

federa^l register

MONDAY, AUGUST 11, 1975



highlights

PRIVACY ACT OF 1974—OMB GUIDELINES

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(Aug. 6, 1975; 89 Stat. 400)

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federal register

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Area Code 202



Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

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PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

Procedural Change in Removing Dockage From Rough Rice

The Agricultural Marketing Act of 1946, as amended, provides for the issuance by the Secretary of Agriculture of standards with respect to the quality, condition, quantity, grade, and packaging of agricultural commodities for the voluntary use by producers, merchandisers, processors, and consumers in the marketing of these commodities. An official grading service is provided under the Act upon request of the applicant and payment of a fee to cover the cost of the service.

Pursuant to sections 203 and 205 of the Act, 60 Stat. 1087 and 1090 (7 U.S.C. 1622 and 1624), notice is hereby given of a procedural change for the removal of dockage from rough rice. A proposal to amend the U.S. Standards for Rough Rice was published in the FEDERAL REGISTER of August 12, 1974 (39 FR 28896) and contained in the statement of considerations a discussion of the procedural change for removing dockage from rough rice. This change provided for discontinuing the use in the bottom carriage of the dockage tester of the No. 22 (3/8/64 inch x 1/2 inch slotted hole) sieve for long-grain rice and of the No. 4 (.064 inch x 3/8 inch oblong hole) sieve for medium and short grain rice. This change was made in expectation that the small weed seeds normally removed with screenings and brewers rice in the milling process would be removed by the No. 6 sizing plates used in the grading process. The proposed amendment of the U.S. Standards for Rough Rice, published in the FEDERAL REGISTER of March 6, 1975 (40 FR 10472), was adopted and became effective June 1, 1975.

Some samples of old crop rice have been tested since the amended U.S. Standards for Rough Rice became effective and it is apparent that the use of the rice sizing device and the No. 6 plate does not consistently remove seeds that are smaller than whole kernels and large broken kernels. The small seeds remaining in the samples can be removed readily in the commercial cleaning process and should be removed in the laboratory cleaning of rough rice and considered as dockage. Therefore, the Department has decided, in view of the public interest and

the nearness of the new crop, to reinstate immediately the use of the applicable No. 22 or No. 4 sieve in the procedure for removing dockage from rough rice.

This procedural change will be specified in detail in "Inspection Handbook HB 918-11," which is available upon request from the Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture, 6525 Belcrest Road, Hyattsville, Maryland 20782.

Rulemaking procedures were not considered necessary because the method of determining dockage is a laboratory procedural change and not a change in the U.S. Standards for Rough Rice.

Effective date. The procedural change in removing dockage from rough rice shall become effective August 11, 1975.

Done at Washington, D.C., on August 5, 1975.

WILLIAM H. WALKER III,
Acting Administrator.

[FR Doc.75-20808 Filed 8-8-75; 8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 958—ONIONS GROWN IN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Expenses and Rate of Assessment

This document authorizes the Idaho-Eastern Oregon Onion Committee to spend \$196,781 for its operations during the fiscal period ending June 30, 1976, and to collect \$0.045 per hundredweight on assessable onions handled by first handlers to defray such expenses.

The committee is the administrative agency established under Marketing Agreement No. 130 and Order No. 958, both as amended (7 CFR Part 958), regulating the handling of onions grown in Idaho and Malheur County, Oregon. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Notice was published in the July 18 FEDERAL REGISTER (40 FR 30277) regarding the proposals. It afforded interested persons an opportunity to file written comments not later than August 4, 1975. None was filed.

After consideration of all relevant matters, including the proposals in the notice, it is found that the following expenses and rate of assessment should be approved.

It is further found that good cause exists for not postponing the effective date of this section until 30 days after

publication in the FEDERAL REGISTER (5 U.S.C. 553) because this part requires that the rate of assessment for a particular fiscal period shall apply to all assessable onions from the beginning of such period.

The regulation follows:

§ 958.219 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending June 30, 1976, by the Idaho-Eastern Oregon Onion Committee for its maintenance and functioning and for such other purposes as the Secretary determines to be appropriate will amount to \$196,781.

(b) The rate of assessment to be paid by each handler in accordance with this part shall be \$0.045 per hundredweight, or equivalent quantity, of assessable onions handled by him as the first handler during the fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve to the extent authorized in § 958.44.

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

(Secs. 1-19, 48 Stat. 31, as amended; (7 U.S.C. 601-6734))

Dated: August 5, 1975.

D. S. KURYLOSKI,
Acting Deputy Director, Fruit
and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-20807 Filed 8-8-75; 8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCES AND SHIPPING CONTAINERS THEREON

Importation of Birds and Performing or Theatrical Poultry

These amendments to the regulations in Part 92 are needed to provide an alternate means whereby small shipments of zoological birds can be more readily handled by permitting the quarantine of such birds at USDA quarantine facilities; to provide greater flexibility in time allowed importers to arrange shipping schedules by extending the time periods within which importations must

be made after permits for certain types of birds are issued; and to define zoological birds, research birds, and performing or theatrical birds and to clarify the regulations pertaining to the importation of each as defined.

Statement of considerations. The purposes of these amendments are to (1) add a definition of zoological birds and provide an alternative for their quarantine in USDA quarantine facilities upon advance approval because frequently small lots of rare species which require special care and handling during quarantine are involved and such care cannot always be provided by privately-owned quarantine facilities; (2) add a definition of "performing or theatrical birds" and "performing or theatrical poultry" and extend the time specified in permits issued for such theatrical birds and poultry from 14 to 90 days and to relieve quarantine requirements in order to allow flexibility which is required and is justified by the manner in which birds and poultry of this type are handled and maintained; (3) extend the time periods specified in permits issued for commercial, zoological, and for research birds from 14 to 30 days to allow importers greater flexibility in meeting international shipping schedules and restrictions. For purposes of clarification and in order to coordinate the changes made by these amendments with the existing regulations the terms "research birds" and "zoological park" are defined, and the terms "pet birds" and "commercial birds" are redefined.

A new § 92.2(h) has been added to clarify the intent of the amendment that performing or theatrical poultry shall be regulated under the provisions in this part regarding performing or theatrical birds and not under the provisions dealing with poultry generally.

Accordingly, Part 92, Title 9, Code of Federal Regulations is amended in the following respects:

1. In § 92.1 paragraphs (j) (2) (i) and (ii) are revised and new paragraphs (j) (2) (iii), (iv), (v), and (t) are added to read:

§ 92.1 Definitions.

- (j) * * *
- (2) * * *

(i) **Pet birds.** Birds which are imported for the personal pleasure of their individual owners and are not intended for resale.

(ii) **Commercial birds.** Birds which are imported for resale, breeding, public display, or any other purpose, except pet birds, zoological birds, research birds, or performing or theatrical birds.

(iii) **Zoological birds.** Birds intended for breeding or public display, for recreational or educational purposes, at a zoological park.

(iv) **Research birds.** Birds which are to be used for research purposes only.

(v) **Performing or theatrical birds and poultry.** Birds and poultry which are to be used in shows, theatrical acts or performances only.

(t) **Zoological park.** A professionally operated zoo, park, garden or other place, maintained under the constant surveillance of a Doctor of Veterinary Medicine, for the exhibition of live animals, pigeons or birds, for the purpose of public recreation or education.

2. In § 92.2, paragraph (f) is amended, and new paragraphs (g) and (h) are added to read:

§ 92.2 General prohibitions; exceptions.

(f) Commercial birds, zoological birds, or research birds may be imported into the United States if they meet the requirements of §§ 92.3(f), 92.4, 92.5(c), 92.8(b), and 92.11(e) which specifically apply to such birds and the requirements of all other sections in this part that are applicable to poultry or to animals generally.

(g) Performing or theatrical birds and performing or theatrical poultry may be imported at any of the ports of entry listed in § 92.3 if accompanied by an import permit as required by § 92.4 and such birds or poultry are found upon port of entry veterinary inspection to be free of communicable diseases of poultry.

(h) The provisions in this part relating to poultry shall not be applicable to performing or theatrical poultry; however, the provisions in this part applicable to performing or theatrical birds shall be applicable to performing or theatrical poultry.

3. In § 92.3, paragraph (f) is revised to read:

§ 92.3 Ports designated for the importation of animals.

(f) Notwithstanding any other provisions of this section, all commercial birds, zoological birds, or research birds shall be imported only at a port of entry specified in § 92.8(b).

4. The section heading of § 92.4, and the third sentence in paragraph (b) are amended to read:

§ 92.4 Import permits for ruminants, swine, poultry, commercial birds, zoological birds, research birds, performing or theatrical birds, or performing or theatrical poultry.

(b) * * * Animals and animal semen for which a permit has been issued will be received at the specified port of entry within the time prescribed in the permit which shall not exceed 14 days for all permits except that the time prescribed in permits issued for the importation of commercial birds, zoological birds, or research birds shall not exceed 30 days, and for performing or theatrical birds or poultry shall not exceed 90 days. All permits issued shall be void after expiration of the time prescribed in the permit. * * *

* Text of footnote 6 appears as part of the existing section heading on page 154 of the 1975 Revision of 9 CFR Ch 1.

§ 92.5 [Amended]

5. In § 92.5, paragraph (c) is amended by inserting the phrase "zoological birds and research birds" in the first line of the paragraph immediately following the words "All commercial birds"; and the section heading is amended to read:

§ 92.5 Certificate for ruminants, swine, poultry, commercial birds, zoological birds, and research birds.

§ 92.8 [Amended]

6. In § 92.8, paragraph (b) is amended by inserting the phrase "zoological birds and research birds" in the first line of the paragraph immediately after the words "All commercial birds".

7. In § 92.11, in paragraph (e) the first sentence is amended to read:

§ 92.11 Quarantine requirements.

(e) **Birds.** Each lot of commercial birds, zoological birds or research birds imported from any part of the world shall be quarantined for a minimum of 30 days, and for such longer period as may be required by the Deputy Administrator, Veterinary Services, in any specific case, on an "all-in, all-out" basis, at one of the ports of entry specified in § 92.8(b) in facilities which are provided by the importer and which have been approved by the Deputy Administrator as provided in paragraph (f) of this section, prior to the issuance of the import permit described in § 92.4. Except that zoological birds may be quarantined at a USDA quarantine facility when arrangements have been made in advance by the importer and approval is granted in the permit. * * *

(Sec. 2, 32 Stat. 792, as amended; 2, 3, 4, and 11, 76 Stat. 129, 130, 132; 21 U.S.C. 111, 134a, 134b, 134c, and 134f; 37 FR 28464, 28477; 38 FR 19141.)

Effective date. The foregoing amendments shall become effective August 11, 1975.

The amendments relieve certain restrictions no longer deemed necessary to prevent the introduction and spread of poultry disease, and must be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the **FEDERAL REGISTER**.

Done at Washington, D.C., this 6th day of August 1975.

PIERRE A. CHALOUX,
Acting Deputy Administrator,
Veterinary Services, Animal
and Plant Health Inspection
Service.

[FR Doc.75-20943 Filed 8-8-75;8:45 am]

Title 10—Energy

CHAPTER I—NUCLEAR REGULATORY
COMMISSION

PART 70—SPECIAL NUCLEAR MATERIAL

Measurement Control Program for Special
Nuclear Materials Control and Accounting

On October 31, 1974, the Atomic Energy Commission published in the *FEDERAL REGISTER* (39 FR 38392) proposed amendments to its regulations in 10 CFR Part 70 which would specify criteria for a measurement control program which would be required to be established and maintained by each licensee which is authorized to possess, at any one time and place, more than one effective kilogram of special nuclear material in unsealed form. Interested parties were invited to submit comments and suggestions for consideration in connection with the proposed amendments within 60 days after publication in the *FEDERAL REGISTER*. Upon consideration of the comments received, and other factors involved, the Commission has adopted the proposed amendments with certain modifications as set forth below.

Differences from the proposed amendments published for comment are: (1) Additions to and clarifications of the definitions contained in § 70.57(a); (2) rewording of the requirement for management reviews and audits so as not to exclude the use of an independent audit organization or of corporate auditors; (3) clarification of licensees' responsibilities to assure the quality of measurements performed by a contractor; (4) clarification of the requirement to identify and control sampling errors; (5) simplification of the requirement to provide management review and approval of procedures which pertain to the measurement control system; (6) clarification of the requirement to perform quality control engineering analyses of all measurement systems; (7) clarification of the requirement to establish traceability of measurements to the National Bureau of Standards; (8) deletion of the requirement to determine sources of analytical error such as between-operator, between-equipment and between-shift; (9) clarification of the provision allowing the combining of historical and current material control and accounting data; and (10) revision of the requirement to establish a statistical control system. In addition, editorial changes were made.

The following discussion pertains to the respective items (1) through (10) above:

(1) Comments suggested that § 70.57 (a) be expanded to include more definitions, and that some of the proposed

definitions be modified. The rule set forth below contains additional definitions. Some of the proposed definitions were modified to more accurately convey the Commission's meaning with respect to the requirements of § 70.57(b).

(2) The proposed rule would have restricted the performance of audits and reviews to "trained personnel." This implied that only licensee employees could be used for this function. The revised rule allows the performance of audits and reviews by any trained individuals who are independent of responsibility for the receipt, custody, utilization, measurement, measurement quality, and shipment of special nuclear material.

(3) The question was raised as to the need for having contractors which provide measurement services meet all of the requirements of § 70.57(b). The rule set forth below excludes those portions of § 70.57(b) which are not applicable to licensee measurement contractors.

(4) The proposed rule stated that measurements, by definition, include sampling and that measurements must be traceable to certified standards. Comments suggested that in many cases certified standards are not available for performing sampling studies. Therefore, the requirement to perform mixing and sampling tests, set forth below in § 70.57 (b) (4) has been modified to permit licensees to perform such tests with well characterized special nuclear materials.

(5) The proposed rule would have required the review and approval of measurement control system procedures by management personnel whose direct responsibilities could be affected by the quality of material control and accounting measurements. Comments suggested that the determination of those management personnel having such responsibility was subject to various interpretations. The rule set forth below requires only that measurement control system procedures be reviewed and approved.

(6) The proposed rule would have required that engineering analyses and evaluations be performed on measurement systems. The rule further required that said analyses and evaluations be reviewed annually to assure the continued reliability of the system. Comments indicated some misinterpretation as to the scope of said annual reviews. Comments also suggested that said annual review was redundant with the annual management review and audit required in § 70.57(b) (2). The rule set forth below requires engineering analyses and evaluations initially for all measurement systems, and thereafter whenever a significant change occurs in a component of a measurement system.

(7) Comments suggested that in certain cases measurements could not be traced directly to a certified standard because such standards are not available for each measurement method for each type of material. The rule set forth below resolves this difficulty by allowing traceability through the use of reference standards as defined in § 70.57(a).

(8) The proposed rule would have required that sources of analytical error

such as between-operator, between-equipment, and between-shift be determined. Industry has suggested that the training program required in § 70.57(b) (7), as set forth below, should reduce such sources of error to an insignificant level. Also, as long as the total analytical error is controlled, that it is unnecessary to isolate individual sources of analytical error. Further, comments indicated that the cost of isolation of such sources of error would greatly outweigh the diagnostic benefits. The rule set forth below has been modified to delete the requirement to isolate such sources of analytical error.

(9) The proposed rule would have allowed under certain conditions, that material control and accounting data from the current material balance period could be combined with historical data. Comments suggested that this provision be made more definitive. The rule set forth below clarifies the requirements for the combining of data sets.

(10) Comments suggested that discarding all data which exceed control limits would (i) result in the loss of some valid measurement points, and (ii) artificially narrow the confidence band. The rule set forth below provides one set of limits for the investigation of suspect data, and another set of limits for establishing that a measurement system is out-of-control.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, and sections 552 and 553 of Title 5 of the United States Code, the following amendments of Title 10, Chapter I, Code of Federal Regulations, Part 70 are published as a document subject to codification.

1. Paragraph (c) of § 70.32 is amended to read as follows:

§ 70.32 Conditions of licenses.

(c) Each license authorizing the possession at any one time and location of special nuclear material in a quantity exceeding one effective kilogram of special nuclear material and the use of such special nuclear material except those uses involved in the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter and those involved in a waste disposal operation and in sealed sources, shall contain and be subject to a condition requiring the licensee to maintain and follow (1) the program for control and accounting for special nuclear material and fundamental material controls described pursuant to § 70.22 (b) or § 70.58(1), (2) the measurement control program for special nuclear materials control and accounting described pursuant to § 70.57(c), and (3) such other material control procedures as the Commission determines to be essential for the safeguarding of special nuclear material and providing that the licensee shall make no change which would decrease the effectiveness of the material control and accounting program prepared pursuant to §§ 70.22(b), 70.58(1), or 70.51(g), and the measurement control program prepared pursuant to § 70.57(c) without the prior approval of the

Commission. A licensee desiring to make such changes shall submit an application for amendment to his license pursuant to § 70.34. The licensee shall maintain records of changes to the material control and accounting program made without prior Commission approval and shall furnish to the Commission a report containing a description of each change within:

(1) Two months of the change if it pertains to uranium-233, uranium-235 contained in uranium enriched 20 percent or more in the uranium-235 isotope, or plutonium, except plutonium containing 80 percent or more by weight of the isotope Pu-238, and

(2) Six months of the change if it pertains to uranium enriched less than 20 percent in the uranium-235 isotope, or plutonium containing 80 percent or more by weight of the isotope Pu-238.

3. A new § 70.57 is added to read as follows:

§ 70.57 Measurement control program for special nuclear materials control and accounting.¹

(a) As used in this section:

(1) "Measurement" includes sampling and means the determination of mass, volume, quantity, composition or other property of a material where such determinations are used for special nuclear material control and accounting purposes.

(2) "Measurement system" means all of the apparatus, equipment, instruments and procedures used in performing a measurement.

(3) "Reference standard" means a material, device, or instrument whose assigned value is known relative to national standards or nationally accepted measurement systems.

(4) "Traceability" means the ability to relate individual measurement results to national standards or nationally accepted measurement systems through an unbroken chain of comparisons.

(5) "Random error" is the chance variation encountered in all measurement work, characterized by the random occurrence of both positive and negative deviations from a mean value, the algebraic average of which approaches zero with a sufficiently large number of measurements.

(6) A "systematic error" is a constant unidirectional component of error that affects all members of a data set; its value can, in some instances, be estimated by the deviation of the mean of a measurement process from a reference value. A systematic error whose value has been determined in this manner is called a bias, whose effect can be corrected for.

(7) "Uncertainty" is the extent to which a measurement result is in doubt because of the effects of random error

variances and the limits of systematic errors associated with a measurement process, after the measurements result has been corrected for bias.

(8) "Calibration" means the process of determining the numerical relationship between the observed output of a measurement system and the value, based upon reference standards, of the characteristics being measured.

(b) In accordance with § 70.58(f), each licensee who is authorized to possess at any one time and location special nuclear material in a quantity exceeding one effective kilogram and to use such special nuclear material for activities other than those involved in the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter, those involved in a waste disposal operation, or as sealed sources, shall establish and maintain a measurement control program for special nuclear materials control and accounting measurements. Each program function shall be identified and assigned in the licensee organization in accordance with § 70.58(b)(2), and functional and organizational relationships shall be set forth in writing in accordance with § 70.58(b)(3). The program shall be described in a manual which shall contain the procedures, instructions, and forms prepared to meet the requirements of this paragraph, including procedures for the preparation, review, approval, and prompt dissemination of any program modifications or changes. The licensee's program shall include the following:

(1) The licensee shall assign responsibility for planning, developing, coordinating, and administering the program to an individual in his organization who has no direct responsibilities for the operation of the analytical laboratory or for the processing of material, holds a position at an organizational level which will permit independence of action and objectivity of decision and has authority to obtain all the information required to monitor and evaluate measurement quality as required by this section.

(2) Provisions shall be made for management reviews to determine the adequacy of the program and to assess the applicability of current procedures and for planned audits to verify conformance with all aspects of the program. These reviews and audits shall be performed at intervals not to exceed 12 months. Audits and reviews shall be performed by trained individuals independent of direct responsibility for the receipt, custody, utilization, measurement, measurement quality and shipment of special nuclear material. The results of reviews and audits shall be recorded and reported to licensee management.

(3) The licensee shall assure that any person who contracts to perform materials control and accounting measurement services conforms with applicable requirements of paragraphs (4) through (8) and (10) through (12) of § 70.57(b). Conformance shall include reporting by the contractor of sufficient error data to allow the licensee to calculate bias cor-

rections and measurement limits of error. All statistical studies shall be reported or referenced in the measurement report submitted to the licensee, who shall have access to the contractor's supporting control data. The licensee shall perform reviews to determine the adequacy of the contractor's program and audits to verify conformance with all aspects of the program. Reviews and audits shall be performed at intervals not to exceed 12 months. Results shall be documented and reported to licensee management.

(4) In order to assure that potential sources of sampling error are identified and that samples are representative, process and engineering tests shall be performed using well characterized materials to establish or to verify the applicability of existing procedures for mixing and for sampling special nuclear materials and for maintaining sample integrity during transport and storage. The program shall assure that such procedures are maintained and followed, and that sampling is included in the procedures for estimating biases, limits for systematic errors, and random error variances.

(5) The program shall include provisions for the review and approval, before use, of written procedures for:

(i) Preparing or acquiring, maintaining, storing and using reference standards,

(ii) Calibrating measurement systems, performing bulk measurements, obtaining samples, and performing compositional analyses,

(iii) Recording, analyzing and reporting the program data and information, and

(iv) Controlling measurement performance.

(6) To assure the adequacy of each measurement system with respect to process flows, sampling and measurement points, and nominal material compositions, engineering analyses and evaluations shall be made of the design, installation, preoperational tests, calibration, and the operation of each system. Such analyses and evaluations shall be repeated whenever a significant change is made in any component of a system. The results of these analyses and evaluations shall be recorded.

