

# FEDERAL REGISTER

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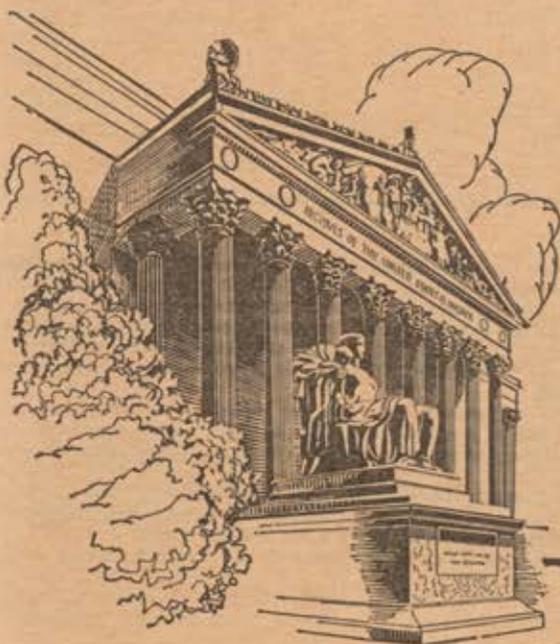
Wednesday, August 9, 1967 • Washington, D.C.

Pages 11463-11509

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Conservation Service  
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Army Department  
Atomic Energy Commission  
Business and Defense Services  
Administration  
Civil Aeronautics Board  
Coast Guard  
Commerce Department  
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Federal Housing Administration  
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Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
Packers and Stockyards  
Administration  
Securities and Exchange Commission  
Transportation Department  
Wage and Hour Division

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

#### PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

##### Subpart—United States Standards For Grades of Green Olives<sup>1</sup>

###### UNIFORMITY OF SIZE

A proposal to amend the United States Standards for Grades of Green Olives was published in the FEDERAL REGISTER of June 17, 1967 (32 F.R. 8719). Interested persons were given 30 days to submit written data, views, or arguments.

Statement of consideration leading to the amendment. Only one recommendation was received in response to the notice of proposed rule making. The recommendation was not adopted because it would have made the provisions of the proposed amendment applicable only to green olives that had been grown in California. After considering the submitted recommendation and the proposal set forth herein, the following amendment to the United States Standards for Grades of Green Olives is hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627).

The amendment is:

Section 52.5452(d) is changed to read:

§ 52.5452 Uniformity of size.

(d) (C) *Classification.* Whole, pitted, and stuffed style green olives of a single size that are fairly uniform in size may be given a score of 14 or 15 points. Green olives that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly uniform in size" means that of all the olives, in 60 percent, by count, that are most uniform in diameter the olive with the largest diameter does not exceed the olive with the smallest diameter by more than  $\frac{1}{16}$  inch. Olives of whole style that count 221 to 275 per pound shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product.

<sup>1</sup> Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

The amendment to the United States Standards for Grades of Green Olives, contained in this subpart, shall become effective 30 days after publication hereof in the FEDERAL REGISTER, and will thereupon supersede the applicable section of the United States Standards for Grades of Green Olives which have been in effect since January 3, 1967.

(Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627)

Dated: August 3, 1967.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 67-9282; Filed, Aug. 8, 1967; 8:47 a.m.]

### Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

#### SUBCHAPTER K—GENERAL CONDITIONAL PAYMENTS PROVISIONS

[Amdt. 1]

##### PART 893—PUERTO RICO

###### Computation of Sugar Act Payment

Federal Register document 67-8379 published on page 10638 in the FEDERAL REGISTER dated July 20, 1967, is corrected by changing the 6th figure in the 3d column of the table in § 893.11 to read 6,050.00 instead of 6,060.00.

Effective date: August 9, 1967.

Signed at Washington, D.C., on August 2, 1967.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 67-9281; Filed, Aug. 8, 1967; 8:47 a.m.]

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

[Valencia Orange Reg. 213, Amdt. 1]

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

##### Limitation of Handling

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, es-

tablished under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (i) and (ii) of § 908.513 (Valencia Orange Regulation 213, 32 F.R. 11073) are hereby amended to read as follows:

§ 908.513 Valencia Orange Regulation 213.

- (b) Order. (1) \* \* \*
- (i) District 1: 168,000 cartons;
- (ii) District 2: 532,000 cartons;

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

Dated: August 4, 1967.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and  
Vegetable Division, Consumer  
and Marketing Service.

[F.R. Doc. 67-9283; Filed, Aug. 8, 1967; 8:47 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 8697o]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Coran Bros. Corp. and John and Charles Coran

Subpart—Misrepresenting oneself and goods—Goods: § 13.1590 *Composition*; § 13.1685 *Nature*; § 13.1715 *Quality*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Coran Bros. Corporation et al., Boston, Mass., Docket 8697, July 11, 1967]

*In the Matter of Coran Bros. Corporation, a Corporation, and John Coran and Charles Coran, Individually and as Officers of said Corporation*

Order requiring a Boston, Mass., distributor of commercial solders to cease misrepresenting the nature, quality or composition of any of its solder products.

The order to cease and desist is as follows:

*It is ordered.* That respondents, Coran Bros. Corp., a corporation, and its officers, and John Coran, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of solders, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the designation 50/50 alone or in conjunction with the words "by volume" to designate, describe or refer to a commercial solder which does not contain 50 percent tin by weight: *Provided, however,* That it shall be a defense in any enforcement proceeding hereunder for respondent to establish that the tin content of a solder is within the permissible variations in composition allowed in the sampling procedures set forth in the then existing Specifications for Solder Metal as published by the American Society for Testing and Materials.

(2) Using the designation 40/60 alone or in conjunction with the words "by volume" to designate, describe or refer to a commercial solder which does not contain 40 percent tin by weight: *Provided, however,* That it shall be a defense in any enforcement proceeding hereunder for respondent to establish that the tin content of a solder is within the permissible variations in composition allowed in the sampling procedures set forth in the then existing Specifications for Solder Metal as published by the American Society for Testing and Materials.

(3) Misrepresenting by any numerical designation or in any other manner the nature, quality or composition of any of their solders.

It is further ordered that the complaint be, and the same hereby is, dismissed as to Charles Coran in his individual capacity.

By "Final Order" further order requiring report of compliance is as follows:

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

Issued: July 11, 1967.

By the Commission. In view of the unusual circumstances presented by this record, Commissioners Elman and Jones do not believe it is necessary to hold individual respondent John Coran.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 67-9266; Filed, Aug. 8, 1967; 8:45 a.m.]

## Title 26—INTERNAL REVENUE

### Chapter I—Internal Revenue Service, Department of the Treasury

#### SUBCHAPTER A—INCOME TAX

[T.D. 6926]

### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DE- CEMBER 31, 1953

#### Date of Sale in the Case of Short Sales of Stock or Securities at a Loss

On May 2, 1967, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 1091 (relating to wash sales of stock or securities) and 1233 (relating to gains and losses from short sales) of the Internal Revenue Code of 1954 was published in the FEDERAL REGISTER (32 F.R. 6691). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted.

(Sec. 7805 of the Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] SHELDON S. COHEN,  
Commissioner of Internal Revenue.

Approved: August 4, 1967.

STANLEY S. SURREY,  
Assistant Secretary  
of the Treasury.

PARAGRAPH 1. Section 1.1091-1 is amended by redesignating paragraph (g) as paragraph (h) and by adding a new paragraph (g). This added provision reads as follows:

#### § 1.1091-1 Losses from wash sales of stock or securities.

(g) For purposes of determining under this section the 61-day period applicable to a short sale of stock or securities, the principles of paragraph (a) of § 1.1233-1 for determining the consummation of a short sale shall generally apply except that the date of entering into the short sale shall be deemed to be the date of sale if, on the date of entering into the short sale, the taxpayer owns (or on or before such date has entered into a contract or option to acquire) stock or securities identical to those sold short and subsequently delivers such stock or securities to close the short sale.

PAR. 2. Paragraph (a) of § 1.1233-1 is amended by adding a new subparagraph (5). This added provision reads as follows:

#### § 1.1233-1 Gains and losses from short sales.

(a) General. . . .

(5) For rules for determining the date of sale for purposes of applying under section 1091 the 61-day period applicable to a short sale of stock or securities at a loss, see paragraph (g) of § 1.1091-1.

PAR. 3. The amendment is effective for taxable years beginning after December 31, 1953, and ending after August 16, 1954, except that the special rule treating the date of entering into a short sale as the date of sale shall be applied only in the case of short sales entered into after the date on which this notice is published in the FEDERAL REGISTER.

[F.R. Doc. 67-9300; Filed, Aug. 8, 1967; 8:51 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

### Chapter II—Federal Housing Admin- istration, Department of Housing and Urban Development

#### SUBCHAPTER A—GENERAL

### PART 200—INTRODUCTION

#### Subpart D—Delegations of Basic Authority and Functions

ASSISTANT COMMISSIONER FOR ADMINISTRATION AND DEPUTY AND DIRECTOR OF MANAGEMENT DIVISION AND DEPUTY

In § 200.68 new paragraphs (l) and (m) are added to read as follows:

§ 200.68 Assistant Commissioner for Administration and Deputy.

(l) To approve for payment travel and other expenses incidental to the transfer of an employee to a new duty station, as provided in the Administrative Expenses Act.

(m) To authorize the issuance of Consolidated Travel Authorizations and the procurement of automobiles from the GSA Interagency Motor Pool, and to approve the use of Government owned or leased motor vehicles between the employee's residence and place of employment, in those cases in which it is determined that such use is necessary for the proper performance of the official duties of the employee involved, and the interests of the Government are best served.

In § 200.72 the introductory text is amended and a new paragraph (k) is added to read as follows:

§ 200.72 Director of the Management Division and Deputy.

To the position of Director of the Management Division and under his general supervision to the Deputy Director of the Management Division, and with respect to paragraphs (g), (h), and (i) of this section to the Chief of the Contracting Section there is delegated the following basic authority and functions:

(k) To authorize the issuance of Consolidated Travel Authorizations and the procurement of automobiles from the GSA Interagency Motor Pool, and to approve the use of Government owned or leased motor vehicles between the employee's residence and place of employment, in those cases in which it is determined that such use is necessary for the proper performance of the official duties

of the employee involved, and the interests of the Government are best served. (Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., August 2, 1967.

PHILIP N. BROWNSTEIN,  
Federal Housing Commissioner.

[P.R. Doc. 67-8267; Filed, Aug. 8, 1967; 8:45 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

#### SUBCHAPTER B—CLAIMS AND ACCOUNTS

### PART 536—CLAIMS AGAINST THE UNITED STATES

#### Claims Arising in Foreign Countries

In § 536.26, paragraphs (i) (1) (iv), (k) (3), (n) (4), (5), (6), and (7), and (p) (2) (iv) are revised, as follows:

#### § 536.26 Claims arising in foreign countries.

##### (i) Causation. (1) \* \* \*

(iv) Civilian employees who are not U.S. citizens, and who were hired in the country in which they are employed and in which the incident occurred while acting within the scope of employment. Claims arising from the operation of U.S. Armed Forces vehicles or other equipment by the employees described in the preceding paragraph may be paid, even though the employees are not acting within the scope of their employment, provided the employer and owner of the vehicle or other equipment would be liable under local law in the circumstances involved.

##### (k) Claims not payable. \* \* \*

(3) Falls under the Federal Employees' Compensation Act (5 U.S.C. 8101-8150); the Longshoremen's and Harbor workers' Compensation Act (44 Stat. 1424, 33 U.S.C. 901), as made applicable to civilian employees of nonappropriated fund instrumentalities of the U.S. Armed Forces. See 5 U.S.C. 8171-8175; or other workmen's compensation laws or regulations, including local laws or custom, concerning which contribution is made or insurance premiums paid, directly or indirectly, on behalf of the injured employee of the United States, unless—

(i) The injuries did not result from a normal risk of employment,

(ii) Compensation is not payable under any of the above, and

(iii) Consideration of the claim under this section is authorized by the Chief, U.S. Army Claims Service.

##### (n) Foreign claims commissions. \* \* \*

(4) Monetary jurisdiction. A one-member foreign claims commission who is an officer of The Judge Advocate General's Corps may approve in full, in part,

or disapprove claims presented in, or amended to, an amount not in excess of \$1,000. The monetary jurisdiction of all other one-member foreign claims commissions is limited to \$250. A three-member commission is authorized to settle claims which, as presented or amended, are for not more than \$15,000, and claims in excess of \$15,000 which the Secretary of the Army or his designee has determined to be meritorious in an amount not in excess of \$15,000. Any allowance exceeding \$5,000 requires the approval of the appointing authority, or his staff judge advocate. The execution of a settlement agreement in an amount less than the amount originally claimed constitutes an amendment of the claim. Thus, a commission may consider and settle a claim regardless of the amount originally claimed provided a settlement agreement is executed for an amount within its jurisdiction. Similarly, a claim may be amended by an unequivocal statement in writing from claimant to the effect that he will accept in settlement less than the amount originally claimed.

(5) Consideration. After it receives a claim, a foreign claims commission may initiate or request any further investigation considered necessary for proper consideration of the claim. If considered necessary, hearings may be conducted. It may confer with the claimant to determine pertinent facts or, in an appropriate case (e.g., a claim filed for an amount in excess of the commission's jurisdiction but considered meritorious in an amount within its jurisdiction), point out to claimant that early settlement could be facilitated by amending the claim to an amount within the jurisdiction of the commission. The commission's action will be in the form of a seven-paragraph memorandum or a small claims certificate, DA Form 1668.

(6) Settlement authority—(i) Claims not in excess of \$1,000. A one-member foreign claims commission who is an officer of The Judge Advocate General's Corps may approve in full, in part, or disapprove, claims presented in, or amended to, an amount not in excess of \$1,000. Any other one-member foreign claims commission may approve in full, in part, or disapprove, claims presented in, or amended to, an amount not in excess of \$250.

(ii) Claims not in excess of \$5,000. A three-member foreign claims commission has authority to approve in full, in part, or disapprove, claims presented for, or amended to, an amount not in excess of \$5,000.

(iii) Claims not in excess of \$15,000. A three-member foreign claims commission may approve in full, in part, or disapprove, claims presented in, or amended to, an amount not in excess of \$15,000; however, an award in excess of \$5,000 is subject to approval by the appointing authority. When a commission recommends payment of an amount in excess of \$5,000, but not in excess of \$15,000, the appointing authority may:

(a) Approve the recommended award, or any lesser amount over \$5,000,

(b) Disapprove any award over \$5,000 and return the claim to the commission, which may, after giving consideration to whatever amount is considered payable by the appointing authority, pay any amount not to exceed \$5,000, or

(c) Inform the commission that the claim is not considered meritorious in any amount and request that it reconsider its action. After considering the determination of the appointing authority, the commission may disapprove the claim or pay any amount not exceeding \$5,000.

An appointing authority may designate his staff judge advocate to act for him on all claims matters.

(iv) Claims in excess of \$15,000. Claims in excess of \$15,000 which are not amended to an amount within the monetary jurisdiction of a three-member foreign claims commission will be forwarded through the appointing authority to the Chief, U.S. Army Claims Service for action by the Secretary of the Army. The claim file will contain a seven-paragraph memorandum prepared by a three-member foreign claims commission recommending the action to be taken by the Secretary of the Army. If the claim is cognizable under the Foreign Claims Act, the Secretary of the Army, or his designee, may:

(a) Disapprove the claim;

(b) Determine the claim is meritorious in an amount not in excess of \$15,000 and refer it to an appropriate three-member foreign claims commission for settlement; or

(c) Approve the claim in an amount in excess of \$15,000, and after receipt of an agreement by claimant to accept the award in full satisfaction of the entire claim, refer it to Congress for its consideration.

Foreign claims commissions should, in appropriate cases, consult with claimants with a view to obtaining a reduction of the claim to \$15,000, or less in order to obviate the need for Secretarial action.

(7) Reconsideration. (i) While there is no appeal from the action of a foreign claims commission, any request from a claimant, or someone acting in his behalf, which in effect asks for a change in the commission's action, will be treated as a request for reconsideration and referred to the commission which acted on the claim, if it is still in existence. If that commission is no longer in existence, a different commission will be designated by the Chief, U.S. Army Claims Service to act as a successor commission.

(ii) A foreign claims commission may, upon request, or upon its own initiative, reconsider a claim which it previously disapproved in whole or in part (even though a settlement agreement has been executed) when it appears that the original action was incorrect in law or fact based on the evidence of record at the time of the action or subsequently received. If it determines that the original action was incorrect, it will modify the action and, if appropriate, make a supplemental payment. The basis

for a change in action will be stated in a memorandum included in the file.

(iii) A different commission, or the same commission after there has been a change in its membership, may reconsider the original action on a claim but only on the basis of fraud or collusion, new and material evidence, or manifest error of fact such as errors in calculation or factual misinterpretation of local law.

(iv) A request for reconsideration should indicate fully the legal or factual basis asserted as grounds for relief. Following completion of any investigation or other action deemed necessary for an informed disposition of the request, the commission will reconsider the claim and attempt to settle it by granting such relief as may appear warranted. When further settlement efforts appear unwarranted, the commission will refer the entire file with a memorandum of opinion through the appointing authority to the Chief, U.S. Army Claims Service, Office of The Judge Advocate General, Fort Holabird, Md. 21219, and inform the claimant of such reference.

(p) *Cross-servicing of claims.* \* \* \*

(2) *Cross-servicing (Departments of Defense Directive 5515.3, June 27, 1963).* \* \* \*

(iv) *Coast Guard generated claims.* Claims resulting from activities, or generated by members or employees, of the Coast Guard while operating as a service in the Department of Transportation may, upon request, be settled under this section by an Army foreign claims commission, but shall be paid from appropriations for the operating expenses of the Coast Guard (10 U.S.C. 2734(g)).

[C1, AR 27-28, June 9, 1967] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 2734, 2736, 70A Stat. 154, 76 Stat. 767)

KENNETH G. WICKHAM,  
Major General,  
U.S. Army,  
The Adjutant General.

[F.R. Doc. 67-9310; Filed, Aug. 8, 1967; 8:49 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 11—Coast Guard, Department of Transportation

[CFR 67-12]

#### PART 11-3—PROCUREMENT BY NEGOTIATION

##### Subpart 11-3.6—Small Purchases

###### FAST PAYMENT PROCEDURE

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by 49 CFR 1.4:

Section 11-3.652 is added, reading as follows:

#### § 11-3.652 Fast payment procedure.

##### § 11-3.652-1 General.

The fast payment procedure is designed to reduce lead time to consignees and to improve supplier relations by expediting payment for small purchases. Title to the supplies vests in the Government upon delivery to the post office or carrier for mailing or shipment to the receiving activity, although the supplier agrees to replace or correct supplies not received at destination, damaged in transit, or not conforming to purchase requirements. Payment for the supplies and cost of transportation will be made on the basis of the supplier's certification on the invoice as to conformance with purchase requirements and delivery. Purchase orders may be issued as priced or unpriced. Suppliers will be furnished the military post office address for parcel post shipments, or appropriate consignment instructions for shipments via other modes of transportation.

##### § 11-3.652-2 Conditions for use.

When the conditions set forth below are present, the fast payment procedure should be used to the maximum extent possible, provided such use is consistent with the other conditions of the procurement. Use of the fast payment procedure would not be indicated, for example, in small purchases by vessels, air stations and bases when material being purchased is destined for use at such activities and contract administration will be performed by the purchasing office of such activities.

(a) Individual orders do not exceed \$2,500.

(b) Title to the supplies will vest in the Government (1) upon delivery to a post office or common carrier for mailing or shipment to destination, or (2) upon receipt by the Government when the shipment is by means other than the post office or common carrier.

(c) Supplier agrees to replace, repair, or correct supplies not received at destination, damaged in transit, or not conforming to purchase requirements.

(d) Supplier will execute a certificate of mailing or shipment, or a certificate of delivery to the point of first receipt by the Government.

##### § 11-3.652-3 Preparation and execution of orders.

(a) Orders shall be issued on Order for Suppliers or Services/Request for Quotations (DD Form 1155), except that calls against blanket purchase agreements shall be issued in accordance with § 11-3.651-3. Orders may be either priced or unpriced.

(b) Special data to be included on purchase orders or in blanket purchase agreements using fast payment procedures are:

(1) A requirement for the supplies to be shipped transportation or postage prepaid;

(2) A requirement that invoices be submitted direct to the contracting officer. In the case of unpriced purchase orders see § 11-3.650-3(c).

(3) The following clause:

#### FAST PAYMENT PROCEDURE (APRIL 1966)

(a) *General.* This is a fast payment order. Invoices will be paid on the basis of the Contractor's certification thereon that articles listed in the order were delivered on a specified date to a post office, common carrier, or, in shipment by other means, to the point of first receipt by the Government.

(b) *Responsibility for Supplies.* Title to supplies shall vest in the Government upon delivery to a post office or common carrier for shipment to the specified destination. If shipment is by means other than post office or common carrier, title to the supplies shall vest in the Government upon delivery to the point of first receipt by the Government. Notwithstanding any other provision of the purchase order, the Contractor shall assume all responsibility and risk of loss for supplies (i) not received at destination, (ii) damaged in transit, or (iii) not conforming to purchase requirements. The Contractor shall either replace, repair, or correct such supplies promptly at his expense, provided instructions to do so are furnished by the Contracting Officer within 90 days from the date these supplies were delivered by the Contractor to a post office or common carrier. For supplies delivered by means other than post office or common carrier, such 90-day period shall commence from the date these supplies were delivered to the point of first receipt by the Government.

(c) *Preparation of Invoice.* (1) Upon delivery of supplies to a post office, common carrier, or in shipments by other means, the point of first receipt by the Government, the Contractor shall prepare an invoice in accordance with Clause 3 of the General Provisions of Purchase Order, except that invoices under a blanket purchase agreement shall be prepared in accordance with the provisions of the agreement. In shipments by either post office or common carrier, the Contractor shall either (A) cite on his invoice the date of shipment, name and address of post office or carrier, bill of lading number or other shipment document number, or (B) attach copies of such documents to his invoices as evidence of shipment. In the case of delivery by other than post office or common carrier, a receipted copy of the Contractor's delivery document shall be attached to the invoice as evidence of delivery. Regardless of delivery method the invoice shall include the following signed certification:

I hereby certify that I did ship on \_\_\_\_\_, via the \_\_\_\_\_

(date)

\_\_\_\_\_ or deliver \_\_\_\_\_

(method of shipment)

on \_\_\_\_\_ in accordance \_\_\_\_\_

(date)

with shipping instructions issued by the ordering officer, supplies in the quantities shown hereon and that such supplies are in the quantity and of the quality designated by the cited purchase order. This statement is furnished to support payment of invoice.

(2) If the purchase price excludes the cost of transportation, the Contractor shall enter the prepaid shipping cost on the invoice as a separate item. The cost of parcel post insurance will not be paid by the Government.

(4) A requirement that outer shipping containers shall be marked "FAST PAY".

##### § 11-3.652-4 Payment.

(a) *Acceptance of supplies.* For payment purposes, the supplier's certificate of conformance with purchase requirements will be considered a proper element incident to acceptance of supplies. A Materiel Inspection and Receiving Report (DD Form 250) will not be executed

to support the supplier's invoice nor will a certification from the receiving activity be obtained as to receipt and acceptance of supplies except as provided in § 11-3.652-5. In lieu thereof, the supplier will be required to certify his invoice as stated in paragraph (c) of the Fast Payment Procedure clause (See § 11-3.652-3(b)(3)).

(b) *Certification of supplier's invoice by contracting officer*—(1) *Priced order*. Upon receipt, the invoice will be reviewed to insure that the description of the supplies, quantity, unit prices, and total price conform with the purchase order. If approved for payment, the following certification will be placed thereon:

I certify that the supplies listed hereon have been delivered and accepted in accordance with the "Fast Payment Procedure" clause of this purchase order.

(Contracting officer)

(2) *Unpriced order*. If an unpriced order was issued, the following certification will be used:

I certify that the unit prices on this invoice including preservation, packaging and packing charges, if any, are reasonable and supplies listed hereon have been delivered and accepted in accordance with the "Fast Payment Procedure" clause of this purchase order.

(Contracting officer)

(c) *Transmittal of invoice to cognizant accounting office*. The order will provide for payment by the accounting office, which is serving the area in which the purchasing office is located. Upon certification of the invoice, it will be forwarded, with a copy of the purchase order to the cognizant accounting office for payment.

§ 11-3.652-5 Report of nonreceipt, damage, or nonconformance.

The consignee will notify the purchasing activity when supplies are not received within 30 days after the specified date of delivery in the order or if supplies are received damaged or not conforming with the purchase requirements. A "Report of nonreceipt, damage, or nonconformance" card, similar to the illustration below, will be reproduced locally and a copy attached to the consignee's copy of the purchase order to facilitate this notification.

REPORT OF NONRECEIPT, DAMAGE, OR NONCONFORMANCE

Important: Complete and return this card to Commander (f), Fifth CG District if material is not received within 30 days after delivery date specified in order; or upon receipt of damaged or nonconforming supplies.

Purchase Order No. 05-72614-67.  
The supplies listed in the above purchase order were (check one):

- Not received.
- Received but rejected—Letter report attached.

Receiving activity \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

§ 11-3.652-6 Responsibility for collection of debts.

The contracting officer shall be primarily responsible for collecting debts resulting from failures of contractors to properly replace, repair, or correct supplies lost, damaged, or not conforming to purchase requirements (see ASPR, Appendix E, Part 6, paragraphs 602 and 603).

(14 U.S.C. 633, 10 U.S.C. Ch. 137)

Dated: July 19, 1967.

W. J. SMITH,  
Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 67-9276; Filed, Aug. 8, 1967; 8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 67-920]

PART 73—RADIO BROADCAST SERVICES

Field Strength Contours, FM Broadcast Stations

Order. 1. The Commission has before it for consideration the FM engineering portion of FCC Form 301 (section V-B) and § 73.311 of its rules governing FM Broadcast Stations, requiring the showing of three field strength contours (70 dbu (3.16 mv/m), 60 dbu (1 mv/m) and 34 dbu (50 uv/m)) in applications for FM broadcast station authorizations. Section 73.311 states that these contours indicate only the approximate extent of coverage in the absence of interference. Section 73.209 further points out that stations are protected against interference from other FM stations solely to the extent provided by the minimum spacing separations and the maximum power and antenna heights provided by the rules.

2. At the time the Commission adopted the present FM broadcast rules and the Table of Assignments (see Third Report, Memorandum Opinion and Order, issued on Aug. 1, 1963, in Docket No. 14185, 28 F.R. 8077) the above-mentioned rules were adopted and the then existing propagation curve and contour protection method of making FM assignments were deleted. The minimum separations adopted at the same time and the maximum facilities authorized provided much less protection than to the 50 uv/m contour. These spacings and facilities permitted interference to approximately the 1 mv/m contour for Class A and C stations and about 0.56 mv/m for Class B stations. See footnote 14 of Third Report. In the case of Class B stations, there were in existence so many such stations in Zone I at separations below the new minimums that it was not possible to add many new Class B stations at the newly adopted minimum separations. Thus, most of the existing Class B stations are also limited by

interference to about the 1 mv/m contour at least in some directions. There thus does not appear any reason to retain the 50 uv/m contour and to require applicants to make showings based upon it.

3. Therefore, pursuant to authority contained in sections 4(d) and 303(r) of the Communications Act of 1934, as amended; *It is ordered*, That effective August 11, 1967, § 73.311(a) of the rules is amended to read as follows:

§ 73.311 Field strength contours.

(a) Applications for FM broadcast authorizations must show two field strength contours. These are the 70 dbu (3.16 mv/m) and the 60 dbu (1 mv/m) contours. These contours indicate only the approximate extent of coverage over average terrain in the absence of interference. Under actual conditions, the true coverage may vary greatly from these estimates because the terrain over any specific path is expected to be different from the average terrain on which the field strength chart was based. Because of these factors the estimated contours give no assurance of service to any specific percentage of receiver locations within the distances indicated.

4. FCC Form 301 needs revising in other respects and work on the revision is in progress; until a new form is issued, applicants using it for FM facilities need not submit the data now required in the FM engineering portion (section V-B, p. 2, Ques. 15 & 17) for any contour outside of the 1 mv/m contour. Since these changes are procedural (relating to what is required in an application form), and relieve existing requirements, the provisions of section 4 of the Administrative Procedure Act do not apply and prior notice and proceedings, and the customary waiting period before the effective date of the rule, are unnecessary.

(Secs. 4, 303, 307, 48 Stat., as amended, 1086, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9312; Filed, Aug. 8, 1967; 8:49 a.m.]

[Docket No. 17475; FCC 67-919]

PART 73—RADIO BROADCAST SERVICES

Television Broadcast Stations; Table of Assignments, Hastings and Merri-man, Nebr.

Report and order. In the matter of amendment of table of assignments, § 73.606(b) of the Commission's rules

<sup>1</sup> Commissioners Bartley, Loevinger, and Wadsworth absent.

## RULES AND REGULATIONS

and regulations (Hastings and Merriman, Nebr.); Docket No. 17475, RM-1096.

1. The notice of proposed rule making, issued in this proceeding on May 26, 1967, FCC 67-630, 32 F.R. 7918, proposed to assign Channel 12 to Merriman, Nebraska, and Channel 29 to Hastings, Nebraska, for noncommercial educational use. No oppositions to the proposal were filed. Supporting comments were filed by the petitioner and the National Association of Educational Broadcasters.

2. Petitioner, Nebraska Educational Television Commission (NETC), an instrumentality of the State of Nebraska charged with the responsibility for inaugurating and operating a statewide educational television network, activated educational television stations at Lexington, Omaha, North Platte, and Alliance and has obtained construction permits for new facilities for Channel 7 at Bassett and 19 at Norfolk. The channels sought here would serve areas in south-central Nebraska (around Hastings) and far northwestern Nebraska (Merriman and west) which cannot be adequately served from stations on presently reserved channels.

