasonably burden the applicants; and that the issues do not favor multiple owners, and are in furtherance of rather than contrary to Commission UHF policy. Regardless of the action the Commission may take with respect to the Panel's decision, WEBR asserts that a standard financial issue must be added against Ultravision in the Buffalo proceeding.

5. We are authorized by statute[3] to determine whether an applicant for a broadcast facility has sufficient funds to construct the station and to commence operation, and in making that determination we must take into consideration any factors which are peculiar to a given situation or to any change of circumstances which call for a revision of our existing standards. In these proceedings we believe there is cause for concern lest we permit a repetition of the earlier history of UHF failures which could seriously prejudice our goal for the expanded use of the UHF band. Station failures will result not only in a private detriment, but also in a public detriment in that applicants who may have the financial ability to operate a station on a continuing basis will be discouraged from seeking permits for such facilities. However, we also believe that there is merit to the concern of petitioners that the task of projecting estimated annual revenues over a 3-year period and demonstrating, in every instance, the basis for such estimates may place a heavy burden on applicants. Before discussing this aspect of the case, we shall first consider the objections to the requirement that evidentiary proof be submitted to support estimated construction costs and operating expenses.

6. As stated by the Panel, a determination as to whether there exists a reasonable likelihood of a continuing operation must rest on a realistic estimate of construction costs and operating expenses. Applicants for broadcast stations are expected to plan carefully their programing and other operations. We see no reason why the parties hereto should encounter any particular difficulty in submitting evidentiary proof concerning the amounts allocated for staffing, programing, fixed charges, and other expenses during the first year of operation; and to establish that the funds allocated for programing are reasonably likely to suffice for effectuation of program proposals. We agree with the

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[1] The Panel consisted of Commissioners Bartley, Lee, and Cox. Commissioner Lee dissented and issued a statement.

[2] The request of Cleveland Telecasting Corp. for dismissal of its application for the Cleveland UHF facility was granted by Order of the Examiner, FCC 65M-452, released Apr. 14, 1965. By Order, FCC 65R-195, released June 2, 1965, the Review Board granted the petition of United Artists Broadcasting, Inc., for dismissal of its application in the Boston proceeding.

[3] Section 308(b) of the Communications Act of 1934, as amended.

Panel's determination to enlarge the issues to permit inquiry into the basis of each applicant's estimated construction costs and estimated operating expenses during the first year of operation.

7. With respect to the production of evidentiary proof concerning the basis for estimated revenues, it appears that some modification of the issues added by the Panel is advisable. First, we believe that a projection of estimated revenues for the first year of operation will suffice for our purposes. The continued operation of the proposed station after the first year may depend upon the licensee's ingenuity or business acumen, the attractiveness of its programing, or upon numerous other factors which are difficult to assess. If there is established a reasonable assurance that the applicant possesses the financial capability to operate for a year, the possibility that a failure will thereafter occur is sufficiently reduced so that our objective to obtain an applicant which is likely to provide service on a continuing basis will essentially be accomplished.

8. Secondly, we conclude that an applicant should be permitted to demonstrate its ability to meet all fixed charges and operating expenses during the first year of operation either by proof that adequate funds are available and committed to the proposed station for this purpose without income, or by a convincing evidentiary showing that the available and committed funds will be supplemented by sufficient advertising or other revenue to enable the applicant to discharge its financial obligations during the first year. With respect to the applicant which demonstrates that it possesses the financial resources to operate for a year without income, the estimate of anticipated revenue has only limited significance and we believe we are justified in accepting the available assets as adequate proof that the applicant is financially qualified to receive a grant. Where, however, viability of the proposed facility during the first year is dependent upon income, the accuracy of the estimate becomes a critical factor in determining whether a continuing operation is likely. In such cases, we deem it to be essential that the applicant demonstrate the soundness of the figure submitted. Only if the factors which were considered in arriving at the estimate are fully disclosed will we be able to judge whether the figure is realistic and whether it has a sufficient foundation in fact.