(7) Procedures and performance criteria shall be established for the training, qualifying, and periodic requalifying of all personnel who perform sampling and measurements for materials control and accounting purposes. Qualification results shall be recorded.

(8) The program shall generate current data on the performance of measuring processes, including, as appropriate, values for bias corrections and their uncertainties, random error variances, limits for systematic errors, and other parameters needed to establish the uncertainty of measurements pertaining to materials control and accounting. The program data shall reflect the current process and measurement conditions existing at the time the control measure-

¹ The recordkeeping and reporting requirements contained in §§ 70.57(b), 70.57(c), and 70.57(d) have been approved by GAO under B-180225 (R0061). The approval expires on November 30, 1977.

ments are made. Measurements which are not controlled by the program shall not be used for materials control or for accounting purposes. The program shall include:

(i) The ongoing use of standards for calibration and control of all applicable measurement systems. Calibrations shall be repeated whenever any significant change occurs in a measurement system or when program data, generated by tests performed at a predetermined frequency, indicate a need for recalibration. Calibrations and tests shall be based upon reference standards.

(ii) A system of control measurements to provide current data for the determination of random error behavior. On a predetermined schedule, the system shall include the replicate analysis of process samples, the replicate weight or volume measurement of bulk quantities of material, and the analysis of replicate process samples.

(9) The program data generated during the current material balance period shall be used for the determination of the limit of error of the plant material balance. Measurement error data collected and used during immediately preceding material balance periods may be combined with current data provided that the measurements are in statistical control, i.e., when repeated samples from the portion of the measurement system under test behave as random samples from a stable probability distribution. Under such conditions, data sets may be combined provided that the parameter estimates based on the current set of data and the previous set of data are not significantly different on the basis of appropriate statistical tests performed at a level of significance of 0.05.

(10) The licensee shall evaluate with appropriate statistical methods all program data and information, and relevant process data used to establish bias corrections and their associated uncertainties, random error variances, limits for systematic error, and other parameters pertaining to special nuclear materials control and accounting measurements, and to control measurement performance pursuant to § 70.58(f). Bias corrections shall be made by an appropriate statistical procedure.

(11) The licensee shall establish and maintain a statistical control system, including control charts and formal statistical procedures, designed to monitor the quality of each type of program measurement. Control chart limits shall be established to be equivalent to levels of significance of 0.05 and 0.001. Whenever control data exceed the 0.05 control limits, the licensee shall investigate the condition and take corrective action in a timely manner. The results of these investigations and actions shall be recorded. Whenever the control data exceed the 0.001 control limits, the measurement system which generated the data shall not be used for material control and accounting purposes until the deficiency has been corrected and the system has been brought into control at the 0.05 control level.

(12) A records system shall be provided in which all data, information, reports, and documents generated by the program shall be retained for five years, except for those records pertaining to the training and qualification of personnel who perform measurement activities pursuant to § 70.57(b)(7). Those records shall be retained for two years. Records shall include a summary of the error data utilized in the limit of error calculations performed for each material balance period. The records system shall be organized for efficient retrieval of program information. Each reported result shall be readily relatable to the original measurement data and to all relevant measurement control information, including pertinent calibration data. Records shall be available for NRC inspection.

(c) Applicants and licensees subject to the provisions of paragraph (b) of this section shall submit to the Commission for approval a detailed plan describing the program that will be used to comply with said provisions. The plan submitted shall include the identification of those measurements to be contracted and shall describe the steps the licensee shall take to assure the adequacy of such procedures. Licensee's plans shall be submitted on or before November 11, 1975.

(d) Licensees subject to the provisions of paragraph (b) of this section shall follow the plans submitted pursuant to paragraph (c) of this section after May 11, 1976 or thirty days after the submitted plan is approved by the NRC whichever is later. After May 11, 1976, an applicant subject to the provisions of paragraph (b) of this section shall immediately implement his plan, submitted pursuant to paragraph (c) of this section, following incorporation of said plan as a condition of license.

2. Paragraph (f) of § 70.58 is amended to read as follows:

§ 70.58 Fundamental nuclear material controls.

(f) A program shall be established, maintained, and followed pursuant to § 70.57(b) for the continuing determination and control of the systematic and random errors of measurement processes at a level commensurate with the requirements of § 70.51(e)(5).

Effective date. The foregoing amendments become effective September 11, 1975.

(Secs. 53, 161, Pub. L. 83-703, 68 Stat. 930, 948 (42 U.S.C. 2073, 2201)).

Dated at Washington, D.C. this 31st day of July, 1975.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc. 75-20648 Filed 8-8-75; 8:45 am]

¹ Text of this footnote appears as footnote 1 to the section heading on page 392 of 10 CFR Parts 0-199, 1975 revision.

Title 14—Aeronautics and Space

[Docket No. 75-SO-92; Amdt. 39-2326]

CHAPTER I—FEDERAL AVIATION ADMINISTRATION

PART 39—AIRWORTHINESS DIRECTIVES

The Balloon Works Firefly Series Hot Air Balloons

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on July 23 and made effective immediately to all known United States operators of The Balloon Works Hot Air Balloons, Models Firefly 6, 6B, and 7. The directive requires safety wiring of the Rego blast valve to the burner bottom plate prior to further flight and replacement of brass nipple in the burner assembly within the next five hours time in from the effective date of this AD.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impractical and contrary to the public interest, and good cause existed for making the airworthiness directive effective immediately to all known U.S. operators of The Balloon Works Firefly series balloons by individual airmail letter dated July 23, 1975. These conditions still exist, and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective to all persons:

BALLOON WORKS, HOT AIR BALLOONS: Applies to Models Firefly 6, 6B, and 7 with burner S/N 510 through 562.

Before next flight, accomplish the following or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Southern Region.

To avoid separation due to a possible brass nipple failure, install safety wire extending from each of the three corners of the bottom plate to the lower portion of the upper Rego valve body. Assure wires are uniformly tightened.

Within the next five hours of time in service from the effective date of this AD, accomplish the following:

1. Disconnect main burner tubes from manifold.
 2. Drill out nine rivets holding pan to the bottom plate.
 3. Unhook three burner support springs.
 4. Remove upper burner assembly from lower burner assembly.
 5. Unscrew nuts to remove pilot light tubes.
 6. Clamp square section of Rego valve in vise.
 7. Unscrew and remove burner manifold.
 8. Inspect nipple. If nipple is steel, reassemble the burner.* If nipple is brass, proceed through the following steps.
 9. Unscrew nipple with pipe wrench.
 10. Replace brass nipple with steel nipple.¹
 11. Reassemble in the reverse order.
- Safety wire is not required after steel nipple is installed.

This amendment is effective August 13, 1975, and was effective on receipt for all recipients of the air mail letter dated July 23, 1975 which contained this amendment.

¹ Use teflon tape or pipe dope type sealant on nipple threads.

This amendment is made under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Georgia, on July 30, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-20802 Filed 8-8-75;8:45 am]

[Docket No. 75-SO-93; Amdt. 39-2325]

PART 39—AIRWORTHINESS DIRECTIVES **Lockheed Model 382 Series Airplanes**

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on July 25 and made effective immediately to all known United States operators of Lockheed Model 382 series aircraft. The directive requires checking of the propeller torque before further flight.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impractical and contrary to the public interest, and good cause existed for making the airworthiness directive effective immediately to all known U.S. operators of Lockheed Model 382 series airplanes by individual telegrams dated July 25, 1975. These conditions still exist, and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective to all persons: There has been a failure of the propeller to move out of the beta range which can result in asymmetric thrust.

LOCKHEED: Applies to all Model 382 series airplanes through serial number 4610. Before further flight, unless already accomplished, perform the propeller torque check in accordance with Lockheed Alert Service Bulletin A382-190. If the propellers do not pass the torque check, replace the propeller control with a control that will pass the above operational check prior to further flight.

This amendment is effective August 13, 1975, and was effective on receipt for all recipients of the telegram dated July 25, 1975 which contained this amendment.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Lockheed-Georgia Company, Marietta, Georgia 30063. These documents may also be examined at FAA Southern Region Office, 3400 Whipple Street, East Point, Georgia, and at FAA headquarters, 800 Independence Avenue, SW, Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Southern Region Office, Atlanta, Georgia.

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

tion 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

The incorporation by reference provisions in this document was approved by the Director of the FEDERAL REGISTER on June 19, 1967.

Issued in East Point, Georgia, on July 30, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-20803 Filed 8-8-75;8:45 am]

[Airspace Docket No. 75-SO-26]

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

Alteration of Transition Area

On March 21, 1975, a Notice of Proposed Rulemaking was published in the FEDERAL REGISTER (40 FR 12810), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Jackson, Miss., transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. There were no comments received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, October 9, 1975, as hereinafter set forth.

In § 71.181 (40 FR 441, the Jackson, Miss., transition area is amended as follows:

"... north of the runway end ..." would be deleted and "... north of the runway end; within 3 miles each side of the 017° bearing from the Bruce RBN (Lat. 32°26'28" N., Long. 90°06'10" W.), extending from the 5.5-mile radius area to 8.5 miles north of the RBN ..." would be substituted therefor.

This amendment is made under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on August 1, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-20609 Filed 8-8-75;8:45 am]

[Airspace Docket No. 75-SO-55]

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

Amendment to "Federal Register" Document

On July 24, 1975, FEDERAL REGISTER Document No. 75-19292 was published in the FEDERAL REGISTER (40 FR 30933), amending Part 71 of the Federal Aviation Regulations by altering the Brunswick, Ga., transition area.

In the amendment, the effective date was published as October 9, 1975. Subsequently, it was determined that the instrument approach procedure, necessi-

tating the alteration, would be published on September 4, 1975. As there is an immediate need for the instrument approach procedure, action is taken herein to amend the effective date of the alteration of the transition area. Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, FEDERAL REGISTER Document No. 75-19292 is amended as follows:

In line sixteen of the Brunswick, Ga., transition area description "... October 9, 1975 ..." is deleted and "... September 4, 1975 ..." is substituted therefor.

This amendment is made under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on August 1, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-20606 Filed 8-8-75;8:45 am]

[Airspace Docket No. 75-SO-88]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Sumter, S.C., transition area.

The Sumter transition area is described in § 71.181 (40 FR 441). In the description, an extension is predicated on the Shaw AFB ILS OM. The United States Air Force plans to decommission the OM on August 14, 1975, therefore, it is necessary to alter the description by deleting reference to the OM. Since this amendment is editorial in nature, notice and public procedure thereon are necessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, August 14, 1975, as hereinafter set forth.

In § 71.181 (40 FR 441) the Sumter, S.C., transition area is amended as follows:

"... ILS localizer-southwest course, extending from the 8.5-mile radius area to 13.5 miles southwest of the OM ..." is deleted and "... TACAN 215° radial, extending from the 8.5-mile radius to 21.5 miles southwest of the TACAN ..." is substituted therefor.

This amendment is made under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on August 1, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-20607 Filed 8-8-75;8:45 am]

[Airspace Docket No. 75-SO-89]

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

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Goldsboro, N.C., control zone and transition area.

The Goldsboro control zone is described in § 71.171 (40 FR 354) and the Goldsboro transition area is described in § 71.181 (40 FR 441). In each description, an extension is predicated on the Seymour-Johnson OM. The United States Air Force plans to decommission the OM on October 9, 1975; therefore, it is necessary to alter the descriptions by deleting reference to the OM. In addition the transition area description contains two extensions which are predicated on the Seymour-Johnson TACAN. These extensions are no longer required, and it is necessary to delete them from the description. Since these amendments are less restrictive in nature, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, October 9, 1975, as hereinafter set forth.

In § 71.171 (40 FR 354), the Goldsboro, N.C., control zone is amended as follows:

"... TACAN; within 2 miles each side of the ILS localizer west course, extending from the 5-mile radius zone to 1 mile east of the LOM..." is deleted and "... TACAN..." is substituted therefor.

In § 71.181 (40 FR 441), the Goldsboro, N.C., transition area is amended to read:

GOLDSBORO, N.C.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Seymour-Johnson AFB (Lat. 35°20'20" N., Long. 77°57'50" W.; within a 6.5-mile radius of Goldsboro-Wayne Municipal Airport (Lat. 35°27'30" N., Long. 77°58'00" W.).

This amendment is made under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on August 1, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc. 75-20608 Filed 8-8-75; 8:45 am]

[Airspace Docket No. 74-NW-14]

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

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

On March 12, 1975, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (40 FR 11597) stating that the Federal Aviation

Administration (FAA) was considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would change Restricted Area R-6713 Whidbey Island, Wash., by reducing its time of designation and by altering its location and dimensions. The restricted area would be subdivided into three layers identified, from the surface up, as R-6713A, R-6713B and R-6713C. R-6713C would also be included in the continental control area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Three comments were received and two objected to the proposal.

The Washington State Aeronautics Commission approved the alteration of R-6713 but opposed establishment of the alert areas. It also recommended radar advisories for VFR traffic if requested. The FAA has concluded, however, that the alert areas are justified because they will identify high density traffic areas without imposing any additional restriction to flight. As for radar service, the Naval Air Station Whidbey Island Radar Air Traffic Control Facility now provides radar advisories on a workload permitting basis and it will continue to offer this service when the restricted area is changed.

One pilot objected to the proposal on the basis that the change would close a corridor now used by VFR traffic to avoid the present restricted area in "limited visual flight conditions." He also objected to dropping any ordnance because of the watercraft traffic in the area.

The eastern side of R-6713 is located adjacent to the Whidbey Island Control Zone. Therefore, pilots flying VFR immediately east of the restricted area must comply with visual flight rules applicable in a control zone. This means that when the visibility is less than three miles, they must either obtain a clearance to fly through the corridor, or circumnavigate both the restricted area and the control zone. Shifting R-6713 as proposed will not alter this requirement.

Adjusting the location of R-6713 will reduce the distance between the restricted area and the Whidbey Island Airport Traffic Area. Therefore, regardless of visibility, when pilots cannot fly between R-6713 and the airport traffic area, or get a clearance to fly through either area, they will be required to overfly the airport traffic area at or above 3,000 feet AGL, or to circumnavigate both it and R-6713. While acknowledging that this will increase the burden upon the pilot of nonradio equipped aircraft to some extent, the FAA has concluded that, in light of the benefits to be realized from relocating the restricted area, the added burden is not sufficient cause for denial of the amendment.

Furthermore, the FAA has concluded that any hazard to surface vessels from ordnance drops is precluded by regulations contained in Title 33, Code of Federal Regulations, Part 204, Section 204.220. These regulations restrict surface

vessels from the area involved during the time of designation for R-6713.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 GMT, October 9, 1975, as hereinafter set forth.

In § 71.151 (40 FR 343) the following restricted area is added:

R-6713C Whidbey Island, Wash.

In § 73.67 (40 FR 699) the description for Restricted Area R-6713, Whidbey Island, Wash., is deleted and the following is substituted therefor:

a. R-6713A Whidbey Island, Wash.

Boundaries. Beginning at Lat. 48°14'54" N., Long. 122°53'30" W.; to Lat. 48°21'27" N., Long. 122°59'34" W.; to Lat. 48°23'08" N., Long. 122°55'18" W.; to Lat. 48°22'54" N., Long. 122°49'12" W.; to Lat. 48°20'12" N., Long. 122°46'42" W.; to Lat. 48°16'00" N., Long. 122°48'27" W.; to point of beginning excluding that airspace within 1000 feet both horizontally and vertically around Smith Island centered at Lat. 48°19'10" N., Long. 122°50'33" W.; and excluding that airspace from the surface to 100 feet AGL beyond a 1.25-nautical mile surface radius of Lat. 48°19'11" N., Long. 122°54'12" W.

Designated altitudes. Surface to 5,000 feet MSL (less exclusions).

Time of designation. Daily, 0700 to 2400 local time.

Controlling agency. Federal Aviation Administration, Seattle ARTC Center.

Using agency. Commander Medium Attack Tactical Electronic Warfare Wing, U.S. Pacific Fleet (COMMATVAQWINGPAC), NAS Whidbey Island, Wash.

b. R-6713B Whidbey Island, Wash.

Boundaries. Beginning at Lat. 48°14'54" N., Long. 122°53'30" W.; thence to Lat. 48°21'27" N., Long. 122°59'34" W.; to Lat. 48°23'08" N., Long. 122°55'18" W.; to Lat. 48°22'54" N., Long. 122°49'12" W.; to Lat. 48°20'12" N., Long. 122°46'42" W.; to Lat. 48°16'00" N., Long. 122°48'27" W.; to point of beginning.

Designated altitudes. 5,000 feet MSL to 10,000 feet MSL.

Time of designation. 0800 to 2400 local time, Monday through Friday.

Controlling agency. Federal Aviation Administration, Seattle ARTC Center.

Using agency. Commander Medium Attack Tactical Electronic Warfare Wing, U.S. Pacific Fleet (COMMATVAQWINGPAC), NAS Whidbey Island, Wash.

c. R-6713C Whidbey Island, Wash.

Boundaries. Beginning at Lat. 48°14'54" N., Long. 122°53'30" W.; thence to Lat. 48°21'27" N., Long. 122°59'34" W.; to Lat. 48°23'08" N., Long. 122°55'18" W.; to Lat. 48°22'54" N., Long. 122°49'12" W.; to Lat. 48°20'12" N., Long. 122°46'42" W.; to Lat. 48°16'00" N., Long. 122°48'27" W.; to point of beginning.

Designated altitudes. 10,000 feet MSL to 15,000 feet MSL.

Time of designation. 0800 to 2400 local time, Monday through Friday.

Controlling agency. Federal Aviation Administration, Seattle ARTC Center.

Using agency. Commander Medium Attack Tactical Electronic Warfare Wing, U.S. Pacific Fleet (COMMATVAQWINGPAC), NAS Whidbey Island, Wash.

These amendments are made under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on August 4, 1975.

WILLIAM E. BROADWATER,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc. 75-20605 Filed 8-8-75; 8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket C-2681]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

The A & R Agency, et al.

Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; § 13.533-20 Disclosures; § 13.533-45 Maintain records; § 13.533-45(c) Complaints. Subpart—Enforcing dealings or payments wrongfully: § 13.1045 Enforcing dealings or payments wrongfully. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1490 Nature; § 13.1513 Operations generally; § 13.1555 Size, extent, or equipment.—Goods: § 13.1685 Nature; § 13.1735 Sample, offer, or order conformance; § 13.1740 Scientific or other relevant facts. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1870 Nature; § 13.1895 Scientific or other relevant facts. Subpart—Securing orders by deception: § 13.2170 Securing orders by deception.

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

In the Matter of the A & R Agency, a partnership doing business in its own name and as Daily Challenge, Spanish Newspaper Agency, Jewish Newspaper Agency, Scandinavian Newspaper Agency, Italian Newspaper Agency, Chinese Newspaper Agency, Catholic Newspaper Agency, German Newspaper Agency, Recorder Newspaper Agency, Caribbean Echo, Bronx Home Newspaper Agency, Polish Publication Agency, Hungarian Newspaper Agency, Greek Newspaper Agency, and Anthony Abraham, individually and as a partner in said partnership, and Anthony Clausi, individually and as an employee of said partnership

Consent order requiring a New York City advertising promoter, among other things to cease using misrepresentations to sell advertising in ethnic publications, and from placing ad seeking payment for unauthorized advertisements.

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

ORDER

It is ordered, That respondents The A & R Agency, a partnership, doing busi-

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

ness in its own name and as Daily Challenge, Spanish Newspaper Agency, Jewish Newspaper Agency, Scandinavian Newspaper Agency, Italian Newspaper Agency, Chinese Newspaper Agency, Catholic Newspaper Agency, German Newspaper Agency, Recorder Newspaper Agency, Caribbean Echo, Bronx Home Newspaper Agency, Polish Publication Agency, Hungarian Newspaper Agency and Anthony Abraham individually and as a partner in said partnership and Anthony Clausi individually and as an employee of said partnership, and their successors and assigns, respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device in connection with the offering for sale or sale of advertising space in newspapers, magazines or any other publication, and in connection with the collection of or attempt to collect past due or allegedly past due accounts arising out of the publication of any advertisement, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that the circulation, whether paid or unpaid, of any newspaper, magazine or other publication is more than the circulation figures provided in writing by the publisher of said publication as stated in its certification or statements to governmental authorities or as verified by an accounting audit by independent certified public accountants and/or as they appear in the Independent Audit Bureau of Circulation Reports.

2. Representing, directly or by implication, that the readership of any newspaper, magazine or other publication is more than twice the circulation figure provided for in paragraph 1 of this order.

3. Representing, directly or by implication, that a publication for which an advertisement is being solicited is read by a certain type or class of subscriber or reader or covers a specified geographical area when such is not the fact; or misrepresenting in any manner the nature or type of reader or geographic area covered by such publication.

4. Placing, printing or publishing, or causing to be placed, printed, or published, any advertisement on behalf of any person, firm or corporation in any publication unless a prior authorization, order or agreement to purchase said advertisement has been received by respondents.

5. Sending or causing to be sent bills, collection letters or notices to any person, firm or corporation with regard to any advertisement which has been or is to be printed, inserted or published on behalf of said person, firm or corporation, or in any other manner seeking to exact payment for any advertisement, without a prior authorization, order or agreement to purchase such advertising, either orally or in writing.

6. Representing that advertisements placed by respondents for its customers will appear in special editions or in special sections of a publication when in

fact there is no such special edition or of special section in the publication for which the advertisement is solicited.

7. Placing orders for advertisements to appear on dates which differ from the dates selected by respondents' customers without advising such customers of the changes and the reasons therefor and without obtaining authorization for such changes.