3. Petitioner says that assignment and activation of the Merriman and Hastings channels will provide, in conjunction with NETC's other facilities complete and effective coverage of the entire State, thereby bringing important instructional and other educational programming to all Nebraska residents.

4. As stated in the notice, Channel 12 can be allocated to northwest Nebraska in the vicinity of Merriman in a roughly rectangular area between North Platte, Nebr., and the southwestern portion of South Dakota. The only cities of substantial size in the area are North Platte, Nebr., and Rapid City, S. Dak. (1960 U.S. Census populations of about 17,000 and 42,000, respectively), both of which have both VHF commercial and VHF reserved channels (North Platte is over 100 miles from Merriman). Channel 12 can be "dropped in" at Merriman without depriving any community of a needed assignment.

5. Upon examining the assignment possibilities at Hastings, we find that Channel 29 is the most efficient UHF assignment for that community. The supply of available but unassigned UHF channels is considered to be adequate to meet expected needs in this area.

6. Under the above circumstances, we conclude that the public interest would be served by assigning Channel \*12 to Merriman, Nebr., and Channel \*29 to Hastings, for noncommercial educational use.

7. Accordingly, pursuant to authority contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended: *It is ordered*, That, effective September 11, 1967, the Table of Assignments in § 73.606 of the Commission's rules and regulations is amended insofar as the cities listed below are concerned, to read as follows:

City	Channel No.
Hastings, Nebr.	5, *29
Merriman, Nebr.	*12

NOTE: An appropriate offset for UHF channel \*29 will be supplied in a subsequent Order.

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

(Secs. 4, 303, 307, 48 Stat., as amended, 1966, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 67-9311; Filed, Aug. 8, 1967;  
8:49 a.m.]

[FCC 67-921]

PART 73—RADIO BROADCAST  
SERVICES

Television Broadcast Stations; Table of  
Assignments, Eureka, Calif.

Order. In the matter of amendment of § 73.606, *Table of Assignments*, television broadcast stations (Eureka, Calif.); RM-1145.

1. The Commission has before it for consideration the Petition of Redwood Empire Educational Television, Inc. (REET), filed May 8, 1967, to designate Channel 13, Eureka, Calif., as a noncommercial television reservation. Comments in support of the petition have been filed by National Association of Educational Broadcasters (NAEB), and the State of California Television Advisory Committee (TAC). There are no comments opposing the proposal.

2. On the petition of REET, the Commission previously considered an ETV reservation for this channel in Docket No. 16183, RM-776. We decided against this because T & R Broadcasters, a commercial applicant, had tendered an application for that channel (BPCT-3646). See Report and Order adopted May 11, 1966 (3 FCC 2d 614), and Memorandum Opinion and Order adopted September 21, 1966 (FCC 66-854). The circumstances now, however, are manifestly different: T & R voluntarily dismissed its application in December, 1966, and REET was granted a construction permit for Channel 13 on March 13, 1967.

3. In these circumstances, little purpose would be served by going through the usual procedure of adopting a notice of proposed rule making, awaiting comments, and then acting on the proposal. Section 4(a) of the Administrative Procedure Act provides that a rule may be adopted without prior proceedings where they are unnecessary or would be contrary to the public interest.<sup>2a</sup>

We find that where, as here, an educational group holds the authorization for the channel, rule making to reserve it for educational use is unnecessary.

4. Pursuant to the authority contained in sections 4 (i) and (j), 303, and 307(b) of the Communications Act of 1934, as

<sup>1</sup> Commissioners Bartley, Loevinger, and Wadsworth absent.

<sup>2a</sup> In re Norfolk, Nebr., 9 RR 2d 1570 (1967).

amended: *It is ordered*, That, effective August 11, 1967, the Television Table of Assignments set forth in § 73.606(b) of the Commission's rules is amended, as concerns the city listed below, to read as follows:

City	Channel No.
Eureka, Calif.	3-, 6-, *13-

5. *It is further ordered*, That this matter (RM-1145) is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1966, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 67-9313; Filed, Aug. 8, 1967;  
8:49 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of  
Transportation

[OST Docket No. 11]

PART 3—OFFICIAL SEAL

This amendment adds a new Part 3 "Official Seal" to the regulations of the Office of the Secretary. The new part describes the official seal of the Department and authorizes its use for the authentication of documents by the Department including its components except for the St. Lawrence Seaway Development Corporation which will continue to use its own corporate seal. In addition, Department of Transportation Order No. 1000.1 (32 F.R. 4180), which prescribes a temporary seal for the Department, is being canceled.

Since this amendment relates to Departmental management, procedures, and practices, notice and public procedure thereon is unnecessary. This amendment is issued under the authority of section 9(k) of the Department of Transportation Act (49 U.S.C. 1657(k)).

In consideration of the foregoing, effective September 1, 1967, Department of Transportation Order No. 1000.1 (32 F.R. 4180) is canceled and Subtitle A of Title 49 of the Code of Federal Regulations is amended by adding the following new Part 3 "Official Seal".

Issued in Washington, D.C., on August 3, 1967.

ALAN S. BOYD,  
Secretary of Transportation.

Sec.

3.1 Description.

3.3 Authority to affix seal.

AUTHORITY: The provisions of this Part 3 issued under sec. 9(k) of the Department of Transportation Act; 49 U.S.C. 1657(k).

§ 3.1 Description.

The official seal of the Department of Transportation is described as follows:

<sup>2</sup> Commissioners Bartley, Loevinger, and Wadsworth absent.

A white abstract triskellon figure signifying motion appears within a circular red field. The figure is asymmetrical. The three branches of the figure curve outward in a clockwise direction, each tapering to a point at the edge of the field. The broadest branch extends to the right before curving sharply downward. The narrowest branch extends to the left in an even curve. The third branch extends upward in a steep curve. Enclosing the red circle is a broad black circular ring. Within the upper half of that ring appear the words "Department of Transportation" in white letters. Within the lower half of that ring appear the words "United States of America" in white letters together with two white five-pointed stars, one preceding and the other following those words and separating them from the words in the upper half. Two thin rings, the inner white, the outer black, enclose the broad black ring and complete the seal. The official seal of the Department is modified when reproduced in black and white and when embossed. As so modified, it appears below.



### § 3.3 Authority to affix seal.

(a) The following officials of the Department of Transportation are authorized to affix the official seal of the Department of Transportation to appropriate documents and other materials of the Department, for all purposes, including those authorized by 28 U.S.C. 1733(b): The General Counsel, the Assistant Secretary for Administration, the Commandant of the Coast Guard, the Federal Aviation Administrator of the Federal Aviation Administration, the Federal Highway Administrator of the Federal Highway Administration, the Federal Railroad Administrator of the Federal Railroad Administration, the Chairman, National Transportation Safety Board, and the Chairman, Board of Contract Appeals.

(b) The officers named in paragraph (a) of this section may redelegate, and authorize redelegations of, this authority.

[F.R. Doc. 67-9288; Filed, Aug. 8, 1967; 8:45 a.m.]

[OST Docket No. 4; Amdt. No. 5-1]

## PART 5—RULE-MAKING PROCEDURES

### Appendix A

This amendment adds an Appendix A to Part 5 "Rule-Making Procedures". The purpose of the appendix is to list the delegations of authority to officials of the Office of the Secretary to conduct certain rule-making proceedings pursuant to that part. The first delegation to be included in the appendix is a delegation to the General Counsel to conduct all proceedings, including the issuance of notices of proposed rule making, but not including final rules, under the Uniform Time Act of 1966; the Act of March 19, 1918; and section 6(e) (5) of the Department of Transportation Act. In addition, this amendment authorizes the General Counsel to issue operating exceptions if he determines that the applicability of standard time to the movements of a common carrier engaged in interstate or foreign commerce is impractical.

In consideration of the foregoing, Title 49 of the Code of Federal Regulations is amended by adding the following new Appendix A to Part 5 "Rule-Making Procedures", effective August 3, 1967.

#### APPENDIX A

Pursuant to § 5.1(b), the following officials of the Office of the Secretary of Transportation are authorized to conduct rule-making proceedings under this part, as specified in this appendix:

(1) The General Counsel is authorized to conduct all rule-making proceedings, except the issuance of final rules, under the Act of March 19, 1918, ch. 24, as amended (15 U.S.C. 261-264); the Uniform Time Act of 1966 (80 Stat. 107, 15 U.S.C. 260-267); and section 6(e) (5) of the Department of Transportation Act (80 Stat. 939, 49 U.S.C. 1653 (e) (5)).

(2) The General Counsel is authorized to determine the practicability of applying the standard time of any standard time zone to the movements of any common carrier engaged in interstate or foreign commerce, and, under section 2 of the Act of March 19, 1918, ch. 24, as amended (15 U.S.C. 262), to issue operating exceptions in any case in which he determines that it is impractical to apply the standard time.

Since this amendment relates to Departmental organization, procedures, and practices, notice and public procedure hereon is unnecessary and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 9, Department of Transportation Act (80 Stat. 944, 49 U.S.C. 1657))

Issued in Washington, D.C., on August 3, 1967.

ALAN S. BOYD,  
Secretary of Transportation.

[F.R. Doc. 67-9289; Filed, Aug. 8, 1967; 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

##### Mark Twain National Wildlife Refuge, Ill.

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

#### ILLINOIS

##### MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of black, gray and fox squirrels on the Mark Twain National Wildlife Refuge, Ill., is permitted from sunrise September 1, 1967, to sunset September 30, 1967, only on the areas of the Gardner Division designated by signs as open to hunting. These open areas, comprising 4,200 acres of the total Gardner Division area, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations concerning the hunting of squirrels subject to the following conditions:

(1) A Federal permit is required to enter the public hunting area. Permits may be obtained from the Mark Twain National Wildlife Refuge headquarters, Quincy, Ill.

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.

The provisions of this special regulation are effective to September 30, 1967.

JAMES F. GILLET,  
Refuge Manager, Mark Twain  
National Wildlife Refuge.

AUGUST 1, 1967.

[F.R. Doc. 67-9288; Filed, Aug. 8, 1967; 8:46 a.m.]

#### PART 32—HUNTING

##### Mark Twain National Wildlife Refuge, Iowa

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

#### IOWA

##### MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Mark Twain National Wildlife Refuge,

## RULES AND REGULATIONS

## PART 32—HUNTING

Mark Twain National Wildlife  
Refuge, Iowa

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.

## IOWA

## MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Mark Twain National Wildlife Refuge, Iowa, is permitted only on the areas known as Big Timber Division and that portion of the Louisa Division known as the Turkey Island area designated by signs as open to hunting. These open areas, comprising 1,660 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minne-

apolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations subject to the following special conditions:

(a) Species to be taken: All species as authorized by Iowa State regulation.

(b) Open Season: September 1 through December 31, 1967, or subject to applicable State regulations if more restrictive.

(c) No locked or private blinds shall be allowed.

(d) No camping is allowed.

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.

JAMES F. GILLETT,  
Refuge Manager, Mark Twain  
National Wildlife Refuge.

AUGUST 1, 1967.

[F.R. Doc. 67-9270; Filed, Aug. 8, 1967;  
8:46 a.m.]

Iowa, is permitted only on the areas known as the Big Timber Division and that portion of the Louisa Division known as the Turkey Island area designated by signs as open to hunting. These open areas, comprising 1,660 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota 55408. Hunting shall be in accordance with all applicable State regulations concerning the hunting of upland game.

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.

JAMES F. GILLETT,  
Refuge Manager, Mark Twain  
National Wildlife Refuge.

AUGUST 1, 1967.

[F.R. Doc. 67-9269; Filed, Aug. 8, 1967;  
8:46 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Agricultural Stabilization and Conservation Service

[ 7 CFR Part 722 ]

#### UPLAND AND EXTRA LONG STAPLE COTTON

##### Notice of Determinations Regarding 1968 Crops

The Secretary of Agriculture is preparing to make determinations with respect to the 1968 crops of upland cotton and extra long staple cotton pursuant to the Agricultural Adjustment Act of 1938, as amended (referred to as the "act") (52 Stat. 38, as amended; 7 U.S.C. 1281 et seq.). The Secretary is preparing to make these determinations for upland cotton in September 1967. These determinations include the following:

- (a) *Upland cotton.* (1) Whether a national marketing quota is required to be proclaimed for the 1968 crop of upland cotton under section 342 of the act;
- (2) The number of bales of cotton of the national marketing quota under section 342 of the act;
- (3) The national acreage allotment under section 344(a) of the act;
- (4) The national reserve for minimum farm allotments under section 344(b) of the act;
- (5) The apportionment of the national allotment and national reserve to the States and counties under section 344 (b) and (e) of the act;
- (6) The national domestic allotment and farm domestic allotment percentage under section 350 of the act;
- (7) The projected national, State and county yields under section 301(b) (13) (L) of the act;
- (8) The national export market acreage reserve under section 346 of the act;
- (9) The date for holding the national marketing quota referendum under section 343 of the act.
- (b) *Extra long staple cotton.* (1) Whether a national marketing quota is required to be proclaimed for the 1968 crop of extra long staple cotton under section 347 of the act;
- (2) The number of bales of extra long staple cotton of the national marketing quota under section 347 of the act;
- (3) The national acreage allotment under section 344(a) of the act;
- (4) The apportionment of the national allotment to the States and counties under section 344 (b) and (e) of the act;
- (5) The date for holding the national marketing quota referendum under section 343 of the act.

Prior to making any of the foregoing determinations, consideration will be given to any data, views, and recommendations which are submitted in writing

to the Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, within 30 days following the publication of this notice in the FEDERAL REGISTER. The date of the postmark will be considered as the date of any submission. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 4, 1967.

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

[F.R. Doc. 67-9324; Filed, Aug. 8, 1967; 8:50 a.m.]

#### Consumer and Marketing Service

[ 7 CFR Part 924 ]

#### HANDLING OF FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREG.

##### Approval of Expenses and Fixing of Rate of Assessment for 1967-68 Fiscal Year and Carryover of Unexpended Funds

Consideration is being given to the following proposals submitted by the Washington-Oregon Fresh Prune Marketing Committee, established under the marketing agreement and Order No. 924 (7 CFR Part 924) regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oreg., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

- (1) Expenses that are reasonable and likely to be incurred by said committee, during the period April 1, 1967, through March 31, 1968, will amount to \$15,574.
- (2) That there be fixed, at \$1 per ton of fresh prunes, the rate of assessment payable by each handler in accordance with § 924.41 of the aforesaid marketing agreement and order.
- (3) That unexpended assessment funds, in excess of expenses incurred during the fiscal period ended March 31, 1967, shall be carried over as a reserve in accordance with the applicable provisions of § 924.42 of said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in con-

nection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: August 3, 1967.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-9285; Filed, Aug. 8, 1967; 8:47 a.m.]

[ 7 CFR Part 958 ]

#### ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREG.

##### Expenses and Rate of Assessment

Consideration is being given to the approval of proposed expenses and a proposed rate of assessment as hereinafter set forth, which were recommended by the Idaho-Eastern Oregon Onion Committee, established pursuant to Marketing Agreement No. 130 and Order No. 958 (7 CFR Part 958).

This marketing order program regulates the handling of onions grown in designated counties in Idaho and Malheur County, Oreg., and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same, in quadruplicate, with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

##### § 958.211 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period beginning July 1, 1967, and ending June 30, 1968, by the Idaho-Eastern Oregon Onion Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate will amount to \$8,275.

(b) The rate of assessment to be paid by each handler in accordance with the

Marketing Agreement and this part shall be three-tenths of one cent (\$0.003) per hundredweight of onions handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending June 30, 1968 may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

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

Dated: August 3, 1967.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and  
Vegetable Division, Con-  
sumer and Marketing Service.

[F.R. Doc. 67-9284; Filed, Aug. 8, 1967;  
8:47 a.m.]

[ 7 CFR Part 981 ]

**HANDLING OF ALMONDS GROWN  
IN CALIFORNIA**

**Notice of Proposed Salable and  
Surplus Percentages for 1967-68  
Crop Year**

Notice is hereby given of a proposal to establish, for the 1967-68 crop year, which began July 1, 1967, salable and surplus percentages of 75 and 25 percent, respectively, applicable to California almonds. The proposed percentages would be established in accordance with the provisions of the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981), regulating the handling of almonds grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was unanimously recommended by the Almond Control Board.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than 8 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during official hours of business (7 CFR 1.27(b)).

The proposed percentages are based upon the following estimates (kernel weight basis) for the crop year beginning July 1, 1967:

- (1) Production of 89 million pounds;
- (2) Trade demand for domestic almonds of 63.3 million pounds (which is based on a total demand of 63.8 million pounds less 500,000 pounds of imported almonds);
- (3) Handler carryover of 26.5 million pounds on July 1, 1967;
- (4) Desirable handler carryover of 30.0 million pounds on June 30, 1968;

(5) Trade demand and desirable handler carryover requirements for 1967 crop almonds of 66.8 million pounds (items 2 plus 4 minus 3); and

(6) 22.2 million pounds of surplus almonds (item 1 minus item 5).

On the basis of the foregoing estimates, salable and surplus percentages of 75 percent and 25 percent, respectively, appear to be appropriate for the 1967-68 season.

The proposal is as follows:

§ 981.217 Salable and surplus percentages for almonds during the crop year beginning July 1, 1967.

The salable and surplus percentages during the crop year beginning July 1, 1967, shall be 75 percent and 25 percent, respectively.

Dated: August 4, 1967.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Veg-  
etable Division, Consumer and  
Marketing Service.

[F.R. Doc. 67-9325; Filed, Aug. 8, 1967;  
8:51 a.m.]

[ 7 CFR Part 993 ]

**HANDLING OF DRIED PRUNES  
PRODUCED IN CALIFORNIA**

**Notice of Proposed Expenses of Prune  
Administrative Committee and Rate  
of Assessment for 1967-68**

Notice is hereby given of a proposal regarding expenses of the Prune Administrative Committee for the 1967-68 crop year and rate of assessment for that crop year, pursuant to §§ 993.80 and 993.81 of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Prune Administrative Committee has unanimously recommended for the crop year beginning August 1, 1967, a budget of expenses in the total amount of \$97,500 and an assessment rate of 75 cents per ton of assessable prunes. Expenses in that amount and the assessment rate are specified in the proposal hereinafter set forth. The assessable tonnage is estimated by the Committee at 130,000 tons.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 8th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 993.318 Expenses of the Prune Administrative Committee and rate of assessment for the 1967-68 crop year.

(a) *Expenses.* Expenses in the amount of \$97,500 are reasonable and likely to be incurred by the Prune Administrative Committee during the crop year beginning August 1, 1967, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of the marketing agreement, as amended, and this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for such crop year which each handler is required, pursuant to § 993.81, to pay to the Prune Administrative Committee as his pro rata share of the said expenses is fixed at 75 cents per ton of salable prunes handled by him as the first handler thereof.

Dated: August 3, 1967.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Veg-  
etable Division, Consumer and  
Marketing Service.

[F.R. Doc. 67-9286; Filed, Aug. 8, 1967;  
8:47 a.m.]

[ 7 CFR Parts 1125, 1133 ]

[Docket Nos. AO 228-A18, AO 275-A18]

**MILK IN PUGET SOUND, WASH., AND  
INLAND EMPIRE MARKETING AREAS**

**Supplemental Notice and Notice of  
Rescheduled Hearing on Proposed  
Amendments to Tentative Market-  
ing Agreements and Orders**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice was issued July 25, 1967 (32 F.R. 11086), of a public hearing to be held at the Ridpath Hotel, West 510 Sprague Avenue, Spokane, Wash., beginning at 9:30 a.m., local time, on August 17, 1967, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Inland Empire marketing area.

Notice is hereby given that the said public hearing is rescheduled to be held on August 15, 1967 at the Banquet Hall, Norway Center (Norselander Restaurant), 300 Third Avenue West, Seattle, Wash., beginning at 9:30 a.m., local time.

Notice is also given that this hearing will be held simultaneously and as a joint hearing with the hearing to be held on similar proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Puget Sound, Wash., marketing area, notice of which was issued on July 17, 1967 (32 F.R. 10742), and July 20, 1967 (32 F.R. 10863).

Signed at Washington, D.C., on August 4, 1967.

CLARENCE H. GIBARD,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 67-9326; Filed, Aug. 8, 1967;  
8:51 a.m.]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 67-WE-50]

### TRANSITION AREA

#### Proposed Alteration and Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the description of the Hugo, Colo., transition area and designate a new Tobe, Colo., transition area floored at 8,500 feet MSL.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

The proposed airspace actions are required to provide the Air Traffic Controller with additional controlled airspace for radar vectoring to avoid thunderstorm activity and other traffic on adjacent airways, thus allowing maximum utilization of radar capability and more efficient control of IFR traffic.

Therefore, the FAA proposes to redesignate the Hugo, Colo., transition area in § 71.181 (32 F.R. 2200) as follows:

#### HUGO, COLO.

That airspace south of Hugo, Colo., VOR, extending upward from 8,500 feet MSL, bounded on the north by V-108S, on the northeast by V-263, on the south by V-210, and on the west by V-19E; that airspace

east of Hugo, extending upward from 8,500 feet MSL, bounded on the north by V-4, on the east by longitude 102°50'00" W., on the southwest by V-263, and on the west by V-109, excluding the airspace within Federal airways and the Pueblo and Colorado Springs, Colo., transition areas.

In § 71.181 (32 F.R. 2148) the following transition area is added:

#### TOBE, COLO.

That airspace north of Tobe, Colo., VOR-TAC, extending upward from 8,500 feet MSL, bounded on the north by V-210, on the southeast by V-263, and on the west by V-19E, excluding the airspace within Federal airways.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on July 31, 1967.

LEE E. WARREN,  
Acting Director, Western Region.

[F.R. Doc. 67-9278; Filed, Aug. 8, 1967;  
8:47 a.m.]

### [ 14 CFR Part 121 ]

[Docket No. 8317; Notice 67-35]

### CERTIFICATION AND OPERATIONS

#### Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft

The Federal Aviation Administration is considering amending Appendix E to Part 121 to provide for programed hours of training in approved training programs for the following aircraft: Douglas DC-9, Nihon YS-11, Lockheed L-1329, and Falcon Fan Jet.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before October 9, 1967, 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.

The FAA has convened Flight Standardization Boards on the DC-9, YS-11, L-1329, and Falcon Fan Jet aircraft and recommendations have been made as to programed hours of training for approved training programs under Part 121. These aircraft are similar in complexity or flight characteristics to other aircraft presently covered by Appendix E. Therefore, it has been recommended that the number of training hours required for them be identical to the hours required for those other aircraft.

All of these airplanes are presently in service and a number of training programs for them have already been approved. With respect to any differences

between the approved programs and this proposal, it should be noted that the FAA considers the hours of training set forth in Appendix E as a minimum unless there are circumstances as set forth in § 121.414 that would justify a reduction. Consequently, upon adoption of a final rule, any revisions in existing programs that are warranted will be handled in the normal manner under § 121.412.

In consideration of the foregoing and the recommendations of the Flight Standardization Boards, it is proposed to amend Appendix E to Part 121 as follows:

1. By adding the Douglas DC-9 and the Lockheed L-1329 to the group that includes the L-188, CL-44, BAC-111, and Caravelle.

2. By adding the Nihon YS-11 to the group that includes the F-27 and CV-540.

3. By adding the Falcon Fan Jet to the group that includes the Viscount and the Argosy.

These amendments are proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1424).

Issued in Washington, D.C., on August 3, 1967.

JAMES P. RUDOLPH,  
Director, Flight Standards Service.

[F.R. Doc. 67-9277; Filed, Aug. 8, 1967;  
8:46 a.m.]

### Office of the Secretary

[ 49 CFR Part 239 ]

[OST Docket No. 5; Notice No. 1]

### STANDARD TIME ZONE BOUNDARY IN STATE OF NEBRASKA

#### Proposed Relocation

The Governor and Legislature of Nebraska have petitioned the Department of Transportation to amend Title 49, § 239.5(c) (formerly § 139.5(c)) of the Code of Federal Regulations so as to include in the U.S. central standard time zone certain portions of Nebraska now located in the U.S. mountain standard time zone.

Section 239.5(c) describes the present boundary between the central standard time zone and the mountain standard time zone, in pertinent part, as follows:

From the intersection of the third guide meridian, west, and the north boundary line of the State of Nebraska, running south along said guide meridian to the Niobrara River; thence easterly along said river to the east line of Brown County, Nebr.; thence south along the east line of Brown and Blaine Counties, and along the range line between ranges 20 and 21 west, and detouring to the west to include that portion of the Chicago & North Western Railway which lies east of Long Pine, to the township line between townships 18 and 19 north; thence west along said township line to the range line between townships 30 and 31 west of the sixth principal meridian; thence south along said range line with its offsets to the Chicago, Burlington & Quincy Railroad near Perry, in Redwillow County, detouring to the east in said course to include that portion of the Union Pacific Railroad which lies west of North Platte; thence easterly and immediately

north of and parallel with the Chicago, Burlington & Quincy Railroad to the western limits of McCook, there crossing the Chicago, Burlington & Quincy Railroad; thence south to the Republican River; thence following the Republican River to Republican Junction, crossing in said course the St. Francis branch of the Chicago, Burlington & Quincy Railroad at Orleans and the Oberlin branch of said railroad at Republican Junction; thence southerly to the intersection of the township line between townships 17 and 18, west of the sixth principal meridian, to the boundary line between Kansas and Nebraska.

The Governor's petition proposes that the boundary between the mountain standard time zone and the central standard time zone be moved to run:

From the intersection of the third guide meridian, west, and the north boundary line of the State of Nebraska, running south along the east line of Cherry County, Nebraska, to the intersection of the north line of Blaine County; thence west along the north line of Blaine and Thomas Counties to the west line of Thomas County; thence south along the west line of Thomas County to the intersection of the north line of McPherson County; thence west along the north line of McPherson County to the west line of McPherson County; thence south along the west line of McPherson County to the intersection of the north line of Keith County; thence east along the north line of Keith County to the intersection of the west line of Lincoln County; thence south along the west line of Lincoln County to the intersection of the north line of Hayes County; thence west along the north line of Hayes County to the west line of Hayes County; thence south along the west line of Hayes and Hitchcock Counties to the boundary line between Kansas and Nebraska.

The Department is authorized to modify the limits of time zones "having regard for the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce." Before taking final action to adopt, deny, or modify the proposed boundary which the petition sets forth, the Department will consider the timely comments of all interested persons. Communications should identify the regulatory docket or notice number (see above) and be submitted in duplicate to: Docket Clerk; Office of the General Counsel; Department of Transportation; Washington, D.C. 20590.

Communications received on or before October 20, 1967, and all other petitions and communications received before the date of this notice, will be considered by the Department before taking final action on the petition. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

These proceedings will not concern adherence to or exemption from advanced (daylight saving) time during the summer months. The Uniform Time Act requires observance of advanced time within established time zones from the last Sunday in April to the last Sunday in October, but permits an individual State to exempt itself, by law, from observing advanced time within the State.

This proposal is issued under the authority of the Act of March 19, 1918,

chapter 24, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267); section 6(e)(5) of the Department of Transportation Act (80 Stat. 939, 49 U.S.C. 1655); and 49 CFR Part 5.

Issued in Washington, D.C., on August 3, 1967.

R. TENNEY JOHNSON,  
Acting General Counsel.

[P.R. Doc. 67-9291; Filed, Aug. 8, 1967;  
8:48 a.m.]

#### [ 49 CFR Part 239 ]

[OST Docket No. 6; Notice No. 2]

### STANDARD TIME ZONE BOUNDARY IN STATE OF INDIANA

#### Proposed Relocation

The Governor of Indiana has petitioned the Department of Transportation to amend Title 49, § 239.3(b) (formerly § 139.3(b)) of the Code of Federal Regulations so as to include the entire State of Indiana within the central standard time zone.

Section 239.3(b) describes the present boundary between the eastern standard time zone and the central standard time zone, in pertinent part, as follows:

From the juncture of the western boundary of the State of Michigan with the northern boundary of the State of Indiana eastwardly along said northern boundary to the west line of Elkhart County; thence southerly along the west lines of Elkhart, Kosciusko, Wabash, Grant, and Madison Counties to the north line of Hamilton County; thence westerly along the north lines of Hamilton, and Boone Counties to the northwest corner of Boone County; thence southerly along the west lines of Boone, Hendricks, and Morgan Counties to the southwest corner of Morgan County; thence easterly along the south lines of Morgan, Johnson, and Shelby Counties to the west line of Decatur County; thence southerly along the west line of Decatur County to the north line of Jennings County; thence westerly and southerly along the north and west lines of Jennings County and the west lines of Scott and Clark Counties to the north line of Floyd County; thence westerly along the north lines of Floyd and Harrison Counties and southerly along the west line of Harrison County to the Ohio River and the southern boundary of the State; in each case including the various offsets in the named county lines.

The Governor petitions the Department of Transportation " \* \* \* [T]o modify the boundary between the eastern standard time zone and the central standard time zone so as to include the entire State of Indiana in the central standard time zone."

The Department is authorized to modify the limits of time zones "having regard for the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce." Before taking final action to adopt, deny, or modify the proposed boundary which the petition sets forth, the Department will consider the timely comments of all interested persons. Communications should identify the regulatory docket or

notice number (see above) and be submitted in duplicate to: Docket Clerk; Office of the General Counsel; Department of Transportation; Washington, D.C. 20590.

Communications received on or before October 20, 1967, and all other petitions and communications received before the date of this notice, will be considered by the Department before taking final action on the petition. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

These proceedings will not concern adherence to or exemption from advanced (daylight saving) time during the summer months. The Uniform Time Act requires observance of advanced time within established time zones from the last Sunday in April to the last Sunday in October, but permits an individual state to exempt itself, by law, from observing advanced time within the State.