9. We wish to emphasize, however, that where an applicant is able to demonstrate the financial ability to meet costs and expenses during the first year without income only because the first monthly or quarterly installment payments for equipment or other fixed charges have, by agreement with the manufacturers or supplier, been deferred beyond that period, we will scrutinize with care the applicant's itemization of expenses. Our purpose in requiring supporting proof for estimated revenues is to enable us to make an informed judgment as to whether a continuing operation in the public interest is likely, and we expect applicants to provide us with the necessary information in every case where, as a practical matter, the information would be relevant.

10. Our reexamination of the test to be applied in determining the financial qualifications of applicants for broadcast facilities was prompted by our concern as to whether there existed a reasonable likelihood of a continuing operation in the public interest where a UHF applicant seeks to enter a three-VHF station market. However, we see no reason to confine the new standard adopted herein to such situations. A continuing operation is a vital public interest factor in the case of applications for other commercial broadcast facilities as well. For this reason we shall hereafter require all applicants for commercial broadcast facilities, whether AM, FM, VHF–TV, or UHF–TV, to demonstrate their financial ability to operate for a period of 1 year after construction of the station. In those instances where operation during the first year is dependent upon estimated advertising revenues, the applicants will be required to establish the validity of the estimate.

11. We do not believe that any undue hardship will result to the applicants required to provide evidentiary showings in support of estimated revenues. Applicants are expected to act in good faith in submitting information to the Commission, and to submit estimates which reflect their best judgment. All that is being requested here is that applicants explain the basis for their expressed judgment concerning anticipated revenues where such revenues are crucial to a continuing operation. The fact that applicants may be put to some expense or inconvenience to provide this essential information cannot be permitted to become a determinative factor in view of the very significant public interest consideration that applicants be chosen who have a reasonable likelihood of providing service to the public on a continuing basis.[4]

12. We realize, of course, that the views expressed herein represent a departure from the policy concerning the standard of financial qualifications applied in the past. For this reason, we believe that applicants should be afforded an opportunity to amend their applications to the extent outlined by the Panel. The time within which such amendments may be made will start to run from the date of release of this Memorandum Opinion and Order.

Accordingly, it is ordered, This 30th day of June 1965, that the petition of Ultravision Broadcasting Co. and The Superior Broadcasting Corp. for review of the Panel's Memorandum Opinion and Order, FCC 65M–282, released March 12, 1965, are granted to the extent reflected herein, and are otherwise denied.

It is further ordered, That the financial issues added in each of the three proceedings enumerated above by the Panel are modified as follows:

(a) To determine the basis of each applicant's (1) estimated construction costs and (2) estimated operating expenses for the first year of operation;

(b) In the event that the applicant will depend upon operating revenues during the first year of operation to meet fixed costs and operating expenses, to determine the basis of each such applicant's estimated revenues for the first year of operation; and

(c) To determine, in light of the evidence adduced, which of the applicants, if any, has demonstrated a reasonable likelihood of construction and continuing operation of its proposed station in the public interest.

It is further ordered, That each of the parties to these proceedings is granted a period of 60 days from the date of release of this Memorandum Opinion and Order within which to amend its estimates of anticipated revenues and operating expenses for the first year of operation, and to revise its proposals as to hours of broadcast or program content, and that the Examiner is authorized to allow an additional 30 days within which to make the aforesaid amendments.

It is further ordered, That our Order FCC 65–298, released April 14, 1965, staying the proceedings insofar as they relate to the financial issues is vacated.

Released: July 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65–7228; Filed, July 8, 1965; 8:49 a.m.]

[Docket Nos. 16085, 16086; FCC 65–570]

VICTOR MANAGEMENT CO., AND JACKSONVILLE BROADCASTING CO., INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Victor Management Co., Inc., Little Rock, Ark., Docket No. 16085, File No. BPH–4647; requests: 95.7 mc., No. 239; 26.4 kw.; 297.5 ft.; Jacksonville Broadcasting Co., Inc., Jacksonville, Ark., Docket No. 16086, File No. BPH–4839; requests: 95.7 mc., No. 239; 25 kw.; 200 ft.; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 30th day of June 1965;

The Commission having under consideration the above-captioned and described applications;

It appearing that, except as indicated by the issues specified below, each of the applicants is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing, that the above-captioned applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference; and