It is further ordered, That: A. Respondents' advertising solicitors or agents in making contact with any person, firm or corporation for the purpose of selling advertising clearly disclose that they are employed by The A & R Agency, or Daily Challenge, or Spanish Newspaper Agency, or Jewish Newspaper Agency, or Scandinavian Newspaper Agency, or Italian Newspaper Agency, or Chinese Newspaper Agency, or Catholic Newspaper Agency, or German Newspaper Agency, or Recorder Newspaper Agency, or Caribbean Echo, or Bronx Home Newspaper Agency, or Polish Publication Agency, or Hungarian Newspaper Agency, or Greek Newspaper Agency, to solicit advertisements for the named publication and disclose the correct and complete name of the publication for which advertising is being solicited and state the number of times a week the publication appears and the language in which the publication is printed.

B. The complete name of the publication and the dates the advertisements appeared be clearly stated on all respondents' invoices to their customers.

C. Respondents furnish tear sheets to their customers on request, for every issue in which the customers' advertisements appear and that such tear sheets show the name of the publication and the dates of publication.

D. Respondent retains all complaints from any source relating to the acts or practices prohibited by this order, for a period of two years after their receipt, and that these records be made available for examination and copying by a duly authorized agent of the Federal Trade Commission during the regular hours of the respondents' business.

E. Respondents notify the Commission at least thirty (30) days prior to any proposed change in the partnership respondent such as dissolution or the addition of partners or any other change in the partnership which may affect compliance obligations arising out of this order.

F. Respondents give written instructions which cover all the provisions of this order to all present and future employees, agents and representatives engaged in the offering for sale, or sale of advertising space in newspapers, magazines or any other media and engaged in the collection of or attempt to collect past due or allegedly past due accounts arising out of the publication of any advertisement and that respondents secure a signed statement acknowledging receipt of said written instructions.

G. The individual respondents named herein promptly notify the Commission of the discontinuance of their present

business or employment and of their affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which the individual is engaged as well as a description of his duties and responsibilities.

H. The partnership respondent distribute a copy of this order to each of its operating divisions or departments.

I. No provision of this order shall be construed in any way to annul, invalidate, repeal, terminate, modify or exempt respondents from complying with agreements, orders or directives of any kind obtained by any other agency or act as a defense to actions instituted by the municipal or state regulatory agencies. No provision of this order shall be construed to imply that any past or future conduct of respondents complies with the rules and regulations of or the statutes administered by the Federal Trade Commission.

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

The Decision and Order was issued by the Commission July 14, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-20931 Filed 8-8-75; 8:45 am]

[Docket No. 8785-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Ash Grove Cement Co.

Subpart—Acquiring corporate stock or assets; § 13.5 Acquiring corporate stock or assets; 13.5-20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

In the Matter of Ash Grove Cement Company, a Corporation

Order requiring a Kansas City, Mo., manufacturer and seller of lime and portland cement, among other things, to divest itself of two producers of ready mixed concrete in the Kansas City marketing area, and for a ten-year period, not to acquire, without prior Commission approval, ready mixed companies whose purchases of portland cement exceed designated amounts. The Commission also decided that a third acquisition of a quarrying business was not anti-competitive.

The order of divestiture and to cease and desist is as follows:

² Copies of the Complaint, Initial Decision, Final Order, Opinion of the Commission by Commissioner Hanford, Dissenting Statement of Commissioner Thompson, and Concurring Statement of Commissioner Engman, filed with the original document.

FINAL ORDER

This matter having been heard by the Commission upon the appeal of respondent's counsel from the Initial Decision, and upon briefs and oral argument in support thereof and in opposition thereto, and the Commission, for the reasons stated in the accompanying Opinion, having denied, in part, and granted, in part, the appeal; accordingly.

I. It is ordered, That respondent, Ash Grove Cement Company, a corporation, and its officers, directors, agents, representatives, employees, subsidiaries, affiliates, successors and assigns, within one (1) year from the date this Order becomes final, divest, absolutely, subject to the approval of the Federal Trade Commission, all stock, assets, properties, rights and privileges, tangible and intangible, including, but not limited to, all plants, equipment, machinery, inventory, customer lists, trade names, trademarks and goodwill, acquired by respondent, as a result of the acquisitions of the stock of Fordyce Concrete, Inc., and Lee's Summit Ready-Mix Concrete & Materials Company, together with all additions and improvements thereto and replacements thereof of whatever description, so as to assure that there is established one or more separate and viable competitors engaged in the business of producing and selling ready mixed concrete.

II. It is further ordered, That pending such divestitures respondent shall not make or permit any deterioration or changes in any of the plants, machinery, equipment, buildings, or other property or assets to be divested which would impair their present capacity or market value.

III. It is further ordered, That none of the stock, assets, properties, rights or privileges required to be divested be transferred, directly or indirectly, to any person who is at the time of the divestiture an officer, director, employee, or agent of, or under the control or direction of, Ash Grove Cement Company, or any of its subsidiaries or affiliates or who owns or controls, directly or indirectly, more than one (1) percent of the outstanding shares of voting stock of Ash Grove Cement Company, or any of its subsidiaries or affiliates.

IV. It is further ordered, That with respect to the divestitures required herein, nothing in this order shall be deemed to prohibit respondent from accepting consideration which is not entirely cash and from accepting and enforcing a loan, mortgage, deed or trust or other security interest for the purpose of securing to respondent full payment of the price, with interest, received by respondent in connection with such divestitures; *Provided, however*, That should respondent by enforcement of such security interest, or for any other reason, regain direct or indirect ownership or control of any of the divested plants, land or equipment, said ownership or control shall be reddivested subject to the provisions of this order, within one year from the date of reacquisition.

V. It is further ordered, That for a period of ten (10) years from the date this order becomes final, respondent shall cease and desist from acquiring, directly or indirectly, without the prior approval of the Federal Trade Commission, the whole or any part of the share capital or other assets of any corporation engaged in the sale of ready mixed concrete or concrete products within respondent's present or future marketing area for portland cement or which purchased in excess of 10,000 barrels or 1,880 tons of portland cement in any of the five (5) years preceding the merger.

VI. It is further ordered, That respondent, shall within sixty (60) days from the date of service of this order, and every sixty (60) days thereafter until the divestitures are fully effected, and every one hundred eighty (180) days thereafter until it has fully complied with the provisions of this order, submit to the Commission a detailed written report of its actions, plans, and progress in complying with the divestiture provisions of this order, and fulfilling its objectives. All reports shall include, among other things that will be from time to time required, a summary of all contacts and negotiations with any person or persons interested in acquiring the stock, assets, properties, rights or privileges to be divested under this order, the identity of each such person or persons, and copies of all written communications to and from each such person or persons.

VII. It is further ordered, That respondent provide a copy of this order to each purchaser of plants and assets divested pursuant to this order at or before the time of purchase.

With Commissioner Thompson dissenting, the Final Order was issued by the Commission June 24, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-20812 Filed 8-8-75; 8:45 am]

[Docket No. 8864-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Beatrice Foods Co.

Subpart—Acquiring corporate stock or assets; § 13.5 Acquiring corporate stock or assets.

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

In the Matter of Beatrice Foods Co., a Corporation

Order requiring a multinational, multi-product company, located in Chicago, Ill., among other things to divest itself of a competing manufacturer of paint rollers which it acquired in 1970, and to not make any acquisitions for 10 years, in the paint brush-and-roller industry, without prior Federal Trade Commission approval. Further, the order dismissed, for failure of proof, allegations in the complaint that the acquisition of Top Brush Co., through which the re-

spondent entered the industry, violated Sec. 7 of the Clayton Act.

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

FINAL ORDER

This matter having been heard by the Commission upon briefs and oral argument in support of cross appeals filed by respondent and complaint counsel from the initial decision in this matter; and the Commission for the reasons stated in the accompanying opinion having concluded that the appeals should be denied;

It is ordered, That the initial decision, as supplemented and modified by the Commission's opinion in this matter, and the order contained in said initial decision, be, and hereby are adopted as the decision and order of the Commission;

It is further ordered, That the parties' motions for correction of the transcript of oral argument before the Commission be, and hereby are, granted.

The Final Order was issued by the Commission July 1, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc. 75-20811 Filed 8-8-75; 8:45 am]

[Docket No. C-2682]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

CTC Collections, Inc., et al.

Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements: 13.533-45 Maintain records; § 13.533-45(k) Records, in general. Subpart—Disparaging products, merchandise, services, etc.: § 13.1042 Disparaging products, merchandise, services, etc. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1370 Business methods, policies, and practices; § 13.1395 Connections and arrangements with others; § 13.1490 Nature.—Goods: § 13.1685 Nature. Subpart—Simulating another or product thereof: § 13.2308 Court documents. Subpart—Threatening suits, not in good faith: § 13.2264 Delinquent debt collection.

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

In the Matter of CTC Collections, Inc., a Corporation, and Loretta Fusaro, and Kathleen O'Connor, Individually and as Officers of Said Corporation

Consent order requiring a West Orange, N.J., debt collection agency, among other things to cease using unfair and deceptive form letters in collecting consumer debts.

¹ Copies of the Complaint, Opinion, and Decision and Final Order with the original document.

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

ORDER

It is ordered, That respondent CTC Collections, Inc., a corporation, its successors and assigns, and its officers Loretta Fusaro and Kathleen O'Connor, individually and as officers of said corporation and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the collection of consumer debts, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing in any manner, directly or by implication, that respondents possess unlimited authority to collect accounts on behalf of their creditors; or misrepresenting, in any manner, respondents' authority to collect debts on behalf of a creditor.

2. Representing in any manner, directly or by implication, that respondents possess the authority or intend to disclose information regarding debtors to a credit reporting agency.

3. Representing in any manner, directly or by implication, that legal action, including attachment or garnishment proceedings, has been initiated or is being initiated unless respondents have in fact instituted the legal action represented; or that such legal action will be initiated unless respondents are able to establish that at the time the representation was made respondents intended in good faith to institute the legal action represented.

4. Using any form to collect debts or debtor information which simulates a judicial document or is represented by any means to be a document authorized, issued, or approved by a court of law or any other official or legally constituted judicial authority; or misrepresenting, in any manner, the official nature of any document utilized in the collection of debts.

5. Representing in any manner, directly or by implication, that judgment may be entered against a debtor without the debtor having notice of the legal action and an opportunity to appear and defend himself in a court of law.

6. Informing a debtor of a creditor's right after judgment without disclosing at the same time that no judgment may be entered against the debtor unless the debtor has first been given notice and an opportunity to appear and defend himself in a court of law.

7. Representing in any manner, directly or by implication, the post judgment rights of a creditor unless said rights are in fact as specifically represented in the jurisdiction in which collection is sought; or misrepresenting in any manner, directly or by implication, the post judgment rights of a creditor.

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

It is further ordered, That respondents shall maintain for a period of two years with respect to each delinquent debtor, records which shall consist of copies of all collection letters, dunning notices, requests for information and similar correspondence delivered to such debtor or third parties or an indication of what form items were sent; a record or tabulation of all telephone calls made to or about the debtor showing the identity of the caller, the date and time of the call, the identity of the recipient of the call, the telephone number called, the purpose and result of the call; and copies of all documents pertaining to collection efforts such as referrals to lawyers or other agencies and legal documents utilized in collection efforts.

It is further ordered, That the respondents shall forthwith distribute a copy of this order to each of their operating divisions, collection managers and to all personnel or other parties including attorneys and collection agencies responsible for or engaged in collection of consumer debts.

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

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business address and a statement as to the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That no provision of this order shall be construed in any way to annul, invalidate, repeal, terminate, modify or exempt respondents from complying with agreements, orders or directives of any kind obtained by any other agency or act as a defense to actions instituted by municipal or state regulatory agencies. No provision of this order shall be construed to imply that any past or future conduct of respondents complies with the rules and regulations of, or the statutes administered by the Federal Trade Commission.

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

The Decision and Order was issued by the Commission July 14, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc. 75-20813 Filed 8-8-75; 8:45 am]

Title 40—Protection of Environment
CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY
SUBCHAPTER E—PESTICIDE PROGRAMS
[FRL 414-3; PP5F1525/R48]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Carboxin

On September 3, 1974, notice was given (39 FR 31946) that Uniroyal Chemical Co., Bethany CT 06525 had filed a pesticide petition (PP 5F1525) with the Environmental Protection Agency (EPA). This petition proposed the establishment of tolerance for combined residues of the fungicide carboxin (5,6-dihydro - 2 - methyl-1,4-oxathiin-3-carboxanilide) and its metabolite 5,6-dihydro - 3 - carboxanilide-2-methyl-1,4-oxathiin-4-oxide (calculated as carboxin) in or on the raw agricultural commodities corn grain, rice, and rice straw at 0.2 part per million.

The data submitted in the petition and other relevant material have been evaluated, and the pesticide is considered to be useful for the purpose for which the tolerance is sought. Any residues of carboxin which might occur in eggs, meat, and milk are adequately covered by existing tolerances, and § 180.6(a) (2) applies. The tolerance established by amending § 180.301 of the regulations will protect the public health, and it has therefore been concluded that the tolerance should be established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this notice in the FEDERAL REGISTER, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW., East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on the date of publication in the FEDERAL REGISTER, Part 180, Subpart C, is amended by revising § 180.301 as set forth below.

Dated: August 6, 1975.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticide Programs,

(Sec. 408(d) (2) Federal Food, Drug and Cosmetic Act (21 U.S.C. 346a(d) (2)))

Section 180.301 is amended by revising the paragraph "0.2 part per million on or on barley * * *" to include the raw agricultural commodities, corn grain, rice, and rice straw to read as follows:

§ 180.301 Carboxin; tolerances for residues.

0.2 part per million on or on barley grain and straw, corn grain, fodder, and forage, fresh corn including sweet corn (kernels plus cob with husk removed), oats seed and straw, rice and rice straw, and wheat grain and straw.

[FR Doc. 75-20961 Filed 8-8-75; 8:45 am]

Title 42—Public Health

CHAPTER I—PUBLIC HEALTH SERVICE,
DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE

SUBCHAPTER F—QUARANTINE, INSPECTION,
LICENSING

PART 71—FOREIGN QUARANTINE

Restrictions on Importation of Nonhuman Primates

On March 14, 1975, there was published in the FEDERAL REGISTER (40 FR 11887) a notice of proposed rulemaking with proposed amendments to Subpart J, of Part 71, Title 42, Code of Federal Regulations, deleting all requirements in §§ 71.154 and 71.155 related to nonhuman primates (therein referred to as monkeys) and establishing a new Subpart J-3, Importation of Nonhuman Primates. The proposed amendments would allow the Public Health Service to (1) prohibit the importation of nonhuman primates except for bona fide scientific or educational purposes or for exhibition and (2) establish mandatory disease surveillance and control procedures for nonhuman primates imported under the provisions of this regulation.

Interested persons have been afforded an opportunity to participate in the making of these amendments by the notice of proposed rulemaking published in the FEDERAL REGISTER mentioned above, and due consideration has been given to all comments received in response to the notice, insofar as they relate to matters within the scope of the notice. Except for editorial changes, and except as specifically discussed herein-after, the amendments and the reasons therefor are the same as those contained in the notice.

The proposal elicited 86 individual responses. Of these, 36 (42%) offered unqualified support, 19 (22%) offered general support but recommended specific, often more restrictive changes, and 26 (30%) were opposed to the proposal. Five responses (6%) were irrelevant comments opposing restrictions that were not in the proposal.

The 86 responses were received from individuals or organizations in the following categories: general public (26); local, State, and Federal Government (22); pet industry (16); medical and university research groups (10); special interest groups (8); and commercial importers of nonhuman primates (4).

The principal points raised in responses, other than those offering un-

qualified support (36) or opposition (19), are given below, together with a brief description of considerations given to or actions taken on the comment.

1. Nine commentators expressed in various ways concern about possible duplication in regulatory measures of the U.S. Department of the Interior, U.S. Department of Agriculture, and the Public Health Service. *Response.* The proposed regulation was discussed with representatives of both the U.S. Department of the Interior and the U.S. Department of Agriculture. It was agreed that the proposed regulation was compatible with existing regulations of both Departments and did not duplicate their activities.

2. Six commentators expressed strong opposition to the provision for personal importation of up to two nonhuman primates because it was not consistent with the regulation as a whole, would be difficult to regulate, and would be subject to abuse. *Response.* The objections raised in these comments are valid, and this provision has been deleted from the final regulation.

3. Two commentators opposed importation of nonhuman primates for any purpose because of the potential for disease transmission regardless of intended use. *Response.* A total ban on importation of nonhuman primates is not possible because these animals are essential for purposes such as scientific research and vaccine production. The required disease surveillance and control procedures are intended to minimize the public health problems associated with importation of nonhuman primates for essential purposes.

4. Two commentators recommended that nonhuman primates excluded from the United States be destroyed only as a last resort and that humane methods of destruction be required. *Response.* The regulation is based upon the authority of the Public Health Service to make and enforce regulations to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the United States. Unless it creates a public health hazard, the method of disposition of an excluded nonhuman primate is beyond the scope of Public Health Service legal authority. The methods of disposition specified in the regulation are those which are considered adequate to protect the public health. It is anticipated that few excluded nonhuman primates will be destroyed and that humane methods of destruction will always be recommended.

5. Five commentators suggested that various types of quarantine programs be instituted, with no restrictions on the use of imported non-human primates following quarantine. *Response.* Adoption of a quarantine program incorporating disease screening and treatment procedures without restriction on subsequent animal use was considered. However, this approach was not thought to be feasible because of the numerous infectious agents involved and the lack of reliable screening procedures for these agents.

Such a testing program would not provide reasonable assurance of freedom from infectious diseases transmissible to man and would be prohibitively expensive.

6. Several comments were related to misconceptions about who could qualify for registration as an importer and whether a nonhuman primate could be used for a permissible purpose prior to 31 days post-importation. *Response.* As specified in the proposal, any person who, or corporation, partnership, or other organization which, receives live nonhuman primates within a period of 31 days beginning with the day of importation, whether or not such primates were held for part of such period at another location, would be considered an importer and would have to comply with the mandatory requirements. As stated, anyone procuring nonhuman primates for permissible purposes would be eligible for registration as an importer. There was no provision that a nonhuman primate could not be used for a permissible purpose within 31 days of importation. For example, if it were necessary to use the animal as a tissue culture source within 31 days of importation, this would be permissible. However, provisions for mandatory disease surveillance and control measures would still be applicable to the animal in question.

7. Two commentators suggested deleting provisions for suspension and revocation of an importer's registration and penalties for violating the regulation. *Response.* These provisions are considered essential for enforcement of the regulation.

8. Three commentators suggested either less frequent disease reporting or registration of importers. Several comments indicated that information similar to that specified in the proposal was already being submitted to other governmental agencies. *Response.* Because the prescribed record keeping, reporting, and registration are minimal in relation to the involved health problems, these provisions cannot be changed without seriously compromising the effectiveness of the regulation. At the present time, the necessary information for effective surveillance and control of zoonotic disease in nonhuman primates is not being submitted to any agency of the Federal Government. Every effort will be made to keep the forms brief and simple. The specified reporting frequency is required to obtain current information.

9. Seven commentators alleged in various ways that prohibiting importation of nonhuman primates for use as pets is not warranted because human illness acquired from nonhuman primates is a significant problem only in scientific laboratories and zoos. *Response.* The fact is that persons exposed to nonhuman primates in laboratories are generally required to follow procedures which make their association with these animals less hazardous than for persons owning pet monkeys. They are provided with protective work clothing, including masks and gloves, and are covered by preventive medicine programs which take into ac-

count the unique disease hazards associated with nonhuman primates. The public health hazards associated with nonhuman primates are well documented. The disease hazard is the result of the animals' being infected, not the use to which they are put. If certain uses of these animals were not considered essential, the available information would warrant total prohibition of nonhuman primate importations.

One recent example of human disease acquired from pet nonhuman primates relates to the occurrence of nonhuman primate-associated hepatitis. In 1974, 9 outbreaks of this disease, affecting more than 40 people, were reported; all 9 outbreaks were associated with chimpanzees maintained in private households.

Therefore, no change will be made in the provision which permits importation of nonhuman primates only for bona fide scientific, educational, or exhibition purposes.

In consideration of the foregoing and for the reasons given in the notice of proposed rulemaking, Part 71 of Chapter I of Title 42 of the Code of Federal Regulations is amended as set forth below.

Effective date. This regulation shall become effective October 10, 1975.

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with OMB Circular A-107.

Dated: July 16, 1975.

THEODORE COOPER,
Assistant Secretary for Health.

Approved: August 4, 1975.

CASPAR W. WEINBERGER,
Secretary.

1. The entries in the Table of Contents for Subpart J, Part 71, Subchapter F, are amended as follows:

Sec.	
71.151	Lather brushes.
71.154	Dogs and cats.
71.155	Dogs and cats; disposal of excluded animals.
71.156	Etiological agents and vectors.
71.157	Dead bodies.

2. In Subpart J, §§ 71.154 and 71.155 are amended as follows:

§ 71.154 Dogs and cats.

(a) *Definitions.* As used in this section and § 71.155, the term:

(1) "Confinement" means restriction of an animal by the owner or his agent to a building or other enclosure in isolation from other animals and from persons except for contact necessary for its care, or if it is allowed out of such enclosure, muzzling the animal and keeping it on a leash.

(2) "Dog" includes all domestic and wild members of the dog family (Canidae).

(3) "Cat" includes all domestic and wild members of the cat family (Felidae).

(4) "United States" means the United States, its territories, and possessions (other than the Canal Zone).

(5) "Zoological park" means a place, premises, or an establishment maintained for the exhibition of live animals for recreational or educational purposes.

(b) *General requirements.*—(1) *Inspection by quarantine officer.* All dogs and cats brought into the United States from any foreign country shall be inspected by the quarantine officer at the port of arrival. Only animals in which no evidence of communicable disease (see § 71.1(b)) is revealed shall be admitted.