This proposal is issued under the authority of the Act of March 19, 1918, chapter 24, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267); section 6(e)(5) of the Department of Transportation Act (80 Stat. 939, 49 U.S.C. 1655); and 49 CFR Part 5.

Issued in Washington, D.C., on August 3, 1967.

R. TENNEY JOHNSON,  
Acting General Counsel.

[P.R. Doc. 67-9292; Filed, Aug. 8, 1967;  
8:48 a.m.]

#### [ 49 CFR Part 239 ]

[OST Docket No. 7; Notice No. 3]

### STANDARD TIME ZONE BOUNDARY IN STATE OF NORTH DAKOTA

#### Proposed Relocation

The Governor of North Dakota has petitioned the Department of Transportation to amend Title 49, § 239.5(a) (formerly § 139.5(a)) of the Code of Federal Regulations to move the boundary between the mountain standard time zone and the central standard time zone in an easterly direction in order to accommodate the historical pattern of time observation in North Dakota.

Section 239.5(a) describes the present boundary between the mountain standard time zone and the central standard time zone, in pertinent part, as follows:

Beginning on the boundary line between the United States and Canada at the intersection of the boundary line between North Dakota and Montana, thence south along the west border of North Dakota to the main line of the Chicago, Milwaukee, St. Paul & Pacific Railway at Montine, thence east and north of, and parallel with said Chicago, Milwaukee, St. Paul & Pacific Railway to the South Dakota State line, thence east along such State line to the main channel of the Missouri River.

The Governor's petition proposes that the boundary between the mountain standard and central standard time zones be moved east to include within the mountain standard time zone those

North Dakota counties which have historically observed mountain standard time.

The Department is authorized to modify the limits of time zones "having regard for the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce." Before taking final action to adopt, deny, or modify the proposed boundary which the petition sets forth, the Department will consider the timely comments of all interested persons. Communications should identify the regulatory docket or notice number (see above) and be submitted in duplicate to: Docket Clerk; Office of the General Counsel; Department of Transportation; Washington, D.C. 20590.

Communications received on or before October 20, 1967, and all other petitions and communications received before the date of this notice, will be considered by the Department before taking final action on the petition. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

These proceedings will not concern adherence to or exemption from advanced (daylight saving) time during the summer months. The Uniform Time Act requires observance of advanced time within established time zones from the last Sunday in April to the last Sunday in October, but permits an individual State to exempt itself, by law, from observing advanced time within the State.

This proposal is issued under the authority of the Act of March 19, 1918, chapter 24, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267); section 6(e)(5) of the Department of Transportation Act (80 Stat. 939, 49 U.S.C. 1655); and 49 CFR Part 5.

Issued in Washington, D.C., on August 3, 1967.

R. TENNEY JOHNSON,  
Acting General Counsel.

[F.R. Doc. 67-9293; Filed, Aug. 8, 1967;  
8:48 a.m.]

#### [ 49 CFR Part 239 ]

[OST Docket No. 8; Notice No. 4]

### STANDARD TIME ZONE BOUNDARY IN STATE OF KANSAS

#### Proposed Relocation

The Governor and Legislature of Kansas have petitioned the Department of Transportation to amend Title 49, § 239.5 (d) (formerly § 139.5(d)) of the Code of Federal Regulations so as to include the entire State of Kansas within the U.S. central standard time zone.

Section 239.5(d) describes the present boundary between the mountain standard time zone and the central standard time zone, in pertinent part, as follows:

From the point last described (the intersection of the township lines between townships 17 and 18, west of the sixth principal meridian on the boundary line of Kansas and Nebraska), in a southerly direction through

Phillipsburg, Stockton, and Plainville to Ellis, crossing in said course the Chicago, Rock Island & Pacific Railway at Phillipsburg, the Missouri Pacific Railroad near Glade, and the Union Pacific Railroad at Plainville and Ellis; thence south along the west line of Ellis County and the east line of Ness County to the northeast corner of Hodgeman County, crossing in said course the Missouri Pacific Railroad near McCracken and the Santa Fe near Alexander; thence west along the north line of Hodgeman County to the 100° meridian, west; thence south along said meridian to a point north of Dodge City; thence along the north and west boundary of Dodge City to the fifth standard parallel, south; thence westerly along said parallel and the southern boundary lines of Finney, Kearney, and Hamilton Counties to the Kansas-Colorado border; thence south along the border between Kansas and Colorado to the intersection of the boundary between such States with the boundary line of Oklahoma.

The petition would require amendment of § 239.5(d) to move the boundary between the mountain standard time zone and the central standard time zone west, and make it coincide with the western boundary of the State of Kansas.

The Department is authorized to modify the limits of time zones "having regard for the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce." Before taking final action to adopt, deny, or modify the proposed boundary which the petition sets forth, the Department will consider the timely comments of all interested persons. Communications should identify the regulatory docket or notice number (see above) and be submitted in duplicate to: Docket Clerk; Office of the General Counsel; Department of Transportation; Washington, D.C. 20590.

Communications received on or before October 20, 1967, and all other petitions and communications received before the date of this notice, will be considered by the Department before taking final action on the petition. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

These proceedings will not concern adherence to or exemption from advanced (daylight saving) time during the summer months. The Uniform Time Act requires observance of advanced time within established time zones from the last Sunday in April to the last Sunday in October, but permits an individual State to exempt itself, by law, from observing advanced time within the State.

This proposal is issued under the authority of the Act of March 19, 1918, chapter 24, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267); section 6(e)(5) of the Department of Transportation Act (80 Stat. 939, 49 U.S.C. 1655); and 49 CFR Part 5.

Issued in Washington, D.C., on August 3, 1967.

R. TENNEY JOHNSON,  
Acting General Counsel.

[F.R. Doc. 67-9294; Filed, Aug. 8, 1967;  
8:48 a.m.]

#### [ 49 CFR Part 239 ]

[OST Docket No. 9; Notice No. 5]

### NEW STANDARD TIME ZONE BOUNDARIES GOVERNING STATES OF ALASKA AND HAWAII

#### Proposed Establishment

The Department of Transportation is undertaking the establishment of new standard time zone boundaries in accordance with authority vested in it under the Uniform Time Act of 1966 (80 Stat. 107) and section 6(e)(5) of the Department of Transportation Act of 1966 (80 Stat. 939). In the former Act, Congress provided for the establishment of four new standard time zones (Atlantic, Yukon, Alaska-Hawaii, and Bering), the last three of which are described within this notice.

Present regulations relating to time zones are set forth in Part 239 (formerly Part 139) of Title 49 of the Code of Federal Regulations and establish a first, second, third, and fourth time zones. They are designated as the eastern, central, mountain, and Pacific zones, respectively.

Section 4(c) of the Uniform Time Act states in part: "The standard time \* \* \* of the sixth zone shall be known and designated as Yukon standard time; that of the seventh zone shall be known and designated as Alaska-Hawaii standard time; and that of the eighth zone shall be known and designated as Bering standard time." Section 4(a) of the Act states in part: " \* \* \* [T]he standard time of the sixth zone (shall be based on the mean solar time of) the one hundred and thirty-fifth degree (of longitude west from Greenwich); that of the seventh zone on the one hundred and fiftieth degree; and that of the eighth zone on the one hundred and sixty-fifth degree."

In accordance with this direction it is proposed to amend Part 239 as follows:

#### § 239.1 [Amended]

(1) Section 239.1 would be amended to reflect the addition of the new zones.

(2) New §§ 239.11, 239.13, and 239.15 would be added to describe the new zones, as follows:

#### § 239.11 Yukon standard time.

The sixth standard time zone, the Yukon Time Zone, includes all territory of the United States between 127°30' W. longitude and 141° W. longitude.

#### § 239.13 Alaska-Hawaii standard time.

The seventh standard time zone, the Alaska-Hawaii time zone, includes all territory of the United States located between 141° W. longitude and 157°-30' W. longitude, and the entire State of Hawaii.

#### § 239.15 Bering standard time.

The eighth standard time zone, the Bering time zone, includes all territory of the United States between 157°30' W. longitude and 172°30' W. longitude, and all of the Aleutian Islands which lie west of 172°30' W. longitude, but does not include any part of the State of Hawaii.

Interested persons are invited to participate in the making of this proposed rule by submitting such written data, views, and arguments as they may desire. Communications should identify the regulatory docket or notice number (see above) and be submitted in duplicate to Docket Clerk: Office of the General Counsel; Department of Transportation; Washington, D.C. 20590.

Communications received on or before October 20, 1967, and all other communications received before the date of this notice, will be considered by the Department before taking final action. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

These proceedings will not concern adherence to or exemption from advanced (daylight saving) time during the summer months. The Uniform Time Act requires observance of advanced time within established time zones from the last Sunday in April to the last Sunday in October, but permits an individual State to exempt itself, by law, from observing advanced time within the State.

This proposal is issued under the authority of the Act of March 19, 1918, chapter 24, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267); section 6(e)(5) of the Department of Transportation Act (80 Stat. 939, 49 U.S.C. 1655); and 49 CFR Part 5.

Issued in Washington, D.C., on August 3, 1967.

R. TENNEY JOHNSON,  
Acting General Counsel.

[F.R. Doc. 67-9295; Filed, Aug. 8, 1967;  
8:48 a.m.]

#### [ 49 CFR Part 239 ]

[OST Docket No. 10; Notice No. 6]

### NEW STANDARD TIME ZONE BOUNDARIES GOVERNING PUERTO RICO AND VIRGIN ISLANDS

#### Proposed Establishment

The Department of Transportation is undertaking the establishment of new standard time zone boundaries in accordance with authority vested in it under the Uniform Time Act of 1966 (80 Stat. 107) and section 6(e)(5) of the Department of Transportation Act of 1966 (80 Stat. 939). In the former Act, Congress provided for the establishment of four new standard time zones (Atlantic, Yukon, Alaska-Hawaii, and Bering) the first of which is described within this notice.

Present regulations relating to time zones are set forth in Part 239 (formerly Part 139) of Title 49 of the Code of Federal Regulations and establish a first, second, third, and fourth time zone. They are designated as the eastern, central, mountain, and Pacific zones, respectively.

Section 4(c) of the Uniform Time Act states in part: "The standard time of the first zone shall be known and designated

as Atlantic standard time \* \* \*." Section 4(a) of the Act states in part: " \* \* \* [T]he standard time of the first zone shall be based on the mean solar time of the sixtieth degree of longitude west from Greenwich \* \* \*."

In accordance with this direction, it is proposed to amend Part 239 as follows: §§ 239.1, 239.2, 239.4, 239.6, 239.8 [Amended]

(1) Sections 239.1, 239.2, 239.4, 239.6, 239.8 would be amended to reflect the renumbering of the present first, second, third, and fourth zones, to reflect the new first zone (Atlantic), and to reflect the name of the new zone as an addition to names of the present zones.

(2) A new § 239.1a would be added to describe the new zone, reading as follows:

#### § 239.1a Atlantic standard time.

The first standard time zone, the Atlantic time zone, includes all territory of the United States between 52°30' W. longitude and 67°30' W. longitude except that it does not include any part of the State of Maine. In addition, the zone includes that portion of the Commonwealth of Puerto Rico lying west of 67°30' W. longitude.

Interested persons are invited to participate in the making of this proposed rule by submitting such written data, views, and arguments as they may desire. Communications should identify the regulatory docket or notice number (see above) and be submitted in duplicate to: Docket Clerk: Office of the General Counsel; Department of Transportation; Washington, D.C. 20590.

Communications received on or before October 20, 1967, and all other communications received before the date of this notice, will be considered by the Department before taking final action. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

These proceedings will not concern adherence to or exemption from advanced (daylight saving) time during the summer months. The Uniform Time Act requires observance of advanced time within established time zones from the last Sunday in April to the last Sunday in October, but permits an individual state to exempt itself, by law, from observing advanced time within the state.

This proposal is issued under the authority of the Act of March 19, 1918, ch. 24, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267); section 6(e)(5) of the Department of Transportation Act (80 Stat. 939, 49 U.S.C. 1655); and 49 CFR Part 5.

Issued in Washington, D.C., on August 3, 1967.

R. TENNEY JOHNSON,  
Acting General Counsel.

[F.R. Doc. 67-9296; Filed, Aug. 8, 1967;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[ 14 CFR Parts 216, 375 ]

[Docket No. 18837; EDR-121, SPDR-9]

### FOREIGN AIR CARRIERS

#### Commingling of Blind Sector Traffic

JULY 27, 1967.

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a new Part 216 of the Economic Regulations, applicable to foreign air carriers, which will prohibit the commingling of blind sector traffic on a flight operating in foreign air transportation, unless the carriage of such traffic has been specifically authorized by the Board. Procedures for issuance of a Special Authorization, authorizing such carriage, are also set forth. It is also proposed to amend § 375.35(a)(2) of the Special Regulations, permitting certain free transportation to authorized blind sector points, to reflect that blind sector operations will be authorized pursuant to Part 216. The basis and purpose of the proposed rules are set forth in the Explanatory Statement below and the proposed new part and amendment are set forth in the Proposed Rules below. The rules are proposed under the authority of section 204(a), in interpretation and application of sections 402, and 1108(b) of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 757, 798; 49 U.S.C. 1324, 1372, 1508(b)), and of 3 U.S.C. 301-303 (65 Stat. 712).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before September 25, 1967, will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

*Explanatory statement.* The proposed rules set forth the regulatory requirements, applicable to foreign air carriers, for the carriage on a flight operating to and from the United States of traffic which is not moving in foreign air transportation because carried solely between two foreign points, where one or both of such points are not authorized for service in the carrier's permit. An operation via an unauthorized point, where no traffic rights are exercised between such point and the United States, has been commonly referred to as a "blind sector" operation, the non-traffic segment being referred to as a "blind sector." For convenience we shall refer to traffic which is picked up or discharged at an unauthorized foreign point for carriage to

another foreign point in the course of such a blind sector operation, as "blind sector traffic." Such traffic might be carried between two foreign points wholly outside the United States, or in transit across the United States to an unauthorized foreign point beyond.<sup>1</sup> For example, "blind sector traffic" might consist of the carriage on an authorized Europe-New York flight of Europe-Canada or Europe-Mexico (beyond New York) traffic, where no traffic is carried between New York and Canada or Mexico.

The rules provide that such blind sector traffic shall be carried on a flight operating in air transportation (i.e., to and from the United States) only if the combined carriage of such traffic has been specifically authorized by the Board. In addition, the regulation sets forth procedural requirements for issuance of a Special Authorization pursuant to which such carriage may be authorized.

It has been the Board's view that a foreign carrier is prohibited from engaging in blind sector operations, unless such an operation has been specifically authorized by the Board. Such authorization has typically been granted pursuant to a foreign flight permit issued pursuant to section 1108(b) of the Act.<sup>2</sup> However, certain foreign carriers have challenged the Board's jurisdiction under section 1108(b) arguing that the commingled blind sector traffic is not moving in air transportation.<sup>3</sup> On the other hand, it has been suggested that by reason of the substantial effect that the carriage of such blind sector traffic has on the air transportation services authorized by the permit, such operations should be authorized only by amendment of the section 402 foreign air carrier permit.

The Board cannot accept the view that blind sector operations should not be subject to its regulations simply because the additional traffic which is carried on such flights is not itself moving in air transportation. The commingling of such blind sector traffic with traffic carried to and from the United States may have a very substantial effect on the operation

which has been authorized by a foreign air carrier permit. To the extent that a foreign air carrier is authorized to carry blind sector traffic on a route serving the United States, it may be able to significantly increase the frequency and capacity of service on the authorized route. Thus, a blind sector traffic stop constitutes a valuable economic right, the regulation of which very much concerns the United States, and which, in appropriate cases, could be the subject of an exchange of rights derived from intergovernmental negotiations.

While the Board is of the view that blind sector operations by foreign carriers are presently prohibited unless prior authorization to conduct such operations has been obtained, we believe that adoption of specific regulatory requirements applicable to such operations provides the best means of resolving the legal questions which have been raised and clarifying the situation for the future. Accordingly, the Board tentatively finds that it is in the public interest to adopt a regulation in the form set forth below. The regulation is proposed pursuant to the Board's general rule-making powers under section 204(a) of the Act.<sup>4</sup>

The Board recognizes that unauthorized blind sector operations may be currently operated by certain carriers, and that these may have been undertaken in the good faith belief that no Board authorization was required. In order to provide an orderly procedure for consideration of applications for authorization to continue such operations, the proposed rules provide that upon the filing of a timely application, blind sector operations which have been regularly conducted prior to the date of publication of this rule-making notice may be continued pending final decision by the Board on such application.

The proposed rules are applicable only to combined carriage of blind sector traffic as defined in this part. Deviation from the authorized route by foreign air carriers for the purpose of combined carriage of other traffic which is not moving in air transportation will continue to be governed by the provisions of Part 375 of the Special Regulations applicable to foreign flight permits issued under section 1108(b) of the Act. Such operations would include the carriage to or from the United States of nonrevenue,<sup>5</sup> emergency, or other traffic, the carriage of which does not constitute engaging in air transportation, which has been enplaned or deplaned at an unauthorized point (either U.S. or foreign).

*Proposed rules.* Accordingly, the Board proposes to adopt a new Part 216 of the

Economic Regulations and to amend Part 375 of the Special Regulations, as follows:

1. Amend Chapter II of Title 14 of the Code of Federal Regulations (14 CFR) by adding a new Part 216 to Subchapter A—Economic Regulations to read as follows:

#### PART 216—COMMINGLING OF BLIND SECTOR TRAFFIC BY FOREIGN AIR CARRIERS

Sec.	
216.1	Definitions.
216.2	Applicability.
216.3	Prohibition.
216.4	Special authorization.
216.5	Existing permits.
216.6	Existing unauthorized operations.

##### § 216.1 Definitions.

As used in this part, unless the context otherwise requires:

"Act" means the Federal Aviation Act of 1958, as amended.

"Blind sector traffic" means revenue traffic, carried by a foreign air carrier on a flight operating in air transportation, which is enplaned at one foreign point and deplaned at another foreign point, where at least one of such points is not named as a terminal or intermediate point in the carrier's applicable foreign air carrier permit: *Provided*, That this definition shall not include traffic carried by a foreign air carrier between a point named in such carrier's foreign air carrier permit and a point beyond the carrier's homeland, where the flight is operated via, and lands at, a homeland terminal point authorized under such permit.

"Revenue traffic" means persons, property or mail carried for compensation or hire.

Terms defined in section 101 of the Act have the meaning expressed in such definitions.

##### § 216.2 Applicability.

This part sets forth the requirements applicable to foreign air carriers for obtaining a Special Authorization from the Board with respect to any deviation from an authorized foreign air transportation route for the purpose of commingling blind sector traffic with air transportation traffic carried pursuant to a foreign air carrier permit issued by the Board. The deviation by a foreign air carrier from its authorized route for the purpose of combined carriage to or from the United States of nonrevenue or other traffic, the carriage of which does not constitute engaging in foreign air transportation, is governed by the provisions of Part 375 of the Special Regulations in this chapter.

##### § 216.3 Prohibition.

No foreign air carrier shall carry any blind sector traffic, as defined in this part, on any flight operating in air transportation pursuant to the authority of a foreign air carrier permit issued under section 402 of the Act, unless the combined carriage of such traffic has been specifically authorized by such permit, or

<sup>1</sup> A beyond homeland point would not, however, be considered as unauthorized.

<sup>2</sup> See e.g., Compagnie Nationale Air France, Foreign Permit, 30 CAB, 981, n. 1 (1960); Compagnie Nationale Air France, Navigation of Foreign Aircraft, 30 CAB 1562 (1960); Philippine A.L., Foreign Permit, 35 CAB 331, 337 n. 9 (1961); Cathay Pacific Airways, Ltd., Foreign Permit, Order E-24951, Feb. 10, 1967.

<sup>3</sup> To the extent that the Board's decisions in certain early cases may have indicated that the Board would not assert jurisdiction over such operations, these decisions no longer represent the views of the Board. See, TAN, Foreign Permit, 18 CAB 377, 378 (1954); Airwork, Ltd., Foreign Permit, 18 CAB 542 (1954); LACSA, Foreign Permit, 18 CAB 552, 557-558 (1954); Lufthansa, Foreign Permit, 23 CAB 395, 398 (1956); Eagle Airways, Foreign Permit, 30 CAB 458, 462 (1959); TAN, Foreign Permit, Order E-20017, n. 10, July 23, 1963. It may be noted that these cases were decided in the context of section 402 permit applications, and the requirement for an additional authorization pursuant to section 1108(b) was not focused upon.

<sup>4</sup> See, *American Airlines v. C.A.B.*, 359 F. 2d 624 (C.A.D.C., 1966).

<sup>5</sup> Section 375.35 provides blanket authority for certain free transportation between specified non-traffic segments, including carriage between the United States and an off-route foreign point from which blind sector operations have been authorized (§ 375.35(a)(2)). The proposed rules would amend this provision to reflect that the blind sector authorization will be issued pursuant to this part.

by a Special Authorization issued under § 216.4

#### § 216.4 Special authorization.

(a) *Applications.* Any foreign air carrier may apply to the Board for a Special Authorization, as required by this part, for the carriage of blind sector traffic on a particular flight, series of flights, or for a specified or indefinite period of time between specified points. Applications shall be submitted directly to the Board, addressed to the attention of the Director, Bureau of Operating Rights. One original and seven true copies in conformity with the requirements of §§ 302.3(b) and 302.4 (b) and (c) of this chapter shall be filed. The applications shall contain a proper identification of the applicant; the flight or flights upon which it is proposed to carry such blind sector traffic, including routing, nontraffic stops, and dates or duration of the authority sought; a full description of such traffic, and points between which such traffic will be carried; information or documentation as to whether the country of which the applicant is a national grants reciprocal privileges to U.S. carriers; and the reasons for requesting such authorization together with such additional information as will establish that the grant of such authority will otherwise be in the public interest. Such additional information as may be specifically requested by the Board shall also be furnished.

(b) *Service.* Applications shall be served upon each direct U.S. air carrier certificated to engage in individually ticketed or waybilled foreign air transportation over any portion of the route to which the application pertains, and on such other persons as the Board may require, and proof of such service shall accompany the application as provided in § 302.8 of this chapter. Notice of such applications shall also be published in the Board's Weekly List of Applications Filed.

(c) *Memoranda in support or opposition.* Any interested person may file a memorandum in support of or in opposition to the grant of an application. Such memorandum shall set forth in detail the reasons why it is believed that the application should be granted or denied and

shall be accompanied by such data, including affidavits, which it is desired that the Board consider. Copies of the memorandum shall be served upon the applicant. Nothing in this subparagraph shall be deemed to preclude the application when the circumstances so warrant without awaiting the filing of memoranda in support of or in opposition to the application.

(d) *Time for filing.* (1) Applications seeking authority to engage in blind sector operations for a period of 3 months or longer, shall be submitted at least 60 days in advance of the proposed commencement of such operations. Memoranda in response to such an application shall be submitted within 15 days after the date of filing thereof.

(2) Applications seeking authority to engage in blind sector operations for a period of less than three months shall be filed at least 20 days in advance of the proposed commencement of such operations, and memoranda in response thereto within 7 days after the date of filing thereof: *Provided*, That the Board may consider late filed applications upon a showing of good cause for failure to adhere to this requirement.

(e) *General procedural requirements.* Except as otherwise provided herein, the provisions of Part 302, Subpart A, of this chapter shall apply to the extent applicable.

(f) *Issuance of Special Authorization.* A Special Authorization authorizing the carriage of blind sector traffic will be issued only if the Board finds that the proposed carriage is fully consistent with applicable law and this part, and that grant of such authority would be in the public interest. The application may be granted or denied in whole or in part without hearing, and a Special Authorization made subject to any conditions or limitations, to the extent that such action is deemed by the Board to be in the public interest. Special Authorizations are not transferable.

(g) *Nature of the privilege conferred.* A Special Authorization issued pursuant to this section shall constitute a privilege conferred upon a carrier, which may be enjoyed only to the extent that its continued exercise remains in the interest of the public. Accordingly, any Spe-

cial Authorization issued pursuant to this section may be revoked, suspended, amended or restricted without hearing.

#### § 216.5 Existing permits.

"Foreign aircraft permits" issued by the Board under the provisions of Part 375 of the Board's Special Regulations, authorizing the combined carriage of blind sector traffic as defined in this part, shall continue in effect in accordance with their terms until their expiration date unless sooner terminated, revoked or modified by the Board. Such permits shall, upon the effective date of this part, be deemed to constitute a Special Authorization issued pursuant to § 216.4.

#### § 216.6 Existing unauthorized operations.

Notwithstanding the provisions of § 216.3, if within 30 days after the effective date of this part a carrier files an application for a Special Authorization to continue to perform existing blind sector operations which have been regularly performed by such carrier commencing on a date prior to \_\_\_\_\_, 1967, such carrier may continue to engage in such blind sector operations until final decision by the Board on such application: *Provided*, That any such application shall, in addition to the requirements of § 216.4(a), contain a statement that the carrier is relying upon this section for continuance of pre-existing blind sector operations, and shall fully describe such operations including the date inaugurated, and the frequency and continuity of performance.

2. Amend § 375.35(a)(2) of Part 375 of the Special Regulations (14 CFR Part 375) to read as follows:

#### § 375.35 Free transportation.

(a) \* \* \*

(2) Between a point in the United States named in the carrier's section 402 permit, and a point outside the United States not named in the permit, when authorized in accordance with the provisions of Part 216 of this chapter to carry blind sector traffic to or from such unnamed foreign point; and

\* \* \* \* \*

[F.R. Doc. 67-9302; Filed, Aug. 8, 1967; 8:48 a.m.]

# Notices

## POST OFFICE DEPARTMENT

### NATIONWIDE RAILROAD STRIKES

#### Standby Instructions for Guidance

The following is an excerpt from Regional Instructions No. 86-0-13, signed by the Assistant Postmaster General, Bureau of Operations on July 18, 1967, relative to the above-mentioned subject:

I. *Purpose.* To include in one issuance standby instructions for guidance in accepting both domestic and international mail during any nationwide railroad strike.

II. *Domestic mail—A. General instructions.* Shipments of second-, third-, and fourth-class mail addressed for delivery beyond the second parcel-post zone from the post office of origin will not be accepted. This restriction does not apply to the items which are given airlift service to or from military post offices overseas under the provisions of section 127.15, Postal Manual and § 127.1(e) of Title 39, Code of Federal Regulations. First-class and airmail will continue to be accepted without restriction as to distance.

B. *Special instructions—1. Second-class.* Arrangements may be made by publishers of second-class and controlled circulation publications to ship at their own expense and risk copies of their publications for designated areas to other centrally located post offices for acceptance in the mails under the following conditions:

a. The publisher must continue to pay the postage for the full mailing at the post office where the publication officially has original or additional entry. There will be no change in the method of paying postage. The postage will be computed at the regular rates applicable from the official entry office. The mailer will get no rate advantage for transporting the copies at his expense to other mailing points.

b. The publisher will advise the postmaster at the office of entry of the special mailing points to which he desires to transport the publications and the approximate number of sacks for each special mailing point.

c. The special mailing points selected by a publisher must be sectional center post offices which have facilities for handling the mail.

d. The copies transported to special mailing points must be for delivery at post offices not beyond the second parcel post zone from the place of mailing.

e. When the post office of original or additional entry has a request for a publisher with the information specified herein, the arrangement should be approved by the postmaster and notification sent to the other post offices in-

involved. Reports need not be submitted to the Department.

2. *Third- and fourth-class.* a. Special arrangements will not be made for payment of postage on third- or fourth-class mail at one post office for acceptance at another. Metered or permit imprint mail must be accepted only at the post office shown in the meter postmark or permit imprint.

b. If third- or fourth-class mail is shipped by the mailer at his own expense and risk for mailing at another post office it will be accepted provided the mail is addressed for delivery at a post office not beyond the second parcel post zone from the mailing office and the postage is paid by:

(1) *Postage stamps affixed.* It is not required that they be purchased at the place of mailing. The use of precanceled stamps of the office where the mailer is located will be permissible. The requirement for overprinting in section 142.25 of the Postal Manual and § 142.2(e) of Title 39, Code of Federal Regulations, is waived.

(2) *Permit imprints of the office accepting the mail.* If the mailer does not have a permit at that office the required application and fee must be submitted.

(3) *Meter stamps showing postmark of the accepting office.* Arrangements may be made for setting meters used in paying postage at another office under the procedures in section 143.33 of the Postal Manual and § 143.3(c) of Title 39, Code of Federal Regulations.

3. *First-class.* If postage is paid at the first-class rate on articles of the second-, third- or fourth-class they will be accepted for mailing without distance limitation.

III. *International mail—A. General instructions.* Except as provided in B below no international surface mail will be accepted other than surface letters and letter-packages and post cards. Airmail postal union mail and international air parcel post will continue to be accepted.

B. *Special instructions.* Post offices at port cities from which international surface mail is dispatched may accept all categories of international surface mail provided it is addressed to countries for which vessels leaving from the port city carry mail for the countries concerned. Also, all categories of mail for Canada and Mexico may be accepted at post offices along the Canadian and Mexican borders where absence of rail service will not affect the dispatch of the mail to those countries.

This notice supersedes Regional Letter No. 66-134 of September 13, 1966 (31 F.R. 12810), Regional Instructions No. 49-0-10 of May 5, 1967, and Regional Instructions of June 7, 1967.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,  
General Counsel.

AUGUST 3, 1967.

[F.R. Doc. 67-9273; Filed, Aug. 8, 1967;  
8:46 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[S 768]

#### CALIFORNIA

### Notice of Proposed Withdrawal and Reservation of Lands

JULY 28, 1967.

The Forest Service, U.S. Department of Agriculture has filed an application, Serial Number S 768 for the withdrawal of the lands described below, from prospecting, location, entry and patenting under the mining laws only, subject to existing valid rights.