It further appearing, that, since the Victor Management Co., Inc., proposal

[4] Although neither applicant in the Boston case objected to the enlargement of issues by the Panel, we believe that the same standard should be applied in the three proceedings under consideration.

specifies Little Rock, Ark., and the Jacksonville Broadcasting Co., Inc. proposal specifies Jacksonville, Ark. (as permitted by the "25-mile" rule), it is necessary to determine, pursuant to section 307(b) which of the proposals would better provide a fair, efficient, and equitable distribution of radio service; and

It further appearing that it has not been determined whether the antenna proposed by Jacksonville Broadcasting Co., Inc., will constitute a hazard to air navigation; and

It further appearing that Victor Management Co., Inc., proposes to duplicate the entire programing of its daytime-only AM station, which, after the October 15, 1965, effective date, would not be in compliance with the provisions of § 73.242 of the rules which limits such duplication to 50 percent of the weekly hours broadcast; that under these circumstances, Victor will be afforded 30 days within which to amend its application to achieve compliance with the above rule or in the alternative, to request an exemption from its provisions; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below.

It is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the area and population within each of the proposed 1 mv/m contours and the availability of other FM service (at least 1 mv/m) to such areas and populations.

2. To determine whether there is a reasonable possibility that the tower height and location proposed by Jacksonville Broadcasting Co., Inc., would constitute a menace to air navigation.

3. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service.

4. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest, in light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the FM station as proposed.

(b) The proposals of each of the applicants with respect to management and operation of the FM broadcast station as proposed.

(c) The programing services proposed in each of the above-captioned applications.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That the Federal Aviation Agency is made a party to the proceeding.

It is further ordered, That in the event Victor Management Co., Inc., does not amend its programing proposal to achieve compliance with the requirements of § 73.242 of the rules but instead requests an exemption from these provisions, the Examiner is hereby authorized to add an issue to determine whether circumstances exist which would warrant such exemption.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

It is further ordered That the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: July 6, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-7229; Filed, July 8, 1965; 8:49 a.m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

INSURED BANKS

Joint Call for Report of Condition

Pursuant to the provisions of section 7(a)(3) of the Federal Deposit Insurance Act each insured bank is required to make a report of condition as of the close of business June 30, 1965, to the appropriate agency designated herein, within 10 days after notice that such report shall be made: *Provided*, That if such reporting date is a nonbusiness day for any bank, the preceding business day shall be its reporting date.

Each national bank and each bank in the District of Columbia shall make its original report of condition on Office of the Comptroller Form, Call No. 454,[1] and shall send the same to the Comptroller of the Currency, and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank which is a member of the Federal Reserve System, except a bank in the District of Columbia, shall make its original report of condition on Federal Reserve Form 105, Call 176,[1] and shall send the same to the Federal Reserve Bank of the district wherein the bank is located, and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, shall make its original report of condition on FDIC Form 64, Call No. 72,[1] and shall send the same to the Federal Deposit Insurance Corporation.

The original report of condition required to be furnished hereunder to the Comptroller of the Currency and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for preparation of reports of condition by National Banking Associations," dated January 1961, and any amendments thereto.[2] The original report of condition required to be furnished hereunder to the Federal Reserve Bank of the district wherein the bank is located and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the preparation of reports of condition by State member banks of the Federal Reserve System," dated February 1961.[2] The original report of condition required to be furnished hereunder to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the preparation of reports of condition on Form 64, by insured State banks not members of the Federal Reserve System," dated January 1961.[2]

Each insured mutual savings bank not a member of the Federal Reserve System shall make its original report of condition on FDIC Form 64 (savings),[1] prepared in accordance with "Instructions for the preparation of report of condition on Form 64 (savings) and report of income and Dividends on Form 73 (savings) by mutual savings banks," dated December 1962,[2] and shall send the same to the Federal Deposit Insurance Corporation.

K. A. RANDALL,
Chairman, Federal Deposit Insurance Corporation.

JAMES J. SAXON,
Comptroller of the Currency.

J. L. ROBERTSON,
Acting Chairman, Board of Governors of the Federal Reserve System.

[F.R. Doc. 65-7202; Filed, July 8, 1965; 8:47 a.m.]