(2) *Examination by veterinarian; detention of animals.* When a dog or cat does not appear to be in good health on arrival (i.e., it has such symptoms as emaciation, lesions of the skin, nervous system disturbances, jaundice, or diarrhea), the medical officer in charge may give the owner or his agent an opportunity to call in a licensed veterinarian to examine the animal and give or arrange for any tests or treatment indicated. The medical officer in charge will consider the findings of any such examination and tests in determining whether the animal may have a communicable disease. The owner shall bear the expense of such examination, tests, and treatment. When it is necessary to detain an animal pending determination of its admissibility, the owner or his agent shall provide satisfactory detention facilities which in the judgment of the medical officer in charge will afford protection against existence of a health hazard. The owner or his agent shall bear the expense of such detention. Detention shall be accomplished at the port of arrival, except that the Director of the Quarantine Division, Bureau of Epidemiology, Center for Disease Control, Public Health Service, may issue instructions specifying control measures under which animals may be shipped to their destination pending determination of their admissibility.

(3) *Report of sickness or death; exposed animals.* (i) A record of sickness or death of dogs or cats en route to the United States shall be made by the person responsible for the care of the animals and shall be submitted to the quarantine officer at the port of arrival. Animals sick or dead en route or on arrival shall be separated from other animals as soon as discovered and held, pending any necessary examination as determined by the medical officer in charge.

(ii) When a dog or cat appears healthy but has been exposed during shipment to a sick or dead animal suspected of having a communicable disease, the exposed animal shall be admitted only if tests or other examination made at a time when infection with communicable disease could be determined reveals no evidence that the animal may be infected with such disease. The provisions of subparagraph (2) of this paragraph shall be applicable to such tests or other examination.

(4) *Sanitation.* When the quarantine officer finds that the cages or other containers of dogs or cats arriving in the United States are in an unsanitary con-

dition that may constitute a health hazard:

(i) The animals shall not be admitted in such containers unless the owner or his agent has the containers cleaned; and

(ii) The quarantine officer shall report the matter to the U.S. Customs Service officer for investigation pursuant to Customs' regulations regarding importation of animals under inhumane or unhealthful conditions (19 CFR 12.26(k)).

(c) *Dogs only; rabies vaccination.* (1) Rabies vaccination is required for a dog that is brought into the United States, unless:

(i) The animal is a wild member of the dog family, in which case it may be admitted, but for at least six months after admission the owner or his agent shall restrict it to a building or other enclosure in isolation from other animals and from persons except for contact necessary for its care, or

(ii) For the six months before arrival the dog has been only in a country determined by the Public Health Service to be rabies-free, or

(iii) The owner submits evidence satisfactory to the quarantine officer that the dog is destined for a zoological park, or that it is destined for a research establishment and vaccination would seriously interfere with its use for scientific investigation, or

(iv) The dog on arrival is less than three months of age, in which case it may be admitted but shall be placed in confinement, and the owner shall certify that the dog will be vaccinated at three months of age and remain in confinement for at least one month after vaccination.

(2) Vaccination shall have been accomplished with nervous-tissue vaccine more than one month but not more than 12 months before the dog's arrival or with chicken-embryo vaccine more than one month but not more than 36 months before arrival.

(3) Where vaccination is required, the dog shall be accompanied by a valid certificate of rabies vaccination. This certificate shall: (i) identify the dog, (ii) be signed by a licensed veterinarian, and (iii) specify that such veterinarian vaccinated the dog with "nervous-tissue" vaccine or with "chicken-embryo" vaccine on a stated date within the respective time limits provided in subparagraph (2) of this paragraph.

(4) If a dog that is subject to vaccination arrives without a valid certificate of rabies vaccination, it shall not be admitted until it has been vaccinated (except as provided in subparagraph (5) of this paragraph). The owner shall arrange for and bear the expense of this vaccination. Upon admission the dog shall be placed in confinement for at least 30 days.

(5) If a dog arrives with a certificate which is valid except that vaccination was received less than one month before

arrival, the dog may be admitted but shall be placed in confinement until at least 30 days have elapsed since vaccination.

(6) In no case will vaccination be recognized if performed on a dog less than three months of age.

(d) *Dogs and cats; special provisions.* Notwithstanding other provisions of this section, if a dog or cat comes from a locality having a high incidence of rabies and under conditions otherwise indicating that a special hazard of rabies introduction is present, it shall be subject to such additional requirement, or to exclusion, as may be found necessary by the medical officer in charge and approved by the Director, Quarantine Division, Bureau of Epidemiology, Center for Disease Control, Public Health Service, to prevent the introduction of rabies. However, any such dog that has been vaccinated after the age of three months as provided in paragraph (c) of this section shall be admitted after 30 days have elapsed since vaccination, if inspection of the animal at that time has revealed no evidence of communicable disease.

(e) *Dogs and cats in transit.* The provisions of this section shall apply to dogs and cats shipped through the United States from one foreign country to another, except as provided below:

(1) Animals that appear healthy but have been exposed to a sick or dead animal suspected of having a communicable disease need not undergo tests or other examination as provided in paragraph (b) (3) of this section if conditions of their transportation will afford adequate protection to the United States against introduction of communicable diseases.

(2) Rabies vaccination is not required for dogs that are shipped by airplane or ship and are retained in custody of the carrier under conditions preventing introduction of rabies.

§ 71.155 Dogs and cats; disposal of excluded animals.

A dog or cat excluded from the United States under the regulations in this part shall be exported or destroyed. Pending exportation it shall be detained in Customs' custody at the port of arrival at the owner's expense.

3. In Part 71, a new Subpart J-3 is added immediately after Subpart J-2 as follows:

Subpart J-3—Importation of Nonhuman Primates¹

Sec.

- 71.181 Definitions.
- 71.182 Importation; general prohibition.
- 71.183 Importation and distribution; permissible purposes.
- 71.184 Registration of importers.
- 71.185 Recordkeeping and reporting.
- 71.186 Disease control measures.

¹The requirements of this Subpart are in addition to and not in lieu of any other restrictions relating to the importation of nonhuman primates prescribed by the Fish and Wildlife Service, U.S. Department of the Interior (e.g., 50 CFR Parts 14, 17) and by other agencies of the Federal Government.

Sec.

- 71.187 Disposal of excluded animals.
- 71.188 Suspension and revocation.
- 71.189 Penalties.

AUTHORITY: Sec. 361, 58 Stat. 703 (42 U.S.C. 264).

Subpart J-3—Importation of Nonhuman Primates

§ 71.181 Definitions.

As used in this subpart:

(a) "Nonhuman primates" means all nonhuman primates of the Order Primates, including, but not limited to, animals commonly known as monkeys, chimpanzees, orangutans, gorillas, gibbons, apes, baboons, marmosets, tamarins, lemurs, lorises, and tree shrews.

(b) "Group" means a population of nonhuman primates which are physically isolated from other nonhuman primates. All nonhuman primates housed in one room of a facility constitute a group if they are effectively separated by solid partitions from other nonhuman primates.

(c) "Importer" means any person who, or corporation, partnership, or other organization which, receives live nonhuman primates within a period of 31 days beginning with the day of importation, whether or not such primates were held for part of such period at another location. As used in this Subpart J-3, the term "importer" includes the original importer and any other person or organization receiving such primates within a period of 31 days beginning with the day of importation.

(d) "Director" means the Director, Center for Disease Control, Public Health Service, Department of Health, Education, and Welfare, Atlanta, Georgia 30333.

§ 71.182 Importation; general prohibition.

Except as otherwise provided in this subpart, no person may import live nonhuman primates into the United States unless such person is registered as an importer in accordance with applicable provisions of this subpart.

§ 71.183 Importation and distribution; permissible purposes.

Live nonhuman primates may be imported into the United States and sold, resold, or otherwise distributed only for bona fide scientific, educational, or exhibition purposes in accordance with applicable provisions of this subpart.

§ 71.184 Registration of importers.

(a) Importers shall register with the Director on forms available from, and in a manner prescribed by the Director.

(b) Registration shall be effective for a calendar year or for such part thereof as remains following the date on which receipt of the properly completed registration form is acknowledged by the Director.

(c) Registration may be renewed by filing the appropriate forms with the Director not less than 30 days nor more than 60 days prior to the expiration of

¹A current list of rabies-free countries may be obtained from the Director, Center for Disease Control, Attn: Quarantine Division, Bureau of Epidemiology, Atlanta, Georgia 30333.

the period for which registration was effective.

§ 71.185 Recordkeeping and reporting.

(a) Importers shall maintain records on forms available from, and in a manner prescribed by, the Director relating to number of primates imported, countries of origin, species, dates of importation, dates of shipment to other persons or organizations, disease incidence, and such other information as may be requested by the Director. Such records shall be available for inspection by the Director at any time.

(b) Importers who receive 500 or more nonhuman primates in a calendar year shall submit quarterly reports, and importers who receive fewer than 500 nonhuman primates shall submit annual reports, on forms available from, and in a manner prescribed by, the Director. The reports shall specify numbers of primates imported, countries of origin, species, dates of importation, dates of shipment to other persons or organizations, disease incidence, and such other information as may be requested by the Director. Importers required to make quarterly reports shall submit the reports on or before April 30 for the preceding period of January through March, July 31 for the preceding period of April through June, October 31 for the preceding period of July through September, and January 31 for the preceding period of October through December. The first quarterly report shall be filed for the quarter during which a total of 500 imported nonhuman primates is reached. The first quarterly report shall include the information specified above in this paragraph (b) on all nonhuman primates imported in the preceding quarter or quarters of the calendar year. Quarterly reports will be required thereafter for each quarter year period of such calendar year irrespective of the number of nonhuman primates imported or otherwise received during such period. Importers required to make annual reports shall submit the reports on or before January 31 for the preceding calendar year.

(c) Importers shall report to the Director by telephone (days, 404-633-3311; nights, weekends and holidays, 404-633-2176) within 24 hours the occurrence of (1) any illness in nonhuman primates that is suspected of being yellow fever, monkeypox, or Marburg disease, and (2) deaths resulting from any illness or illnesses within any consecutive 7-day period of 10 percent or more of a group consisting of 20 or more nonhuman primates.

(d) Importers shall report to the Director by telephone within 24 hours the occurrence of illness in any member of their staff suspected of being an infectious disease acquired from nonhuman primates.

§ 71.186 Disease control measures.

The Director is authorized upon receipt of evidence of exposure of nonhuman primates to a communicable disease that constitutes, or may constitute, a threat to public health to pro-

vide for or to require examination, treatment, detention, quarantine, seizure, or destruction of exposed animals. Such measures as may be prescribed shall be at the expense of the owner.

§ 71.187 Disposal of excluded animals.

A nonhuman primate excluded from the United States under the regulations in this Subpart J-3 shall, at the owner's option and expense, be exported, destroyed, or given to a scientific, educational, or exhibition facility under arrangements approved by the Director, for preventing the spread of infection. Exportation shall be permitted only if the owner exports the nonhuman primate within a reasonable time as determined by the Director. Pending exportation or other disposition pursuant to the provisions of this § 71.187, it shall be detained in Customs' Custody at the port of arrival at the owner's expense.

§ 71.188 Suspension and revocation.

(a) An importer's registration may be suspended or revoked by the Director if the Director finds, upon notice to the importer holding such registration, that the importer has failed to comply with any applicable provision of this subpart. The notice shall contain a statement of the grounds upon which the suspension or revocation is based, and, in the case of suspension, the action necessary to end such suspension.

(b) The importer may file an answer to the notice within 20 days after service thereof. Answers shall admit or deny specifically and in detail each allegation of the notice. Allegations of fact in the notice not denied or controverted by answer shall be deemed admitted. Matters alleged as affirmative defenses shall be separately stated and numbered. Failure of the importer to file an answer within 20 days after service of the notice may be deemed an admission of all matters of fact recited in the notice.

(c) Where an importer's registration has been suspended or revoked, the suspension may be terminated or the registration reinstated, as may be appropriate, upon such inspection, examination of records, conference with the importer, furnishing of such information, and assurance of compliance with the requirements of this Subpart as may be deemed necessary by the Director.

(d) The importer shall be entitled to a hearing with respect to the suspension or revocation (not preceded by suspension) upon filing a written request, either in the answer or in a separate document, with the Director within 20 days after the effective date of such suspension or revocation. Failure to request a hearing shall be deemed a waiver of hearing and consent to submission of the case to the Director for decision on the written record. The failure both to file an answer and to request a hearing shall be deemed to constitute consent to the making of a decision on the basis of such information as is available.

(e) As soon as practicable after the completion of any hearing conducted pursuant to the provisions of this sub-

part, the Director shall render a final decision. A copy of such decision shall be served on the importer.

§ 71.189 Penalties.

Any person who violates any provision of this subpart shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year or both, as provided in section 368 of the Public Health Service Act (42 U.S.C. 271).

(Sec. 361, 58 Stat. 703 (42 U.S.C. 264))

[FR Doc. 75-20922 Filed 8-8-75; 8:45 am]

Title 47—Telecommunications

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19931; FCC 75-803]

PART 17—CONSTRUCTION, MARKING AND LIGHTING OF ANTENNA STRUCTURES

High Intensity Lighting of Antenna Structures

Correction

In FR Doc. 75-18662, appearing at page 30263 in the issue of Friday, July 18, 1975, the third line following § 17.42 (d) (3) on page 30267 reading: "brighter intensity mode or the next" should read: "the high intensity mode or the next".

[FCC 75-910; Docket No. 20002, RM-2143, RM-2184, RM-2405, RM-2251]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations. (Marco, St. Augustine, Jacksonville, Atlantic Beach and Milton, Florida)

By the Commission: 1. The Commission has before it for its consideration a proposal raised in a notice of proposed rule making [39 FR 13559 (1974)] issued in this proceeding to assign Class C Channel 266 to Marco, Florida, as its first FM assignment. In a *First Report and Order* [48 FCC 2d 112 (1974)] in this proceeding the Commission modified the license of H. Byrd Mapoles, tr/as Mapoles Broadcasting Co., for Station WXBW-FM, Milton, Florida, to specify operation on Channel 274 in lieu of Channel 272A and amended the FM Table of Assignments to reflect this modification. The remaining proposal and related filings regarding St. Augustine, Jacksonville and Atlantic Beach, Florida, will be considered later in a *Third Report and Order*.

2. Marco Island is located off the southwestern coast of Florida in Collier County (pop. 38,040),¹ and is connected proximately 33 miles south-southeast of Ft. Myers, Florida. Collier County which to the mainland by two bridges. It is appraised as largely unpopulated marshlands and swamps typical of the Everglades is divided by the U.S. Census into three divisions: Everglades (pop. 3,871); Immokalee (pop. 7,273); and Naples (pop. 26,896). The Everglades Division which covers well over half of the county

¹ All population figures are from the 1970 U.S. Census.

and includes Marco Island contains only 10 percent of the county's population while the Naples Division, the smallest of the three, located in the west-north-westernmost part of the county, contains 70 percent of its population.

3. The bulk of the aural transmission service located in the county is licensed to Naples City (pop. 12,042), the largest community in the Naples Census Division, located 13 miles north of Marco. These services are full-time AM Station WNOG; FM Stations WRGI-FM (Channel 288A) and WCVU (Class C Channel 233); and television Station WEVU. In addition, the Commission recently assigned Channel 221A to Naples. Other aural transmission services in the county are supplied by full-time Class IV AM Station WCOF at Immokalee in the northernmost part of the county and daytime-only AM Station WRGI at Marco Island. Understandably, the large mainland Everglades Division has no transmission service.

4. The petitioner, the Deltona Corporation ("Deltona") owns almost all of Marco Island and is currently developing the planned community of Marco (Marco) on the island. The 1970 U.S. Census does not list Marco's population and there is disagreement on this figure between the petitioner and the only opposition party in this proceeding, Collier Broadcasting Co. ("Collier"), permittee of daytime-only AM Station WRGI at Marco Island, and licensee of Station WRGI-FM at Naples. Collier states that it was advised by letter from the U.S. Bureau of Census that the total population count for all but the southeast part of the island where the small fishing village of Goodland, which is not a part of the planned community, is located was 1,138 persons with a housing unit count of 1,144.² In reply comments, Deltona asserts that its prior estimate of Marco's population as of January 1, 1973, which was 4,800 persons, included both "permanent and temporary residents, with temporary being defined as residents who spend less than their total year in residence at Marco. Generally, these temporary residents own a second residence elsewhere, although many of them spend the majority of their time at their Marco residence." Deltona seeks a Class C assignment of Channel 266 to Marco, and in this regard we need not resolve this dispute as it is clear that Marco, even using the larger figure, is not a large enough community to ordinarily be assigned a Class C channel.³ Thus, Deltona must, and does, provide a basis other than Marco's present size for a Class C assignment.

5. Deltona projects a permanent Marco population of 33,000 persons by the year 2000. Collier disputes this claim, submitting information regarding county plans

and studies to control its growth and citing the current building slowdown resulting from poor nationwide and local economic conditions. The main thrust of Collier's arguments against the Deltona proposal is that the county as a whole, and Marco on its own, are adequately served and that the Commission should refrain from making assignments there until a later date when the county will be better developed and its needs more discernable. It cites cases in which the Commission followed this course. However, in those cases the proposed assignments would foreclose or complicate future assignments to the area. That would not occur here.

6. Deltona avers that its proposal would preclude future assignments on only Channels 266 and 265A. The precluded areas for Channel 265A are north of Marco in a 96 square mile area including Fort Myers Beach and south of Marco along the western end of the Florida Keys. The precluded areas for assignment of Channel 266 include a narrow strip of land along the western coast of Florida extending approximately from Marco Island to Florida's southern tip and also includes a substantial portion of the Florida Keys. In its comments, Collier lists communities which it believes are in the preclusion areas of the Deltona proposal. In reply comments Deltona lists available channels for all but one of these communities (Jerome, Florida, which is too small to be listed by the Census).⁴

7. Deltona argues that its proposal would satisfy a number of major Commission priorities. It would provide a first FM service (operating, as proposed, with 100 kW ERP and an antenna height of 660 feet AAT) to 762 persons in an area of 636 square miles and a second FM service to 2,967 persons in an area of 748 square miles.⁵ Collier contends that the Deltona first service showing is vastly overstated. First, it states that an application for a construction permit has been filed by Station WCVU at Naples, seeking to increase its power to 100 kW and that a grant of this application⁶ would place a 1 mV/m signal over all of the claimed first service area except for the fishing hamlet of Chokoloskee, the only area having any semblance of a community within the white area. However, Collier's engineering exhibit does not support this contention as it shows that there would be an area beyond Chokoloskee where Station WCVU would not provide a

1 mV/m signal. Second, Collier states that at least three Class I-A AM stations provide a nighttime secondary service in excess of 0.5 mV/m skywave to the entire FM first service area. However, because secondary service is necessarily subject to extensive fading, service by such stations is not considered adequate to supplant a needed FM assignment. Third, Collier takes issue with the method by which Deltona arrives at its first service showing. Deltona indicates that it arrived at its population figure by assuming a uniform distribution of population within each county census division. Collier argues that "The inaccuracy of assuming uniform distribution of population where a vast part of the county census division consists of uninhabited mangroves and swampland is self-evident." Inasmuch as census figures show the Everglades Division to have a population of 3,871 persons and list only Everglades City (pop. 365) within that division, we believe that the method employed is an acceptable one. Moreover, Deltona's first and second service attain additional significance in view of the fact that it is unlikely that these areas to be served could support their own local aural service.⁷

8. In addition to satisfying the above-mentioned Commission priorities the Deltona proposal would bring a first full-time local service to Marco, augmenting its present daytime-only local service (WRGI). Collier's contention that Marco's nighttime transmission needs can be met by Naples' stations 16 miles away is unacceptable. These stations' local obligation is to Naples, their city of license, not to Marco. In view of the aforementioned, the Commission finds it in the public interest to assign Channel 266 to Marco.⁸

9. Accordingly, pursuant to the authority contained in sections 4(d), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, IT IS ORDERED that effective September 15, 1975, the FM Table of Assignments is amended to read as follows for the city listed below:

City	Channel No.
Marco, Florida	266*

*An application for licensing on Channel 266 at Marco shall specify operating facilities of at least 100 kW ERP and an antenna height of 660 feet AAT or their equivalent.

² In reply comments Deltona avers that the population density averages of the first and second service areas of its proposed station operating with assumed facilities is one and 3.8 persons per square mile, respectively.

³ As stated in the Notice of Proposed Rule Making: "Our consideration of this proposal should not in any way be taken as indicating an absence of questions about the licensing of what would be the only [FM] radio station in the community. Such questions are properly resolvable only upon the filing of an application and will not affect our action here which is limited to an examination of the community's need for local service and other related issues."

⁴ A staff study substantiates the availability of these assignments.

⁵ A Class A assignment, we are told, would not provide a first FM service to any area, but would provide a small second service.

⁶ A construction permit was granted July 30, 1974, for new facilities of 96 kW ERP and antenna height of 680 feet. Collier first introduced this contention and other arguments in a late-filed Opposition to Petition for Rule Making. However, Deltona has had ample opportunity to respond in its comments and reply comments. Under these circumstances there is no reason not to consider the filing.

⁷ We are not told what year this Census reflects.

⁸ While Deltona has not supplied information regarding the availability of Class A channels for assignment to Marco, it has stated that it would not apply for such an assignment if it were made.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307.)

Adopted: July 29, 1975.

Release: August 6, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc. 75-20877 Filed 8-3-75; 8:45 am]

[FCC 75-658; Docket No. 20247]

PART 76—CABLE TELEVISION SERVICES

Cable Television Annual Financial Report (FCC Form 326)

By the Commission: 1. On November 29, 1974, the Commission adopted a notice of proposed rule making in the above entitled matter, which was published in the *FEDERAL REGISTER* on December 9, 1974, (39 FR 42922). The notice proposed revisions of the FCC Form 326 to obtain more complete and reliable financial data and to ease the reporting burden.