The applicant desires the land for a seed production area to provide a source of improved seed for the reforestation program.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Mall, Sacramento, Calif. 95814.

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

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

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

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

The lands involved in the application are:

MOUNT DIABLO MERIDIAN  
STANISLAUS NATIONAL FOREST  
Manual Seed Production Area

T. 5 N., R. 14 E.,  
Sec. 25, S $\frac{1}{2}$  S $\frac{1}{2}$  SE $\frac{1}{4}$ ;  
Sec. 36, N $\frac{1}{2}$  NE $\frac{1}{4}$ .

The areas described aggregate approximately 120 acres in Calaveras County.

R. J. LITTEK,  
Chief, Lands Adjudication Section.

[F.R. Doc. 67-9271; Filed, Aug. 8, 1967;  
8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

Office of the General Counsel

### ASSISTANT GENERAL COUNSEL FOR MARKETING, REGULATORY LAWS, RESEARCH AND OPERATIONS, ET AL.

#### Delegation of Authority

Pursuant to the authority of 7 CFR 1.51(c), relating to the consideration, ascertainment, adjustment, determination, settlement, and compromising of claims arising under the Federal Tort Claims Act, 28 U.S.C. 2671-2680, and the authority at 30 F.R. 8722, as amended at 32 F.R. 10938, relating to the determination, settlement, and payment of claims arising under the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, 31 U.S.C. 240-243, the following delegations of authority have been made to certain officials of the Office of the General Counsel.

1. The Assistant General Counsel for Marketing, Regulatory Laws, Research and Operations, or any person acting in his stead, is authorized to consider, ascertain, adjust, determine, compromise, and settle any claim against the United States arising from the activities of the Department of Agriculture pursuant to the Federal Tort Claims Act. This same authority is delegated to each Regional Attorney and Attorney in Charge, or any person acting in his stead, but is limited to claims arising out of activities of the Forest Service and which are not in excess of \$5,000.

2. Each Regional Attorney and Attorney in Charge, or any person acting in his stead, is authorized to settle claims against the Forest Service which are not in excess of \$5,000 and which arise under the Military Personnel and Civilian Employees' Claims Act.

Done at Washington, D.C., this 3d day of August 1967.

JOHN C. BAGWELL,  
General Counsel.

[F.R. Doc. 67-9327; Filed, Aug. 8, 1967;  
8:51 a.m.]

## Packers and Stockyards Administration

### STUART HORSE SALE ET AL.

#### Proposed Posting of Stockyards

The Acting Chief, Registrations, Bonds and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

Stuart Horse Sale,  
Stuart, Iowa.  
Kentwood Livestock Sales, Inc.,  
Kentwood, Ia.  
Buttonwood Auction Sales, Inc.,  
Shrewsbury, Mass.  
Red Bank Auction Sales,  
Lexington, S.C.  
Direct Market, Inc.,  
Tomah, Wis.

Notice is hereby given, therefore, that the said Acting Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Acting Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, Washington, D.C. 20250, within 15 days after publication in the FEDERAL REGISTER.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 3d day of August 1967.

CHARLES G. CLEVELAND,  
Acting Chief, Registrations,  
Bonds, and Reports Branch,  
Livestock Marketing Division.

[F.R. Doc. 67-9287; Filed, Aug. 8, 1967;  
8:47 a.m.]

## DEPARTMENT OF COMMERCE

Business and Defense Services  
Administration

### UNIVERSITY OF IOWA, PURCHASING DEPARTMENT ET AL.

#### Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897).

Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00014-33-46500. Applicant: University of Iowa, Purchasing Department, Iowa City, Iowa 52240. Article: Reichert Ultramicrotome "Om U2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: Applicant states:

This ultramicrotome is intended for preparation of thin sections of a variety of mammalian tissues for electron microscopic examination. It is especially needed for the sectioning of peripheral nervous tissues such as autonomic ganglia, which are very difficult to section, and require the use of a diamond knife and an ultramicrotome with very precise control of section thickness. \* \* \*

Application received by Commissioner of Customs: July 10, 1967.

Docket No. 68-00016-33-46500. Applicant: University of Wisconsin, 750 University Avenue, Madison, Wis. 53706. Article: Reichert Ultramicrotome "Om U2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: Applicant states:

Plant and insect tissue infected with RNA-viruses will be embedded in epoxy-resins. Radioactive labeling techniques and antibody labeling techniques will be employed to tag virus specific metabolites in cells. Consecutive thick (0.5 $\mu$ ) and thin (600  $\text{Å}$ ) sections of these specimens will be prepared for light and electron microscopy, respectively. The objective of this study is to establish a correlation between structure and function as far as virus synthesis is concerned.

Application received by Commissioner of Customs: July 10, 1967.

Docket No. 68-00020-33-46500. Applicant: University of California San Francisco Medical Center, Section of Hematology and Immunology, 475 Health Sciences, West Tower Third and Parnas-

sus Avenues, San Francisco, Calif. 94122. Article: LKB Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in the study of the distribution and biological properties of isoantigens present on the cell surface of erythrocytes, leukocytes, and platelets. Techniques of immunoelectron-microscopy will be used and emphasis will be placed on the use of these techniques in the study of the role of isoantigens in the causation of:

a. "Autoimmune" in comparison with drug induced hemolytic anemia and neutropenia.

b. Rejection of homografts.

The relationship of isoantigens on leukocytes with ferritin labeled antibody will be examined. Application received by Commissioner of Customs: July 11, 1967.

Docket No. 68-00027-33-46040. Applicant: University of Maryland, Botany Department, H. J. Patterson Hall, College Park, Md. 20740. Article: Electron Microscope, Hitachi Perkin-Elmer Model HU-11C. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The microscope will be used mainly for the program on plant virus research. The leaf-dip technique of Brandes and associates (Advance Virus Research 11: 1-24, 1965) for determining virus particle morphology and size will be used for the diagnoses of plant virus diseases. Virology currently under investigation is the effect of the virus on the host, especially in the early stages of virus infection. The specificity of the serological reaction is being investigated by the electron microscopy of ultra-thin sections of precipitin zones from double-gel diffusion tests. The phenomena of EDTA on the protein shell or coat of the virus particle which exposes viral nucleic acid will be examined before and after treatment with EDTA. Application received by Commissioner of Customs: July 14, 1967.

Docket No. 68-00030-33-77040. Applicant: Purdue University, Purchasing Department, Lafayette, Ind. 47907. Article: Mass Spectrometer, Hitachi Perkin-Elmer Model RM H2 with ancillary equipment. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: Applicant states:

This instrument will be used for advanced research and analysis of complex organic compounds. \* \* \*

Application received by Commissioner of Customs: July 17, 1967.

Docket No. 68-00033-20-61070. Applicant: The University of Texas at Austin, Box 7306, University Station, Austin, Tex. 78712. Article: Strainmeter Gauge Type PC 641, Comparator, Type PC 101, and Switching Box Type PCA 107/30. Manufacturer: Perivale Controls Co., Ltd., Greenford, Middlesex, England. Intended use of article: Applicant states:

Will be used to detect and measure concrete subjected to a variety of load, temperature, and moisture conditions.

Application received by Commissioner of Customs: July 17, 1967.

Docket No. 68-00035-33-46500. Applicant: Stanford University, Purchasing Department, 820 Quarry Road, Palo Alto,

Calif. 94304. Article: Microtome LKB model Ultratome III. Manufacturer: LKB Produkter, AB Sweden. Intended use of article: Applicant states:

The Ultra-microtome will be used to prepare ultra-thin sections of embedded human leukocytes prior to their examination in the electron microscope. Both the Ultrastructure and the pattern of radioautographic isotope incorporation will be examined in these sections. The section thickness will vary from 50 A\* to 1,300 A\*, depending upon whether ultrastructure or radioautography is being studied, and it will be necessary to produce successive sections at a constant or varying thickness, in order to meet the requirement of high resolution of ultrastructure and of controlled thickness for quantitative incorporated isotope.

Application received by Commissioner of Customs: July 17, 1967.

Docket No. 68-00036-01-77040. Applicant: University of Idaho, Chemistry Department, Moscow, Idaho 83843. Article: Mass Spectrometer, Hitachi Perkin-Elmer model RMU-6E and ancillary equipment. Manufacturer: Hitachi Ltd., Japan. Intended use of article: Applicant states:

The Mass Spectrometer will be applied to the problem of structure elucidation in organic and organo-metallic chemistry. It will also be used for more fundamental work such as studying metastable ion transitions, determining ionization and appearance potentials and making quantitative measurements of ion ratios. The instrument will also be useful in organic analysis encountered in geology, natural product chemistry and medicinal chemistry.

Application received by Commissioner of Customs: July 17, 1967.

Docket No. 68-00037-33-46040. Applicant: University of Minnesota, Cell Biology Program, University of Minnesota, St. Paul, Minnesota 55101. Article: Electron Microscope, Hitachi Perkin-Elmer model HU-11C. Manufacturer: Hitachi Ltd., Japan. Intended use of article: Applicant states:

The research project for which this instrument is primarily intended is a study of the ultrastructure of biological membranes. \* \* \* Specifically, we are studying the structural organization of the electron transport enzymes of both plant and animal mitochondria. The individual enzyme molecules in this system appear to range between 20-100 A\* in size and are arranged in the membrane in patterns or complexes which control the activity of the system. We intend to observe these enzyme molecules both in the normal condition and after alteration in an effort to understand their role in cellular metabolism.

Application received by Commissioner of Customs: July 18, 1967.

Docket No. 68-00043-00-46500. Applicant: Tulane University School of Medicine, 1430 Tulane Avenue, New Orleans, La. 70112. Article: Diamond knives and adaptors for microtome. Manufacturer: Friedrich Dehmer, Diamantmesser fur Microtome, West Germany. Intended use of article: Applicant states:

The articles and accessories (two diamond knives and two adaptors) are to be used to obtain ultrathin sections of human intestinal mucosal specimens embedded in epoxy resins.

The knives are fixed into the adaptor and the adaptor is attached to an ultramicrotome which cuts the ultrathin sections from the tissue which is embedded in the epoxy resin. The articles and accessories will be used with ultramicrotomes already available.

Application received by Commissioner of Customs: July 24, 1967.

CHARLEY M. DENTON,  
Director, Office of Scientific and  
Technical Equipment, Business  
and Defense Services Administration.

[F.R. Doc. 67-9258; Filed, Aug. 8, 1967;  
8:45 a.m.]

#### Office of the Secretary

### SURVEY OF AMERICAN BUSINESS INVESTMENTS IN FOREIGN COUNTRIES

#### Instructions and Regulations

**SECTION I. Introduction.** The Survey of American Business Investments in Foreign Countries is being conducted by the Department of Commerce to provide a complete and accurate account of the amount of such investments at the end of 1966, the net increase in investments during the year, the return on these investments, and certain aspects of their contributions to foreign economies as well as to our own.

The need for accurate information of this type has been recognized since the early 1920's when private investment funds from the United States began to flow to foreign countries in considerable volume. As a result of the demand for accurate statistics thus created, the Department of Commerce conducted the first survey of foreign direct investments covering the year 1929. Subsequent surveys were taken by the Commerce Department for the years 1936, 1940, 1950, and 1957.

Since 1957, the volume of foreign investments has been unprecedented, and the need for accurate statistics has been more widespread than ever. Since the last complete survey in 1957 there has been a considerable change in the pattern and distribution of foreign investments. The growing economic significance of foreign investments has further enhanced the demand for these data, both from Federal executive agencies responsible for the administration of various phases of the Government's balance of payments improvement program, for international technical assistance and economic development programs, and from industrial and business groups. In addition, international organizations and others abroad concerned with foreign trade and economic development greatly need accurate information on the extent and impact of private business investments.

The data collected in this survey, in addition to providing complete statistics of American foreign business investments for 1966, will serve as a base from which current data collected in sample surveys can be expanded to reliable total

estimates of capital and income movements, of flow of funds statistics, and of intercompany flows of exports. These current statistics constitute an important part of the analysis of the U.S. balance of payments.

The information requested in this survey has been set up on questionnaire BE-10, 1966, Forms A, B, C, E, and E-S, described in detail in Section II, B-1 of these instructions.

Pursuant to Executive Order 10033 of February 8, 1949 (14 F.R. 561), as amended, issued under section 8 of the Bretton Woods Agreements Act (59 Stat. 515, 22 U.S.C. 236f), the National Advisory Council on International Monetary and Financial Policies, having consulted with the Director of the Bureau of the Budget, has determined that data for 1966 on private American investments abroad are essential in order that the U.S. Government may continue to comply with official requests from the International Monetary Fund for balance of payments information.

In accordance with sections 2(b) and 2(c) of Executive Order 10033, as amended, the Director of the Bureau of the Budget has designated the Commerce Department as the Federal executive agency to collect the required data and the Secretary of Commerce has assigned this responsibility to the Office of Business Economics, Department of Commerce.

Replies are therefore mandatory under section 8(b) of the Bretton Woods Agreements Act cited above.

No reporter is required or requested to submit replies to any specific question on these forms, if by so doing the security laws of a foreign country are violated.

This survey has been approved by the Bureau of the Budget under the Federal Reports Act (Public Law No. 831, 77th Congress). All replies will be held in confidence by the Balance of Payments Division, Office of Business Economics, under the provisions of section 4(b) of that act and section 8(c) of the Bretton Woods Agreements Act.

Inasmuch as the reports involve a foreign affairs function of the United States, section 4 of the Administrative Procedure Act does not apply. In any event it is found that because of the nature of the reports, the fact that they are required under the Bretton Woods Agreements Act upon appropriate request, and that, consequently, the Instructions and Forms are merely declaratory of that Act and Executive Order above mentioned, no useful purpose would be served by notice and public procedure thereon, the same being impracticable and unnecessary. Inasmuch as the required reports will not be due for 90 days from publication of these instructions, there is no need for postponement of their effective date, and such instructions are, therefore, effective upon publication in the FEDERAL REGISTER.

Dated: August 3, 1967.

A. B. TROWBRIDGE,  
Secretary of Commerce.

**Sec. II. General instructions—A. Who must report.** 1. Basic requirement: A report is required from every corporation, partnership, estate or trust, individual, or any other person, or closely related group of persons subject to the jurisdiction of the United States, and ordinarily residing within the United States, having at the close of business on December 31, 1966:

a. Control of a foreign business organization (including a foreign branch) owned directly or in conjunction with an affiliated person, foreign or domestic. (For complete description see subsections E-5, E-6, and E-7.)

b. Outright ownership of real property located outside of the United States, except real property held for personal use and not productive of income.

c. Ownership of a sole proprietorship type of business enterprise, located outside of the United States.

d. Ownership of the voting stock of a foreign corporation to the extent of at least 10 percent, but less than 25 percent, or an analogous interest in an unincorporated foreign enterprise (see subsection E-9).

Reports are required covering the above types of property if ownership certificates or the equivalent were legally in existence and held by the reporters on December 31, 1966, even though the assets may have been destroyed or expropriated by Government action prior to that date. Such holdings are to be reported as of the last date that information relating to the foreign organizations is available.

2. Estates and trusts: Direct foreign investments held by a domestic estate or trust, i.e., an estate or trust created under the laws of the United States or any subdivision thereof, shall be reported by the fiduciary and not by a beneficiary. Such property must be reported whether or not any beneficiary is subject to the laws of the United States or any subdivision thereof. Any trust actually created in the United States even though the trust instrument provides that the trust shall be subject to the laws of a foreign country must report.

3. Persons beneficially interested in property: If direct foreign investments beneficially owned by a person subject to the jurisdiction of the United States were held by or in the name of another, only the person having the beneficial interest shall report, except as specifically provided above regarding domestic estates and trusts.

4. More than one person owning an interest in the same foreign organization or foreign property:

a. Form B: Each person is required to report if the aggregate ownership of the affiliated persons in the allied foreign organization totals 25 percent or more of the voting securities unless affiliated through an estate or trust as provided in subsection A-2 above.

b. Form C: Each person owning an interest of 10 percent or more in an associated foreign enterprise is required to report.

5. U.S. branches and offices of foreign persons: A branch or office in the United

States of a person within a foreign country shall report with respect to property in foreign countries allocated to, held for the use of, or claimed by such branch or office, but shall not report other property of the foreign person.

B. Forms to be used. 1. Each reporter is required under the law to submit reports on several types of forms. These forms are:

Form A: This form is required to identify the reporter, to give certain financial and statistical detail for the reporter, and to provide a complete list of all foreign organizations allied or associated with the reporter.

Form B: One Form B is required for each allied foreign organization listed by the reporter on Form A. In the case of affiliated persons allied with the same foreign organization, reports on Form B are required from each. However, only one of the affiliated persons is required to complete Part II of Form B in order to eliminate duplicate entries. Part II may be omitted only if the reporter has definite knowledge that one of the affiliates is completing that part of the form, and all reporters remain fully liable for the complete report. In the event that Part II of Form B is omitted, the reporter is required to indicate, in the space provided on the form, the name of the affiliate who is including Part II with its report. Separate reporting forms have been designed for nonfinancial, financial, and insurance organizations.

Form C: One Form C is required for each associated foreign organization listed by the reporter on Form A. In the case of affiliated U.S. persons associated with the same foreign organization, reports on Form C are required from each. However, a consolidated report on Form C may be submitted by one of the affiliated U.S. persons, provided that the names and proportionate interests of all affiliated persons are listed. (Note that Form C is to be used only when the combined interests of affiliated persons totals less than 25 percent; where the combined interest is 25 percent or more a report on Form B is required.)

Form E: This form is required to be filed for each allied foreign organization in which the reporter directly and through domestic affiliates owns 50 percent or more of the voting stock, or an equivalent ownership interest in unincorporated enterprises. No reports are, however, required for foreign financial or insurance affiliates of U.S. reporters, for foreign-controlled organizations regardless of activity if ownership is held by U.S. individuals or by estates or trusts, for foreign enterprises whose total transactions in U.S. exports was less than \$100,000 in the period covered, or for foreign enterprises owned through other foreign affiliates (secondary organizations). This form is designed to provide information on export flows from the United States to the foreign affiliates of U.S. reporters. (For complete description see section VI.)

Form E-S: This form is required for each reporter except for financial organizations, insurance firms, estates and trusts and reporters who are individuals.

The form is designed to provide summary data on the reporting company's exports from the United States, both to its own foreign affiliates and to other foreign recipients. (For complete description see section VII.)

C. *Property not to be reported.* 1. Basic requirements: Properties not specifically included in subsection A-1 are to be excluded from the scope of this survey and are not to be reported. Properties excluded from this survey include:

Real or personal property held for the reporter's personal use, e.g., hunting lodges, homes, automobiles, etc., retained for personal use and not productive of income.

D. *Exemptions.* 1. Exemption based on value of property: Any person whose property in foreign countries otherwise subject to reporting has an aggregate value of less than \$50,000 is not required to report. Value is to be determined by the cost, reporter's estimate of market value, or the book value as carried on the books of the foreign organization converted into U.S. dollars, whichever is the greatest.

2. Certain persons exempted regardless of the amount or kind of property: A report need not be made by any person who is within any of the following categories on or after December 31, 1966, regardless of the amount or kind of property otherwise reportable by such persons: (1) Members of the Armed Forces of the United States serving outside the continental United States; (2) citizens of the United States who permanently reside in a foreign country; (3) officers or employees of foreign governments and members of the immediate families of such persons, provided they are not citizens of the United States; (4) religious bodies, charitable organizations and other nonprofit organizations, except for the interests of such groups in foreign organizations conducting business for profit.

E. *Definitions.* For the purpose of this survey and any instructions or rulings issued hereunder, the following definitions are prescribed:

1. "Person" shall include an individual, partnership, association, corporation, estate or trust, or other organization.

2. "Person subject to the jurisdiction of the United States" shall mean (1) any citizen of the United States (but only citizens ordinarily resident in the United States are required to report); (2) any corporation or other organization created or organized under the laws of the United States or any State, territory, district, or possession thereof; (3) any individual resident in the United States on December 31, 1966, except as specifically excluded in subsection D-2 above.

3. "United States" shall mean the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Panama Canal Zone, and any territory or possession of the United States.

4. "Affiliates" shall mean (1) (a) individuals married to each other, their direct forebears, and their children, (b) brothers and sisters, (c) estates of per-

sons, or trusts for the benefit of or created by persons, are deemed to be affiliates of such persons and of each other; (2) any group of U.S. persons who ordinarily exercise their voting rights in a foreign organization as a unit; (3) in relation to any corporation or other organization issuing stock or similar securities, any person who, directly or indirectly, owned, controlled, or held with power to vote, 10 percent or more of the outstanding voting securities thereof; (4) as to any other organization, any person who owned or controlled 10 percent or more of the comparable ownership rights therein.

Any corporation or other U.S. organization of which a person was an affiliate also shall be deemed to have been an affiliate of such person, and all persons who were direct affiliates of the same U.S. person shall be deemed to have been affiliates of each other.

5. "Controlled" organization: The ownership of 25 percent or more of the voting securities of a corporation, or of similar certificates of ownership in other types of organizations, including direct branches of U.S. business firms, shall constitute a controlled organization for the purposes of this survey. Such a "controlled" foreign organization shall be referred to as an allied foreign organization. Reports are required for each such "allied" foreign organization as defined immediately below. Please note that organizations in Canada are foreign organizations and are therefore reportable.

6. "Primary allied foreign organization" shall include the following organizations located in, or under the jurisdiction of, a foreign country:

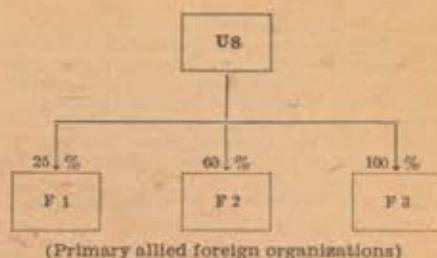
a. Foreign corporation: A foreign corporation shall be said to be a "primary allied foreign organization" if any one of the following conditions is met:

First: The reporting organization owns 25 percent or more of the voting securities of the foreign corporation.

Second: The reporting organization owns less than 25 percent of the voting securities of the foreign corporation; however, affiliates, either domestic or foreign, of the reporting organization own additional voting securities in the foreign corporation which when added to the amount owned by the reporter, total 25 percent or more.

Third: The reporting organization owns none of the voting securities of a foreign corporation, but does own bonds, notes, or other certificates of indebtedness of the foreign corporation, or has direct dealings with the foreign corporation by exchange of merchandise or rendering services, or the foreign organization owns securities or obligations of the reporting company or its affiliates; and 25 percent or more of the voting securities of the foreign corporation are owned by affiliates (domestic or foreign) of the reporter.

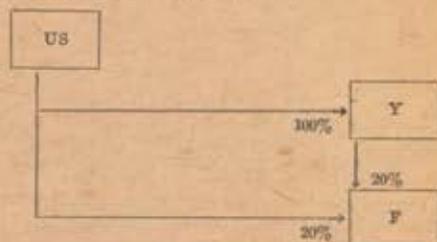
Examples: First: A U.S. corporation (company US) owns 25 percent or more of the voting securities of a foreign corporation (company F). Company F must be reported by company US as a "primary allied foreign organization".



Company "US" owns directly 25 percent or more of the stock in foreign companies "F1", "F2", and "F3", and must file a Form B for each of these foreign companies (primary allied foreign organizations).

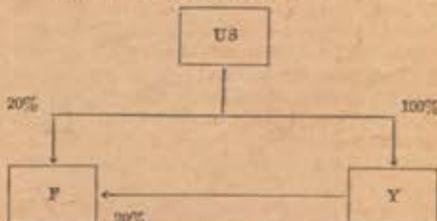
Second: A U.S. corporation (company US) owns some, but less than 25 percent of the voting securities of a foreign corporation (company F). A second corporation (company Y) either domestic or foreign, is affiliated with company US and owns voting securities of the foreign corporation (company F) which when added to the voting securities owned by company US total 25 percent or more of voting interests of company F. Company F must be reported as a "primary allied foreign organization" by the U.S. company US. If the affiliated company Y is a U.S. corporation, the foreign company F must be reported as a "primary allied foreign organization" by both companies US and Y. If the affiliated company Y is a foreign organization, company F must be reported as a "secondary allied foreign organization" as well as a "primary allied foreign organization". (See subsection E-7.)

Company "Y" being domestic:



The combined ownership interest in company "F" by company "US" and its affiliated company "Y" is 40 percent. Both company "US" and "Y" have to report their interest in company "F" on Form B as primary allied foreign organizations.

Company "Y" being foreign:

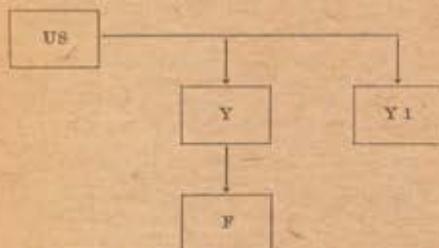


Company "US" must file Form B for companies "Y" and "F" as primary allied foreign organizations, and a Form B to cover the ownership of company "Y" in company "F" as a secondary allied foreign organization.

Third: A U.S. corporation (company US) owns none of the voting securities of a foreign corporation (company F). Company US owns bonds or notes of indebtedness issued by company F, or has intercompany accounts with company F, or renders services to company F. An affiliate, or a group of affiliates (either domestic or foreign), of company US owns a total of 25 percent or more of the voting securities of the foreign corporation

(company F). Company F must then be reported as a "primary allied foreign organization" by company US and by each of the U.S. affiliates who owns certificates of indebtedness or has dealings with the foreign corporation. If any or all of the affiliates of company US are foreign organizations, company F must also be reported as a "secondary allied foreign organization". (See subsection E-7.)

Company "Y" and "Y 1" being domestic:

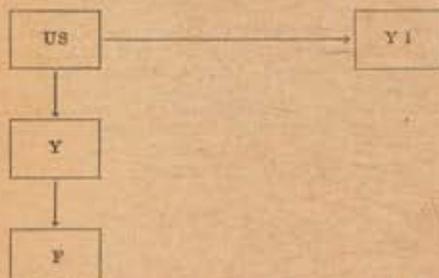


Company "Y" files complete Form B for company "F".

Companies "US" and "Y 1" file partial reports on Form B to show intercompany transactions with company "F", if any.

Company "Y" being foreign:

Company "Y 1" being domestic:



Company "US" files complete Form B for company "Y" (primary allied foreign organization) and company "F" (secondary allied foreign organization).

Companies "US" and "Y 1" file partial reports on Form B to show intercompany transactions with company "F", if any.

b. Partnership: A partnership in which a person under the jurisdiction of the United States is one of the partners, whether general, special, limited, or otherwise.

c. Branch: The interest of any person subject to the jurisdiction of the United States in property in any foreign country allocated to or held in the name or for the use of any branch, depot, or office outside the United States maintained by such person for the transaction of any of his business. Foreign operations or activities conducted by U.S. corporations in their own names and not through foreign-incorporated companies are to be reported as branch operations. This should include the development of foreign mining claims, and of foreign oil concessions held directly or jointly with others. Unincorporated foreign business of mutual insurance companies should be treated as foreign branch activities of the U.S. business firm and should be reported in this survey.

d. A business enterprise or real property owned outright by a resident of the United States.

7. "Secondary allied foreign organization" shall be defined as follows:

a. A foreign organization allied with the reporter through the ownership of at least 25 percent of its voting securities or other certificates of ownership, through a primary or other secondary allied foreign organization, after giving effect to the proportionate interest of the reporter in the voting securities of the primary or other secondary allied foreign organization. Please note that for the purpose of this survey any combination of ownership which results in the reporter having a proportionate ownership in the secondary organization of at least 25 percent constitutes a reportable secondary organization. (For example: ownership by reporter of 50 percent of the voting stock of a primary allied foreign organization, which in turn owns 50 percent of the voting stock of a second foreign organization, would cause the second foreign organization to be reportable as a secondary allied foreign organization.)

b. A branch of a primary allied foreign organization or of a secondary allied foreign organization engaged in a different type of business or located in a country foreign to the country of the primary (or the secondary) allied foreign organization.

c. If a foreign organization qualifies as a primary allied foreign organization under subsection 6-a, Second and Third above, it must also be reported as a secondary allied foreign organization to each of the reporting organization's foreign affiliates owning any of the voting securities of that foreign organization (see second and third examples under subsection 6-a).

d. Consolidated reports: Branches or subsidiaries of a primary allied foreign organization located in the same country and engaged in the same type of business as the primary organization may be combined and one report submitted covering the activities of all these organizations. The report must be a consolidated report showing the total activities of all organizations and not a report of the primary organization showing only the investment of the primary in the secondary organizations. Provide a list of all organizations included in such consolidations.

8. "Parent" organization: For the purpose of this survey, the parent organization is defined as the organization which owns a direct interest in the allied foreign organization. In the case of a "secondary allied foreign organization", the parent organization is the "primary allied foreign organization" which owns voting securities of the "secondary allied foreign organization." An allied foreign organization may have more than one parent.

9. "Associated" foreign organization: The ownership of at least 10 percent but less than 25 percent of the voting securities of a corporation, or of similar certificates of ownership in an unincorporated foreign organization, held directly by the reporter and its U.S. affiliates, shall constitute association with that organization for the purposes of this survey. Note that separate reports are required for each "associated foreign organization." (When the ownership of the foreign or-

ganization is 25 percent or more, either entirely by the reporter or in conjunction with affiliates, the foreign organization is an "allied foreign organization", as defined above, and reports on Form B are required.)

F. Space on form insufficient. When space does not permit a full answer to any question on the form, the information required should be submitted on supplementary sheets appropriately labeled and incorporated by reference under the question. To assist respondents in fulfilling this requirement, continuation sheets have been provided. All supplementary sheets, including continuation sheets, should be attached to the form to which they pertain.