[1] Filed as part of original document.

FEDERAL MARITIME COMMISSION

[No. 65-26]

FAR EAST CONFERENCE

Amendment to Exclusive Patronage (Dual Rate) Contract; Order of Investigation and Hearing

Whereas, the Far East Conference, formulated under Federal Maritime Commission Agreement No. 17, as amended, has filed a petition to amend its approved form of exclusive patronage (dual rate) contract to amend Article 1(f) by placing a period after the word "lots" in the second line thereof, and by deleting the balance thereof and substituting therefor, the following language:

This Agreement also shall not apply to any shipments by Merchant of Merchant's proprietary cargo when carried in vessels owned by Merchant or in vessels fully time or bareboat chartered by Merchant for the exclusive use of the Merchant for a period of not less than six (6) months. As used herein, "proprietary cargo" means cargo which has been raised, grown, manufactured, or produced by Merchant, and is marketed by Merchant in its name as its own product. It does not include goods purchased by Merchant or bought and sold by Merchant on behalf of others. It excludes all goods of agents, traders, or commission merchants, and,

Whereas, the Pacific Westbound Conference has also filed a petition to amend its exclusive patronage (dual rate) contract to the same extent as that of the Far East Conference which is presently under investigation and hearing in Federal Maritime Commission Docket No. 65-6, and,

Whereas, the Far East Conference seeks amendment of its exclusive patronage (dual rate) contract for the same reasons sought by the Pacific Westbound Conference, and,

Whereas, the amendments proposed by the Far East Conference and the Pacific Westbound Conference are identical; and

Whereas, the Far East Conference and the Pacific Westbound Conference serve a common range of destination ports, exhibit a large degree of common membership, and serve many of the same shippers; and

Whereas, the Far East Conference was granted permission by the presiding examiner, C. W. Robinson on April 22, 1965, to participate as intervenor in the hearings attendant to Docket 65-6 scheduled to commence at 10 a.m. on June 28, 1965, in San Francisco, Calif., in Room 421, 630 Sansome Street.

It is therefore ordered, That pursuant to sections 14(b) and 22 of the Shipping Act, 1916, an investigation and hearing is hereby instituted to determine whether the proposed amendment to the said exclusive patronage (dual rate) contract meets the requirements of section 14(b) and should be permitted, or modified pursuant to section 14(b);

It is further ordered, That the proposed amendment be consolidated with FMC Docket No. 65-6 for purposes of investigation and hearing;

It is further ordered, That the Far East Conference and its member lines as indicated in the Appendix attached below be made respondents in this proceeding;

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon respondents specified in the Appendix attached below;

It is further ordered, That any persons, other than respondents and the member lines of the Pacific Westbound Conference, who desire to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before July 15, 1965, with copy to respondent Far East Conference;

And it is further ordered, That future notices issued by or on behalf of the Commission in this proceeding, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

APPENDIX

FAR EAST CONFERENCE (17), 11 BROADWAY, NEW YORK, N.Y. 10004

Member lines:

American President Lines, Ltd., 601 California Street, San Francisco, Calif.

Fern-Ville Lines—Fearnley & Eger and A. F. Klaveness & Co., A/S, Fearnley & Eger, Inc., General Agents, 39 Broadway, New York 6, N.Y.

Isthmian Lines, Inc., States Marine-Isthmian Agency, Inc., 90 Broad Street, New York 4, N.Y.

Japan Line, Ltd., A. L. Burbank & Co., Ltd., Agents, 120 Wall Street, New York 5, N.Y.

Kawasaki Kisen Kaisha, Ltd., Kerr Steamship Co., Inc., General Agents, 51 Broad Street, New York 4, N.Y.

Lykes Bros. Steamship Co., Inc., 821 Gravier Street, New Orleans 12, La.

Maritime Co. of the Philippines, Inc., North American Maritime Agencies, General Agents, 26 Broadway, New York 4, N.Y.

Mitsui O.S.K. Lines, Ltd., 17 Battery Place, New York 4, N.Y.