2. Annual financial reporting for cable television systems was initiated on October 14, 1971, when the Commission issued its *Third Report and Order in Docket 18397*, FCC 71-1035, 32 FCC 2d 13 (1971). The present financial reporting form (FCC Form 326) requires the respondent to report revenues and expenses, original cost of tangible and intangible property, non-recurring telephone company lease back charges, and the number of employees. The reporting period is the calendar year; however, systems which commenced operations prior to December 1, 1971 may report on a fiscal year basis. The instructions require the respondents to file a separate FCC Form 326 for each distinct community or municipal entity served by cable television facilities. A consolidated set of forms is permitted where cable television systems are under common ownership and keep a consolidated set of bookkeeping records. It is presumed for these guidelines that "a consolidated set of bookkeeping records" does not involve more than five cable communities.

3. The notice proposed major revisions in the financial schedules and in the instructions of the FCC Form 326. The proposed revisions are as follows:

(a) Restructure the format of the form to resemble normal bookkeeping schedules.

(b) Add a new schedule which contains the basic balance sheet accounts in place of the present Schedule 3 which contains only original cost and depreciation data of tangible and intangible property items.

(c) Reduce the restrictions on consolidated reporting and fiscal year reporting.

(d) Add definitions of all terms for clarification purposes.

4. Comments were received from the City of Seattle, Board of Public Works Department; Cox Cable Communications, Inc.; Diversified Communications, Inc.; Futurevision Cable Enterprises,

Inc.; National Cable Television Association, Inc.; New York State Commission on Cable Television; Sammons Communications, Inc.; Tele-Communications, Inc.; Whitewood Stamps, Inc.; and joint comments of 76 cable television systems. The comments generally were directed to the proposals relating to fiscal year reporting, and specific line items.

5. It was proposed in the notice to delete the requirement that systems use the calendar year basis of reporting. In place of this requirement, all information would be reported as of the last day of a system's fiscal year, and all forms would be filed within 90 days of that date. The cable operators supported the proposal to change the reporting basis from calendar year to individual fiscal year. The National Cable Television Association, Inc. and Sammons Communications, Inc. requested that the reporting period be set for 120 days after the end of a system's fiscal year rather than the proposed 90 days. The reason given for this request was that the first 90 days after the close of a fiscal year is "a busy time for financial people."

6. The proposed 90 day reporting period was determined on the basis of past filing experience and financial reporting requirements of other communications industries. The present requirement for the reporting period of the FCC Form 326 permits filing on a fiscal year basis for only those systems which commenced operations prior to December 1, 1971. Those systems filing on a fiscal year basis have been filing promptly within 90 days. The proposed 90 day reporting period is consistent with the Commission's requirements for financial reporting forms of the broadcast and telephone industries. It is also consistent with the reporting requirements of the Securities and Exchange Commission and the Internal Revenue Service. For these reasons, the 90 day reporting period is considered to be a sufficient length of time to file FCC Form 326.

7. The major concern of cable operators was the consolidated reporting guidelines of FCC Form 326. In the notice, it was proposed that the "five community" limitation be dropped and a new limitation be added stipulating that, for consolidated filing purposes, a single operating entity may include those systems within a 40-mile radius of the lead system, keeping a consolidated set of bookkeeping records, and technologically connected either by private microwave or by cable. Among those cable operators submitting comments there is unanimous support for the proposal to eliminate the "five community" limitation in the consolidated reporting guidelines. However, these comments also indicate that further revisions of the proposed guidelines are warranted. Most of the comments focus on the proposal that all systems filing a consolidated report be technologically connected either by private microwave or by cable. It was indicated that many operating entities in essentially the same geographic area are completely integrated "administratively

and operationally but not technologically." Cable operators also commented that where a single corporate entity operates cable television systems in different geographic areas, the proposed consolidated reporting guidelines would preclude the filing of a single balance sheet for the corporate entity. This appears to cause problems in attempting to allocate corporate liabilities, such as long term debt and owner's equity, to individual cable systems or to groups of cable systems.

8. The intent of the consolidation guidelines is to restrict financial filings to specific geographic areas. It is believed that these are natural financial entities because of the common characteristics which influence their viability, such as availability of off-the-air signals, quality of off-the-air signals, average homes per mile, and demographic factors. Because of the numerous combinations of organizational and technological structures, a general consolidated reporting guideline has to be broad enough for practical bookkeeping purposes yet definitive enough for regulatory needs. Our review of the general problem and cable operator comments have indicated that the proposed guidelines are flexible enough for most corporate entities. However, we do believe that two further provisions may add flexibility which would not adversely affect the reliability of the data for regulatory needs. First, we believe that the guidelines should allow the individual owners to designate the reference point for the 40-mile radius requirement. This recognizes the appropriateness of a site such as the Local Distribution System (LDS) microwave station as the reference point rather than any specific cable community. Second, the cable operator should be allowed to consolidate a filing, with prior Commission approval, for systems that are not technologically integrated if these systems are within a 40-mile radius of a designated reference point and operationally integrated.¹ This is consistent with past practices which allowed a cable operator, with prior Commission approval, to consolidate a filing for more than five communities, if those systems were clustered in a given geographic area.

9. We recognize that there may be occasional problems with respect to situations where the entities in the consolidated reports do not conform to the entities in the corporation's bookkeeping practices, particularly in the allocation of certain line items in the balance sheet schedule. In cases such as these, the cable operator should use generally accepted cost accounting techniques to estimate the line items, and he should indicate by a footnote which accounts were estimated. The comments have indicated that informal operational statements using cost accounting techniques are already maintained for each conglomerate

¹ Operational integration is presumed where a group of systems share a single administrative office and maintenance crew, and they are under the same local management.

system for the information of management.

10. There were several comments directed to specific line items in the financial schedules. Most of the comments were directed to the definitions of the accounts in the instruction section. The purpose of these definitions is to provide a general uniformity in the data and to aid the respondents in filling out the form. The definition which is of considerable importance to both the industry and regulatory agencies is that of original cost fixed assets. The National Cable Television Association commented that when an operating system is purchased, the buyer enters the transactions on his books at an allocated "cost" basis for the assets. It was indicated that the buyer often does not record the "original cost" to the seller and, therefore, these figures for original cost are lost. The New York State Cable Commission strongly concurs with the need for original cost data, but suggests that the information be required after a specified date, thereby reducing hardships and inconvenience to cable television companies who may not be able to reconstruct prior transactions. We shall adopt the New York State Cable Commission suggestion for those cases where original cost data is lost, adding that the respondent indicate in a footnote where allocated costs are used in lieu of original cost.

11. There were a few comments which affected the structure of accounts listed in Schedule 3. Whitewood Stamps, Inc. commented that "subscriber devices" should be a major asset category, and it would be useful to report them separately from "trunk and distribution." We agree that these asset categories should be reported separately. "Subscriber devices" is not a function of number of miles of plant. Since these are major cost categories, the consolidation of these accounts would hinder an accurate financial analysis of the industry. Regarding another category, the New York State Cable Commission commented that the "Owners Equity" section should include a line for treasury stock to provide a clearer financial picture than otherwise would be possible. We believe that this information would not appreciably aid in filling the regulatory needs of the Commission, and requiring it might, in fact, cause difficulties to the cable operator, particularly in cases where the consolidated report does not coincide with the corporate entity. Therefore, we have chosen at this time not to adopt this suggestion.

12. We believe that additional form design revisions may reduce even further some of the burden of the current reporting structures without jeopardizing the Commission's efforts to obtain complete and reliable financial data. In the past we adopted a "lead system" concept as an administrative aid. The cable operator would designate the "lead system" of a consolidated report and file a complete FCC Form 326 for that system. The other systems involved in the consolidated report would fill out a separate Section One. Instead, we have now re-

designed the form so that a new Schedule allows a single listing of communities and related subscriber and installation fee data for consolidated reporting. The FCC Form 326 also has been redesigned to facilitate data processing.

13. In view of the foregoing, we conclude that the public interest would be served by the adoption of the revised FCC Form 326. Authority for adoption of this form is contained in Sections 4 (i), (j), and (k), 303, and 403 of the Communications Act of 1934, as amended. The amendments to Part 76, Subpart I of the Commission's Rules necessary to implement Form 326 are set forth in Appendix A. The revised Form is set forth in Appendix B.

Accordingly, it is ordered, That (a) Effective October 31, 1975, FCC Form 326 is adopted as modified herein.

(b) Part 76, Subpart I of the Commission's Rules and Regulations are amended as set forth below.

(c) All comments, to the extent they have not been accepted herein, are denied.

(d) This proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

Adopted: June 3, 1975.

Released: August 8, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

Part 76 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 76.405 is revised to read as follows:

§ 76.405 Cable Television Annual Financial Report.

A "Cable Television Annual Financial Report" (FCC Form 326)¹ shall be filed with the Commission for each cable television system, as defined in § 76.5, on an annual basis within 90 days of the close of its latest fiscal year.

[FR Doc. 75-20876 Filed 8-8-75; 8:45 am]

[FCC 75-942; Docket No. 20223, RM-2205, RM-2239, RM-2350]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations (Southold, Center Moriches, and Westhampton Beach, New York)

By the Commission: 1. The Commission here considers the notice of proposed rule making in this docket, adopted November 5, 1974 (Mimeo No. 25055; 39 FR 40171) proposing amendments to the FM Table of Assignments (§ 73.202(b) of the Commission's rules and regulations) by assigning Channel 296A to Westhampton Beach, New York, and Channel 269A to either Southold, New York, or Center Moriches, New

York, all three being communities on Long Island. Pleadings were filed by Peconic Bay Broadcasting Corp. ("Peconic"), petitioner in RM-2205—Channel 269A to Southold; East Coast Broadcasting Corp. ("East Coast"), petitioner in RM-2239—Channel 269A to Center Moriches; and MAC Broadcasting Corp. ("MAC"), petitioner in RM-2350—Channel 296A to Westhampton Beach. East Coast also suggested assignment of Channel 296A at Hampton Bays, New York, eight miles east of Westhampton Beach, as a counterproposal to MAC's proposal. Island Broadcasting System, Inc., licensee of AM Station WRIV, Riverhead, New York, submitted comments urging the assignment of the channels to Center Moriches and Westhampton Beach. Milo Broadcasting Company pleadings supported an assignment at Center Moriches and stated that it would apply for a construction permit should that assignment be made.

2. The notice set forth the geographic and demographic data relevant to this docket. That document summarizes, at para. 9, the rule making as follows:

"The petitions are all for FM channel assignments to small communities which cater to the tourist trade and thereby greatly expand their populations during the summer months. All of the petitions seek these assignments for low density population areas that are experiencing a high growth rate when compared to the national norm. None of these communities has its own daily newspaper. [While each] receive[s] some FM service, * * * none has its own FM broadcast assignment."

3. We requested *Roanoke Rapids*¹ and *Anamosa and Iowa City*² showings in order that we might decide which assignment would better serve Commission policy of providing service to unserved or underserved areas. Peconic's *Roanoke Rapids* study attempts to demonstrate that a station operating on the Southold assignment would provide a first FM service to 1,303 persons in a 9.5 square mile area and a second FM service to 8,828 persons in a 30 square mile area. Although of lesser importance, it would also provide a third FM service to 30,252 persons in a 151 square mile area. These data were generated by applying *Roanoke Rapids* criteria to all pertinent stations except East Coast's WLNG-FM (Channel 221A, Sag Harbor, New York). Peconic asserts that a rigid application of the *Roanoke Rapids* methodology produces data which will not reflect an actual picture of Long Island's North and South Fork broadcast facilities. Peconic alleges that it is unrealistic to assume WLNG-FM would operate with maximum facilities as that would create a duopoly problem with respect to East Coast's Center Moriches station [Rules and Regulations, Section 73.240(a)(1)]. Peconic also showed that, if the WLNG-FM

¹ 9 F.C.C. 2d 672 (1967). This case sets forth the standards for determining whether a first or second FM service would be provided.

² 46 F.C.C. 2d 520 (1974). This case is like *Roanoke Rapids* except that it extends to AM as well and considers first aural service.

³ Form and instructions filed as part of the original document.

transmitter were moved 4.5 miles to the east, thus avoiding a duopoly problem, it would change current coverage so that the Southold facility would provide second FM service to 6,759 persons. Peconic asserts that, more likely than not, East Coast would not incur the costs entailed in changing a transmitter site, which would be necessary so that WLNG-FM could operate at maximum power.

4. The Commission's staff estimates that, if WLNG-FM were operating with maximum facilities, the proposed Southold station would provide no first FM service but would provide a second FM service to 1,303 persons in a 9.5 square mile area, and third FM service to 38,000 persons in a 170 square mile area.

5. With respect to its *Anamosa and Iowa City* study, Peconic states that although more than half of the South Fork's land area situated within the Southold 1 mV/m contour receives one nighttime AM service (WTIC, Hartford, Connecticut), there are no 2 mV/m or better, interference-free, standard broadcast services available to communities which have a population in excess of 2,500 persons and are within the Southold or Center Moriches 1 mV/m contour.

6. On the comparison between Southold and Center Moriches, Peconic states that two Class B FM stations are already licensed to Brookhaven Town, in which Center Moriches is located. These two stations, WBLI (Channel 291) and WALK-FM (Channel 248), both at Patchogue, New York, it says can be expected to render service to Center Moriches only twelve miles away. By way of contrast, it points out that neither Southold Town nor Southold community has an FM assignment. Moreover, Peconic asserts that the proposed Center Moriches station's 1 mV/m contour would cover only two-thirds of Brookhaven Town. The proposed Southold station however, would provide a contour that would include all the contiguous and some of the non-contiguous portions of Southold Town, part of Plum Island. Peconic also states that the "10-mile rule" [rules and regulations, § 73.203(b)] would alternatively allow Channel 269A to be used at two communities in Southold Town which currently have no FM assignment, Greenport (pop. 2,481) and Mattituck (pop. 1,995).

7. East Coast submitted a consolidated *Roanoke Rapids and Anamosa and Iowa City* showing with respect to a Center Moriches assignment, in response to the notice of proposed rule making. By using traditional *Roanoke Rapids* criteria, the study showed that the Center Moriches station would provide no first FM service but it would provide a second FM service to a 1 square mile area containing 82 persons, and a third FM service to a 4 square mile area containing 2,356 persons. If AM service were included as a factor, the study indicates that the station operating on the channel by East Coast would only provide a third aural service to 82 persons in a 1 square mile area and a fourth aural service to 2,356 persons in a 4 square mile area. Use of

WLNG-FM's assumed site yields the following data: a Center Moriches station could provide a second FM (or a third aural) service to 163 persons located in a 2 square mile area.

8. East Coast's engineering statement also shows that part of two and all of six other communities that have populations in excess of 2,500 persons and would lie within the Center Moriches station's 1 mV/m contour, do not presently receive AM nighttime service of 2 mV/m signal strength. These eight populated areas do receive, however, a minimum of three and a maximum of five FM services of at least 1 mV/m signal strength.

9. The Commission believes that the public interest would be served by the assignment of Channel 269A to Southold rather than Center Moriches. This assignment would advance our policies concerning equitable distribution of FM assignments by providing FM service to the North Fork of Long Island where only one FM service is now available, WRCN, Riverhead, New York.³ It would provide for more second and third FM as well as a third and fourth aural service to a significant portion of the South Fork. On the other hand, if the East Coast proposal were adopted, the two FM assignments for Long Island now under consideration would be made to two communities a mere 7 miles apart: Center Moriches and Westhampton Beach.

10. With respect to the proposed assignment at Westhampton Beach, the Channel 269A transmitter site would have to be located in the westernmost portion of the available site area. East Coast, referring to an FAA written communication, presents the argument that that site cannot be used because the tower required to achieve 300 feet above average terrain would constitute an air hazard. In reply comments Peconic mentioned an alternative site at Pikes Beach, New York, which would not interfere with air traffic, but would meet the city grade signal requirements and all mileage separation requirements. The station that would operate on a Westhampton Beach Channel 269A assignment from Pikes Beach also could provide a city grade signal to all of East Moriches, Shirley, Mastic Beach, and to more than 75% of Center Moriches. Selection of a site here would not be critical if the need for serving with a city-grade signal to East Moriches, Shirley or Center Moriches is not present.⁴

11. Also East Coast submitted comment in which it advanced the counterproposal of assigning Channel 269A to Hampton Bays, New York, rather than to Westhampton Beach. Hampton Bays

(pop. 1,862) in Southampton Town, is located approximately 8 miles east of Westhampton Beach. East Coast asserts that this assignment is desirable because it could be used at Mattituck, 8 miles north, as a Southold Town station, or at Westhampton Beach, as a Southampton Town assignment. The Mattituck station's transmitter would have to be located on Long Island's South Fork within a 1.5 square mile area near Hampton Bays. Peconic opposed the East Coast counterproposal. It submitted engineering data which shows that, even if the transmitter were located in the easternmost portion of that potential site area, the Channel 269A at Hampton Bays station would provide 1 mV/m service to a notably smaller portion of the Southold Town population. Peconic states that, if the transmitter were to be located in the westernmost part of the permissible site area, Southold community would not receive a 1 mV/m signal from a Channel 269A at Mattituck station. An additional negative factor mentioned by Peconic is that given such a site, less than half, or approximately 8,215 persons, of Southold Town's population would receive a 1 mV/m signal from the station which East Coast posits would be a Southold Town station. The counterproposal is not meritorious. Not only does the Westhampton proposal appear preferable, as MAC correctly notes in its reply comments, but assigning the channel to Hampton Bays would be contrary to one of our regularly expressed requirements since no person has expressed a specific interest in a Hampton Bays station, *Atlanta, Georgia*, 48 F.C.C. 2d 1026, 1028 (1974).

12. In view of the foregoing, It is ordered, That effective September 22, 1975, the FM Table of Assignments, § 73.202(b) of the Commission's rules is amended, insofar as the cities listed below are concerned, to read as follows:

City	Channel No.
Southold, New York	269A
Westhampton Beach, New York	296A

13. Authority for the action taken herein is contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended.

14. It is further ordered, That the proposals of MAC Broadcasting Corp. and Peconic Bay Broadcasting Corp. are granted and that the proposal and counterproposals of East Coast Broadcasting Corp. to assign Channel 269A to Center Moriches, New York; and Channel 269A to Hampton Bays, New York, are denied.

15. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: August 1, 1975.

Released: August 8, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-20878 Filed 8-8-75; 8:45 am]

³ See para. 3 of the further notice of proposed rule making in Docket No. 14185, adopted July 25, 1962 (FCC 62-867), and incorporated by reference in para. 25 of the *Third Report, Memorandum Opinion and Order* (40 FCC 747, 758 (1968)).

⁴ Since our decision in this regard rests on our own study, not the representations of Peconic, the fact that East Coast did not have a chance to respond to Peconic's reply to its question on this point assumes no importance.

[FCC 75-903, Docket No. 20420]

PART 87—AVIATION SERVICES

Additional Frequencies for the Radio Control of Airport Lights From Aircraft

By the Commission: 1. A notice of proposed rule making in the above-captioned matter was released on April 10, 1975, and was published in the *FEDERAL REGISTER* on April 18, 1975 (40 FR 17271). The dates for filing comments and replies have passed.

2. The Federal Aviation Administration (FAA) has requested that the radio control of airport lights be authorized on additional frequencies to accommodate the anticipated expanded use of this function. Sections 87.183(h) and 87.201(c) of the Commission's rules and regulations specify the frequencies available to aircraft for the control of airport lights. The additional frequencies requested by the FAA for this purpose are presently available to aircraft for air traffic control, aviation instructional operations, and communications with aeronautical advisory stations. The use of these frequencies for the control of airport lights would be on the condition that no harmful interference is caused to these operations.

3. Comments were filed by: Nevada Safety Council, Aircraft Owners and Pilots Association (AOPA), and the Soaring Society of America, Inc. No reply comments were filed.

4. All comments were in substantial agreement with the Notice. AOPA concurred with the need for radio control of airport lights, but expressed concern about the current lack of information available to the itinerant pilot on where this system is in operation and the frequency used at each location. The Commission has been informally notified by the Federal Aviation Administration (FAA) that they are presently in the process of incorporating this information in the FAA Airman's Information Manual.

5. The Notice stated that the Commission has the question of utilization and assignment of the aeronautical advisory frequencies under study in Docket 20123. The results of this study are still pending and the use of these frequencies for the control of airport lights will be addressed in Docket 20123. However, the use of frequencies currently available for air traffic control (ATC) and aviation instructional operations will be made available, at this time, for the control of airport lights on a non-interference basis to the regular use of the frequencies for ATC and instructional operations.

6. Editorial changes were made to the Appendix, as it appeared previously in the Notice. These changes were not substantive but merely consolidated the rule sections dealing with the radio control of airport lights.

7. In view of the foregoing, It is ordered, That pursuant to the authority contained in Sections 4(i), 303(b), (f), and (r) of the Communications Act of 1934, as amended, Part 87 of the Com-

mission's rules is amended, effective September 15, 1975, as set forth below.

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

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

Adopted: July 29, 1975.

Released: August 6, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

Part 87 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 87.183, paragraph (h) is revised to read as follows:

§ 87.183 Frequencies available.

(h) Provided no harmful interference is caused to authorized voice communications, brief keyed RF signals, for the control of airport lights from aircraft, may be transmitted on:

(1) Any frequency listed in § 87.183(i) and any frequency, in the band 121.975 to 122.775 MHz, listed in § 87.201(b), where the frequency is assigned to a station at an airport for air traffic control.

(2) The aeronautical advisory frequencies listed in § 87.201(c).

(3) The aviation instructional frequencies listed in § 87.341(a).