G. Required information not available. All reasonable efforts should be made to obtain information required for reporting. When communication is impossible, or when properties have been expropriated or seized, the latest available information should be used. In case only partial information is available, it should be given with an appropriate indication. If any information not available at the time of reporting is obtained thereafter, a supplementary report should be filed promptly with a full explanation. Reasonable estimates are acceptable for the purposes of this report and should be so marked wherever estimates are used.

Every question on each form which a person is required to use in rendering his report must be answered. However, in property summaries and schedules, space not needed for supplying required information should be left entirely blank. When there is nothing to report under any question or if information is entirely lacking, state "no", or "unknown", as the case may be, with an explanation if requisite to an understanding of the circumstances.

If disclosure of the information required on any form would violate the security regulations of the country in which the foreign allied or associated organization is located, reporters are specifically exempted from the requirement to report that information. If information is omitted for this reason, a note to that effect should be entered on the form.

If certain information cannot be supplied because the accounts of the foreign organization cannot be obtained, indicate this in the appropriate items of the form.

H. Currency conversions and rounding of amounts. In all items requiring financial data from the accounts of foreign allied or associated organizations, the currency customarily used in such accounts shall be used in reporting. If the books of the foreign organization are ordinarily converted to the currency of the parent company, supply accounts in the currency of the latter and indicate exchange rates used. If conversions are not ordinarily made, complete only the columns relating to the books and currency of allied or associated foreign organization.

Amounts may be given to the nearest thousand dollars or units of foreign currency. All amounts reported in this manner must be clearly marked, and the rounding must be done as in the following example:

(Example: \$1,033,033.30 would be reported as \$1,033.)

**I. Number of copies.** A single original copy shall be filed. In addition, each person reporting should retain a copy of his report.

**J. Time and place of filing reports.** Reports shall be filed within 90 days after publication of this reporting requirement in the FEDERAL REGISTER with the Department of Commerce, Office of Business Economics, Balance of Payments Division, Washington, D.C. 20230. If the filing of the "Export" schedules, Forms E and E-S, would delay the filing of this report beyond the due date, please file Forms A, B, and C of the report on the requested date and mail in the "Export" data as soon as possible thereafter. You should inform the Balance of Payments Division of the projected date for the submission of these delayed data. If more than an additional 30 days is needed for this deferred filing, a request for an extension of time should be made of the Balance of Payments Division for that purpose.

**K. Information regarding preparation of reports.** Anyone desiring information concerning this survey, or requiring an extension of the reporting period, should direct inquiries to the United States Department of Commerce, Office of Business Economics, Balance of Payments Division, Washington, D.C. 20230.

**L. Forms.** Copies of all forms and instructions may be obtained from the U.S. Department of Commerce, Office of Business Economics, Balance of Payments Division, Washington, D.C. 20230.

[P.R. Doc. 67-9259; Filed, Aug. 8, 1967; 8:45 a.m.]

## DEPARTMENT OF TRANSPORTATION

Office of the Secretary  
FEDERAL HIGHWAY  
ADMINISTRATOR  
Delegation of Authority

The Federal Highway Administrator is hereby authorized (a) to issue a general notice in the FEDERAL REGISTER, under section 110(a) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381-1425), offering interested parties the opportunity of presenting views, information, and data as to why action should not be taken to restrain violations of section 204(a) of that Act; and (b) to receive such views, information, and data and to conduct such proceedings for the receipt thereof as he deems appropriate. Section 204(a) prohibits any person from selling, offering for sale, or introducing for sale or deliver-

ing for introduction in interstate commerce, any tire or motor vehicle equipped with any tire which has been regrooved, except that the Secretary of Transportation may by order permit the sale of regrooved tires and motor vehicles equipped with regrooved tires which he finds are designed and constructed in a manner consistent with the purposes of that Act.

This action is taken under the authority of sections 6(a) (6) (A) and 9 of the Department of Transportation Act (80 Stat. 931-950; 49 U.S.C. 1151-1659).

Issued in Washington, D.C., on August 2, 1967.

ALAN S. BOYD,  
Secretary of Transportation.

[P.R. Doc. 67-9290; Filed, Aug. 8, 1967; 8:47 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 27-39]

### CALIFORNIA NUCLEAR, INC.

#### Notice of Issuance of Byproduct, Source, and Special Nuclear Material License

Please take notice that no request for a hearing or petition for leave to intervene has been filed following publication of the Notice of Proposed Issuance of Amendment to Byproduct, Source, and Special Nuclear Material License. The Atomic Energy Commission has this date issued Amendment No. 9 to License No. 13-10042-1. The license is in the form set forth in the Notice of Proposed Issuance published in the FEDERAL REGISTER on July 14, 1967, 32 P.R. 10387.

Dated at Bethesda, Maryland August 1, 1967.

For the Atomic Energy Commission.

J. A. McBRIDE,  
Director.

Division of Materials Licensing.

[P.R. Doc. 67-9297; Filed, Aug. 8, 1967; 8:48 a.m.]

[Docket No. 50-297]

### NORTH CAROLINA STATE UNIVERSITY

#### Notice of Receipt of Application for Construction Permit and Facility License

The North Carolina State University at Raleigh has filed an application dated July 17, 1967, pursuant to section 104c of the Atomic Energy Act of 1954, as amended, for the necessary licenses to construct and operate a training and research reactor (designated by the applicant as the "NCSU PULSTAR" reactor). The proposed reactor will be located on the campus of North Carolina State University in Raleigh, N.C., and will be operated at power levels up to 1 megawatt thermal steady state and also in a pulsing mode.

A copy of the application is available for public inspection in the Atomic Energy Commission Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 2d day of August 1967.

For the Atomic Energy Commission,

DONALD J. SKOVHOLT,  
Assistant Director for Reactor  
Operations, Division of Re-  
actor Licensing.

[P.R. Doc. 67-9298; Filed, Aug. 8, 1967; 8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 17607, 17608; FCC 67M-1322]

### AMERICANA BROADCASTING CORP. AND LOYOLA UNIVERSITY

#### Order Scheduling Hearing

In re applications of Americana Broadcasting Corp., New Orleans, La., Docket No. 17607, File No. BPH-5404; Loyola University, New Orleans, La., Docket No. 17608, File No. BPH-5466; for construction permits.

It is ordered, That Isadore A. Honig shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on November 6, 1967, at 10 a.m.; and that a prehearing conference shall be held on September 27, 1967, commencing at 9 a.m.; And, it is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION.

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 67-9314; Filed, Aug. 8, 1967; 8:50 a.m.]

[Docket Nos. 17611, 17612; FCC 67M-1324]

### AUGUSTA TELECASTERS, INC. AND GEORGIA-CAROLINA INDUSTRIES, INC.

#### Order Scheduling Hearing

In re applications of Augusta Telecasters, Inc., Augusta, Ga., Docket No. 17611, File No. BPCT-3840; Georgia-Carolina Industries, Inc., Augusta, Ga., Docket No. 17612, File No. BPCT-3894; for construction permit for new television broadcast station.

It is ordered, That Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on November 6, 1967, at 10 a.m.; and that a prehearing conference shall be held on October 4, 1967, commencing at 9 a.m.; And, it is further ordered, That all pro-

ceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9315; Filed, Aug. 8, 1967;  
8:50 a.m.]

[Docket No. 17437; FCC 67M-1340]

### FRANK HOVIS HEMBY

#### Order Scheduling Hearing

In the matter of Frank Hovis Hemby, Zion Lutheran Church and School, 6121 East Lovers Lane, Dallas, Tex. 75214, Docket No. 17437; suspension of radiotelegraph first class operator license and radiotelephone first class operator license.

It is ordered, That David I. Kraushaar, in lieu of James D. Cunningham, shall serve as Presiding Officer in the above-entitled proceeding, and that the hearing therein shall be convened in Dallas, Tex., on September 7, 1967.

Issued: August 4, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9316; Filed, Aug. 8, 1967;  
8:50 a.m.]

[Docket Nos. 17609, 17610; FCC 67M-1325]

### MINSHALL BROADCASTING CO., INC., AND UNIVERSITY CITY TELEVISION CABLE CO., INC.

#### Order Scheduling Hearing

In re applications of Minshall Broadcasting Co., Inc., Gainesville, Fla., Docket No. 17609, File No. BPCT-3879; University City Television Cable Co., Inc., Gainesville, Fla., Docket No. 17610, File No. BPCT-3939; for construction permit for new television broadcast station.

It is ordered, That Jay A. Kyle shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on November 6, 1967, at 10 a.m.; and that a prehearing conference shall be held on September 28, 1967, commencing at 9 a.m.; And, it is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9317; Filed, Aug. 8, 1967;  
8:50 a.m.]

[Docket No. 17613; FCC 67M-1323]

### MILTON BROADCASTING CO.

#### Order Scheduling Hearing

In re application of Clayton W. Maples, trading as Milton Broadcasting Co., Docket No. 17613, File No. BR-2983; for renewal of license of Station WEBY, Milton, Fla.

It is ordered, That Elizabeth C. Smith shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on November 13, 1967, at 10 a.m. in Milton, Fla.; and that a prehearing conference shall be held on September 27, 1967, commencing at 9 a.m. in the offices of the Commission, Washington, D.C.

Issued: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9318; Filed, Aug. 8, 1967;  
8:50 a.m.]

[Docket No. 17626; FCC 67-877]

### NATCHEZ BROADCASTING CO. (WMIS)

#### Order Designating Application for Hearing on Stated Issues

In re application of Natchez Broadcasting Co. (WMIS), Natchez, Miss., Docket No. 17626, File No. BP-16963; Has: 1240 kc, 250 w, U, Class IV; Requests: 1240 kc, 250 w, 1 kw-LS, U; for construction permit.

1. The Commission has before it for consideration the above-captioned application and an informal objection thereto by Broadcast Service, Inc., licensee of Class III Station WHNY, Macomb, Miss.

2. According to the applicant's data, WHNY (1250 kc, 500 w, 5 kw-LS, DA-N, U) presently receives interference from the existing operations of WMIS and WAIL, Baton Rouge, La., affecting 11,642 persons or 6.84 percent of the population within that station's service area. The proposed operation of WMIS would increase the WHNY population loss to 9.9 percent or 16,888 persons. Since this loss would result in an indirect modification of the WHNY license, the licensee thereof is entitled to a hearing under section 316 of the Communications Act of 1934, as amended.

3. Except as indicated by the issues specified below, the applicant is qualified to construct and operate as proposed; however, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the application would serve the public interest, convenience and necessity and is of the opinion that it must be designated for hearing on the issues set forth below:

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a

subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WMIS and the availability of other primary service to such areas and populations.

2. To determine whether the proposal of Station WHIS would cause objectionable interference to Station WHNY, Macomb, Miss., and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That Broadcast Service, Inc., licensee of Station WHNY, Macomb, Miss., is made a party to the proceeding.

It is further ordered, That the informal objection by Broadcast Service, Inc., is granted to the extent indicated above and is denied in all other respects.

It is further ordered, That in the event of a grant the construction permit shall contain the following condition:

Permittee shall accept such interference as may be imposed by other existing 250 watt Class IV stations in the event they are subsequently authorized to increase power to 1,000 watts.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant 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 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 of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: July 26, 1967.

Released: August 3, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9319; Filed, Aug. 8, 1967;  
8:50 a.m.]

[Docket No. 17626; FCC 67M-1327]

### NATCHEZ BROADCASTING CO. (WMIS)

#### Order Scheduling Hearing

In re application of Natchez Broadcasting Co. (WMIS), Natchez, Miss.,

<sup>1</sup> Commissioners Bartley, Lee, and Loevinger absent.

Docket No. 17626, File No. BP-16963; for construction permit.

It is ordered, That James D. Cunningham shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on October 31, 1967, at 10 a.m.; and that a prehearing conference shall be held on September 27, 1967, commencing at 9 a.m.: And, it is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9320; Filed, Aug. 8, 1967;  
8:50 a.m.]

[Docket Nos. 17605, 17606; FCC 67M-1326]

### VIRGINIA BROADCASTERS AND SUFFOLK BROADCASTERS

#### Order Scheduling Hearing

In re applications of Kenneth S. Bradby and Gilbert L. Granger doing business as Virginia Broadcasters, Williamsburg, Va., Docket No. 17605, File No. BP-16829; Charles E. Springer and Rose Mae Springer, his wife, doing business as Suffolk Broadcasters, Suffolk, Va., Docket No. 17606, File No. BP-17274.

It is ordered, That Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on October 25, 1967, at 10 a.m.; and that a prehearing conference shall be held on September 26, 1967, commencing at 9 a.m.: And, it is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: August 2, 1967.

Released: August 4, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9321; Filed, Aug. 8, 1967;  
8:50 a.m.]

[Docket No. 17141; FCC 67M-1306]

### BRANDYWINE-MAIN LINE RADIO, INC.

#### Order Continuing Hearing

In re applications of Brandywine-Main Line Radio, Inc., Docket No. 17141, File Nos. BR-4178 and BRH-1320; for renewal of license of stations WXUR and WXUR-FM, Media, Pa.

The Hearing Examiner having under consideration a verbal request from counsel for the Greater Philadelphia Council of Churches for a continuance of the date for commencement of hearing;

It appearing that the scheduled date for commencement of hearing is September 11, 1967 in Media, Pa.;

It further appearing that the above-mentioned counsel has been newly employed by the Greater Philadelphia Council and, because of the complexity of the case, requires additional time to become familiar with the issues and the problems of proof; and

It further appearing that other parties have agreed not to oppose the request on the basis of a reasonable expectation that the effect of a delay at this time might be to reach stipulations which would ultimately shorten the hearing and counsel have so represented the situation to the Examiner;

It is ordered, That the date for commencement of hearing is continued from September 11, to October 2, 1967, in Media, Pa.

Issued: July 31, 1967.

Released: August 1, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-9322; Filed, Aug. 8, 1967;  
8:50 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-2726, 7-2727]

### NEW YORK AIR BRAKE CO., AND WHITE CROSS STORES, INC.

#### Notice of Applications for Unlisted Trading Privileges and of Oppor- tunity for Hearing

AUGUST 3, 1967.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications 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 stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
New York Air Brake Co.....	7-2726
White Cross Stores, Inc.....	7-2727

Upon receipt of a request, on or before August 18, 1967, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addi-

tion, any interested person may submit his views or any additional facts bearing on any of the said applications 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 with respect to any particular application, such 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. 67-9274; Filed, Aug. 8, 1967;  
8:46 a.m.]

### SUBSCRIPTION TELEVISION, INC.

#### Order Suspending Trading

AUGUST 3, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$1 par value of Subscription Television, Inc., New York, N.Y., being traded otherwise than on a national securities exchange 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 such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 4, 1967, through August 13, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 67-9275; Filed, Aug. 8, 1967;  
8:46 a.m.]

## FEDERAL POWER COMMISSION

[Docket Nos. RI68-25 etc.]

### GULF OIL CORP. ET AL.

#### Order Accepting Rate Filing and Con- tract Amendment, Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>

JULY 27, 1967.

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

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

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 subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-25	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	46	6	Natural Gas Pipeline Co. of America (Southeast Camrick Field, Beaver County, Okla.) (Panhandle Area).	\$70	6-29-67	*8-1-67	1-1-68	**16.0	***17.0	
	do.	51	4	Panhandle Eastern Pipe Line Co. (Forgan Field, Beaver County, Okla.) (Panhandle Area).	1,050	6-29-67	*8-1-67	1-1-68	16.0	**17.0	RI65-599.
	do.	66	8	Natural Gas Pipeline Co. of America (Southeast Camrick Pool, Texas County, Okla.) (Panhandle Area).	350	6-29-67	*8-1-67	1-1-68	**16.0	***17.0	
	do.	68	7	Panhandle Eastern Pipe Line Co. (Northwest Eva Pool, Texas County, Okla.) (Panhandle Area).	400	6-29-67	*8-1-67	1-1-68	16.0	**17.0	RI65-599.
	do.	71	10	Natural Gas Pipeline Co. of America (Southeast Camrick Pool, Beaver County, Okla.) (Panhandle Area).	300	6-29-67	*8-1-67	1-1-68	**16.2	***17.0	
	do.	95	7	Kansas Nebraska Natural Gas Co., Inc. (Camrick Field, Beaver and Texas County, Okla.) (Panhandle Area).	680	6-29-67	*8-1-67	1-1-68	**16.0	***17.0	
	do.	100	2	Panhandle Eastern Pipe Line Co. (South Greenough Pool, Beaver County, Okla.) (Panhandle Area).	100	6-29-67	*8-1-67	1-1-68	16.0	**17.0	RI68-599.
	do.	167	2	Panhandle Eastern Pipe Line Co. (South Forgan Pool, Beaver County, Okla.) (Panhandle Area).	450	6-29-67	*8-1-67	1-1-68	*16.0	**17.0	
	do.	171	4	Panhandle Eastern Pipe Line Co. (Camrick Pool, Texas County, Okla.) (Panhandle Area).	192	6-29-67	*8-1-67	1-1-68	*16.4	**17.0	
	do.	200	2	Panhandle Eastern Pipe Line Co. (Forgan Pool, Beaver County, Okla.) (Panhandle Area).	500	6-29-67	*8-1-67	1-1-68	*16.0	**17.0	
RI68-26	McAlester Fuel Co., Post Office Box 10, Magnolia, Ark. 71753.	5	3	Natural Gas Pipeline Co. of America (Bryans Mill Field, Cass County, Tex.) (RR. District No. 6).	407	7-3-67	**8-3-67	1-3-68	*15.0	**18.0	
RI68-27	Forest Oil Corp. (Operator) et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	25	6	El Paso Natural Gas Co. (Barry Ranch No. 1-111, Clear Lake Field, Beaver County, Okla.) (Panhandle Area).	477	6-30-67	**7-31-67	12-31-67	21.0	**23.0	RI65-601.
RI68-28	Mobil Oil Corp., Post Office Box 2444, Houston, Tex. 77001.	190	4	Lone Star Gas Co. (Big Mineral Creek Field, Grayson County, Tex.) (RR. District No. 9).	446	7-3-67	**8-3-67	(Accepted) 1-3-68	**14.49	**16.56	
RI68-29	Howard C. Roush, d.b.a., Roush Machine Co. (Operator) et al., Post Office Box 1302, Wewoka, Okla., 74884.	1	4	Cities Service Gas Co. (Tryon Field, Lincoln County, Okla.) (Oklahoma "Other" Area).	636	7-5-67	**8-5-67	1-5-68	*11.0	**12.0	
RI68-30	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	68	11	Michigan Wisconsin Pipe Line Co. (Cedarvale Field, Major County, Okla.) (Oklahoma "Other" Area).	5,500	7-6-67	**9-30-67	2-29-68	**15.64	**17.64	
RI68-31	W. B. Osborn, Jr. (Operator) et al., Post Office Box 6767, San Antonio, Tex. 78209.	10	2	Colorado Interstate Gas Co. (Hugoton Field, Grant, Haskell, and Kearny County, Kans.).	24,313	6-23-67	*8-1-67	(Accepted) 1-1-68	*11.0	**13.5	
RI68-32	Forest Oil Corp. et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	30	6	Panhandle Eastern Pipe Line Co. (Brinkley Gas Unit, Northwest Ayard Area, Wood County, Okla.) (Oklahoma "Other" Area).	19,935	6-30-67	**9-1-67	2-1-68	18.09	**20.748	RI65-447.
	do.	27	13	Michigan Wisconsin Pipe Line Co. (Woodward Area, Major County, Okla.) (Oklahoma "Other" Area, and Woodward County, Okla.) (Panhandle Area).	2,352	6-30-67	**7-31-67	12-31-67	**18.6	**21.195	
						6-30-67	**8-1-67	1-1-68	**19.7		
						6-30-67	**8-1-67	1-1-68	**19.7		
RI68-33	Criner Processing (Operator), 5 South Commerce, Ardmore, Okla.	1	2	Lone Star Gas Co. (Southwest Ardmore Field, Carter and Love Counties, Okla.) (Oklahoma "Other" Area).	8,250	7-3-67	**8-3-67	1-3-68	15.0	**15.75	
RI68-34	Jack H. Choate, 116 South Main St., Hennessey, Okla.	1	3	Cities Service Gas Co. (South Bishop Area, Roger Mills County, Okla.) (Oklahoma "Other" Area).	270	6-28-67	**7-29-67	12-29-67	*15.0	**17.0	
RI68-35	Forest Oil Corp., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205, Attn: C. R. Eyster, Esq.	17	5	Transcontinental Gas Pipe Line Corp. (Block 129, Vermillion Area, Offshore La.).	8,800	6-30-67	**7-31-67	12-31-67	**21.4	**23.4	RI65-217.

See footnotes at end of table.

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 subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
R168-36	Mrs. Mae Lusk et al., 1973 West Gray, 8 1/2 22, Houston, Tex. 77019.	1	4	Florida Gas Transmission Co. (Lockridge Field, Brazoria County, Tex.) (RRJ Dis- trict No. 3).	2,117	7-3-67	8-3-67	1-3-68	* 18.5	** 19.0	R162-330.

1 The stated effective date is the effective date proposed by Respondent.  
 2 5-Step periodic increase. Contractually entitled to 18.2 cents which would be an 11 step periodic increase.  
 3 Pressure base is 14.65 p.s.i.a.  
 4 Subject to a downward B.t.u. adjustment.  
 5 Settlement rate in Gulf's company-wide settlement as approved by order issued Apr. 25, 1963, in Docket Nos. G-9520 et al. Monitoring period expired on Apr. 1, 1965.  
 7 Periodic rate increase.  
 8 4-Step periodic increase. Contractually entitled to 18.2 cents per Mcf.  
 9 5-Step periodic increase. Contractually entitled to 18.0 cents per Mcf.  
 10 5-Step periodic increase. Contractually entitled to 18.0 cents per Mcf.  
 11 Filing from conditioned certificated rate to initial contract rate.  
 12 The stated effective date is the first day after expiration of the statutory notice.  
 13 Letter dated Aug. 7, 1963, from Lone Star Gas Co. notifying of the increased favored-nation price of 16.0 cents applicable to sale as of July 1, 1963.  
 14 Favored-nation rate increase.  
 15 Settlement rate in Socomey Mobil Oil Co.'s (now Mobil) company-wide settlement approved by orders issued May 5, 1964, as amended in Docket Nos. G-12193 et al. Monitoring period expired Jan. 1, 1967.  
 16 Respondent filing from certificated rate to a fractured rate. Initial contract rate is 19.5 cents. Contractual one rate on Sept. 30, 1967, is 22.0 cents per Mcf.  
 17 Includes 0.64-cent upward B.t.u. adjustment. Base rates subject to upward and downward B.t.u. adjustment.  
 18 Contract Amendment dated Nov. 1, 1967, provides for 13.5 cents from Feb. 1, 1967, to Jan. 31, 1972, and 1.0 cent increases every 5 years thereafter.

19 Renegotiated rate increase.  
 20 Contractual effective date (first day of month following anniversary date).  
 21 Includes base rate of 19.5 cents plus 1.248 cents upward B.t.u. adjustment. Base rate subject to upward and downward B.t.u. adjustment.  
 22 Filing from fractured rates to initial contract base rate of 19.5 cents plus 0.7 cent upward B.t.u. adjustment plus 0.965 cent tax reimbursement.  
 23 Base rate of 19.5 cents subject to upward and downward B.t.u. adjustment.  
 24 Rate in effect subject to refund in Docket No. R165-500 for Schlarb, Schlarb No. 2, Schlarb State and Culp Units, Major County. Rate includes base rate of 17.9 cents plus upward B.t.u. adjustment.  
 25 Includes 7.0 cents per Mcf upward B.t.u. adjustment based on average B.t.u. content of gas of 1,070 B.t.u.'s. Base Rates are subject to upward and downward B.t.u. adjustment.  
 26 Rate in effect subject to refund in Docket No. R166-266 for Wheelock Unit, Woodward County. Rate includes base rate of 19.0 cents plus upward B.t.u. adjustment.  
 27 Rate in effect subject to refund in Docket No. R167-287 for Morgan-Horn Unit, Woodward County. Rate includes base rate of 19.0 cents plus upward B.t.u. adjustment.  
 28 For dehydration and delivery charge paid by buyer.  
 29 Pressure base is 15.025 p.s.i.a.  
 30 Sales being made in Federal Domain and therefore not subject to State taxing jurisdiction.  
 31 "Fractured" rate increase. Seller contractually due periodic rate of 19.5 cents per Mcf.

McAlester Fuel Co. and Forest Oil Corp. (Operator), et al., request that their proposed rate increases be permitted to become effective on July 1, 1967. Mobil Oil Corp. (Mobil) requests an effective date of August 2, 1967, for its rate filing, and Howard C. Roush doing business as Roush Machine Co. (Operator) et al., request a retroactive effective date of February 23, 1965, for their rate increase. Forest Oil Corp. et al., request that Supplement No. 6 to their FPC Gas Rate Schedule No. 30 be permitted to become effective on August 14, 1967, the fifth anniversary date of first deliveries under such rate schedule, and an effective date of July 1, 1967, for Supplement No. 13 to Forest's FPC Gas Rate Schedule No. 27. Criner Processing (Operator) requests an effective date of August 1, 1967; Forest Oil Corp. requests an effective date of July 19, 1967, and Mrs. Mae Lusk et al., request that her proposed rate filing be permitted to become effective on July 1, 1967. 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 earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Kerr-McGee Corp. (Kerr-McGee) requests that should the Commission suspend its rate filing that the suspension period be shortened to 1 day. Good cause has not been shown for granting Kerr-McGee's request for limiting to 1 day the suspension period with respect to its rate filing and such request is denied.

Concurrently with the filing of its rate increase, Mobil submitted a letter dated August 7, 1963, from the Lone Star Gas Co. notifying Mobil of the increased favored-nation price of 16.0 cents per Mcf applicable to this sale as of July 1, 1963, which has been designated as Supplement No. 4 to Mobil's FPC Gas Rate Schedule No. 190. W. B. Osborn, Jr. (Operator), et al. (Osborn), has submitted a contract amendment dated November 1, 1966, which provides for 13.5 cents per Mcf from February 1, 1967, to January 31, 1972, and 1.0 cent per Mcf increases every 5 years thereafter. We believe that it would be in the public interest to accept for filing the aforementioned letter and contract amendment to become effective on August 3, 1967 (Mobil) and August 1, 1967 (Osborn), but not the proposed rates contained therein which are suspended as herein ordered.

All of the producers' 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 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing the letter dated August 7, 1963, filed by Mobil Oil Corp. and designated as Supplement No. 4 to its FPC Gas Rate Schedule No. 190; the contract amendment dated November 1,

1966, filed by Osborn, designated as Supplement No. 2 to their FPC Gas Rate Schedule No. 10, and for permitting such supplements to become effective on August 3, 1967 (Mobil), and August 1, 1967 (Osborn).

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered (except for the supplements set forth in paragraph (1) above).

The Commission orders:

(A) The letter dated August 7, 1963, filed by Mobil and designated as Supplement No. 4 to its FPC Gas Rate Schedule No. 190, and Osborn's contract amendment dated November 1, 1966, designated as Supplement No. 2 to his FPC Gas Rate Schedule No. 10, are accepted for filing and permitted to become effective on August 3, 1967 (Mobil), and August 1, 1967 (Osborn).

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness

of the proposed increased rates and charges contained in the above-designated supplements (except the supplements set forth in paragraph (A) above).

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed

until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) 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 September 15, 1967.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 67-9177; Filed, Aug. 8, 1967;  
8:45 a.m.]

[Docket Nos. RI68-16 etc.]

TEXACO, INC., ET AL.

Order Accepting Contract Agreement,  
Providing for Hearings on and  
Suspension of Proposed Changes in  
Rates<sup>1</sup>

JULY 27, 1967.

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

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

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 subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI68-16	Texaco, Inc., Post Office Box 82333, Houston, Tex. 77062, Attn: Mr. R. C. Shields.	26	13	El Paso Natural Gas Co. (Blanco (Mesa Verde) Field, San Juan County, N. Mex.) (San Juan Basin Area).	\$5,504	6-29-67	*7-30-67	*7-31-67	** 13.2309	*** 14.2501	RI64-131.
		197	5	El Paso Natural Gas Co. (Ignacio Blanco Field, La Plata County, Colo.).	2,412	6-29-67	*7-30-67	*7-31-67	* 13.0	*** 14.0050	
	Texaco, Inc., Post Office Box 2420, Tulsa, Okla. 74102.	301	4	Arkansas Louisiana Gas Co. (W. Marlow Field, Stephens County, Okla.) (Oklahoma "Other" Area).	142	7-3-67	*8-3-67	*8-4-67	15.0	** 15.015	
		305	3	Lone Star Gas Co. (Stage Stand, Southeast Field, Stephens County, Okla.) (Oklahoma "Other" Area).	30	7-3-67	*8-3-67	*8-4-67	16.0	** 16.015	RI67-2.
		330	2	Arkansas Louisiana Gas Co. (Centrahoma Field, Coal County, Okla.) (Oklahoma "Other" Area).	30	7-3-67	*8-3-67	*8-4-67	16.0	** 16.015	RI67-242.
358	3	Lone Star Gas Co. (Duncan Field, Stephens County, Okla.) (Oklahoma "Other" Area).	16	7-3-67	*8-3-67	*8-4-67	15.0	** 15.01			
RI68-17	Columbian Fuel Corp., 461 Dewey Ave., Bartlesville, Okla. 74003.	8	*7	Kentucky West Virginia Gas Co. (Hurricane Creek and John Creek Areas, Pike County, Ky.).	(9)	7-3-67	**8-3-67	(Accepted)	** 14.0	** 14.0	
		8	*8			7-3-67	**8-3-67	*8-4-67	** 18.0	** 23.5	
RI68-18	Forest Oil Corp., et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	27	13	Michigan Wisconsin Pipe Line Co. (Woodward Area, Major County, Okla.) (Oklahoma "Other" Area) and Woodward County, Oklahoma (Panhandle Area).	2,352	6-30-67	*7-31-67	*8-1-67	** 20.2	** 21.195	RI68-578.
RI68-19	Texaco, Inc. (Operator), et al., Post Office Box 2420, Tulsa, Okla. 74102.	357	5	Lone Star Gas Co. (Sno Vel Tum Field, Carter County, Okla.) (Oklahoma "Other" Area).	59	7-3-67	*8-3-68	*8-4-67	15.0	** 15.01	
		332	5	Lone Star Gas Co. (Sno Vel Tum Field, Stephens County, Okla.) (Oklahoma "Other" Area).	12	7-3-67	*8-3-67	*8-4-67	15.0	** 15.01	
RI68-20	Mobil Oil Corp. et al., Post Office Box 2444, Houston, Tex. 77001.	283	15	Cities Service Gas Co. (Guyimon-Hugoton (Shallow) Field, Texas County, Okla.) (Panhandle Area).	2,448	7-3-67	*8-3-67	*8-4-67	** 15.0	** 15.01	RI67-273.
RI68-21	do	323	4	Natural Gas Pipeline Co. of America (Chittwood (deep) Field, Grady County, Okla.) (Oklahoma "Other" Area).	566	7-3-67	*8-3-67	*8-4-67	** 16.8	** 16.815	RI67-273.
RI68-22	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, Okla. 74102.	8	5	Northern Natural Gas Co. (Mocane Field, Beaver County, Okla.) (Panhandle Area).	68	6-28-67	*7-29-67	*7-30-67	** 18.003	** 18.013	RI67-261.
		10	3	do	9	6-28-67	*7-29-67	*7-30-67	** 17.94	** 17.95	RI67-261.
		16	6	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver and Harper Counties, Okla.) (Panhandle Area).	27	6-28-67	*7-29-67	*7-30-67	** 20.51	** 20.525	RI67-140.
		6	12	do	496	6-28-67	*7-29-67	*7-30-67	** 20.6	** 20.615	RI66-338.
do	9	4	Panhandle Eastern Pipe Line Co. (Forgan Field, Beaver County, Okla.) (Panhandle Area).	6	6-28-67	*7-29-67	*7-30-67	17.0	** 17.01	RI66-5.	