A. P. Moller-Maersk Line, 67 Broad Street, New York 4, N.Y.

Nippon Yusen Kaisha, Ltd., 25 Broadway, New York 4, N.Y.

States Marine Lines, 90 Broad Street, New York 4, N.Y.

United Philippine Lines, Inc., Stockard Shipping Co., Inc., General Agents, 17 Battery Place, New York 4, N.Y.

United States Lines Co. (American Pioneer Line), 1 Broadway, New York 4, N.Y.

Wilh. Wilhelmsen Interests, Barber Steamship Lines Inc., Agents, 17 Battery Place, New York 4, N.Y.

Yamashita-Shinnihon Steamship Co., Ltd., Texas Transport & Terminal Co., Inc., Agents, 52 Broadway, New York 4, N.Y.

[F.R. Doc. 65-7209; Filed, July 8, 1965; 8:47 a.m.]

[Docket No. 873]

PASSENGER STEAMSHIP CONFERENCES

Investigation Regarding Travel Agents

By order dated November 2, 1959, the Commission instituted an investigation and hearing to determine whether Agreement No. 120, Trans-Atlantic Passenger Steamship Conference, and Agreement No. 7840, Atlantic Passenger Steamship Conference, should be disapproved, canceled or modified, insofar as they relate to travel agents, in accordance with section 15 of the Shipping Act, 1916; and

Whereas, the Commission in its Order of January 30, 1964, found that said agreements violate section 15 in certain respects and directed that they be modified in accordance with the Commission's findings and conclusions contained in its report of the above proceeding; and

Whereas, the parties to Agreement No. 120 have filed a modification with the Commission in accordance with its directive of January 30, 1964, within the filing extension period granted by the Commission, and the Commission has subsequently considered such modification;

Whereas, the parties to Agreement No. 7840 have not filed a modification to their agreement which would make it conform to the Commission's decision in Docket No. 873;

Whereas, the Commission, in its First Supplemental Order served April 2, 1965, directed that the Trans-Atlantic Passenger Steamship Conference, Agreement 120, and the Atlantic Passenger Steamship Conference, Agreement 7840, be further modified in certain respects as set out in said First Supplemental Order;

Whereas, the parties to Agreements 120 and 7840 have, by their attorneys, Chadbourne, Parke, Whiteside, & Wolff and Joseph Mayper, house counsel of Trans-Atlantic Passenger Steamship Conference, filed a petition for reconsideration of certain parts of the First Supplemental Order, pursuant to Rule 16 of the Commission's rules of practice and procedure (46 CFR 502.261); namely, Part III requiring a new Regulation 18 to be made part of Annex 2 of Agreement 120, Part IV requiring substitution of new language in Article A(h)(1) of Agreement 120, and Part IV requiring substitution of new language in Article 3(e)(vii) of Agreement 7840; and

Whereas, the Commission has considered the petition of the parties to Agreements 120 and 7840;

Now, therefore, it is ordered, That the Trans-Atlantic Passenger Steamship Conference Agreement 120, as amended to date and modified by pending Agreement No. 120-78, and ordered modified pursuant to the First Supplemental Order in Docket No. 873 be further modified as set forth hereinafter:

Under Annex 2, Regulations Governing Sub-Agencies, a new regulation designated as Regulation 18 and titled Standards and Administrative Rules For Sub-Agencies shall be made a part thereof and shall require the following:

The Trans-Atlantic Passenger Steamship Conference shall furnish copies of any standards and/or administrative rules and any revisions thereto to the Commission and to other interested parties, within twenty (20) days after their adoption by the Conference.

Under Article E of the Trans-Atlantic Passenger Steamship Conference, Agreement 120, a new subparagraph 9 shall be added to paragraph C thereof in the following language:

The Trans-Atlantic Passenger Steamship Conference shall furnish copies of any standards and/or administrative rules and any revisions thereto to the Commission and to other interested parties, within twenty (20) days after their adoption by the Conference.