2. Section 87.201(c) is revised to read as follows:

§ 87.201 Frequencies available.

(c) The frequencies 122.80, 122.85, 122.95, and 123.05 MHz, are available to private aircraft stations for communications (1) with aeronautical advisory stations in accordance with Subpart C of this part and (2) between aircraft while in flight provided that harmful interference is not caused to air-ground communications and such communications pertain to the safety of the flight.

[FR Doc. 75-20875 Filed 8-8-75; 8:45 am]

[FCC 75-913; Docket No. 20120; RM-1508, 1592, 1733, 1751, 1905, 1991, 2053, 2084, 2132, 2300, 2317, 2318, 1841]¹

PART 95—CITIZENS RADIO SERVICE

Revision of Operating Rules for Class D Stations in the Citizens Radio Service

By the Commission: 1. On July 31, 1974, the Commission issued a notice of proposed rulemaking in this proceeding which was published in the *FEDERAL REGISTER* on August 5, 1974, (39 FR 28167). Comments were due by January 30, 1975, and reply comments by February 15, 1975. The reply comment

¹ RM-1841 Filed by the United CB'ers of America on July 1, 1971. To the extent subject matter of this petition is not considered in Docket No. 19759, it will be considered in this proceeding.

date was subsequently extended to March 14, 1975. In that notice, the Commission proposed to amend its Citizens Radio Service rules to:

(a) Increase the frequencies available to Class D stations by reallocating the band between 27.230 MHz and 27.540 MHz.

(b) Restrict certain channels to single sideband emission following adoption of the rules and all single sideband emission at a later date.

(c) Make Class D Citizens antenna height restrictions applicable to receiving as well as transmitting antennas.

(d) Provide for an antenna acceptance procedure in the Citizens Radio Service.

(e) Reserve Channel 11 as a calling channel.

(f) Delete and simplify certain permissible communication rules.

(g) Reduce the present age requirement for licensing in the Citizens Radio Service from 18 years of age to 16 years.

(h) Simplify the station identification rule.

2. An estimated 600 comments and reply comments were filed in this Docket. They range from single page letters to detailed statements and were submitted by radio equipment manufacturers, individuals and groups or organizations representing many licensees. The Commission is now ready to make a decision on the following portions of the proposal: calling channel reservations; various permissible communications rule changes; antenna height amendment; and station identification rule changes. The remaining issues: frequency reallocation, type(s) of emission to be authorized, antenna acceptance, other technical standards, and lowering the age requirement, have some serious and unresolved questions (including international considerations). These must be resolved before final rules on each issue can be adopted. They will be considered and final action taken in a later further report and order.

3. There was no opposition to the proposal to amend § 97.37(c) to apply the antenna height restrictions to receiving antennas as well as transmitting antennas. We are adopting the proposal with a slight clarifying modification in language. Henceforth, all antennas (both receiving and transmitting) and support structures associated with or used in conjunction with a Citizens Radio Service station must comply with the rules as to height. The twenty foot limitation will continue to apply to all antennas other than those of the omnidirectional type antenna. Antennas attached to existing antenna support structures of another authorized radio station may now not exceed the 60 foot height limit imposed on omnidirectional antennas in § 95.37(c) (5).

4. Most of the comments favor the proposal to establish Channel 11 as a calling frequency. One recommended that all channels be available as a calling channel. Some parties suggested that a calling channel be designated in the group of proposed channels numbered 60-99.

Since this matter is more appropriately tied to frequency expansion it will be decided when that question is resolved. In view of the widespread use of Channel 11 as a calling frequency, we believe that a single national calling frequency as proposed, will promote an efficient and orderly calling procedure. As stated in the Notice the designation of several regional calling frequencies may prove to be difficult for the Commission to administer and confusing for licensees to execute. Therefore, § 95.41 is amended to designate the frequency 27.085 MHz (Channel 11) as a national calling channel, i.e. to be used only to establish communications and arrange to move to another channel. Adoption of this provision does not exclude calling on channels other than Channel 11.

5. We are adopting § 95.81 as proposed. This provision sets forth clearly the permissible types of communications and is intended to clarify the purposes for which the Citizens Radio Service may be used.

6. We requested comments as to whether the provision prohibiting relay of messages should be eliminated. This would permit a message to be relayed by a third party under poor operating conditions. Most comments on this proposal considered it to be especially important for relay during emergencies. But, the rules presently permit relay of messages during emergencies as well as for five other well-defined exceptions. The Michigan CB Council suggested that a message relay provision for situations where conditions prevent transmission between units of different stations and be limited to a distance of not more than 150 miles from the originating station. One national organization representing many hundreds of users stated that evaluation of a specific request to determine if it is a valid exception under the current rules is difficult while serving as a monitor. Therefore, the restrictions on the relay of messages are deleted as they now apply to communications within a radius of 150 miles from the originating station. Relay of messages beyond this distance continue to be prohibited.

7. The proposal to reduce the silent period to one minute was universally accepted. Similarly, there was little opposition to the five minute restriction on communications between Class D stations. We believe that some time limitations are needed in order to prevent stations from needlessly transmitting for long periods of time. A requirement for a limited transmission time and silent period offers a reasonable time restriction to assure that all licensees will have an equal opportunity to the use of the frequencies. Hence, we believe it to be in the public interest to adopt Rule § 95.91 as proposed.

8. The general opinion concerning the restriction on the number of inter-station channels was that the restriction was not necessary, particularly in view of the proposed new channel allocations. Although we are postponing action on allocating new channels we believe that some immediate relief to channel con-

gestion on the existing frequencies can be achieved through the removal of the inter-station communication restriction. The question of intra-station channel restriction on the proposed expanded frequencies in the 27 MHz band is reserved for such time as the matter of expanded frequencies is considered.

9. The removal of the current prohibition against hobby use was widely supported and Section 95.83(a) (1) is hereby deleted. The intent of our action should not be misunderstood. Many licensees have in the past expressed their belief that it was "impossible to key the mike without violating the rules." The belief, however unfounded, leads to other rule violations such as failure to identify properly. We believe that deletion of the provision, along with the adoption of § 95.81 (see paragraph 5, *supra*), should enable every licensee to understand the permissible uses of the service and comply with the rules. Voluntary compliance by most licensees is essential for an effective service. Our enforcement efforts need not be directed at the content of the communication but can be concentrated on the more significant violations such as unlicensed operation, failure to identify the station, over powered operation, out-of-band operation, obscenity and malicious interference.

10. The station identification rule, § 95.95, was generally favored. Under the amended rule a transmitting station will be required to identify only his station at the beginning and end of the transmissions. It will no longer be necessary to identify the station with which communications are being conducted. We believe the amended rule is in the public interest and that station operators will now be able to comply with the simplified procedure of identifying only their own station. It must be emphasized that while the rules do not prohibit the use of "handles", they may not be used in lieu of the assigned call sign for station identification. Accordingly, § 95.95 is amended as proposed.

11. The proposed provision in § 95.101 (c) for the station call sign to be clearly visible from outside the vehicle is not being adopted. Many comments stated that it would promote theft of mobile units. This, plus our wish to keep the rules as simple as possible, outweigh the limited enforcement aid that would have been obtained.

12. Highway Assistance Modulators (H.A.M.) petition (RM-2300) suggests that a separate CB channel 15 be dedicated for the use of moving vehicles. They contend that truckers and other moving vehicles using Channel 10 interfere with operations on Channel 9. The Commission is becoming increasingly concerned over the receipt of complaints regarding interference to Channel 9 (exclusive emergency and motorist assistance channel) as a result of "bleedover" from operations on Channel 10 in the Citizens Radio Service. Most of the interference emanates from mobile transmitting units along state and federal highways. Most licensees may be using equipment which is in full compliance with

present technical specifications prescribed in the Commission's Rules. However, their unintentional interference is defeating Channel 9's purpose. In view of the Channel 9 and 11 reservation provisions we do not believe it to be in the public interest to subdivide the frequency band further by establishing another exclusive use channel. To do so would further decrease the limited number of channels for routine communications. Thus, this request for a separate exclusive frequency for highway users is denied. Nevertheless, in the interest of protecting emergency Channel 9 the Commission recommends that Citizens radio users who are members of the traveling public volunteer a good faith effort to prevent unintentional "bleedover" interference by reducing operation on channels adjacent to Channel 9 in the Citizens Radio Service. We recommend that all highway travelers communicate on a permissible channel other than Channel 10, preferably one several channels removed from channels 9 or 11.

13. In view of the foregoing, we are of the opinion that the amended rules as discussed above are in the public interest, convenience, and necessity.

14. Accordingly, pursuant to authority contained in sections 4(i) and 303 of the Communications Act it is ordered, That Part 95 of the Commission's rules is amended as set forth below. Effective September 15, 1975. It is further ordered, That this proceeding is continued with respect to those issues proposed in the notice and not disposed of herein.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

Adopted: July 29, 1975.

Released: August 7, 1975.

FEDERAL COMMUNICATIONS
COMMISSION.

[SEAL] VINCENT E. MULLINS,
Secretary.

Chapter 1, Part 95 of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 95.37(c) and (c) (3) are revised to read as follows:

§ 95.37 Limitations on antenna structures.

(c) All antennas (both receiving and transmitting) and supporting structures associated or used in conjunction with a Class C or D Citizens Radio Station operated from a fixed location must comply with at least one of the following:

- (1) * * *
- (2) * * *

(3) The antenna is mounted on the transmitting antenna structure of another authorized radio station and exceeds neither 60 feet above ground level nor the height of the antenna supporting structure of the other station; or

2. In § 95.41(d) (1) is revised, paragraph (2) is deleted, paragraph (3) is redesignated as paragraph (2), and a new paragraph (3) is added to read as follows:

§ 95.41 Frequencies available.

(d) * * *

(1) The following frequencies, commonly known as channels, may be used for communication between units of the same station (intrastation) or different stations (interstation):

MHz	Channel
26.965	1
26.975	2
26.985	3
27.005	4
27.015	5
27.025	6
27.035	7
27.055	8
27.075	10
27.105	12
27.115	13
27.125	14
27.135	15
27.155	16
27.165	17
27.175	18
27.185	19
27.205	20
27.215	21
27.225	22
27.255	23

(2) * * * (text of current subparagraph (3))

(3) The frequency 27.085 MHz (Channel 11) shall be used only as a calling frequency for the sole purpose of establishing communications and moving to another frequency (channel) to conduct communications.

3. A new Section 95.81 is added to read as follows:

§ 95.81 Permissible communications.

Stations licensed in the Citizens Radio Service are authorized to transmit the following types of communications:

(a) Communications to facilitate the personal or business activities of the licensee.

(b) Communication relating to:

(1) The immediate safety of life or the immediate protection of property in accordance with § 95.85.

(2) The rendering of assistance to a motorist, mariner or other traveler.

(3) Civil defense activities in accordance with § 95.121.

(4) Other activities only as specifically authorized pursuant to § 95.87.

(c) Communications with stations authorized in other radio services except as prohibited in § 95.83(a)(3).

4. Section 95.83(a) and headnote are amended to read as follows:

§ 95.83 Prohibited communications.

(a) A citizens radio station shall not be used:

(1) For any purpose, or in connection with any activity, which is contrary to Federal, State, or local law.

(2) For the transmission of communications containing obscene, indecent, profane words, language, or meaning.

(3) To communicate with an Amateur Radio Service station, an unlicensed station, or foreign stations (other than as provided in Subpart E of this part) except for communications pursuant to §§ 95.85(b) and 95.121.

(4) To convey program material for retransmission, live or delayed, on a broadcast facility. Note: A Class A or Class D station may be used in connection with administrative, engineering, or maintenance activities of a broadcasting station; a Class A or Class C station may be used for control functions by radio which do not involve the transmission of program material; and a Class A or Class D station may be used in the gathering of news items or preparation of programs: Provided, that the actual or recorded transmissions of the Citizens radio station are not broadcast at any time in whole or in part.

(5) To intentionally interfere with the communications of another station.

(6) For the direct transmission of any material to the public through a public address system or similar means.

(7) For the transmission of music, whistling, sound effects, or any material for amusement or entertainment purposes, or solely to attract attention.

(8) To transmit the word "MAYDAY" or other international distress signals, except when the station is located in a ship, aircraft, or other vehicle which is threatened by grave and imminent danger and requests immediate assistance.

(9) For advertising or soliciting the sale of any goods or services.

(10) For transmitting messages in other than plain language. Abbreviations including nationally or internationally recognized operating signals, may be used only if a list of all such abbreviations and their meaning is kept in the station records and made available to any Commission representative on demand.

(11) To carry on communications for hire, whether the remuneration or benefit received is direct or indirect.

5. Section 95.85(b) (1) and (2) are revised to read as follows:

§ 95.85 Emergency and assistance to motorist use.

(1) When used for transmission of emergency communications certain provisions in this part concerning use of frequencies (§ 95.41(d)); prohibited uses (§ 95.83(a)(3)); operation by or on behalf of persons other than the licensee (§ 95.87); and duration of transmissions (§ 95.91(a) and (b)) shall not apply.

(2) When used for transmissions of communications necessary to render assistance to a traveler, the provisions of this Part concerning duration of transmission (§ 95.91(b)) shall not apply.

6. Section 95.91 is amended to add new paragraphs (b) and (c) and to redesignate the present paragraphs (c) and (d), as (e) and (f), respectively.

§ 95.91 Duration of transmissions.

(b) All communications between Class D stations (interstation) shall be restricted to not longer than five (5) continuous minutes. At the conclusion of this 5 minute period, or the exchange of less than 5 minutes, the participating stations shall remain silent for at least one minute.

(c) All communication between units of the same Class D station (intrastation) shall be restricted to the minimum practicable transmission.

7. Section 95.95(c) is revised to read as follows:

§ 95.95 Station identification.

(c) Except as provided in paragraph (d) of this section, all transmission from each unit of a citizens radio station shall be identified by the transmission of its assigned call sign at the beginning and end of each transmission or series of transmissions, but at least at intervals not to exceed ten (10) minutes.

8. Section 95.119(d) is revised to read as follows:

§ 95.119 Control points, dispatch points, and remote control.

(d) Operation of any Class C or Class D station by remote control is prohibited except remote control by wire upon specific authorization by the Commission when satisfactory need is shown.

[FR Doc.75-20868 Filed 8-8-75;8:45 am]

Title 24—Housing and Urban Development
CHAPTER X—FEDERAL INSURANCE
ADMINISTRATION
SUBCHAPTER B—NATIONAL FLOOD INSURANCE
PROGRAM
[Docket No. FI-649]
PART 1915—IDENTIFICATION OF
SPECIAL HAZARD AREAS
List of Communities With Special Hazard
Areas
The purpose of this notice is the identification of communities with areas of special flood/ or mudslide/ or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.
The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community currently participating in the National Flood Insurance Program.

7. Section 95.95(c) is revised to read as follows:

§ 95.95 Station identification.

(c) Except as provided in paragraph (d) of this section, all transmission from each unit of a citizens radio station shall be identified by the transmission of its assigned call sign at the beginning and end of each transmission or series of transmissions, but at least at intervals not to exceed ten (10) minutes.

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CHAPTER X—FEDERAL INSURANCE
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SPECIAL HAZARD AREAS

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

Effective July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by a Federally regulated, insured, supervised or approved bank prior to January 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

Effective July 1, 1975, even though no areas with special flood hazards in the community had previously been identified, the identification of special hazard areas within the community makes

mandatory the purchase of insurance. Therefore, the effective date of identification shall be September 10, 1975, or the date which appears in this notice, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. Effective July 1, 1975, the six months period shall be considered to begin September 10, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a

community has to enter the program under Section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin September 10, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazard
Arkansas	White	Griffithville, town of	II 050247 01	Division of Soil and Water Resources, State Department of Commerce, 1920 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Mayor, Town Hall, Griffithville, Ark. 72060.	Sept. 26, 1975.
Do	Franklin	Ozark, city of	II 050355 01 through II 050355 02 II 050400 01	do	City Office, West College St., Ozark, Ark. 72940.	Do.
Do	Crittenden	Edmondson, town of	II 050355 01 through II 050400 01	do	Mayor, P.O. Box 415, Edmondson, Ark. 72332.	Do.
California	San Bernardino	Rialto, city of	II 060280A 01 through II 060280A 08	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	Director of Community Services, P.O. Box 728, 150 South Palm Ave., Rialto, Calif. 92376.	June 7, 1974.
Do	Santa Barbara	Carpinteria, city of	II 060332A 01	do	Director of Public Works, P.O. Box 278, Carpinteria, Calif. 93013.	June 21, 1974. Sept. 26, 1975.
Colorado	Lincoln	Hugo, town of	II 080108A 01	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Planner, City Hall, Hugo, Colo. 80821.	May 31, 1974. Sept. 26, 1975.
Do	Weld	Frederick, town of	II 080244 01	do	Mayor, Frederick, Colo. 80530.	Sept. 26, 1975.
Florida	Indian River	Sebastian, city of	II 120123A 01 through II 120123A 05	Department of Community Affairs, 2571 Executive Center Circle E., Howard Bldg., Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Mayor, City Hall, Sebastian, Fla. 32958.	Feb. 8, 1974. Sept. 26, 1975.
Do	Palm Beach	South Palm Beach, town of	II 120227A 01	do	Office of the Town Clerk, 604 North Dixie Highway, Lantana, Fla. 33462.	Jan. 16, 1974. Sept. 26, 1975.
Idaho	Canyon	Notus, city of	II 160147 01	Department of Water Administration, State House, Annex 2, Boise, Idaho 83707. Idaho Department of Insurance, Room 206-Statehouse, Boise, Idaho 83707.	Mayor, City Hall, Notus, Idaho 83656.	Sept. 26, 1975.
Illinois	Gallatin	Junction, village of	II 170245A 01	Governor's Task Force on Flood Control, 300 North State, Room 1010, P.O. Box 475, Chicago, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Village President, Village Hall, Junction, Ill. 62954.	Dec. 28, 1973. Sept. 26, 1975.
Do	Ogle	Oregon, city of	II 170530A 01	do	Mayor, 115 North Third St., Oregon, Ill. 61061.	Nov. 23, 1973. Sept. 26, 1975.
Do	Fulton	Norris, village of	II 170770A 01	do	Village Clerk, Village Office, Norris, Ill. 61553.	Dec. 6, 1974.
Iowa	Harrison	Medale, city of	II 190148A 01	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Mayor, City Hall, Medale, Iowa 51556.	Oct. 18, 1974.
Do	Calhoun	Lake City, city of	II 190340 01 through II 190340 04 II 190349 01	do	Mayor, 101 South Center St., P.O. Box 26, Lake City, Iowa 51449.	Sept. 26, 1975.
Do	Dallas	DeSoto, city of	II 190349 01	do	Mayor, City Hall, De Soto, Iowa 50069.	Do.
Do	do	Van Meter, city of	II 190362 01	do	Mayor, City Hall, Van Meter, Iowa 50261.	Do.
Do	Floyd	Nora Springs, city of	II 190384 01	do	Clerk, 45 North Hawkeye, Nora Springs, Iowa 50458.	Do.
Do	Fremont	Farragut, city of	II 190390 01	do	Clerk, City Hall, Farragut, Iowa 51639.	Do.
Do	Ida	Battle Creek, city of	II 190423 01	do	Clerk, City Hall, Battle Creek, Iowa 51006.	Do.
Do	Jackson	La Motte, city of	II 190420 01	do	Clerk, P.O. Box 71, La Motte, Iowa 52054.	Do.
Do	Keokuk	Keota, city of	II 190435 01	do	Clerk, P.O. Box 77, Keota, Iowa 52248.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Marshall	Ferguson, city of.	H 190457 01	do	Clerk, P.O. Box 31, Ferguson, Iowa 50078.	Do.
Do.	Mitchell	McIntire, city of.	H 190458 01	do	Mayor, P.O. Box 174, McIntire, Iowa 50455.	Do.
Do.	O'Brien	Sutherland, city of.	H 190471 01	do	Mayor, City Hall, Sutherland, Iowa 51058.	Do.
Do.	Sac	Wall Lake, city of.	H 190504 01	do	Mayor, City Hall, Wall Lake, Iowa 51466.	Do.
Do.	Sioux	Hospers, city of.	H 190510 01	do	Mayor, City Hall, Hospers, Iowa 51238.	Do.
Do.	Taylor	Blockton, city of.	H 190517 01	do	Mayor, City Hall, Blockton, Iowa 50826.	Do.
Do.	Union	Afton, city of.	H 190538 01	do	Mayor, P.O. Box 247, Afton, Iowa 50830.	Do.
Do.	Wayne	Allerton, city of.	H 190543 01	do	Mayor, City Hall, Allerton, Iowa 50008.	Do.
Do.	Polk	Altoona, city of.	H 190546 01	do	Mayor, c/o Craig Swartzbaugh, Administrative Assistant, Altoona, Iowa 50009.	Do.
Do.	Jefferson	Batavia, city of.	H 190551 01	do	City Council, Batavia, Iowa 52533.	Do.
Do.	O'Brien	Hartley, city of.	H 190590 01	do	Mayor, 169 South Central Ave., Hartley, Iowa 51246.	Do.
Do.	Washington	Kalona, city of.	H 190601 01	do	Mayor, City Hall, Kalona, Iowa 52247.	Do.
Do.	Calhoun	Lohrville, city of.	H 190609 01	do	Mayor, P.O. Box 257, Lohrville, Iowa 51453.	Do.
Do.	Des Moines	Mediapolis, city of.	H 190609 02 H 190615 01	do	Clerk, City Hall, Mediapolis, Iowa 52637.	Do.
Do.	Poweshiek	Montezuma, city of.	H 190622 01 H 190622 04	do	Mayor, City Hall, Montezuma, Iowa 50171.	Do.
Do.	Benton	Norway, city of.	H 190632 01	do	Mayor, City Hall, Norway, Iowa 52318.	Do.
Do.	Keokuk	Richland, city of.	H 190647 01 H 190647 02	do	Mayor, P.O. Box 153, Richland, Iowa 52585.	Do.
Do.	Lucas	Russell, city of.	H 190649 01	do	Clerk, P.O. Box 545, Russell, Iowa 50238.	Do.
Do.	Sioux	Sioux Center, city of.	H 190658 01 H 190658 02	do	Mayor, c/o Darrell Rensick City Manager, 337 North Main Ave., Sioux Center, Iowa 51250.	Do.
Do.	Carroll	Arcadia, city of.	H 190694 01	do	Mayor, Town Hall, Arcadia, Iowa 51450.	Do.
Do.	Pottawattamie	Crescent, city of.	H 190723 01	do	Mayor, P.O. Box 73, Crescent, Iowa 51526.	Do.
Do.	Tama	Elberon, city of.	H 190728 01	do	Mayor, City Hall, Elberon, Iowa 52225.	Do.
Do.	Sioux	Granville, city of.	H 190737 01	do	Mayor, City Hall, Granville, Iowa 51022.	Do.
Do.	Jefferson	Libertyville, city of.	H 190759 01	do	Clerk, P.O. Box 172, Libertyville, Iowa 52567.	Do.
Do.	Wayne	Lineville, city of.	H 190761 01	do	Mayor, P.O. Box 365, Lineville, Iowa 50167.	Do.
Do.	Calhoun and Sac	Lytton, city of.	H 190769 01	do	Clerk, City Hall, Lytton, Iowa 50561.	Do.
Do.	Emmet	Wallingford, city of.	H 190821 01	do	Mayor, P.O. Box 171, Wallingford, Iowa 51365.	Do.
Kansas	Montgomery	Independence, city of.	H 200233A 01 H 200233A 02	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, First Floor Statehouse, Topeka, Kans. 66612.	City Manager, City Hall, Independence, Kans. 67301.	Dec. 17, 1973. Sept. 26, 1975.
Do.	Bourbon	Uniontown, city of.	H 200371 01	do	Mayor, City Hall, Uniontown, Kans. 66770.	Sept. 26, 1975.
Do.	Rooks	Woodston, city of.	H 200379 01	do	Mayor, City Hall, Woodston, Kans. 67675.	Do.
Do.	Elk	Grenola, city of.	H 200418 01	do	Mayor, City Hall, Grenola, Kans. 67340.	Do.
Do.	Lyon	Hartford, city of.	H 200422 01	do	Mayor, City Hall, Hartford, Kans. 67340.	Do.
Do.	Pratt	Iuka, city of.	H 200425 01	do	Clerk, P.O. Box 127, Iuka, Kans. 67066.	Do.
Do.	Lyon	Olpe, city of.	H 200444 01	do	Mayor, P.O. Box 93, Olpe, Kans. 66863.	Do.
Do.	Chautauqua	Peru, city of.	H 200447 01	do	Mayor, P.O. Box 120, Peru, Kans. 67360.	Do.
Do.	Butler	Potwin, city of.	H 200448 01	do	Mayor, City Hall, Potwin, Kans. 67123.	Do.
Do.	Greenwood	Severy, city of.	H 200457 01	do	Mayor, P.O. Box 125, Severy, Kans. 67137.	Do.
Do.	Reno	Arlington, city of.	H 200464 01	do	Mayor, P.O. Box 14, Arlington, Kans. 67514.	Do.
Do.	Sedgwick	Colwich, city of.	H 200484 01	do	Mayor, City Bldg., Colwich, Kans. 67030.	Do.
Do.	Marion	Hillsboro, city of.	H 200505 01	do	Mayor, City Hall, Hillsboro, Kans. 67063.	Do.
Louisiana	Grant Parish	Dry Prong, village of.	H 220280 01 H 220280 02	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Police Chief, P.O. Box 124, Dry Prong, La. 71423.	Do.
Do.	Avoyelles Parish	Evergreen, village of.	H 220284 01	do	Mayor, General Delivery, Evergreen, La. 71333.	Do.