See footnotes at end of table.

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 subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
R168-22	Oklahoma Natural Gas Co.—Continued	12	4	Panhandle Eastern Pipe Line Co. (Glenwood Field, Beaver County, Okla.) (Panhandle Area).	7	6-28-67	* 7-29-67	* 7-30-67	\$ 20.89	** 20.905	R166-338.
	do	11	4	do	5	6-28-67	* 7-29-67	* 7-30-67	\$ 22.27	** 22.285	R167-160.
	do	14	2	Transwestern Pipeline Co. (W. Shattuck Field, Ellis County, Okla.) (Oklahoma "Other" Area).	30	6-28-67	* 7-29-67	* 7-30-67	\$ 19.5	** 19.5175	R166-75.
	do	13	4	Panhandle Eastern Pipe Line Co. (Glenwood Field, Beaver County, Okla.) (Panhandle Area).	12	6-28-67	* 7-29-67	* 7-30-67	\$ 20.83	** 20.845	R166-333.
	do	18	4	Northern Natural Gas Co. (Mocane Camp Creek Area, Beaver County, Okla.) (Panhandle Area).	33	6-28-67	* 7-29-67	* 7-30-67	\$ 18.0	** 18.01	
	do	21	4	Panhandle Eastern Pipe Line Co. (Avard Field, Woods County, Okla.) (Oklahoma "Other" Area).	27	6-28-67	* 7-29-67	* 7-30-67	\$ 15.96	** 15.975	
	do	22	7	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	1	6-28-67	* 7-29-67	* 7-30-67	\$ 18.10	** 18.115	
	do	26	5	Michigan Wisconsin Pipe Line Co. (Cederdale Field, Major County, Okla.) (Oklahoma "Other" Area).	6	6-28-67	* 7-29-67	* 7-30-67	\$ 15.35	** 15.365	
	do	30	1	Northern Natural Gas Co. (North Linscott Field, Ellis County, Okla.) (Panhandle Area).	12	6-28-67	* 7-29-67	* 7-30-67	\$ 17.0	** 17.015	
	do	31	4	Arkansas Louisiana Gas Co. (Cartersville Field, Haskell and Le Flore Counties, Okla.) (Oklahoma "Other" Area).	2	6-28-67	* 7-29-67	* 7-30-67	15.0	** 15.015	
	do	32	3	Arkansas Louisiana Gas Co. (Various Fields, Latimer Le Flore and Pittsburg Counties, Okla.) (Oklahoma "Other" Area).	32	6-28-67	* 7-29-67	* 7-30-67	15.0	** 15.015	
R168-23	Oklahoma Natural Gas Company et al.	19	4	Transwestern Pipeline Co. (Elmwood Field, Beaver County, Okla.) (Panhandle Area).	21	6-28-67	* 7-29-67	* 7-30-67	\$ 19.5	** 19.5175	R166-76.
R168-24	Oklahoma Natural Gas Co. (Operator) et al.	23	8	Michigan Wisconsin Pipe Line Co. (Various Fields, Woods County, Okla.) (Oklahoma "Other" Area) and Woodward County, Okla.) (Panhandle Area).	28	6-28-67	* 7-29-67	* 7-30-67	\$ 16.13 \$ 17.33	** 16.145 ** 17.345	

<sup>1</sup> The stated effective date is the expiration date of the moratorium imposed by settlement order issued Dec. 30, 1963.  
<sup>2</sup> Periodic rate increase.  
<sup>3</sup> Pressure base is 15.025 p.s.i.a.  
<sup>4</sup> Includes 1.0 cent per Mcf added to reflect minimum guarantee for liquids.  
<sup>5</sup> Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.  
<sup>6</sup> Settlement rate—includes 1.0 cent per Mcf minimum guarantee for liquids and tax reimbursement.  
<sup>7</sup> The stated effective date is the first day after expiration of the statutory notice.  
<sup>8</sup> The suspension period is limited to 1 day.  
<sup>9</sup> Tax reimbursement for recent increase in Oklahoma Excise Tax which became effective on July 1, 1967.  
<sup>10</sup> Pressure base is 14.65 p.s.i.a.  
<sup>11</sup> Subject to a deduction of 0.5 cent by buyer for gas dehydrated by buyer.  
<sup>12</sup> Applicable to gas delivered from new wells completed subsequent to Apr. 1, 1967 or from wells stimulated at their present depths by fracturing, acidizing, or deeper drilling.  
<sup>13</sup> Not stated—drilling and stimulation work not performed pending action on rate change.  
<sup>14</sup> The stated effective date is the effective date requested by Respondent.  
<sup>15</sup> Renegotiated rate increase.  
<sup>16</sup> Pressure base is 15.325 p.s.i.a.  
<sup>17</sup> Amends pricing provisions of contract to provide for a rate of 33.5 cents per Mcf, inclusive of 3.5 cents per Mcf gathering charge paid by buyer.  
<sup>18</sup> Includes 3.5 cents per Mcf gathering charge paid by buyer.  
<sup>19</sup> Applicable to gas delivered from wells completed prior to Jan. 1, 1951.  
<sup>20</sup> Applicable to gas delivered from wells completed or deepened after Jan. 1, 1951 but prior to Apr. 1, 1967.  
<sup>21</sup> Tax reimbursement increase only.

<sup>22</sup> Includes 7.0 cents per Mcf upward B.t.u. adjustment based on average B.t.u. content of gas of 1070 B.t.u. Base rates are subject to upward and downward B.t.u. adjustment.  
<sup>23</sup> Rate in effect subject to refund in Docket No. R165-578 for Hensley Unit, Woodward County. Rate includes base rate of 19.5 cents plus upward B.t.u. adjustment.  
<sup>24</sup> Applicable to gas delivered from wells completed or deepened after Jan. 1, 1951 but prior to Apr. 1, 1967.  
<sup>25</sup> Base rate of 19.5 cents subject to upward and downward B.t.u. adjustment.  
<sup>26</sup> Subject to a downward B.t.u. adjustment.  
<sup>27</sup> Includes contractual service charge paid by buyer to seller of 2.0 cents for gathering and delivery.  
<sup>28</sup> Includes 1.033 cents upward B.t.u. adjustment—present B.t.u. content of gas is 1,059 B.t.u. per cu. ft.  
<sup>29</sup> Base rate subject to upward and downward B.t.u. adjustment.  
<sup>30</sup> Includes 1.94 cents upward B.t.u. adjustment. Present B.t.u. content of gas is 1,121 B.t.u. per cu. ft.  
<sup>31</sup> Includes 15.0 cents base rate plus 0.96 upward B.t.u. adjustment (1064 B.t.u. gas).  
<sup>32</sup> Includes 17.0 cents base rate plus 1.10 cents upward B.t.u. adjustment.  
<sup>33</sup> Includes 15.0 cents base rate plus 0.35 cent upward B.t.u. adjustment (1,035 B.t.u. gas). Base rate is subject to upward and downward B.t.u. adjustment.  
<sup>34</sup> Initial conditioned certificated rate. Initial contract rate is 19.5 cents.  
<sup>35</sup> Wood County (Oklahoma "Other" Area). Rate includes 15.0 cents base rate plus 1.13 cents upward B.t.u. adjustment. Base rate subject to upward and downward B.t.u. adjustment.  
<sup>36</sup> Woodward County (Panhandle Area). Rate includes 15.0 cents base rate plus 0.33 cent upward B.t.u. adjustment. Base rate subject to upward and downward B.t.u. adjustment.

Mobil Oil Corp. et al., and Mobil Oil Corp. (Operator) et al. (both referred to herein as Mobil), request waiver of the statutory notice to permit their proposed tax increases to become effective on July 3, 1967. Oklahoma Natural Gas Co., Oklahoma Natural Gas Co. (Operator), et al., and Oklahoma Natural Gas Co. et al. (all referred to herein as Oklahoma

Natural), also request waiver of the statutory notice to permit their tax increases to become effective "immediately" without suspension or refund obligation. 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 earlier effective dates for Mobil

and Oklahoma Natural's rate filings and such requests are denied.

Many of the rate increases proposed herein as indicated in the tables relate only to tax reimbursement and should therefore be suspended for only 1 day from the expiration of the statutory notice period. The proposed increased

rate of 23.5 cents per Mcf for a sale from the Eastern Kentucky Area should also be suspended for only 1 day from the expiration of the statutory notice period.

Concurrently with the filing of its rate increase, Columbian submitted a contract agreement dated May 19, 1967, which provides for the proposed 23.5 cents per Mcf rate. Such agreement has been designated as Supplement No. 7 to Columbian's FPC Gas Rate Schedule No. 8. We believe that it would be in the public interest to accept for filing Columbian's aforementioned agreement to become effective on August 3, 1967, the proposed effective date, but not the proposed rate contained therein which is suspended as herein ordered.

Texaco, Inc. (Texaco), proposed increased rates contained in Supplement Nos. 13 and 5 to its FPC Gas Rate Schedule Nos. 26 and 197, respectively, exceed the applicable area ceiling by the amount of tax reimbursement and 1.0 cent per Mcf minimum guarantee for liquids. In this situation, we conclude that a 1-day suspension period from July 30, 1967, the date of expiration of the statutory notice, is appropriate.

Supplement No. 13 to Texaco's FPC Gas Rate Schedule No. 26 reflects partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2.0 percent to 2.55 percent on April 1, 1963. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting all tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, is expected to file a protest to this rate increase. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased tax rate in excess of 0.55 percent. Under the circumstances, we shall provide that the hearing herein provided shall concern itself with the contractual basis as well as the statutory lawfulness of Texaco's proposed increased rate and charge.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56), with the exception of the rate increase filed by Columbian for which there is no announced formal ceiling rate for the area involved, but exceeds the informal increased rate ceiling price for Eastern Kentucky.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Columbian's proposed contract agreement dated May 19, 1967, and for permitting such supple-

ment to become effective on August 3, 1967, the proposed effective date.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use deferred as hereinafter ordered (except for the supplement set forth in paragraph (1) above).

The Commission orders:

(A) Columbian's contract amendment dated May 19, 1967, designated as Supplement No. 7 to its FPC Gas Rate Schedule No. 8, is accepted for filing and permitted to become effective on August 3, 1967, the proposed effective date.

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

(C) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until the date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, 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 Respondents shall each 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 copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(D) 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.

(E) 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 September 15, 1967.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-9179; Filed, Aug. 8, 1967;  
8:45 a.m.]

[Docket No. E-7311]

## IOWA POWER AND LIGHT CO.

### Notice of Application

August 2, 1967.

Take notice that on July 24, 1967, Iowa Power and Light Co. (Applicant), of Des Moines, Iowa, filed an application seeking authority pursuant to section 204 of the Federal Power Act to increase to \$19 million, the amount authorized to be issued and to extend to not later than March 31, 1968, the final maturity date of Notes maturing not more than 1 year after date of issue authorized to be issued under the Commission's order of December 9, 1966 in Docket No. E-7311. In that order the Commission authorized Applicant to issue up to \$15 million short term Promissory Notes to commercial banking institutions with maturities of not more than 180 days from date of issue and final maturities not later than December 31, 1967.

Applicant represents that at the time of preparation and filing of the original application dated September 1966, its construction budget was \$15 million. Due to cost increases and inclusion of additional projects, Applicant's 1967 construction budget is now approximately \$19 million. Applicant desires to extend the authority for three months beyond the original date of December 31, 1967, to March 31, 1968, in order to allow it more freedom in selecting the most appropriate time to go into the market with new permanent financing.

Any person desiring to be heard or to make any protest with reference to the application should on or before August 21, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-9260; Filed, Aug. 8, 1967;  
8:45 a.m.]

[Docket Nos. CS68-2, etc.]

## MERCANTILE NATIONAL BANK AT DALLAS, ET AL.

### Notice of Applications for "Small Producer" Certificates<sup>1</sup>

August 1, 1967.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

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 August 21, 1967.

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 a grant of the certificates is 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.

GORDON M. GRANT,  
Secretary.

Docket No.	Date Filed	Name of Applicant
CS68-2.....	7-17-67	Mercantile National Bank at Dallas, Trustee of the L. L. Horne Testamentary Trust, c/o Charles R. Cravens, Jr., Attorney, 1900 Mercantile Dallas Bldg., Dallas, Tex. 75201.
CS68-3.....	7-17-67	Mary Horne Heath, c/o Charles R. Cravens, Jr., Attorney, 1900 Mercantile Dallas Bldg., Dallas, Tex. 75201.
CS68-4.....	7-20-67	Curtis Warren, Box 575, Russell, Kans. 67665.
CS68-5.....	7-17-67	M E B Oil Co., 409 Midland National Bank Bldg., Midland, Tex. 79701.

[P.R. Doc. 67-9261; Filed, Aug. 8, 1967; 8:45 a.m.]

[Project No. 2630]

### PACIFIC POWER & LIGHT CO.

#### Notice of Application for License for Constructed Project

AUGUST 1, 1967.

Public notice is hereby given that application for license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Pacific Power & Light Co. (correspondence to: E. Robert de Luccia, Senior Vice President, Pacific Power & Light Co., Public Service Building, Portland, Ore. 97204) for constructed Project No. 2630, known as the Prospect Hydroelectric Project, located on the North and Middle Forks of the Rogue River and Red Blanket Creek, in the vicinity of Prospect, Trail, Eagle Point, and Medford, in Jackson County, Ore.

The existing project consists of: (1) A 10-foot high, 165-foot long concrete gravity diversion dam, with an uncontrolled overflow spillway at elevation 2,640 feet (U.S.G.S. datum), on the Middle Fork of the Rogue River, and a

fishway; (2) a 9-foot high, 1,160-foot long earth fill diversion dam, with an uncontrolled concrete overflow spillway at elevation 2,621 feet (U.S.G.S. datum) on Red Blanket Creek, a tributary of the Middle Fork of the Rogue River; and a fishway in the spillway section of the dam; (3) a 50-foot high, 384-foot long concrete gravity diversion dam, with an ogee spillway controlled by tainter gates (top elevation at elevation 2,597.5 feet, U.S.G.S. datum), on the North Fork of the Rogue River; (4) an 8.3-mile long conduit system consisting of an inverted siphon, lined and unlined canals and flumes carrying water from the afterbay of Prospect No. 3 Project No. 2337, the Middle and North Forks of the Rogue River and Red Blanket Creek to a forebay; two 87-inch diameter, 3,200-foot long wood stave pipes from the forebay to a surge tank; and four penstocks leading to the three powerhouses; (5) Prospect No. 1 powerhouse containing a 3,750 kw generator, Prospect No. 2 powerhouse containing two 16,000 kw generators, and Prospect No. 4 powerhouse containing a 1,000 kw generator; (6) four short transmission lines leading from Applicant's powerhouses to Applicant's Prospect substation; and (7) appurtenant facilities.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is September 11, 1967. The application is on file with the Commission for public inspection.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 67-9262; Filed, Aug. 8, 1967; 8:45 a.m.]

[Docket No. CP67-296]

### SOUTHERN NATURAL GAS CO.

#### Notice of Petition To Amend

AUGUST 2, 1967.

Take notice that on July 25, 1967, Southern Natural Gas Co. (Petitioner), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP67-296 a petition to amend the order issued by the Commission June 29, 1967, by authorizing an increase in the maximum cost of facilities constructed pursuant to the "budget-type" authorization originally granted herein, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the abovementioned order, Petitioner was authorized to construct and operate "budget-type" natural gas facilities during the 12-month period August 7, 1967, to August 6, 1968, said facilities not to exceed a total cost of \$1 million. By the instant filing, Petitioner seeks authorization to construct said natural gas supply facilities during the same 12-month period with the total cost of said facilities not to exceed \$2 million.

Petitioner states that it recently has entered into, or anticipates that it will shortly enter into, natural gas purchase contracts involving construction and operation of "budget-type" natural gas supply facilities estimated to cost approximately \$800,000. Petitioner states, therefore, that it seeks authorization to raise the maximum total cost of said "budget-type" facilities to \$2 million so that it will be able to consider the purchase of additional natural gas supplies should they become available during the 12-month period.

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 August 30, 1967.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 67-9263; Filed, Aug. 8, 1967; 8:45 a.m.]

[Docket No. CP68-28]

### SOUTHERN NATURAL GAS CO.

#### Notice of Application

AUGUST 2, 1967.

Take notice that on July 24, 1967, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP68-28 an application pursuant to subsection (c) of section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of additional volumes of natural gas to an existing customer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate the following natural gas facilities:

(1) Approximately 1.1 miles of 26-inch loop pipeline on its South Louisiana Supply System, to the north of its Lacombe Compressor Station; and

(2) Approximately 4.3 miles of 26-inch loop pipeline on its South Louisiana Supply System, to the north of its Toca Compressor Station.

Applicant also seeks authorization to sell and deliver, through the facilities proposed above, an additional 25,000 Mcf of natural gas per day to Florida Gas Transmission Co. (Florida), an existing customer. Applicant states that it presently sells and delivers 12,600 Mcf of natural gas per day to Florida. Applicant further states that, pursuant to a contract dated April 25, 1967, Applicant and Florida have agreed to increase Florida's Contract Demand to 37,600 Mcf of natural gas per day to be effective November 1, 1968. Applicant also states that Florida has indicated that it requires the additional volumes of natural gas to meet increasing firm requirements in its service area. Applicant also states that the additional service proposed above will not interfere with any service now being rendered.

Applicant estimates the total cost of the facilities proposed at approximately \$1,361,590, said cost to be financed from cash on hand or current operations.

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 August 30, 1967.

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, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a 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.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-9264; Filed, Aug. 8, 1967;  
8:45 a.m.]

[Docket No. CP68-29]

### TENNESSEE GAS PIPELINE CO.

#### Notice of Application

AUGUST 2, 1967.

Take notice that on July 25, 1967, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (applicant), Post Office Box 2511, Houston, Tex. 77001, filed in Docket No. CP68-29 an application pursuant to subsection (c) of section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continued sales of natural gas for resale and distribution, together with operation of the facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to continue sales of natural gas to the following customers:

Customer	Maximum daily contract quantity (Mcf)
City of Hemphill, Sabine County, Tex.	1,000
Houston Natural Gas Corp. (Cypress-Fairbanks School District), Harris County, Tex.	1,000
City of Kountz, Hardin County, Tex.	2,100
Southwestern Gas Distributors, Inc. (City of Dolan), San Jacinto County, Tex.	1,000
City of Woodville, Tyler County, Tex.	1,000
Town of Grand Isle, Jefferson Parish, La.	1,000

Applicant states that the subject sales were initiated in the belief that Commission authorization was not necessary therefor, that no additional facilities are required to continue the subject sales, and that the continuance of these sales will not affect its ability to render presently authorized service to its other customers.

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 August 30, 1967.

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, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a 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.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-9265; Filed, Aug. 8, 1967;  
8:45 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as indicated.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Aalfs Manufacturing Co., Sioux City, Iowa; 7-8-67 to 7-7-68 (men's and boys' jeans).

Albany Manufacturing Co., Albany, Ky.; 7-12-67 to 7-11-68 (men's and boys' sport shirts).

Angelica Uniform Co., No. 2, Mountain View, Mo.; 7-12-67 to 7-12-68 (men's and women's washable service apparel).

Atlantic Sportwear Co., Rockland, Maine; 7-23-67 to 7-22-68; 10 learners (men's pants).

Barblow of Utah, Inc., Provo, Utah; 7-11-67 to 7-10-68 (ladies' lingerie).

Blue Bell, Inc., Madison, Va.; 7-14-67 to 7-13-68 (men's and boys' dungarees).

Bowcar Manufacturing Corp., Bowman, S.C.; 7-13-67 to 7-12-68; 10 learners (children's sportswear).

Burlington Manufacturing Co., Chanute, Kans.; 7-17-67 to 7-16-68 (men's denim overalls).

Burlington Manufacturing Co., Concordia, Mo.; 7-19-67 to 7-18-68 (men's work pants).

Burlington Manufacturing Co., Pleasant Hill, Mo.; 7-17-67 to 7-16-68; 10 learners (men's work shirts).

California Girlswear, Inc., Coolidge, Ariz.; 7-12-67 to 7-11-68 (fatigue coats and trousers).

Caraway Apparel Co., Caraway, Ark.; 7-11-67 to 7-10-68; 10 learners (ladies' dresses).

Carwood Manufacturing Co., Winder, Ga.; 7-13-67 to 7-12-68 (men's and boys' pants).

Cowden-Ohio Co., Beaver Dam, Ky.; 7-26-67 to 7-25-68 (work clothes).

Cindy Frocks, Carbondale, Pa.; 7-3-67 to 7-2-68; 5 learners (children's dresses).

Dillon Manufacturing Co., Dillon, S.C.; 7-9-67 to 7-8-68 (ladies' dresses).

Elizabethtown Manufacturing Co., Elizabethtown, N.C.; 7-23-67 to 7-22-68; 10 learners (women's dresses).

The Fordyce Apparel Co., Fordyce, Ark.; 7-10-67 to 7-9-68 (men's and boys' single pants).

Giles Manufacturing Corp., Narrows, Va.; 6-26-67 to 6-25-68 (children's shirts and boys' outerwear jackets).

Guin Garment Corp., Guin, Ala.; 7-15-67 to 7-14-68 (boys' shirts).

Greenway Manufacturing Co., Waynesburg, Pa.; 7-8-67 to 7-7-68 (boys' and infants' polo shirts).

H & H Manufacturing Corp., Statham, Ga.; 6-30-67 to 6-29-68 (men's dress pants).

Hackleburg Manufacturing Co., Hackleburg, Ala.; 7-11-67 to 7-10-68 (boys' sport shirts).

Honea Path Shirt Co., Simpsonville, S.C.; 7-7-67 to 7-6-68 (men's sport shirts).

Iva Manufacturing Co., Iva, S.C.; 7-26-67 to 7-25-68, 10 learners (ladies' blouses).

F. Jacobson & Sons, Inc., Middlesboro, Ky.; 7-27-67 to 7-26-68 (men's dress shirts).

Jester Kids Clothes, Inc., Tarpon Springs, Fla.; 8-1-67 to 7-31-68 (children's shirts and infants' crawlers).

Jo-Jac Shirt Co., Inc., Pulaski, Tenn.; 7-3-67 to 7-2-68 (boys' sport shirts).

Juniata Garment Co., Inc., Mifflin, Pa.; 6-27-67 to 6-26-68 (woman's dresses).

Junior Form Lingerie Corp., Cairnbrook, Pa.; 7-20-67 to 7-19-68 (ladies' dresses, blouses and sleepwear).

Katz Underwear Co., Honesdale, Pa.; 7-23-67 to 7-22-68 (women's and misses' nightgowns and pajamas).

The L. C. King Manufacturing Co., Bristol, Tenn.; 7-24-67 to 7-23-68 (overalls, dungarees, work pants and coveralls).

LaCrosse Sportswear Corp., LaCrosse, Va.; 7-5-67 to 7-4-68 (sport shirts).

Lee-Mar Shirt Co., Inc., Pulaaski, Tenn.; 7-3-67 to 7-4-68 (boys' sport shirts).  
Lewlaburg Sportswear, Inc., Lewisburg, Tenn.; 7-25-67 to 7-24-68 (boys' sport shirts).  
Manchester Pants Co., Manchester, Md.; 6-30-67 to 6-29-68 (men's trousers).  
Marietta Sportswear Manufacturing Co., Marietta, Okla.; 7-7-67 to 7-6-68 (men's dress slacks).

Maxon Shirt Co., Greenville, S.C.; 7-14-67 to 7-13-68 (boys' sport and dress shirts).  
Meadow Sportswear, Inc., Bay Minette, Ala.; 7-1-67 to 6-30-68 (men's dress slacks).  
McMinnville Garment Co., McMinnville, Tenn.; 7-24-67 to 7-23-68 (men's and boys' trousers).

Metro Pants Co., Harrisonburg, Va.; 7-13-67 to 7-12-68 (men's and boys' pants).  
Metro Pants Co., Bridgewater, Va.; 7-13-67 to 7-12-68 (men's and boys' pants).  
Middleburg Sportswear, Inc., Middleburg, Pa.; 7-8-67 to 7-7-68; 10 learners (women's dresses).

Model Sportswear, Inc., Shelbyville, Tenn.; 6-30-67 to 6-29-68 (men's and boys' work and outerwear jackets).  
Modelrite Dress Co., Dunmore, Pa.; 7-28-67 to 7-27-68; 5 learners (women's dresses).  
Morris Maler Manufacturing Co., Prescott, Ariz.; 7-22-67 to 7-21-68 (ladies' blouses and pants).

Newport Manufacturing Co., Inc., Newport, N.C.; 7-12-67 to 7-11-68 (men's sport shirts).  
Oberman Manufacturing Co., Morrilton, Ark.; 7-16-67 to 7-15-68 (men's and boys' single pants).

Ozark Manufacturing Co., Inc., Ozark, Ala.; 7-24-67 to 7-23-68 (ladies' blouses).  
Pecos Garment Co., Pecos, Tex.; 7-10-67 to 7-9-68 (men's and boys' dungarees).

Pioneer Manufacturing Co., Inc., Wilkes-Barre, Pa.; 7-20-67 to 7-19-68 (children's dresses).  
Princess Peggy, Inc., Peoria, Ill.; 7-9-67 to 7-8-68 (women's dresses).

Rockingham Sleepwear Corp., Mineral, Va.; 7-25-67 to 7-24-68; 10 learners (ladies' and children's sleepwear).  
Rothley, Inc., Taylorville, Ill.; 7-6-67 to 7-5-68 (dresses).

Royal Manufacturing Co., Inc., Washington, Ga.; 7-22-67 to 7-21-68 (men's and boys' sport shirts).  
Sharwell Manufacturing Co., Inc., Williamsport, Pa.; 7-18-67 to 7-17-68 (ladies' blouses).

Henry I. Siegel Co., Inc., Hobenwald, Tenn.; 8-3-67 to 8-2-68 (men's and boys' single pants).  
Henry I. Siegel Co., Inc., Dickson, Tenn.; 8-1-67 to 7-31-68 (men's and boys', ladies' and girls' single pants).

Sportswear Unlimited, Iva, S.C.; 7-25-67 to 7-24-68 (ladies' blouses).  
Trace Manufacturing Co., Waynesboro, Tenn.; 7-6-67 to 7-5-68 (work pants and work shirts).

The Van Heusen Co., Clio, Ala.; 7-7-67 to 7-6-68 (men's sport and dress shirts).  
The Van Heusen Co., Barnesboro, Pa.; 6-26-67 to 6-25-68 (sport shirts).  
Warren Shirt Co., Inc., Rock Island, Tenn.; 7-24-67 to 7-23-68 (boys' dress shirts and sport shirts).

Warsaw Manufacturing Co., Warsaw, N.C.; 7-7-67 to 7-6-68 (ladies' dresses).  
Wilson Shirt Co., Augusta, Ga.; 7-24-67 to 7-23-68 (men's and boys' shirts and pants).

Z. G. Sportswear, Inc., Archbald, Pa.; 7-17-67 to 7-16-68; 10 learners (dresses).

The following plant expansion certificates were issued authorizing the number of learners indicated.

Angelica Uniform Co., No. 2, Mountain View, Mo.; 7-13-67 to 1-12-68; 40 learners (men's and women's washable service apparel).

Big Dad Manufacturing Co., Inc., Starke, Fla.; 7-12-67 to 1-11-68; 50 learners (men's and boys' jeans).

California Girlswear, Inc., Coolidge, Ariz.; 7-12-67 to 1-11-68; 40 learners (fatigue coats and trousers).

Cowden-Ohio Co., Beaver Dam, Ky.; 7-26-67 to 1-25-68; 25 learners (work clothes).

Formflex of Arizona, Inc., Phoenix, Ariz.; 7-24-67 to 1-23-68; 15 learners (girdles).