It is further ordered, That additional language be added to that set forth in the First Supplemental Order for Article 3(e)(vii) of Agreement 7840, as amended, the Atlantic Passenger Steamship Conference, so this provision will then read as follows:

The Record of proceedings of all Conference meetings, General or Special, Principal or Subcommittee, whether formal or otherwise, including all matters coming before these meetings and the votes of the member lines or their representatives on these matters, shall be subscribed to and certified by the Secretary as a true and complete record of the matters dealt with by the parties to the agreement. The Secretary shall promptly furnish this certified record to the Federal Maritime Commission. Minutes shall be signed at such meetings by all the Member Lines present, and minutes so written and signed shall stand as a true record of the proceedings, and shall be considered final and forming part of the Agreement or Rules unless the contrary is expressly recorded.

It is further ordered, That the respondents' petition to delete or suspend the requirements in the Commission's First Supplemental Order to modify Article A(h)(1) of Agreement 120 and Article 3(e)(vii) of Agreement 7840 be denied.

It is further ordered, That the member lines, parties to the Trans-Atlantic Passenger Steamship Conference, Agreement 120, and the Atlantic Passenger Steamship Conference, Agreement 7840, respectively, shall within thirty (30) days from the date of service of this order file with the Commission complete modifications of the aforesaid agreements and the rules and regulations thereunder in conformance with the Commission's decision and order of January 30, 1964 and the First Supplemental Order, all as modified by the Second Supplemental Order in this proceeding.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 65-7210; Filed, July 8, 1965; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

JULY 2, 1965.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976, being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 6, 1965, through July 15, 1965, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 65-7180; Filed, July 8, 1965; 8:47 a.m.]

[File No. 500-1]

IDAMONT OIL & MINING CO.

Order Suspending Trading

JULY 2, 1965.

The capital stock of Idamont Oil & Mining Co., certain fractional undivided interests and investment contracts relating to its mining properties, and options to acquire such stock and interests are being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of such trading in such securities is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in the capital stock of Idamont Oil & Mining Co., certain fractional undivided interests and investment contracts relating to its mining properties, and options to acquire such stock and interests, otherwise than on a national securities exchange, be summarily suspended, this order to be effective for the period July 3, 1965, to July 12, 1965, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 65-7181; Filed, July 8, 1965; 8:47 a.m.]

[File 7-2456]

MARYLAND CUP CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JULY 2, 1965.

In the matter of application of the Philadelphia-Baltimore-Washington stock exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: Maryland Cup Corp., File 7-2456.

Upon receipt of a request, on or before July 18, 1965, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 65-7182; Filed, July 8, 1965; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

INSURED BANKS

Joint Call for Report of Condition

CROSS REFERENCE: For a document relating to a joint call for report of condition of insured banks, see F.R. Doc. 65-7202, Federal Deposit Insurance Corporation, *supra*.

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 537]

NEW MEXICO

Declaration of Disaster Area

Whereas, it has been reported that during the month of June 1965, because of the effects of certain disasters, damage resulted to residences and business property located in Colfax and Lincoln Counties in the State of New Mexico;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of

the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid counties and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about June 17 and 18, 1965.

Office

Small Business Administration Regional Office, Fifth and Gold Streets SW., Albuquerque, N. Mex. 87101.

2. Temporary offices will be established as need indicates, addresses to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1965.

Dated: June 24, 1965.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 65-7203; Filed, July 8, 1965; 8:47 a.m.]

TARIFF COMMISSION

[337-L-29]

HEARING AIDS

Notice of Complaint Received

The U.S. Tariff Commission hereby gives notice of the receipt on June 15, 1965, of a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), filed by the Dahlberg Electronics, Inc., of Minneapolis, Minn., alleging unfair methods of competition and unfair acts in the importation and sale of certain in-the-ear hearing aids.

In accordance with the provisions of § 203.3 of its rules of practice and procedure (19 CFR 203.3), the Commission has initiated a preliminary inquiry into the allegations of the complaint for the purpose of determining whether there is good and sufficient reason for a full investigation, and, if so, whether the Commission should recommend to the President the issuance of a temporary order of exclusion from entry under section 337(f) of the tariff act.

A copy of the complaint is available for public inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: July 1, 1965.

By order of the Commission.

DONN N. BENT,
Secretary.

[F.R. Doc. 65-7168; Filed, July 8, 1965; 8:46 a.m.]

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