RULES AND REGULATIONS

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Michigan	Wayne	River Rouge, city of	H 260239A 01 through H 260239A 07	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Homer St., Lansing, Mich. 48913.	City Clerk, Civic Center, 1381 Colledge Highway, River Rouge, Mich. 48218.	May 17, 1974. Sept. 26, 1975.
Do	Genesee	Linden, village of	H 260398 01	do	William R. Brown, Box 597, Tickner St., Linden, Mich. 48451.	Sept. 26, 1975.
Do	Hillsdale	Jonesville, village of	H 260408 01	do	G. Carl East, 103 Evans St., Jonesville, Mich. 49250.	Do
Do	Houghton	Oscoda, township of	H 260413 01 through H 260413 12	do	Township Supervisor, Box 267, Township of Oscoda, Dollar Bay, Mich. 49822.	Do
Do	Irona	Hubbardston, village of	H 260418 01	do	Village President, 126 North Washington St., Hubbardston, Mich. 48845.	Do
Do	Livingston	Fowlerville, village of	H 260439 01	do	Village President, 105 Power St., Fowlerville, Mich. 48836.	Do
Do	Mason	Custer, village of	H 260454 01	do	Village President, First St., Custer, Mich. 49005.	Do
Do	Muskegon	Ravenna, village of	H 260464 01	do	Village President, Village Hall, 12000 Metheny St., Ravenna, Mich. 49451.	Do
Do	Ottawa	Coopersville, village of	H 260491 01 through H 260491 02	do	Mayor, 289 Danforth St., Coopersville, Mich. 49404.	Do
Do	Saginaw	Oakley, village of	H 260502 01	do	Village President, 215 Parrish St., Oakley, Mich. 48849.	Do
Do	Van Buren	Bangor, city of	H 260529 01	do	Mayor, 14 Pine St., Bangor, Mich. 49013.	Do
Do	do	Breedsville, village of	H 260530 01	do	Village President, East Main St., Breedsville, Mich. 49027.	Do
Do	do	Lawton, village of	H 260533 01	do	Village President, 125 South Main St., Box 267, Lawton, Mich. 49065.	Do
Do	Alcona	Harrisville, city of	H 260543 01	do	Mayor, City Hall, Harrisville, Mich. 48740.	Do
Do	Allegan	Douglas, village of	H 260549 01	do	Village President, Union and Center Sts., P.O. Box 515, Douglas, Mich. 49406.	Do
Do	Berrien	Stevensville, village of	H 260557 01	do	Village President, 5776 St. Joseph Ave., Stevensville, Mich. 49177.	Do
Do	Calhoun	Clarence, township of	H 260560 01 through H 260560 12	do	Township Supervisor, 6731 Morse Dr., Iliet, Mich. 49076.	Do
Do	do	Emmett, township of	H 260561 01 through H 260561 11	do	Township Supervisor, Township of Emmett, Battle Creek, Mich. 49017.	Do
Do	do	Pennfield, township of	H 260564 01 through H 260564 11	do	Township Supervisor, Township of Pennfield, 116 Layita St., Battle Creek, Mich. 49017.	Do
Do	Ottawa	Georgetown, township of	H 260589 01 through H 260589 12	do	Township Supervisor, Township of Georgetown, 7675 28th Ave.,	Do
Do	Shiawassee	Owosso, city of	H 260596 01 through H 260596 02	do	Mayor, 301-307th West, Main St., Owosso, Mich. 48867.	Do
Minnesota	Stearns	St. Cloud, city of	H 270456A 01 through H 270456A 08	Division of Waters, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-219 State Office Bldg., St. Paul, Minn. 55101.	City Administrator, City Hall, St. Cloud, Minn. 56301.	Dec. 17, 1973. Sept. 26, 1975.
Do	Hennepin	Medina, city of	H 270171A 01 through H 270171A 09	do	Mayor, City of Medina, 2052 County Rd. 24, Hamel, Minn. 55340.	Apr. 5, 1974. Sept. 26, 1975.
Mississippi	Madison	Ridgeland, city of	H 280110A 01	Mississippi Research and Development Center, P.O. Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Woolfolk Bldg., P.O. Box 70, Jackson, Miss. 39205.	Mayor, Box 217, Ridgeland, Miss. 39157.	June 28, 1974. Sept. 26, 1975.
Missouri	St. Louis	Eureka, city of	H 290349A 01 through H 290349A 12	Department of Natural Resources, Division of Program and Policy Development, State of Missouri, 308 East High St., Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Acting Building Commissioner, City Hall, P.O. Box 125, 106 South Central, Eureka, Mo. 63025.	Jan. 9, 1975. Sept. 26, 1975.
Do	Henry	Deepwater, city of	H 290747 01	do	Mayor, c/o Dr. C. R. Townsend, Deepwater, Mo. 64740.	Sept. 26, 1975.
Montana	Gallatin	Three Forks, town of	H 300029A 01	Montana Department of Natural Resources and Conservation, Water Resources Division, 32 South Ewing St., Helena, Mont. 59601. Montana Insurance Department, Capitol Bldg., Helena, Mont. 59601.	Mayor, 206 Main St., Three Forks, Mont. 59752.	Mar. 29, 1974. Sept. 26, 1975.
Do	Granite	Phillipsburg, town of	H 300117 01	do	Mayor, Phillipsburg, Mont. 59658.	Sept. 26, 1975.
Do	Lake	Polson, city of	H 300119 01	do	Mayor, P.O. Box 238, Polson, Mont. 59604.	Do
Nebraska	Kimball	Dix, village of	H 310270 01	Nebraska Natural Resources Commission, Seventh Floor, Terminal Bldg., Lincoln, Nebr. 68508. Nebraska Insurance Department, 1335 L St., Lincoln, Nebr. 68509.	Mayor, P.O. Box 66, Dix, Nebr. 69133.	Do

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Richardson	Verdon, village of.	H 310330 01	do.	Chairman, Village Hall, Verdon, Nebr. 68357.	Do.
Do.	Cass	Greenwood, village of.	H 310374 01	do.	Mayor, E. L. McDonald, Community Center, Greenwood, Nebr. 68366.	Do.
Do.	Cedar	Hartington, city of.	H 310376 01	do.	Clerk, City Hall, Hartington, Nebr. 68739.	Do.
New York	Clinton	Plattsburgh, town of.	H 360169A 01 through H 360169A 05	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York Insurance Department, Two World Trade Center, New York, N.Y. 10047. Division of Community Assistance, Department of Natural and Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611. North Carolina Insurance Department, P.O. Box 26887, Raleigh, N.C. 27611.	Town Supervisor, Rural Delivery No. 1, Box 341, Plattsburgh, N.Y. 12901.	Aug. 30, 1974. Sept. 26, 1975.
North Carolina	Greene	Hookerton, town of.	H 370326 01 through H 370326 02	Ohio Department of Natural Resources, Fountain Square, Flood Insurance Coord. Bldg., Columbus, Ohio 43224. Ohio Insurance Department, 447 East Broad St., Columbus, Ohio 43215.	Mayor, P.O. Box 296, Hookerton, N.C. 28538.	Sept. 26, 1975.
Ohio	Butler	Trenton, city of.	H 390047A 01 through H 390047A 02	Ohio Department of Natural Resources, Fountain Square, Flood Insurance Coord. Bldg., Columbus, Ohio 43224. Ohio Insurance Department, 447 East Broad St., Columbus, Ohio 43215.	Office of City Manager, 11 East State St., Trenton, Ohio 45067.	May 10, 1974. Sept. 26, 1975.
Do.	Richland	Lucas, village of.	H 390611A 01	do.	Mayor, Village of Lucas, Lucas, Ohio 44843.	Apr. 5, 1974. Sept. 26, 1975.
Oklahoma	Harmon	Hollis, city of.	H 400088A 01	Oklahoma Water Resources Board, 2341 Northwest 40th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, Room 408 Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Mayor, City Hall, Hollis, Okla. 73550.	June 28, 1974. Sept. 26, 1975.
Do.	Delaware	Kansas, town of.	H 400290 01	do.	Clerk, P.O. Box 168, Kansas, Okla. 74347.	Sept. 26, 1975.
Do.	Johnston	Mannsville, town of.	H 400303 01	do.	City Attorney, Town Hall, Mannsville, Okla. 73447.	Do.
Do.	Sequoyah	Marble City, town of.	H 400304 01	do.	Chairman, P.O. Box 210, Marble City, Okla. 74945.	Do.
Do.	Johnston	Milburn, town of.	H 400308 01	do.	Mayor, Town Hall, Milburn, Okla. No ZIP.	Do.
Do.	Washington	Copan, town of.	H 400361 01	do.	Clerk, P.O. Box 128, Copan, Okla. 74022.	Do.
Do.	Osage	Wynona, city of.	H 400454 01	do.	Clerk, City Hall, Wynona, Okla. 74084.	Do.
Oregon	Baker	Halfway, city of.	H 410004 01	Executive Department, State of Oregon, Salem, Ore. 97310. Oregon Insurance Division, Department of Commerce, 138 12th St. N.E., Salem, Ore. 97310. State Planning Bureau, Office of Executive Management, State Capitol Bldg., Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.	Mayor, P.O. Box 438, Halfway, Ore. 97834.	Do.
South Dakota	Moody	Flandreau, city of.	H 460062 01	do.	Mayor, City Hall, Flandreau, S. Dak. 57928.	Do.
Do.	Jerauld	Alpena, town of.	H 460066 01	do.	Office of Mayor, Alpena, S. Dak. 57312.	Do.
Do.	Douglas	Corsica, city of.	H 460167 01	do.	Mayor, P.O. Box 32 (Mayor's Box), Corsica, S. Dak. 57328.	Do.
Do.	Minnehaha	Garretson, city of.	H 460177 01	do.	Mayor, City Hall, Garretson, S. Dak. 57030.	Do.
Do.	Lincoln	Lennox, city of.	H 460192 01	do.	Mayor, City Hall, Lennox, S. Dak. 57030.	Do.
Do.	Minnehaha	Valley Springs, city of.	H 460221 01	do.	Mayor, P.O. Box 182, Valley Springs, S. Dak. 57068.	Do.
Texas	McLennan	Woodway, city of.	H 480462A 01 through H 480462A 02	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Mayor, P.O. Box 7485, City of Woodway, Waco, Tex. 76710.	Jan. 23, 1974. Sept. 26, 1975.
Do.	Rockwall	McLendon-Chisholm, city of.	H 480546 01 through H 480546 06	do.	Mayor, City of McLendon-Chisholm, Rockwall, Tex. 75087.	Sept. 26, 1975.
Do.	Denton	Lake Dallas, town of.	H 480780 01 through H 480780 02	do.	City Engineer, Town Offices, Lake Dallas, Tex. 75065.	Do.
Do.	Eastland	Rising Star, town of.	H 480795 01	do.	Mayor, P.O. Box 35, Rising Star, Tex. 76471.	Do.
Do.	Fannin	Savoy, town of.	H 480813 01	do.	Town Mayor, Savoy, Tex. 75479.	Do.
Do.	Navarro	Rice, city of.	H 480937 01	do.	Mayor, City Hall, Rice, Tex. 75155.	Do.
Do.	Uvalde	Sabinal, city of.	H 481039 01	do.	Mayor, P.O. Box 838, Sabinal, Tex. 78861.	Do.
Utah	Salt Lake	Midvale, city of.	H 490211 01 through H 490211 02	Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114. Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Mayor, City Hall, Midvale, Utah 84047.	Do.
Washington	Island	Oak Harbor, city of.	H 530068A 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia Wash. 98501.	Mayor, City Hall, City of Oak Harbor, Clarkston, Wash. 99403.	May 24, 1974.
Do.	Snohomish	Mountlake Terrace, city of.	H 530170A 01 through H 530170A 04	do.	City Engineer, 23204 58th Ave., Mountlake Terrace, Wash. 98043.	June 28, 1974. Sept. 26, 1975.
West Virginia	Ritchie	Pennsboro, city of.	H 540182A 01	Office of Federal-State Relations, Division of Planning and Development, Capitol Bldg., Room 130, Charleston, W. Va. 25305. Mr. Donald W. Brown, Insurance Commissioner, 1800 Washington St., Bldg. No. 3, Room 613, Charleston, W. Va. 25305.	Mayor, 213 Kimball Ave., Pennsboro, W. Va. 26415.	May 31, 1974.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Wisconsin.....	Richland.....	Yuba, village of..	H 55082A 01.....	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 301 East Washington Ave., Madison, Wis. 53703.	Village President, Yuba, Wis. 54622...	Nov. 8, 1974. Sept. 20, 1975.
Wyoming.....	Carbon.....	Encampment, town of.	H 560061 01.....	Wyoming Disaster and Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001. Department of Insurance, State of Wyoming, State Office Bldg., Cheyenne, Wyo. 82001.	Clerk, Town Hall, Encampment, Wyo. 82325.	Sept. 20, 1975.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secre-

tary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969).

Issued: July 23, 1975.

FRANCIS V. REILLY,
Acting Federal Insurance Administrator.

[FR Doc. 75-20673 Filed 8-8-75; 8:45 am]

[Docket No. FI-650]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The purpose of this notice is the identification of communities with areas of special flood/ or mudslide/ or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

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

Effective July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by a Federally regulated, insured, supervised or approved bank prior to January 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

Effective July 1, 1975, even though no areas with special flood hazards in the community had previously been identified, the identification of special hazard areas within the community makes mandatory the purchase of insurance. Therefore, the effective date of identification shall be September 10, 1975, or the date which appears in this notice, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish

that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. Effective July 1, 1975, the six months period shall be considered to begin September 10, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin September 10, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Arkansas.....	Monroe.....	Holly Grove, city of.	H 050157A 01.....	Division of Soil and Water Resources, State Department of Commerce, 1920 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Planner, 112 Northeast Front St., P.O. Box 187, City of Holly Grove, Lonoke, Ark. No ZIP Code.	Apr. 5, 1974. Sept. 19, 1975.
Do.....	Phillips.....	Lakeview, town of.	H 050169 01 through H 050169 03	do.....	Recorder, Route 1, Box 221, Helena, Ark. 72342.	Sept. 19, 1975.
Do.....	Yell.....	Havana, city of.	H 050234A 01	do.....	Mayor, City Hall, Havana, Ark. 72842.	Aug. 23, 1974.
Do.....	Perry.....	Houston, town of.	H 050257 01 through H 050257 02	do.....	Mayor, P.O. Box 178, Houston, Ark. 72070.	Sept. 19, 1975.
Do.....	Little River.....	Ogden, city of.	H 050270 01	do.....	Mayor, City Hall, Ogden, Ark. 71961.	Do.
Do.....	do.....	Winthrop, city of.	H 050901 01	do.....	Mayor, P.O. Box 141, Winthrop, Ark. 71866.	Do.
Do.....	Sebastian.....	Huntington, city of.	H 050334 01	do.....	Mayor, P.O. Box 27, Huntington, Ark. 72340.	Do.
Do.....	St. Francis.....	Wheatley, city of.	H 050374 01 through H 050374 02	do.....	Recorder, P.O. Box 275, Wheatley, Ark. 72393.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
California	Butte	Oroville, city of	H 060020A 01 through H 060020A 30	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	City Administrator, 1735 Montgomery St., Oroville, Calif. 95965.	June 7, 1974. Sept. 19, 1975.
Do	Merced	Merced, city of	H 060161A 01 through H 060161A 03	do	Mayor, City Hall, P.O. Box 2068, Merced, Calif. 95340.	July 19, 1974. Sept. 19, 1975.
Do	Santa Barbara	Santa Barbara, city of	H 060335A 01 through H 060335A 10	do	Flood Control Engineer, Santa Barbara County Flood Control and Water Conservation District, 123 East Anapamus Street, Santa Barbara, Calif. 93101.	June 14, 1974. Sept. 19, 1975.
Do	Santa Clara	Mountain View, city of	H 060347A 01 through H 060347A 06	do	City Manager, City Hall, City of Mountain View, Merced, Calif. 94040.	June 14, 1974. Sept. 19, 1975.
Colorado	Larimer	Estes Park, town of	H 080193 01 through H 080193 02	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Water Superintendent, P.O. Box 1200, Estes Park, Colo. 80517.	Do.
Do	Weld	Firestone, town of	H 080241 01	do	Mayor, P.O. Box 100, Firestone, Colo. 80633.	Do.
Do	Kit Carson	Flagler, town of	H 080242 01	do	Town Council, Town of Flagler, Flagler, Colo. 80815.	Do.
Do	Weld	Keenesburg, town of	H 080251 01	do	Mayor, Town Hall, Keenesburg, Colo. 80643.	Do.
Do	Eagle	Red Cliff, town of	H 080260 01	do	Mayor, P.O. Box 93, Red Cliff, Colo. 80649.	Do.
Idaho	Bonner	Clark Fork, city of	H 160132 01	Department of Water Administration, State House, Annex 2, Boise, Idaho 83707. Idaho Department of Insurance, Room 206, Statehouse, Boise, Idaho 83707.	Mayor, City Hall, Clark Fork, Idaho 83811.	Do.
Do	Valley	Cascade, city of	H 160161 01	do	Clerk, P.O. Box 759, Cascade, Idaho 83611.	Do.
Do	Payette	Fruitland, city of	H 160168 01	do	Mayor, City Hall, Fruitland, Idaho 83619.	Do.
Do	Bear Lake	Paris, city of	H 160183 01	do	Clerk, City Hall, Paris, Idaho 83261.	Do.
Illinois	Cook	Oak Forest, city of	H 170136A 01 through H 170136A 04	Governor's Task Force on Flood Control, 390 North State St., Room 1010, P.O. Box 475, Chicago, Ill. 60610. Illinois Insurance Department, 325 West Jefferson St., Springfield, Ill. 62702.	Mayor, 15001 Cicero, Oak Forest, Ill. 60452.	June 21, 1974. Sept. 19, 1975.
Do	Ford	Piper City, village of	H 170236A 01	do	Village President, Piper City, Ill. 60959.	Feb. 22, 1974. Sept. 19, 1975.
Do	Franklin	West Frankfort, city of	H 170239A 01 through H 170239A 02	do	Mayor, 108 North Emma Street, West Frankfort, Ill. 62890.	Mar. 8, 1975. Sept. 19, 1975.
Do	Lake	Lake Villa, village of	H 170375A 01	do	Mayor, Box 176, 65 Cedar Avenue, Lake Villa, Ill. 60046.	May 3, 1974. Sept. 19, 1975.
Do	Livingston	Forrest, village of	H 170425A 01	do	Village President, Forrest, Ill. 61741.	Mar. 1, 1974. Sept. 19, 1975.
Do	Tazewell	Minier, village of	H 170631A 01	do	Village President, 110 West Central, Minier, Ill. 61759.	Nov. 29, 1974. Sept. 19, 1975.
Do	Will and Cook	Park Forest South, village of	H 170708 01 through H 170708 04	do	William F. Nesper, 608 Burham Dr., Park Forest South, Ill. 60466.	Do.
Indiana	Crawford	Marengo, town of	H 180333A 01	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	President, Town Board, Box 212, Marengo, Ind. 47140.	Do.
Do	Jefferson	Madison, city of	H 180107A 01 through H 180107A 04	do	Mayor, 406 West Street, Madison, Ind. 47250.	Feb. 1, 1974. Sept. 19, 1975.
Do	O'Brien	Sanborn, city of	H 190651 01	do	Mayor, Sanborn, Iowa 51248.	Do.
Do	Kossuth	Swea City, city of	H 190664 01	do	Mayor, City Hall, Swea City, Iowa 50560.	Do.
Do	Winnebago	Thompson, town of	H 190666 01 through H 190666 02	do	Mayor, Thompson, Iowa 50478.	Do.
Do	Tama	Traer, city of	H 190668 01	do	Mayor, 649 Second St., Traer, Iowa 50675.	Do.
Do	Pottawattamie	Walnut, town of	H 190676 01	do	Mayor, Town Hall, Walnut, Iowa 51577.	Do.
Do	Washington	Washington, city of	H 190677 01 through H 190677 02	do	Mayor, Washington, Iowa 52353.	Do.
Do	Henry	Winfield, town of	H 190688 01	do	Mayor, 112 East Ash St., Winfield, Iowa 52659.	Do.
Do	Linn	Alburnett, city of	H 190692 01	do	Clerk, P.O. Box 88, Alburnett, Iowa 52302.	Do.
Do	Mahaska and Poweshiek	Barnes City, town of	H 190701 01	do	Mayor, P.O. Box 31, Barnes City, Iowa 50027.	Do.
Do	O'Brien	Calumet, town of	H 190712 01	do	Clerk, P.O. Box 131, Calumet, Iowa 51009.	Do.
Do	Scott	Dixon, city of	H 190726 01	do	Mayor, City Hall, Dixon, Iowa 52745.	Do.
Do	Taylor	Gravity, town of	H 190738 01	do	Mayor, P.O. Box 8, Gravity, Iowa 50848.	Do.