Glamorise Foundations, Inc., Dermott, Ark.; 7-20-67 to 1-19-68; 125 learners (bras).

F. Jacobson & Sons, Inc., Middlesboro, Ky.; 7-17-67 to 1-16-68; 35 learners (men's dress shirts).

Metro Pants Co., Bridgewater, Va.; 7-13-67 to 1-12-68; 20 learners (men's and boys' pants).

Monroe Industries, Tellico Plains, Tenn.; 7-16-67 to 1-15-68; 40 learners (men's and boys' sport shirts).

Morris Maler Manufacturing Co., Prescott, Ariz.; 7-12-67 to 1-11-68; 25 learners (ladies' blouses and pants).

Telfair Corp., Roanoke, Ala.; 7-14-67 to 1-13-68; 20 learners (men's pajamas and trousers).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Frederic H. Burnham Co., Michigan City, Ind.; 7-9-67 to 7-8-68; 10 learners for normal labor turnover purposes (dress and work gloves).

Indianapolis Glove Co., Inc., Richmond, Ind.; 7-30-67 to 7-29-68; 10 learners for normal labor turnover purposes (work gloves).

Indianapolis Glove Co., Inc., Houlika, Miss.; 7-30-67 to 7-29-68; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Lambert Manufacturing Co., No. 1, Chillicothe, Mo.; 7-18-67 to 7-17-68; 10 learners for normal labor turnover purposes (work gloves).

Lambert Manufacturing Co., No. 3, Chillicothe, Mo.; 7-22-67 to 7-21-68; 10 learners for normal labor turnover purposes (work gloves).

Wells Lamont Corp., Brownsville, Tenn.; 7-8-67 to 7-7-68; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.40 to 522.43, as amended).

Holl Hosiery Co., Reading, Pa.; 7-3-67 to 7-2-68; 5 learners for normal labor turnover purposes (seamless).

Singer Hosiery Mills, Inc., Thomasville, N.C.; 7-17-67 to 7-16-68; 5 learners for normal labor turnover purposes (seamless).

Tru-Knit Textile Corp., Athens, Tenn.; 7-14-67 to 7-13-68; 5 learners for normal labor turnover purposes (seamless).

U.S. Industries, Inc., Batesville, Miss.; 8-3-67 to 8-2-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 523.1 to 523.9, as amended and 29 CFR 523.30 to 523.35, as amended).

Hazlehurst Manufacturing Co., Vidalia, Ga.; 7-30-67 to 7-29-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' knitted underwear).

Mode O'Day Co., Mason City, Iowa; 6-30-67 to 6-29-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie).

Mode O'Day Co., Mason City, Iowa; 6-30-67 to 12-29-67; 25 learners for plant expansion purposes (ladies' lingerie).

Royal Manufacturing Co., Inc., Crawfordville, Ga.; 7-24-67 to 7-23-68; 5 learners for normal labor turnover purposes (men's underwear).

Royal Manufacturing Co., Inc., Washington, Ga.; 7-22-67 to 7-21-68; 5 percent of the total number of factory production workers engaged in the production of men's and boys' woven shorts for normal labor turnover purposes (men's and boys' shorts).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods and the number of learners authorized to be employed, are indicated.

Economy Industries, Inc., Rio Grande, P.R.; 6-26-67 to 6-25-68; 13 learners for normal labor turnover purposes in the occupations of sewing machine operating, final pressing, each for a learning period of 320 hours at the rate of 84 cents an hour (girls' and ladies' blouses).

Syl Bee Manufacturing Co., Inc., No. 2, Aguas Buenas, P.R.; 6-22-67 to 12-21-67; 25 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of \$1.03 an hour.

Each learner certificate has been issued upon the representations of the employer, which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR, Part 528.

Signed at Washington, D.C., this 28th day of July, 1967.

ROBERT G. GRONWALD,  
Authorized Representative  
of the Administrator.

[F.R. Doc. 67-9272; Filed, Aug. 8, 1967; 8:46 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 18595]

### ALM DUTCH ANTILLEAN AIRLINES

#### Notice of Further Postponement of Hearing

Notice is given herewith, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that public hearing in the above-entitled proceeding heretofore assigned to be held on August 9, 1967, is hereby postponed and is now assigned to be held on August 23, 1967, at 10:00 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., August 3, 1967.

[SEAL]

RICHARD A. WALSH,  
Hearing Examiner.

[P.R. Doc. 67-9303; Filed, Aug. 8, 1967;  
8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 458]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

AUGUST 4, 1967.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PROPERTY

No. MC 239 (Deviation No. 4), ECKLAR-MOORE EXPRESS, INC., Forbes Road, Extended, Lexington, Ky. 40505, filed July 28, 1967. Carrier's representative: Harry V. McChesney, Jr., 711 McClure Building, Frankfort, Ky. 40601. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Louisville, Ky., over Interstate Highway 64 via Lexington, Ky., to Owingsville, Ky., and (2) from Louisville, Ky., over Interstate Highway 71 to junction Interstate Highway 75 near Walton, Ky., thence over combined Interstate Highways 75-71 to Cincinnati, Ohio, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Cincinnati, Ohio, across the Ohio River to junction Kentucky Highway 17, thence over Kentucky Highway 17 to junction U.S. Highway 27, thence over U.S. Highway 27 to Cynthiana, Ky., thence over U.S. Highway 62 to Georgetown, Ky., thence over Kentucky Highway 40 to Frankfort, Ky. (also from Georgetown over U.S. Highway 62 to Versailles, Ky., thence over U.S. Highway 60 to Frankfort), thence

over U.S. Highway 60 to Louisville, Ky., (2) from Cynthiana, Ky., over U.S. Highway 27 to Paris, Ky., thence over U.S. Highway 68 to Lexington, Ky., (3) from Cynthiana, Ky., over Kentucky Highway 32 to Carlisle, Ky., thence return from Carlisle over Kentucky Highway 32 to junction U.S. Highway 68, thence over U.S. Highway 68 to Millersburg, Ky., thence over unnumbered highway to junction Kentucky Highway 36, thence over Kentucky Highway 36 to Cynthiana, Ky., (4) from Paris, Ky., over U.S. Highway 227 to Winchester, Ky., thence over U.S. Highway 60 to Owingsville, Ky., and return from Owingsville over Kentucky Highway 36 to junction U.S. Highway 68, thence over U.S. Highway 68 to Paris, Ky., (5) from Cincinnati, Ohio, over U.S. Highway 25 to Dry Ridge, Ky., thence over Kentucky Highway 22 to Owenton, Ky., thence over Kentucky Highway 35 to Frankfort, Ky., (6) from Lawrenceburg, Ky., over Kentucky Highway 35 to Alton Station, Ky., thence over Kentucky Highway 151 to Grafenburg, Ky., thence over U.S. Highway 60 to Louisville, Ky., (7) from Georgetown, Ky., over U.S. Highway 460 to Paris, Ky., (8) from Lexington, Ky., over U.S. Highway 421 to junction U.S. Highway 60, and (9) from Great Crossing, Ky., over U.S. Highway 227 to Stamping Ground, Ky., thence over unnumbered highway to Woodlake Ky., and return over the same routes.

No. MC 30204 (Deviation No. 20), HEMINGWAY TRANSPORT, INC., 438 Dartmouth Street, New Bedford, Mass. 02740, filed July 27, 1967. Carrier's representative: Carroll B. Jackson, 1301 North Boulevard, Richmond, Va. 23230. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Boston, Mass., over Interstate Highway 93 to Littleton, N.H., (2) Portsmouth, N.H., over the Spaulding Turnpike to junction New Hampshire Highway 16, (3) from Nashua, N.H., over the F. E. Everett Parkway to Concord, N.H., and (4) from Richmond, Va., over Interstate Highway 95 to Petersburg, Va., thence over Interstate Highway 85 to Gastonia, N.C., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Concord, N.H., over U.S. Highway 3 to junction Massachusetts Highway 3A, thence over Massachusetts Highway 3A to junction U.S. Highway 3, thence over U.S. Highway 3 to junction Massachusetts Highway 129, thence over Massachusetts Highway 129 to junction Massachusetts Highway 3A, thence over Massachusetts Highway 3A to junction U.S. Highway 3, thence over U.S. Highway 3 to Boston, Mass. (also from Concord over New Hampshire Highway 3A to Manchester, N.H., thence over New Hampshire Highway 28 to the New Hampshire-Massachusetts State line, thence over Massachusetts Highway 28 to Boston), (2) from Berlin, N.H., over New Hampshire Highway 16 via Dover, N.H., to

junction U.S. Highway 4, thence over U.S. Highway 4 to Portsmouth, N.H.

(3) From West Ossipee, N.H., over New Hampshire Highway 25 to Meredith, N.H., thence over U.S. Highway 3 to Laconia, N.H., thence over New Hampshire Highway 106 to Concord, N.H., thence over U.S. Highway 3 to Manchester, N.H. (also from Concord over New Hampshire Highway 3A to Manchester), (4) from Meredith, N.H., over U.S. Highway 3 to junction New Hampshire Highway 18, thence over New Hampshire Highway 18 to junction U.S. Highway 302, thence over U.S. Highway 302 to Lisbon, N.H., (5) from Richmond, Va., over U.S. Highway 360 to Halifax, Va., thence over U.S. Highway 501 to South Boston, Va., thence over U.S. Highway 58 to Danville, Va. (also from Halifax over U.S. Highway 360 to Danville), thence over U.S. Highway 29 to Reidsville, N.C., thence over U.S. Highway 158 to Winston-Salem, N.C., (6) from Lynchburg, Va., over U.S. Highway 29 to Greensboro, N.C., and (7) from Greensboro, N.C., over combined U.S. Highways 29 and 70 to Salisbury, N.C. (also from Greensboro over combined alternate U.S. Highways 29 and 70 to junction combined U.S. Highways 29 and 70), thence over U.S. Highway 29 to Charlotte, N.C. (also from junction U.S. Highway 29 and Business Route U.S. Highway 29 (formerly Alternate U.S. Highway 29) over Business Route U.S. Highway 29 to Concord, N.C.), thence over U.S. Highway 29 to Gastonia, N.C., and return over the same routes.

No. MC 48958 (Deviation No. 16), ILLINOIS-CALIFORNIA EXPRESS, INC., Post Office Box 9050, Amarillo, Tex. 79105, filed July 28, 1967. Carrier's representative: Morris G. Cobb (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *classes A and B explosives*, and *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Vernon, Tex., over U.S. Highway 283 to Altus, Okla., thence over U.S. Highway 62 to junction U.S. Highway 83, thence over U.S. Highway 83 to junction Texas Highway 256, thence over Texas Highway 256 to Memphis, Tex., (2) from Childress, Tex., over U.S. Highway 83 to junction Texas Highway 256, thence over Texas Highway 256 to Memphis, Tex., and (3) from Childress, Tex., over U.S. Highway 83 to junction Texas Highway 203, thence over Texas Highway 203 to Hedley, Tex., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: (1) From Amarillo, Tex., over U.S. Highway 287 via Wichita Falls, Tex., to Rhome, Tex., thence over Texas Highway 114 to Dallas, Tex., and (2) from Amarillo, Tex., over the route specified above the Wichita Falls, Tex., thence over U.S. Highway 281 to Jacksboro, Tex., thence over Texas Highway 199 to Fort Worth, Tex., thence over U.S. Highway 80 to Dallas, Tex., and return over the same routes.

No. MC 59120 (Deviation No. 9), EAZOR EXPRESS, INC., Eazor Square, Pittsburgh, Pa. 15201, filed July 25, 1967.

Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Harrisburg, Pa., over U.S. Highway 322 to junction U.S. Highway 30 near Downingtown, Pa., thence over U.S. Highway 30 to junction U.S. Highway 1, thence over U.S. Highway 1 to Newark, N.J., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: Between Harrisburg, Pa., and Newark, N.J., over U.S. Highway 22.

No. MC 109533 (Deviation No. 5), OVERNITE TRANSPORTATION COMPANY, 1100 Commerce Road, Richmond, Va. 23224, filed July 25, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Bristol, Tenn.-Va., over Interstate Highway 81 (using U.S. Highway 11 where portions of Interstate Highway 81 are not completed) to Roanoke, Va., thence over U.S. Highway 460 to Burksville, Va., thence over U.S. Highway 360 to Richmond, Va., thence over Interstate Highway 64 (using U.S. Highway 60 where portions of Interstate Highway 64 are not completed) to Norfolk, Va., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: from Bristol, Va.-Tenn., over U.S. Highway 11 to Marion, Va., thence over Virginia Highway 16 to junction U.S. Highway 58, thence over U.S. Highway 58 to Galax, Va., thence over Virginia Highway 89 to the Virginia-North Carolina State line, thence over North Carolina Highway 89 to Mount Airy, N.C., thence over U.S. Highway 52 to Winston-Salem, N.C., thence over U.S. Highway 311 to High Point, N.C., thence over U.S. Highway 70 to Durham, N.C., thence over U.S. Highway 15 to Oxford, N.C., thence over U.S. Highway 158 to Henderson, N.C., thence over U.S. Highway 1 to Norlina, N.C., thence over U.S. Highway 158 to Murfreesboro, N.C., thence over U.S. Highway 258 to Franklin, Va., thence over U.S. Highway 58 to Norfolk, Va., and return over the same route.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 395) (Cancels Deviation No. 228), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed July 23, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Columbus, Ohio, over Interstate Highway 71 to junction Interstate Highway 80S (approximately 1 mile northwest of Seville, Ohio), thence over Interstate Highway 80S (also designated as U.S. Highway 224) to Akron, Ohio, thence over Interstate Highway 80S to junction Ohio Highway 534 (approximately 1 mile east

of Lake Milton, Ohio), thence over Ohio Highway 534 to junction Ohio Highway 18, with the following access roads: (1) From Delaware, Ohio, over U.S. Highway 36 to junction Interstate Highway 71, (2) from Mount Gilead, Ohio, over Ohio Highway 61 to junction Interstate Highway 71, (3) from Mount Gilead, Ohio, over Ohio Highway 95 to junction Interstate Highway 71, (4) from Mansfield, Ohio, over Ohio Highway 13 to junction Interstate Highway 71, (5) from Mansfield, Ohio, over U.S. Highway 42 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Interstate Highway 71, (6) from Ashland, Ohio, over U.S. Highway 250 to junction Interstate Highway 71, (7) from Lodi, Ohio, over Ohio Highway 76 to junction Interstate Highway 71, and (8) from Edinburg, Ohio, over Ohio Highway 14 to junction Interstate Highway 80S (approximately 1 mile north of Edinburg, Ohio), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Columbus, Ohio, over U.S. Highway 62 to junction Ohio Highway 93, thence over Ohio Highway 93 to junction Ohio Highway 241, thence over Ohio Highway 241 via Massillon and Greensburg to Akron, Ohio, (2) from Youngstown, Ohio, over Ohio Highway 18 to Bellevue, Ohio, (3) from Cleveland, Ohio, over Ohio Highway 87 to junction Ohio Highway 8, thence over Ohio Highway 8 to Akron, Ohio, thence over Ohio Highway 5 to Wooster, Ohio, thence over Ohio Highway 3 to Columbus, Ohio, (4) from Cleveland, Ohio, over U.S. Highway 42 to Delaware, Ohio, thence over U.S. Highway 23 to Columbus, Ohio, and (5) from Sunbury, Ohio, over Ohio Highway 61 to Mount Gilead, Ohio, and return over the same routes.

No. MC 3647 (Deviation No. 2), PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. 07040, filed July 28, 1967. Carrier's representative: Richard Fryling (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 22 and Interstate Highway 78, Greenwich Township, N.J., over access roads to Interstate Highway 78, thence over Interstate Highway 78 and access roads to junction U.S. Highway 22, Union Township, N.J., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Easton, Pa., over U.S. Highway 22 to Phillipsburg, N.J., thence over Alternate U.S. Highway 22 to junction unnumbered highway, approximately 1 mile north of Alpha, N.J., thence over Alternate U.S. Highway 22 to Still Valley, N.J., thence over U.S. Highway 22 to junction unnumbered highway (formerly portion New Jersey Highway 28), thence over unnumbered highway

via Clinton and Annandale, N.J., to junction U.S. Highway 22, thence over U.S. Highway 22 to junction New Jersey Highway 28, thence over New Jersey Highway 28 to Somerville, N.J., thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highway 1 to junction Tonelle Avenue in Jersey City, N.J., thence over Business U.S. Highway 1 through the Holland Tunnel, to New York, N.Y., and return over the same route.

No. MC 29957 (Deviation No. 10), CONTINENTAL SOUTHERN LINES, INC., 425 Bolton Avenue, Post Office Box 4107, Alexandria, La. 71301, filed July 27, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicles, of *passengers and their baggage* in the same vehicle with passengers or in a separate vehicle, and *express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From New Orleans, La., over Interstate Highway 10 to junction Louisiana Highway 433 (an access road), thence over Louisiana Highway 433 to Slidell, La., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Mendenhall, Miss., over Mississippi Highway 13 to Columbia, Miss., thence over Mississippi Highway 24 to junction Mississippi Highway 35 (formerly Mississippi Highway 13W), thence over Mississippi Highway 35 via Jamestown and Sandy Hook, Miss., to the Mississippi-Louisiana State line, thence over Louisiana Highway 21 (formerly Louisiana Highway 7) to Bush, La., thence over Louisiana Highway 41 (formerly Louisiana Highway 484) to Tallisheek, La., thence over Louisiana Highway 41 (formerly Louisiana Highway 58) to Pearl River, La., thence over U.S. Highway 11 to junction U.S. Highway 90, thence over U.S. Highway 90 to New Orleans, La., and return over the same route.

No. MC 55312 (Deviation No. 5), CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue South, Nashville, Tenn. 37203, filed July 25, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Chattanooga, Tenn., over Interstate Highway 24 to junction U.S. Highway 72 near South Pittsburg, Tenn., with the following access route: From junction Interstate Highway 24 and Tennessee Highway 134, over Tennessee Highway 134 to Halletown, Tenn., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Memphis, Tenn., over U.S. Highway 72 via Florence and Huntsville, Ala., to Chattanooga, Tenn. (also from Florence over U.S. Highway 43 to junction unnumbered highway at or near Sheffield, Ala., thence over unnumbered highway to Tusculumbia, Ala., thence over Alabama

Highway 20 via Decatur, Ala., to Huntsville, Ala., thence over U.S. Highway 72 to Chattanooga, and return over the same routes.

No. MC 114271 (Deviation No. 3), CONTINENTAL CRESCENT LINES, INC., 425 Bolton Avenue, Post Office Box 4107, Alexandria, La. 71301, filed July 27, 1967. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: From Chattanooga, Tenn., over Interstate Highway 24 to junction with U.S. Highways 11, 41 and 72, west of Chattanooga, Tenn., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: from Oneonta, Ala., over Alabama Highway 75 via Horton, Albertville, Rainesville, and Henagar, Ala., to the Alabama-Georgia State line (approximately 8 miles north of Ider, Ala.), thence over Georgia Highway 143 to Trenton, Ga., thence over U.S. Highway 11 to Chattanooga, Tenn. (also from Rainesville, Ala., over unnumbered county highway via Sylvania, Ala., to Henagar), and return over the same routes.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-9304; Filed, Aug. 8, 1967;  
8:49 a.m.]

[Notice 1092]

### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

AUGUST 4, 1967.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, 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.

#### APPLICATIONS ASSIGNED FOR ORAL HEARING

##### MOTOR CARRIERS OF PROPERTY

##### NOTICE OF FILING OF PETITIONS

No. MC 78088 (Notice of Filing of Petition To Reopen Grandfather Proceeding), filed July 12, 1967. Petitioner: EASTERN CARRIER CORPORATION, 316 North Apple Street, Dunmore, Pa. Petitioner's representative: Arnold Blackmore (same address as above). Petitioner was granted a certificate

on September 9, 1941, which authorized the transportation of: Hosiery, from Washington, N.J., to Philadelphia, Pa., over specified regular routes, serving no intermediate points. Textile products, advertising matter, furnished by the manufacturers of such products for use in the sale of textile products, and commodities, other than machinery, used by textile plants in the manufacture of textiles, over irregular routes, between Waverly, Elmira, and Elmira Heights, N.Y., Athens, Sayre, Towanda, and Philadelphia, Pa., and points and places in that part of Pennsylvania on and bounded by a line beginning at Carbondale and extending through Dickson, Scranton, West Pittston, Forty Fort, Luzerne, and Kingston, to West Nanticoke, thence to Hazleton, thence through Allentown to Coopersburg, thence to Easton, and thence through Pen Argyle to point of beginning, on the one hand, and, on the other, New York, N.Y., Belvidere, Newton, Oxford, Washington, and Dover, N.J., and points and places in that part of New Jersey on and bounded by a line beginning at Midland Park and extending to West New York, thence to Jersey City, thence to Newark, thence through East Orange and Orange to West Orange, and thence through Paterson, Haledon, and North Haledon to point of beginning. Petitioner's operations have been questioned regarding shipments from Camden, N.J., to Corning, Elmira, Waverly, Norwich, and Oneonta, N.Y. Petitioner prays that its "grandfather" case be reopened and that its authority be modified to include the above-referred to points. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 126142 (Notice of filing of petition to reopen and modify "Grandfather" Rights), filed July 17, 1967. Petitioner: GLEASON TRANSPORTATION CO., INC., Rockingham Road, Bellows Falls, Vt. Petitioner's representative: Frederick T. O'Sullivan, 372 Granite Avenue, Melton, Mass. 02186. Pursuant to MC-FC-21681 and MC-FC-66191, petitioner acquired the certificate in MC 126142, specifically the portion of such certificate that is the subject to this petition reads as follows: "Irregular routes: Such merchandise as is dealt in by chain grocery stores and in connection therewith supplies used in the conduct of such stores. (1) Between points in Vermont, (2) From Rutland and Burlington, Vt., to points in New York within 150 miles of Rutland, with no transportation for compensation on return except as otherwise authorized." By the instant petition, petitioner prays that the Commission reopen and modify the authority in certificate No. MC 126142 to read: "General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities in tank vehicles, commodities re-

quiring special equipment, and those injurious or contaminating to other lading. (1) Between points in Vermont. (2) From Rutland and Burlington, Vt., to points in New York within 150 miles of Rutland, with no transportation for compensation on return as otherwise authorized. (3) Between Vernon, Brattleboro, Dummerston, Putney, Westminster Station, Bellows Falls, Ascutney, Windsor, Hartland, White River Junction, Wilder, Lewiston, Norwich, East Thetford, Ely, Fairlee, Bradford, South Newbury, Newbury, Wells River, Ryegate, McIndoe Falls, Lower Waterford, Gilman, South Lunenburg, Stevens, Maldstone, Brunswick, Bloomfield, Lemington, Canaan, and Beecher Falls, Vt." Any interested person desiring to participate may file an original and six copies of his written representations, views or argument, in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 128809 (Notice of Filing of Petition for Authority To Add Additional Contract Shipper to Present Permit), filed July 24, 1967. Petitioner: COYLE ENTERPRISES, INC., Tucson, Ariz. Petitioner's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Petitioner holds a permit in No. MC 128809 to perform motor carrier transportation, over irregular routes, transporting: Baggage, from the Tucson International Airport to Tucson, Ariz., with no transportation for compensation on return except as otherwise authorized, limited to a transportation service to be performed, under a continuing contract, or contracts, with the following shippers: American Airlines, Inc., Trans-World Airlines, Inc., and Continental Airlines, Inc., and restricted to the transportation of shipments having an immediately prior movement by air. By the instant petition, petitioner requests permission to add an additional shipper, Frontier Airlines, Inc. Any interested person desiring to participate, may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

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

##### MOTOR CARRIERS OF PROPERTY

No. MC-F-9821. (Correction) (THE COLONY Co.—Control—THE ADLEY CORP.) published in the July 26, 1967 issue of the FEDERAL REGISTER, on page 10964. The vendor's complete title is THE ADLEY CORPORATION, doing business as ADLEY EXPRESS COMPANY, in lieu of THE ADLEY CORPORATION.

No. MC-F-9837. Authority sought for purchase by MELTON TRUCK LINES, INC., Post Office Box 7295, Shreveport, La. 71107, of a portion of the operating rights of GULF STATES TRUCK LINES, INC., Post Office Box 6090, Shreveport, La. 71106, and for acquisition by DUNCAN McRAE, Post Office Box 7295, Shreveport, La. 71107, of control of such rights through the purchase. Applicants' attorney: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Operating rights sought to be transferred: *Structural steel forms, metal railroad tank car tanks, and tank car parts* when moving with structural steel forms or metal tanks, as a *common carrier*, over irregular routes, from Texarkana, Ark., to Shreveport, La.; and *metal tanks*, from Shreveport, La., to Texarkana, Ark. Vendee is authorized to operate as a *common carrier* in all points in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC-F-9838. Authority sought for purchase by TRANSPORT SERVICE CO., 5100 West 41st Street, Post Office Box 272, Chicago, Ill. 60650, of the operating rights and property of GLACKEN TRANSPORTATION, INC., 4083 Farley Parkway, Decatur, Ill. 62526, and for acquisition by JOHN V. CROWE, also of Chicago, Ill., of control of such rights and property through the purchase. Applicants' attorneys: Leonard A. Jaskiewicz and J. William Cain, Jr., both of 600 Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Operating rights sought to be transferred: *Corn oil*, in tank vehicles, as a *common carrier*, over a regular route, from Clinton, Iowa, to Lafayette, Ind., serving no intermediate points; *salad and cooking oils*, in bulk, in tank vehicles, over irregular routes, from Chicago and Decatur, Ill., and Columbus, Ohio, to Lafayette, Ind.; *salad oil*, in bulk, in tank vehicles, from Clinton, Iowa, Decatur and Chicago, Ill., St. Louis, Mo., and Columbus, Ohio, to Terre Haute, Ind.; *edible and inedible oils*, except petroleum or oils with a petroleum base, from Decatur, Ill., to points in Kentucky within 10 miles of the Ohio River and to St. Louis, Mo., and Pittsburgh, Pa., from St. Louis, Mo., Pittsburgh, Pa., and points in Ohio, Indiana, and Wisconsin to Decatur, Ill.; *edible and inedible oils*, not including petroleum or oil with a petroleum base, in bulk, in tank vehicles, from Decatur, Ill., to points in Indiana, except Lafayette and Terre Haute, Ind., Ohio, Wisconsin, and the Lower Peninsula of Michigan; from Decatur, Ill., to points in Pennsylvania (except Pittsburgh) with restriction; *resin plasticizer*, in bulk, in tank vehicles, from Decatur, Ill., to points in Indiana, Kentucky, Michigan, Missouri, Ohio, Wisconsin, and Pennsylvania; from Decatur, Ill., to Jackson, Miss., from Decatur, Ill., to Marrero, La., with restrictions; *resin plasticizer* (not of petroleum base), in bulk, in tank vehicles, from Decatur, Ill., to Institute, W. Va., and Tusculum, Ala.; and *soybean oil*, in bulk, in tank vehicles, from Decatur, Ill., to Wil-

low Island, W. Va., with restriction. Vendee is authorized to operate as a *common carrier* in Illinois, Iowa, Nebraska, Missouri, Kentucky, Minnesota, Indiana, Michigan, Wisconsin, Kansas, North Dakota, South Dakota, Arkansas, Ohio, Pennsylvania, Connecticut, Delaware, Louisiana, New Jersey, New York, Tennessee, and Mississippi. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9839. Authority sought for purchase by DEAN THORNTON, doing business as KEYSTONE TRUCKING COMPANY, Rushford, N.Y. 14777, of a portion of the operating rights of DAVIS & RANDALL, INC., 154 Chautauqua Street, Fredonia, N.Y. 14063. Applicants' attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. 14701. Operating rights sought to be transferred: *Malt beverages*, as a *common carrier*, over irregular routes, from Newark, N.J., to certain specified points in New York; *malt beverages* in containers, from New York, N.Y., and Newark, N.J., to certain specified points in Pennsylvania; *malt beverages* (except in bulk, in tank vehicles), from Newark, N.J., to certain specified points in New York; and *advertising materials*, when moving in mixed loads with malt beverages, from Newark, N.J., to points in New York. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New York, New Jersey, Connecticut, Massachusetts, Maine, New Hampshire, Vermont, and Rhode Island. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9840. Authority sought for control and merger by NORTHEASTERN TRUCKING COMPANY, 2508 Starita Road, Post Office Box 1493, Charlotte, N.C. 28201, of the operating rights and property of STANDARD TRANSPORT, INC., Post Office Box 21073, Charlotte, N.C. 21073, and for acquisition by JOHN F. GUIGNARD and WILLIAM H. GUINARD, both of Post Office Box 1493, Charlotte, N.C., of control of such rights and property through the transaction. Applicants' attorney: Guy H. Postell, 1375 Peachtree Street NE., Atlanta, Ga. 30309. Operating rights sought to be controlled and merged: *Apple products*, as a *common carrier*, over irregular routes, from Inwood, W. Va., and certain specified points in Virginia, to Bristol, Tenn., and points in North Carolina on and west of U.S. Highway 29; *canned goods*, from Whiteland and Greenwood, Ind., and certain specified points in Illinois, to certain specified points in South Carolina, and Asheville, N.C., and points in North Carolina within 125 miles of Asheville, N.C., from Austin, Ind., to Asheville, N.C., from Warsaw and Roanoke, Va., and points in Virginia within 50 miles of Warsaw and Roanoke, Va., to Asheville, N.C., and points in North Carolina within 125 miles of Asheville, N.C.; *cottonseed meal*, from certain specified points in South Carolina, and Augusta, Ga., to certain specified points in North Carolina; *dimension stock lumber*, from Black Mountain and Asheville, N.C., to Chicago, Ill.; *electrical supplies*, from certain specified points in

Ohio, to Asheville, N.C., and points in North Carolina within 150 miles of Asheville, N.C.; *empty bottles*, from Laurens, S.C., and Chattanooga, Tenn., to Asheville, N.C.

*Fresh vegetables*, from certain specified points in South Carolina, to Asheville, N.C., and points in North Carolina within 75 miles of Asheville, N.C.; *glass fruit jars and fruit jar rings*, from Muncie, Ind., to Asheville, N.C., and points in North Carolina within 125 miles of Asheville, N.C.; *groceries*, from Asheville, N.C., to Copperhill, Tenn., from Richmond and Norfolk, Va., Chattanooga, Tenn., certain specified points in South Carolina, Cincinnati, Ohio, Louisville, Ky., Indianapolis, Ind., and Chicago, Ill., to Asheville, N.C., and points in North Carolina within 115 miles of Asheville, N.C.; *hides*, from Chicago, Ill., to Asheville, N.C.; *hides, grease, tallow, and scrap metal* from Asheville, N.C., to Richmond and Roanoke, Va., Louisville, Ky., Akron, Ohio, and Chicago, Ill.; *liquid gas fuel*, from Clendenin, W. Va., to Asheville, N.C.; *malt beverages*, from Cincinnati, Ohio, to Asheville, N.C.; *empty malt beverage containers*, from Asheville, N.C., to Cincinnati, Ohio; *motor oil*, from Coraopolis, Pa., to Asheville, N.C.; *paper and paper products*, from Canton and Asheville, N.C., to certain specified points in Virginia, Ohio, Greenville, Tenn., and points in Tennessee within 100 miles of Greenville, Tenn., and certain specified points in South Carolina, from certain specified points in Ohio, and Richmond and Norfolk, Va., to Asheville, N.C., from Chicago, Ill., and Halltown, W. Va., to points in North Carolina on and west of U.S. Highway 29;

*Rags, scrap paper, and scrap metal*, from Asheville, N.C., to Cincinnati and Lockland, Ohio; *roots and herbs*, from Asheville, N.C., to Chicago, Ill.; *scrap metals*, from Asheville, N.C., to Richmond and Norfolk, Va., Chicago, Ill., certain specified points in Ohio, Louisville, Ky., Indianapolis, Ind., and Pittsburgh, Pa.; *wine*, from Naples, N.Y., to Asheville, N.C.; *wiping rags*, from Asheville, N.C., to Cincinnati, Ohio, Louisville, Ky., and Indianapolis, Ind.; *such merchandise* as is dealt in by wholesale grocery and food business houses, except fresh meat, eggs, poultry, and products of food-processing and meat-packing houses, and packing-house by-products, and advertising material and premiums for food-processing and meat-packing houses, from Charleston, S.C., Wilmington, N.C., and Norfolk, Va., to Charlotte, N.C., from Charlotte, N.C., to points in South Carolina; *pipe, machinery, and machinery parts*, from Charlotte, N.C., to points in South Carolina; and *asphalt, hardware, wire, and iron and steel articles*, from Charleston, S.C., and Wilmington, N.C., to Charlotte, N.C. NORTHEASTERN TRUCKING COMPANY is authorized to operate as a *common carrier* in Illinois, New York, New Jersey, Pennsylvania, Maryland, North Carolina, South Carolina, Virginia, Florida, Tennessee, Connecticut, New Hampshire, Massachusetts, Rhode Island, Kentucky, Louisiana, Alabama, Georgia, Ohio, Indiana, West Virginia,

[Notice 1094]

## MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

AUGUST 4, 1967.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, 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.

APPLICATIONS ASSIGNED FOR ORAL HEARING  
MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the Special Rules of Procedure for Hearing outlined below:

## SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 61403 (Sub-No. 171) (Republication), filed July 11, 1967, published FEDERAL REGISTER issue of July 27, 1967; and republished this issue. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor

Maryland, Maine, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9841. Authority sought for control and merger by DOHRN TRANSFER COMPANY, 4016 Ninth Street, Rock Island, Ill. 61201, of the operating rights and property of RAMUS TRUCKING LINE, INC., 3832 Ridge Road, Cleveland, Ohio, and for acquisition by WAYNE DOHRN, GEORGE A. LORENZEN, ARTHUR H. LORENZEN and CHARLES H. DOHRN, all also of Rock Island, Ill., of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Operating rights sought to be controlled and merged: (A) *General commodities*, excepting among others household goods and commodities in bulk, as a common carrier over regular routes, between Cleveland, Ohio, and Chicago, Ill., serving all intermediate points and the off-route points in Cuyahoga County, Ohio, and those in the Chicago, Ill., Commercial Zone, as defined by the Commission in 1 M.C.C. 673, between Cleveland, Ohio, and Boston, Mass., serving no intermediate points; *washing machines, ironers, vacuum cleaners, and parts of such commodities*, between Sandusky, Ohio, and Chicago, Ill., serving no intermediate points; over two alternate routes for operating convenience only; (B) *general commodities*, excepting among others household goods and commodities in bulk, over irregular routes, between Boston, Mass., and points in Massachusetts within 10 miles of Boston, on the one hand, and, on the other, Worcester and Springfield, Mass., and points in Massachusetts within 10 miles of Springfield; *paper boxes*, from Boston, Mass., to Hartford, Conn.; *groceries*, from Bridgeport, Conn., to Springfield, Mass.; *toilet seats, paper, and paper products*, from Holyoke, Mass., to Boston, Mass.; *paper, paper products, and school supplies*, from Holyoke, Mass., to points in New Hampshire, Rhode Island, and Connecticut; (C) *chemicals*, used in the manufacture of rayon and rayon products, from Boston, Mass., to Painesville, Ohio, and points within 5 miles of Painesville; *wool*, from Woonsocket, R.I., and Hudson, Mass., to Cleveland, and Ravenna, Ohio, from Norton, Mass., to Ravenna, Ohio; *cotton tire fabric*, from New Bedford and Fall River, Mass., to Akron, Ohio; *nails*, from New Brighton, Pa., to Cleveland, Ohio; *rubber matting*, from Salem, Ohio, to Chicago, Ill.; and *rayon and rayon fiber*, from Painesville, Ohio, and points within 5 miles of Painesville, to certain specified points in Massachusetts, and Rhode Island. DOHRN TRANSFER COMPANY is authorized to operate as a common carrier in Illinois, Iowa, Missouri, Michigan, Ohio, Indiana, Kentucky, Wisconsin, and Minnesota. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9842. Authority sought for control by KAIN'S MOTOR SERVICE CORP., West end of Bates Street, Logansport, Ind. 46947, of KURGAN

CARTAGE CO., INC., Post Office Box 44, Bensonville, Ill., and for acquisition by DAVID M. COOK, 7043 North Delaware Street, Indianapolis, Ind. 46220, of control of KURGAN CARTAGE CO., INC., through the acquisition by KAIN'S MOTOR SERVICE CORP. Applicants' attorney: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Operating rights sought to be controlled: Under a certificate of registration, in No. MC-121271 Sub 1, covering the transportation of commodities general, as a common carrier in intrastate commerce, within the State of Illinois. KAIN'S MOTOR SERVICE CORP. is authorized to operate as a common carrier in Indiana and Illinois. Application has been filed for temporary authority under section 210a(b). Note: No. MC-67111 Sub 18 is a matter directly related.

No. MC-F-9843. Authority sought for control by BEND-PORTLAND TRUCK SERVICE, INC., 5940 North Basin, Portland, Ore. 97217, of PEOPLES WAREHOUSE, INC., 1425 South Sixth Street, Klamath Falls, Ore. 97601, and for acquisition by WILFRED JOSSY, also of Portland, Ore., of control of PEOPLES WAREHOUSE, INC., through the acquisition by BEND-PORTLAND TRUCK SERVICE, INC. Applicants' attorney: Owen M. Panner, 1026 Bond Street, Bend, Ore. 97701. Operating rights sought to be controlled: *Household goods* as defined by the Commission, as a common carrier, over regular routes, between points in Klamath County, Ore., on the one hand, and, on the other, points in Washington and California. BEND-PORTLAND TRUCK SERVICE, INC. is authorized to operate as a common carrier in Oregon and California. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9844. Authority sought for purchase by M. W. McCURDY & CO., INC., 401 Nora's Lane, Houston, Texas 77022, of a portion of the operating rights of HOMER M. CONNELL, Post Office Box 1152, Anson Highway, Abilene, Tex., and for acquisition by M. W. McCurdy, also of Houston, Tex., of control of such rights through the purchase. Applicants' attorney: Joe G. Fender, 802 Houston 1st Savings Building, Houston, Tex. 77002. Operating rights sought to be transferred: *Bananas*, as a common carrier, over irregular routes, from Galveston, Tex., to all other points in Texas, and to Denver, Colo., Roswell, N. Mex., and Phoenix and Tucson, Ariz., and New Orleans, La., to Abilene, Tex. Vendee is authorized to operate as a common carrier in Texas, Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Utah. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.[P.R. Doc. 67-9305; Filed, Aug. 8, 1967;  
8:49 a.m.]

vehicle, over irregular routes, transporting: *Perlite and vermiculite*, in bulk, between points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. **NOTE:** The purpose of this republication is to reflect the hearing information.

**HEARING:** September 11, 1967, in Room 2588K, Federal Building, 219 South Dearborn Street, Chicago, Ill., before Examiner Parks M. Low.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-9306; Filed, Aug. 8, 1967;  
8:49 a.m.]

[Notice 430]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 4, 1967.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and 6 copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 1351 (Sub-No. 10 TA), filed August 2, 1967. Applicant: M. HASKELL, INC., 312 South Main Street, Palmer, Mass. 01069. Applicant's representative: Reubin Kaminsky, Suite 223, 410 Asylum Street, Hartford, Conn. 06103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper articles*, from plantsites and warehousing facilities of Diamond-National Corporation at Ludlow and Springfield, Mass., to Mt. Vernon, Beacon, Albany, and New York, N.Y., points in Nassau and Suffolk Counties, N.Y., and points in New Jersey; and (2) *waste paper*, from points in New Jersey (except Harrison, Bloomfield, Bogota, Paterson, Ridgefield Park, New-

ark, Passaic, Delawanna, and New Brunswick, N.J.), points in Nassau and Suffolk Counties, N.Y., and Albany, N.Y., to the plantsite of Diamond-National Corp. at Palmer, Mass.; for 180 days. Supporting shipper: Diamond National Corp., 733 Third Avenue, New York, N.Y. 10017. Send protests to: Joseph W. Balin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 338 Federal Building, Springfield, Mass. 01103.

No. MC 35484 (Sub-No. 72 TA), filed August 1, 1967. Applicant: VIKING FREIGHT COMPANY, 1525 South Broadway, St. Louis, Mo. 63104. Applicant's representative: 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 dangerous explosives, livestock, household goods as defined by the Commission, loose bulk commodities, those requiring special equipment, and those injurious or contaminating to other lading), (a) between Paducah, Ky., and Calvert City, Ky.; from Paducah, over U.S. Highway 62 to junction Kentucky Highway 95, thence over Kentucky Highway 95 to Calvert City (also from junction U.S. Highway 62 and Kentucky Highway 1523, over Kentucky Highway 1523 to Calvert City); and (b) between Mayfield, Ky., and Sedalia, Ky.; from Mayfield, over Kentucky Highway 303 to junction Kentucky Highway 324, thence over Kentucky Highway 324 to Sedalia; and return over the same routes, serving all intermediate points in (a) and (b) above; for 180 days. **NOTE:** Applicant states that it intends to tack the requested authority as follows: (1) Routes under (a) above at Paducah, Ky., in connection with all existing authority; and (2) route under (b) above at Mayfield, Ky., in connection with all existing authority. Supporting shipper: Pennsalt Chemicals Corp., Three Penn Center, Philadelphia, Pa. 19102. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3248-B, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 66562 (Sub-No. 2249 TA), filed August 2, 1967. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: John H. Engel, 2413 Broadway, Kansas City, Mo. 64108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, (1) between Fort Morgan, Colo., and Sterling, Colo., over Interstate Highway 80S, serving the intermediate point of Brush, Colo.; and (2) between junction U.S. Highway 385 and unmarked Nebraska State road and Bayard, Nebr.; from junction U.S. Highway 385 and unmarked Nebraska State Road, over U.S. Highway 385 to Bridgeport, Nebr., thence over U.S. Highway 26 to Bayard, Nebr., and return over the same route, serving the intermediate point of Bridgeport, Nebr., for purposes of joinder only; for 150 days. Restrictions: (1) The service

to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Incorporated. (2) Shipments transported by applicant shall be limited to those moving on through bills of lading or express receipts. **NOTE:** Applicant requests that the authority for the proposed operations, if granted, be construed as an extension, to be joined, tacked, and combined with R E A's existing authority in MC 66562 and subs thereunder, thereby negating the restrictions against tacking or joinder customarily placed upon temporary authority. Supporting shippers: There are 16 shippers' supporting statements attached to application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: Stephen P. Tomany, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 108207 (Sub-No. 225 TA), filed August 2, 1967. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from Little Rock, Ark., to Columbus and Cincinnati, Ohio, and Bellevue, Florence, and Louisville, Ky.; for 150 days. Supporting shipper: Ole South Foods Co., 923 East Second, Little Rock, Ark. 72201. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 111069 (Sub-No. 50 TA), filed August 2, 1967. Applicant: COLDWAY CARRIERS, INC., State Highway 131, Post Office Box 38, Clarksville, Ind. 47130. Applicant's representative: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville, Ky. 40202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen, prepared foods*, in vehicles equipped with mechanical refrigeration, from Cleveland, Ohio, to points in Pennsylvania, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Maine, Vermont, and the District of Columbia; for 180 days. Supporting shipper: Stouffer Foods Corp., Frozen Prepared Foods Division, 3800 Woodland Avenue, Cleveland, Ohio 44115. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania St., Indianapolis, Ind. 46204.

No. MC 114045 (Sub-No. 285 TA), filed August 1, 1967. Applicant: TRANSCOLD EXPRESS, INC., Finley and Belt Line Road, Post Office Box 5842, Dallas, Tex. 75222. Applicant's representative: M. L. Beatty (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products*, from Dunn, N.C., to points in Kansas, Oklahoma, and Missouri; for 180 days. Supporting shipper:

Wellons Candy Co., Inc., Post Office Box 677, Dunn, N.C. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202. Note: Applicant states that it intends to tack the authority here applied for to other authority held by it, or to interline with other carriers.

No. MC 116474 (Sub-No. 14 TA), filed August 2, 1967. Applicant: LEAVITTS FREIGHT SERVICE, INC., Route 1, Box 170B, Springfield, Ore. 97477. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laminated wood products, prefabricated wood timbers, trusses, and beams, and accessories* used in the erection, construction, and completion of the foregoing when shipped therewith, from Cottage Grove, Ore., to points in Washington, California, and Nevada; under contract with and for the account of Weyerhaeuser Co.; for 180 days. Supporting shipper: Weyerhaeuser Co., Box 585, Cottage Grove, Ore. 97424. Send protests to: A. E. Odms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Ore. 97204.

No. MC 116474 (Sub-No. 15 TA), filed August 2, 1967. Applicant: LEAVITTS FREIGHT SERVICE, INC., Route 1, Box 170B, Springfield, Ore. 97477. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laminated wood products, prefabricated wood timbers, trusses, and beams, and accessories* used in the erection, construction, and completion of the foregoing when transported therewith, from Springfield, Ore., to Portland, Ore., and points in Washington; for the account of Rosboro Lumber Co.; for 180 days. Supporting shipper: Rosboro Lumber Co., Post Office Box 63, Springfield, Ore. 97477. Send protests to: A. E. Odms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Ore. 97204.

No. MC 123991 (Sub-No. 6 TA), filed August 1, 1967. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, 555 West Federal Street, Youngstown, Ohio 44502. Applicant's representative: Paul F. Beery, 100 East Broad Street, Columbus, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flavored or phosphated beverages*, from the plantsite of Custom Beverage Packers, Inc., at Aurora, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Pennsylvania, Tennessee, Virginia, West Virginia, and the District of Columbia; and *equipment, materials, and supplies* used in or useful to the production and distribution of flavored or phosphated beverages on return; for 150

days. Supporting shipper: Customs Beverage Packers, Inc., 1333 Chillicothe Road, Aurora, Ohio. Send protests to: G. J. Baccoi, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 435 Federal Building, 215 Superior Ave., Cleveland, Ohio 44114.

No. MC 124129 (Sub-No. 2 TA), filed August 2, 1967. Applicant: S.M.S. TRUCKING CO., Post Office Box 572, Valley, Nebr. 68064. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone, rip-rap stone, agricultural lime, limestone products, sand, and gravel*, from Weeping Water, Nebr., to points in Fremont, Mills, and Pottawattamie Counties, Iowa; under contract with Kerford Limestone Products Co.; for 180 days. Supporting shipper: Kerford Limestone Products Co., Post Office Box 246, Lincoln, Nebr., 68508 (George Ed. Kerford). Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 125140 (Sub-No. 3 TA), filed August 2, 1967. Applicant: RICHARD B. BRUNZLICK, Augusta, Wis. 54722. Applicant's representative: A. R. Fowler, Associated Motor Carriers Tariff Bureau, Inc., 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Orange juice*, (1) from Chippewa Falls, Wis., and Columbia, Mo., to points in Indiana, Missouri, Iowa, and Illinois (except points in the Chicago, Ill., commercial zone); and (2) from Columbia, Mo., to Chippewa Falls, Wis.; for 180 days. Supporting shipper: Bowman Dairy Sales Co., 3600 North River Road, Franklin Park, Ill. 60131. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 125764 (Sub-No. 3 TA), filed August 2, 1967. Applicant: LILAC CITY EXPRESS, INC., East 10222 Fourth Avenue, Spokane, Wash. 99206. Applicant's representative: Donald A. Ericson, Suite 708, Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned and bottled foodstuffs*, from points in Marion County, Ore., and Clark County, Wash., to points in Spokane County, Wash.; for the account of United Retail Merchants Food Stores, Inc.; for 180 days. Supporting shipper: United Retail Merchants Food Stores, Inc., North 7511 Freya Street, Spokane, Wash. 99207. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 126276 (Sub-No. 8 TA), filed July 31, 1967. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, Ill. 60463. Applicant's rep-

resentative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers*, from the plantsite of Ball Brothers Co., Inc., at or near Okmulgee, Okla., to Alexandria, Baton Rouge, and New Orleans, La.; and (2) *soda ash*, from Lake Charles, Baton Rouge, La., and Corpus Christi, Tex., to the plantsite of Ball Brothers Co., Inc., at or near Okmulgee, Okla.; for 180 days. Supporting shipper: Ball Brothers Co., Muncie, Ind. 47302. Send protests to: Roger L. Buchanan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, Chicago, Ill. 60604.

No. MC 127524 (Sub-No. 4 TA), filed August 2, 1967. Applicant: QUADREL BROS. TRUCKING COMPANY, INC., 1603 Hart Street, Rahway, N.J. 07065. Applicant's representative: Stephen T. Sliker (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polyvinyl chloride resin*, in bulk, in hopper-type vehicles, from the Flexi-Flo Terminal, New York Central System, North Bergen, N.J., to Newburgh, N.Y.; restricted to shipments having a prior movement by rail; for 150 days. Supporting shipper: The Goodyear Tire & Rubber Co., 1144 East Market Street, Akron, Ohio 44316. Send protests to: Walter J. Grossmann, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1060 Broad Street, Room 363, Newark, N.J. 07102.

No. MC 128273 (Sub-No. 13 TA), filed August 1, 1967. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Twine*, from New Orleans, La., to points in Wisconsin, Indiana, Ohio, and Kentucky; for 180 days. Supporting shippers: International Harvester Co., 401 North Michigan, Chicago, Ill.; and The Farmers Union Central Exchange, Inc., 1185 North Concord Street, Box G, St. Paul, Minn. Send protests to: M. E. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 906 Schweiter Building, Wichita, Kans. 67202.

No. MC 129032 (Sub-No. 1 TA), filed August 1, 1967. Applicant: TOM INMAN TRUCKING, INC., Post Office Box 7608, Tulsa, Okla. 74105. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juices and fruit drinks*, from Muskogee, Okla., to points in California and Arizona, when moving in vehicles equipped with mechanical refrigeration and/or heating units; for 120 days. Supporting shipper: Wagner Industries, Inc., 1331 South 55th Court, Cicero, Ill. 60650 (Vincent P. Russo, Vice President). Send protests to: C. L. Phillips, District Supervisor, Bureau of

Operations, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 129046 (Sub-No. 2 TA), filed August 2, 1967. Applicant: BURKSPELZ TRANSFER, INC., 1751 West Ohio Street, Post Office Box 6014, Evansville, Ind. 47712. Applicant's representative: Louis J. Amato, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, (1) from Detroit, Mich., to Evansville, Ind., and Henderson, Ky.; and (2) from Chicago, Ill., to Evansville, Ind.; and empty containers on return in (1) and (2) above; for 180 days. Supporting shippers: Frields Distributing Co., Inc., 3712 Upper Mount Vernon Road (Post Office Box 6255, Station B), Evansville, Ind.; and Manion Sales Co., 914-918 Washington Street, Henderson, Ky. 42420. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 129068 (Sub-No. 2 TA), filed August 1, 1967. Applicant: FAST WAYS, INC., 1407 East Willow, Enid, Okla. 73701. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk and in bags (except in tank vehicles), from Houston and Texas City, Tex., to points in Oklahoma and Kansas; for 130 days. Supporting shipper: The Borden Chemical Co., Smith Douglass Division, Post Office Box 419, Norfolk, Va., 23501 (R. V. Peabody, general traffic manager). Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 350 American General Building, 210 NW. Sixth, Oklahoma City, Okla. 73102.

No. MC 129204 (Sub-No. 1 TA), filed July 31, 1967. Applicant: CROSBY LUMBER COMPANY, INC., Post Office Box 670, Springerville, Ariz. 85938. Applicant's representative: A. Michael Bernstein, 1327 Guaranty Bank Building, 3550 North Central, Phoenix, Ariz. 85012. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, from lumber mills in Apache, Conconino and Navajo Counties, Ariz., to points in Texas, New Mexico, and San Diego, Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, Imperial and Kern Counties, Calif.; for 180 days. Supporting shippers: Reidhead Lumber Co., Inc., Box E, Show Low, Ariz. 85901; Haining Lumber Co., Post Office Box 635, Williams, Ariz. 86046; Southwestern Sales Company, Post Office Box 668, Springerville, Ariz. 85938; and Kaibab Lumber Co., Post Office Box 430, Flagstaff, Ariz. 86001. Send protests to: Andrew V. Baylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission,

3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 129237 (Sub-No. 1 TA), filed August 2, 1967. Applicant: BIG SIX, INC., 885 North Gardner Street, Scottsburg, Ind. 47170. Applicant's representative: Chester S. Wentzell, 10 Mutual Trust Building, New Albany, Ind. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, in bulk, in dump trucks, from Mauckport, Ind., to points in Meade, Hardin, Metcalf, Hart, Monroe, Allen, Taylor, Green, Breckenridge, Barren, Adair, Cumberland, Clinton, Washington, Bullett, Warren, Nelson, Russell, Edmonson, Larue, Grayson, Pulaski, and Marion Counties, Ky.; for 180 days. Supporting shippers: There are 15 shippers' supporting statements attached to application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 129254 (Sub-No. 1 TA), filed August 2, 1967. Applicant: E. T. USHER, Post Office Box 312, Chiefland, Fla. 32626. Applicant's representative: Richard J. Brooks, Post Office Box 1531, Title Building, Tallahassee, Fla. 32302. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Dolomite*, in bulk, in dump-type vehicles, from plantsites in Levy, Suwannee, and Citrus Counties, Fla., to Bainbridge, Ga.; and (2) *fertilizer and processed fertilizer*, in bulk, in dump-type vehicles, from Bainbridge, Ga., to Branford, Fla.; for 150 days. Supporting shipper: Kaiser Agricultural Chemicals, Branford District, Post Office Box 358, Branford, Fla. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Federal Office Building, 400 West Bay Street, Jacksonville, Fla. 32202.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 67-9307; Filed, Aug. 8, 1967; 8:49 a.m.]

#### NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

AUGUST 4, 1967.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or

other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MC-4286 Sub No. 4, filed July 20, 1967. Applicant: WEST TENNESSEE MOTOR EXPRESS, INC., Faydur Court, Nashville, Tenn. 37210. Applicant's representative: Robert H. Cowan, 500 Court Square Building, Nashville, Tenn. 37201. Certificate of Public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, except household goods and commodities requiring special equipment from Nashville, Tenn., over Interstate Highway 40 to the junction of Tennessee Highway 20 and return with authority to enter, leave and re-enter said Interstate Highway 40 at such interchanges, crossings and traversing such highways as is necessary to connect with applicant's presently authorized route, to be used for operating convenience only serving no points except as presently authorized. Both intrastate and interstate authority sought.

HEARING: Wednesday, September 20, 1967, at 9:30 a.m. (c.d.s.t.) C-1-110 Cordell Hull Building, Nashville, Tenn. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. MC-4355 Sub-3, filed July 20, 1967. Applicant: SUPERIOR TRUCKING SERVICE, INC., 100 East 29th Street, Chattanooga, Tenn. 37410. Applicant's representative: Blaine Buchanan, 1024 James Building, Chattanooga, Tenn. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities* (excepting livestock, used household goods, commodities in bulk, and those requiring special equipment), between Manchester and Smartt, Tenn., from Manchester over Tennessee Highway 55 to Smartt, and return over the same route serving all intermediate points, to be tacked to and used in conjunction with all applicant's present certificates. Both intrastate and interstate authority sought.

HEARING: C-1-110 Cordell Hull Building, Nashville, Tenn., Thursday, September 21, 1967, 9:30 a.m. (c.d.s.t.). Request for procedural information, including the time for filing protests concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 67-9308; Filed, Aug. 8, 1967; 8:49 a.m.]

[Ex Parte 230 (Sub-No. 1)]

**SUBSTITUTED SERVICE—CHARGES AND PRACTICES OF FOR-HIRE MOTOR CARRIERS OF AUTOMOBILES (PIGGYBACK SERVICE)**

Present: Rupert L. Murphy, Commissioner, to whom the matter which is the subject of this order has been referred for action thereon.

It appearing, that by order dated November 12, 1963, the Commission reopened for oral hearing at a time and place to be fixed that portion of Ex Parte No. 230—*Substituted Service—Charges and Practices of For-Hire Carriers and Freight Forwarders (Piggyback Service)*, embracing the transportation of motor vehicles by authorized motor carriers and designating such proceeding as Ex Parte No. 230 (Sub-No. 1)—*Substituted Service—Charges and Practices of For-Hire Motor Carriers of Automobiles (Piggyback Service)*;

And it further appearing, that upon consideration of the record in the above-entitled proceeding; the petitions of Convoy Co. and Auto Convoy Co., filed January 24, 1966, requesting the matter be set for hearing; the replies of Kenosha Auto Transport Corp., and National Automobile Transporters Association, filed March 2 and 4, 1966, respectively; and for good cause showing:

It is ordered, That the above-entitled proceeding be, and it is hereby, referred to Hearing Examiner, Harold P. Boss, for hearing commencing September 6, 1967, 9:30 a.m., District of Columbia (d.s.t.), at the Offices of the Interstate Commerce Commission, Washington, D.C., and for recommendation of an appropriate order thereon, accompanied by the reasons therefor.

It is further ordered, That a copy of this order be delivered to the Director, Office of Federal Register, for publica-

tion in the FEDERAL REGISTER as notice to all interested persons.

And it is further ordered, That, to avoid future unnecessary service upon interested parties who participated in Ex Parte No. 230, but who may not be interested in the outcome of this proceeding (Ex Parte No. 230 (Sub-No. 1)), subsequent service of notices and orders of the Commission will be limited hereafter to those persons who: Specifically make written request on or before August 25, 1967, to the Secretary of the Commission to be included on the service list.

Dated at Washington, D.C., this 1st day of August 1967.

By the Commission, Commissioner Murphy.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 67-9309; Filed, Aug. 8, 1967; 8:49 a.m.]

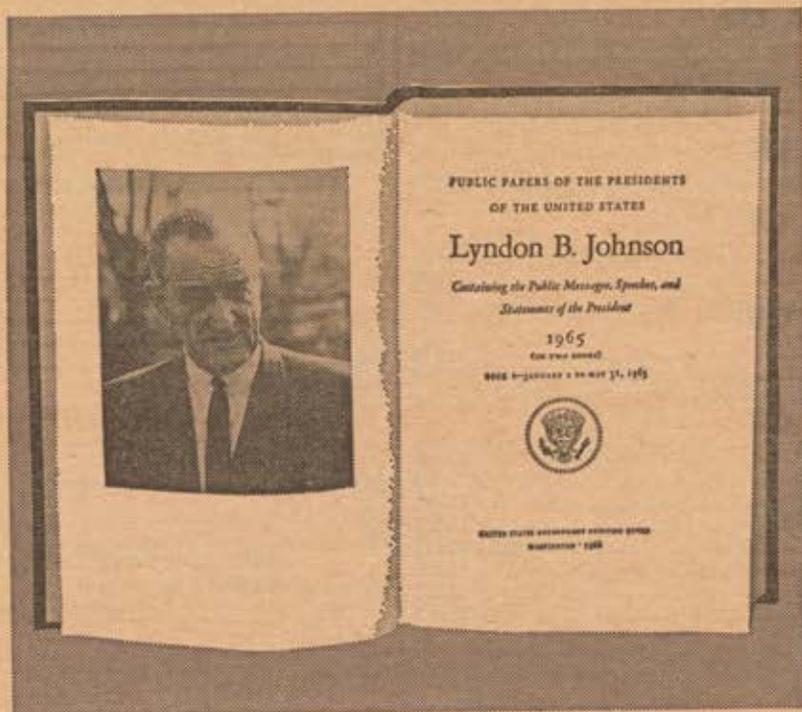
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