RULES AND REGULATIONS

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Howard	Lime Springs, city of	H 190417 01	do.	Mayor, P.O. Box 275, Lime Springs, Iowa 52155.	Do.
Do.	Ida	Galva, city of	H 190424 01	do.	Clerk, P.O. Box 130, Galva, Iowa 51020.	Do.
Do.	Iowa	Ladora, town of	H 190425 01	do.	Mayor, Ladora, Iowa 52221.	Do.
Do.	Jackson	Preston, city of	H 190431 01	do.	Mayor, P.O. Box 37, Preston, Iowa 52099.	Do.
Do.	Kossuth	Fenton, town of	H 190437 01	do.	Mayor, City Hall, Fenton, Iowa 50530.	Do.
Do.	Linn	Palo, town of	H 190442 01	do.	Mayor, Palo, Iowa 52324.	Do.
Do.	Lyon	Doon, city of	H 190446 01	do.	Mayor, P.O. Box 202, Doon, Iowa 51235.	Do.
Do.	do.	Little Rock, city of	H 190448 01	do.	Clerk, P.O. Box 308, Little Rock, Iowa 51243.	Do.
Do.	Malsaka	Beacon, town of	H 190452 0	do.	Mayor, Beacon, Iowa 52534.	Do.
Do.	Pottawattamie	Carter Lake, city of	H 190492 01	do.	Mayor, 636 Locust St., Carter Lake, Iowa 52810.	Do.
Do.	do.	Neola, city of	H 190493 01	do.	Water Superintendent, City Hall, Neola, Iowa 51559.	Do.
Do.	Poweshiek	Deep River, town of	H 190496 01	do.	Mayor, c/o Norma Bates, Clerk, Deep River, Iowa 52222.	Do.
Do.	Poweshiek	Malcom, town of	H 190498 01	do.	Mayor, Town Hall, Malcom, Iowa 50157.	Do.
Do.	Shelby	Portsmouth, town of	H 190507 01	do.	Mayor, Portsmouth, Iowa 51565.	Do.
Do.	Washington	Ainsworth, town of	H 190525 01	do.	Mayor, Ainsworth, Iowa 52201.	Do.
Do.	Monroe	Albia, city of	H 190541 01	do.	Mayor, City Hall, Albia, Iowa 52531.	Do.
Do.	Washington	Brighton, town of	H 190557 01	do.	Mayor, c/o Jerry Lynn Garrels, Brighton, Iowa 52549.	Do.
Do.	Wayne	Corydon, town of	H 190562 01 through H 190562 02	do.	Mayor, P.O. Box 169, Corydon, Iowa 50093.	Do.
Do.	Adair	Greenfield, city of	H 190587 01 through H 190587 02	do.	Mayor, P.O. Box 95, Greenfield, Iowa 50849.	Do.
Do.	Ida	Holstein, city of	H 190593 01	do.	Mayor, P.O. Box 188, Holstein, Iowa 51025.	Do.
Do.	Sioux	Hull, city of	H 190595 01 through H 190595 02	do.	Mayor, City Hall, Hull, Iowa 51239.	Do.
Do.	Benton	Keystone, town of	H 190602 01	do.	Mayor, Town Hall, 208 First St., Keystone, Iowa 52249.	Do.
Do.	Monroe	Lovilia, city of	H 190612 01	do.	Mayor, City Hall, Lovilia, Iowa 50150.	Do.
Do.	Polk	Mitchellville, city of	H 190619 01	do.	Mayor, City Hall, Mitchellville, Iowa 50169.	Do.
Iowa	Black Hawk	Evansdale, city of	H 190620A 01 through H 190620A 03	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Director, 3459 Lafayette Rd., Evansdale, Iowa 50707.	May 17, 1974. Sept. 19, 1975.
Do.	Mills	Hastings, town of	H 190624 01	do.	Mayor, P.O. Box 185, Hastings, Iowa 51540.	Sept. 19, 1975.
Do.	Webster	Lehigh, town of	H 190630 010	do.	Clerk, Town Hall, Lehigh, Iowa 50557.	Do.
Do.	Benton	Blairtown, city of	H 190630 01 through H 190630 02	do.	Mayor, P.O. Box 230, Blairtown, Iowa 52534.	Do.
Do.	Boone	Madrid, city of	H 190625 01	do.	Clerk, 304 South Water St., Madrid, Iowa 50156.	Do.
Do.	Butler	Clarksville, city of	H 190636 01	do.	Mayor, City Hall, Clarksville, Iowa 50619.	Do.
Do.	Cass	Griswold, town of	H 190636 01	do.	Clerk, P.O. Box 446, Griswold, Iowa 51535.	Do.
Do.	Clay	Everly, town of	H 190636 01	do.	Mayor, Everly, Iowa 51338.	Do.
Do.	Fayette	Maynard, city of	H 190637 01	do.	Mayor, Maynard, Iowa 50653.	Do.
Do.	Greene	Paton, town of	H 190637 01	do.	Mayor, Paton, Iowa 50217.	Do.
Do.	Howard	Elma, city	H 190616 01	do.	Mayor, P.O. Box 27, Elma, Iowa 50628.	Do.
Do.	Warren	Lacoma, city of	H 190752 01	do.	Mayor, City Hall, Lacoma, Iowa 50139.	Do.
Do.	Marshall	Liscomb, city of	H 190762 01 through H 190762 02	do.	Mayor, P.O. Box 98, Liscomb, Iowa 50148.	Do.
Do.	Union	Lorimor, town of	H 190765 01	do.	Mayor, Town Hall, Lorimor, Iowa 50149.	Do.
Do.	Humboldt and Kossuth	Laverne, town of	H 190768 01 through H 190768 02	do.	Mayor, Laverne, Iowa 50560.	Do.
Do.	Monona	Moorehead, town of	H 190783 01	do.	Mayor, Moorehead, Iowa 51558.	Do.
Do.	Dickenson	Okoboji, town of	H 190788 01 through H 190788 02	do.	Mayor, Okoboji, Iowa 51355.	Do.
Do.	Marshall	Rhodes, town of	H 190795 01	do.	Mayor, City Hall, Rhodes, Iowa 50234.	Do.
Do.	Polk	Runnells, town of	H 190830 01	do.	Town Council, Town of Runnells, Runnells, Iowa 50237.	Do.
Kansas	Brown	Hamlin, city of	H 200029 01	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, First Floor Statehouse, Topeka, Kans. 66612.	Mayor, Route 3, Hiawatha, Kans. 66434.	Do.
Do.	Woodson	Toronto, city of	H 200367 01	do.	Mayor, City Hall, Toronto, Kans. 66777.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Morris	White City, city of.	H 200377 01	do.	Mayor, City Hall, White City, Kans.	Do.
Do.	Saline	Brookville, city of.	H 200394 01	do.	Mayor, City Hall, Brookville, Kans.	Do.
Do.	Morris	Dwight, city of.	H 200406 01	do.	Mayor, City Hall, Dwight, Kans.	Do.
Do.	Dickinson	Hope, city of.	H 200424 01	do.	Mayor, City Hall, Hope, Kans.	Do.
Do.	Elk	Longton, city of.	H 200432 01	do.	Mayor, P.O. Box 174, Longton, Kans.	Do.
Do.	Cherokee	Scammon, city of.	H 200455 01	do.	Mayor, P.O. Box 161, Scammon, Kans.	Do.
Do.	Sumner	South Haven, city of.	H 200459 01	do.	Mayor, c/o D. Hollingsworth, President of Council, South Haven, Kans.	Do.
Do.	Cowley	Burden, city of.	H 200473 01	do.	Mayor, Burden, Kans.	Do.
Do.	Sumner	Caldwell, city of.	H 200474 01	do.	Mayor, c/o D. B. Stallings, Caldwell, Kans.	Do.
Do.	LaBette	Chetopa, city of.	H 200480 01	do.	Mayor, P.O. Box 104, Chetopa, Kans.	Do.
Do.	Sedgwick	Eastborough, city of.	H 200491 01	do.	Mayor, City Hall, Eastborough, Kans.	Do.
Do.	Cheyenne	St. Francis, City of.	H 200524 01	do.	Mayor, City Office, St. Francis, Kans.	Do.
Do.	Neosho	Saint Paul, city of.	H 200526 01	do.	Mayor, City Hall, Saint Paul, Kans.	Do.
Do.	Osage	Scranton, city of.	H 200527 01	do.	Mayor, City Hall, Scranton, Kans.	Do.
Do.	Ford	Spearville, city of.	H 200531 01	do.	Councilman, City Hall, Spearville, Kans.	Do.
Do.	Greeley	Tribune, city of.	H 200535 01	do.	Mayor, P.O. Box 577, Tribune, Kans.	Do.
Do.	LaBette	Oswego, city of.	H 200545 01	do.	Mayor, 703 Fifth St., Oswego, Kans.	Do.
Do.	Cherokee	Weir, city of.	H 200557 01	do.	Mayor, 1 South Washington St., Weir, Kans.	Do.
Do.	Butler	Whitewater, city of.	H 200559 01	do.	Mayor, City Hall, Whitewater, Kans.	Do.
Kentucky	Union	Sturgis, city of.	H 210217A 01	Division of Water, Kentucky Department of Natural Resources, Capitol Plaza Office Tower, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601.	Mayor, Box 98, Sturgis, Ky. 42438.	May 17, 1974. Sept. 19, 1975.
Louisiana	Livingston Parish	Livingston, town of.	H 220118 01	State Department of Public Works, P.O. Box 48155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Mayor, Town Hall, Livingston, La. 70754.	Sept. 19, 1975.
Do.	Grant Parish	Montgomery, town of.	H 220256 01	do.	Clerk, P.O. Box 537, Montgomery, La. 71454.	Do.
Do.	East Feliciana Parish	Slaughter, town of.	H 220259 01 H 220259 02	do.	Mayor, P.O. Box 8, Slaughter, La. 70777.	Do.
Do.	Caddo Parish	Gilliam, village of.	H 220289 01	do.	Village President, Village of Gilliam, Gilliam, La. 71029.	Do.
Do.	Natchitoches Parish	Goldsboro, village of.	H 220290 01	do.	Mayor, P.O. Box 261, Goldsboro, La. 71031.	Do.
Do.	Caddo Parish	Blanchard, village of.	H 220315 01	do.	Mayor, P.O. Box 406, Blanchard, La. 71009.	Do.
Do.	Jackson Parish	Chatham, town of.	H 220318 01	do.	Town Council, Town of Chatham, Chatham, La. 71226.	Do.
Do.	DeSoto Parish	Mansfield, city of.	H 220337 01 H 220337 02	do.	Clerk, P.O. Box 773, Mansfield, La. 71052.	Do.
Michigan	Genesee	Mount Morris, township of.	H 200400 01 H 200400 11	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Meamer St., Lansing, Mich. 48913.	Township Supervisor, 3006 West Coldwater Road, Mount Morris, Mich. 48458.	Do.
Do.	Tuscola	Gilford, township of.	H 200325 01 H 200325 12	do.	Township Supervisor, 6285 Hickey Rd., Township of Gilford, Fairgrove, Mich. 48733.	Do.
Do.	Barnab	L'Anse, village of.	H 200532 01	do.	Village President, 101 North Main St., L'Anse, Mich. 49946.	Do.
Do.	Benzie	Elberta, village of.	H 200553 01	do.	Village President, Village Hall, Elberta, Mich. 49628.	Do.
Do.	Calhoun	Athens, village of.	H 200558 01	do.	Village President, East Burr Oak St., Athens, Mich. 49011.	Do.
Do.	do.	Marengo, township of.	H 200563 01 H 200563 11	do.	Township Supervisor, 19035-19 Mile Rd., Township of Marengo, Marshall, Mich. 49068.	Do.
Do.	Gogehle	Wakefield, city of.	H 200567 01 H 200567 08	do.	Mayor, Sunday Lake St., Wakefield, Mich. 49968.	Do.
Do.	Jackson	Summit, township of.	H 200575 01 H 200575 11	do.	Township Supervisor, 2330 Frances St., Township of Summit, Jackson, Mich. 49203.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Kalamazoo	Portage, city of	H 260577 01 through H 260577 10	do	Mayor, 7800 Shaver Rd., Portage, Mich. 49081.	Do.
Do.	Mecosta	Morley, village of	H 260585 01	do	Village President, Cass Ave., Morley, Mich. 49336.	Do.
Do.	St. Clair	Kimba, town of	H 260594 01 through H 260594 11	do	Supervisor, 5118 Griswold Rd., Town of Kimball, Port Huron, Mich. 48069.	Do.
Do.	Shiawassee	Byron, village of	H 260601 01	do	Village President, Saginaw St., Byron, Mich. 48418.	Do.
Do.	do	Corunna, city of	H 260602 01 through H 260602 02	do	Mayor, 402 North Shiawassee St., Corunna, Mich. 48817.	Do.
Minnesota	Morrison	Lastrup, city of	H 270238A 01	Division of Waters, Soils and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Mayor, Lastrup, Minn. 56344.	Aug. 9, 1974. Sept. 19, 1975.
Missouri	St. Louis	Ballwin, city of	H 290328A 01 through H 290328 03	Water Resources Board, P.O. Box 271, P.O. Box 271, Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 600, Jefferson City, Mo. 65101.	Director of Public Works, 300 City Hall, Ballwin, Mo. 63011.	June 7, 1974. Sept. 19, 1975.
Do.	do	Black Jack, city of	H 290330A 01 through H 290330A 02	do	Director of Public Works, 4655 Parker Rd., Black Jack, Mo. 63033.	Aug. 16, 1974. Sept. 19, 1975.
Do.	Platte	Dearborn, city of	H 290504 01	do	Mayor, City Hall, Dearborn, Mo. 64439.	Do.
Do.	Jasper	Purcell, city of	H 290539 01	do	Mayor, City Hall, Purcell, Mo. 64857.	Do.
Do.	Pettis	Houstonia, city of	H 290575 01	do	Clerk, City Hall, Houstonia, Mo. 65333.	Do.
Do.	Lafayette	Wellington, city of	H 290651 01 through H 290651 02	do	Clerk, City Hall, Wellington, Mo. 64997.	Do.
Montana	Cascade	Belt, town of	H 300009A 01	Montana Department of Natural Resources, and Conservation, Water Resources Division, Sam W. Mitchell Bldg., Helena, Mont. 59601. Montana Insurance Department, Capitol Building, Helena, Mont. 59601.	City Attorney, P.O. Box 2269, Town of Belt, Great Falls, Mont. 59403.	Mar. 15, 1974. Sept. 19, 1975.
Do.	Madison	Sheridan, town of	H 300126 01	do	Mayor, Box 35, Sheridan, Mont. 59749.	Sept. 19, 1975.
Do.	Jefferson	Boulder, town of	H 300395A 01	do	Mayor, City Hall, Boulder, Mont. 59633.	Mar. 22, 1974. Sept. 19, 1975.
Nebraska	Saunders	Ashland, city of	H 310196A 01	Nebraska Natural Resources, Commission, P.O. Box 94735, State House Station, Lincoln, Nebr. 68509. Nebraska Insurance Department, 1335 L. St., Lincoln, Nebr. 68509.	Mayor, City Hall, Ashland, Nebr. 68003.	May 17, 1974. Sept. 19, 1975.
Do.	Frontier	Eustis, village of	H 310276 01	do	Mayor, Village Hall, Eustis, Nebr. 68028.	Sept. 19, 1975.
Do.	Dixon	Newcastle, village of	H 310306 01	do	Clerk, Village Hall, Newcastle, Nebr. 68757.	Do.
Do.	Custer	Callaway, village of	H 310355 01	do	Councilman, Village Hall, Callaway, Nebr. 68825.	Do.
Do.	Red Willow	Indianola, city of	H 310382 01	do	Mayor, City Hall, Indianola, Nebr. 68034.	Do.
New Mexico	Coffey	Maxwell, village of	H 350106 01	State Engineer's Office, Bataan Memorial Bldg., Santa Fe, N. Mex. 87501. New Mexico Department of Insurance, P.O. Box 1269, Santa Fe, N. Mex. 87501.	Mayor, P.O. Box 315, Maxwell, N. Mex. 87728.	Do.
North Dakota	Ward	Ryder, city of	H 380201 01	State Water Commission, State Office Bldg., 900 East Boulevard, Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	Mayor, City Hall, Ryder, N. Dak. 58779.	Do.
Do.	Beauville	Mohall, city of	H 380241 01	do	Mayor, City Hall, Mohall, N. Dak. 58761.	Do.
Oklahoma	Hughes	Calvin, town of	H 400209 01	Oklahoma Water Resources Board, 2241 Northwest 40th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Mayor, P.O. Box 134, Calvin, Okla. 74531.	Do.
Do.	Dewey	Camargo, town of	H 400270 01	do	Mayor, P.O. Box 45, Camargo, Okla. 73835.	Do.
Do.	Logan	Langston, town of	H 400297 01	do	Mayor, P.O. Box 116, Langston, Okla. 73050.	Do.
Do.	Washita	Rocky, town of	H 400325 01	do	Clerk, P.O. Box 75, Rocky, Okla. 73661.	Do.
Do.	LeFlore	Bokoshe, town of	H 400350 01	do	Mayor, Bokoshe, Okla. 74330.	Do.
Do.	Alfalfa	Carmen, town of	H 400355 01	do	Mayor, Town Hall, Carmen, Okla. 73728.	Do.
Do.	Hughes	Dustin, town of	H 400371 01	do	City Clerk, P.O. Box 177, Dustin, Okla. 74534.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
South Dakota	Grant	Reville, town of	H 460031 01	South Dakota Planning Agency, State Capitol Bldg., Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Department, Pierre, S. Dak. 57501.	President, P.O. Box 72, Reville, S. Dak. 57259.	Do.
Do.	Hamlin	Lake Norden, town of	H 460124 01	do.	Mayor, Lake Norden, S. Dak. 57248.	Do.
Do.	Brule	Pukwana, town of	H 460133 01	do.	President of Council, P.O. Box 7, Pukwana, S. Dak. 57370.	Do.
Do.	Todd	Saint Francis, town of	H 460135 01	do.	Chairman, P.O. Box 143, St. Francis, S. Dak. 57572.	Do.
Do.	Lincoln	Tes, town of	H 460143 01	do.	President, Town Hall, Tes, S. Dak. 57064.	Do.
Do.	Corson	McIntosh, city of	H 460193 01	do.	Mayor, City Hall, McIntosh, S. Dak. 57042.	Do.
Do.	Hutchinson	Menno, city of	H 460199 01	do.	Mayor, City Hall, Menno, S. Dak. 57049.	Do.
Do.	Jones	Murdo, city of	H 460205 01	do.	Mayor, City Hall, Murdo, S. Dak. 57559.	Do.
Texas	Ball	Muleshoe, city of	H 480019A 01 through H 480019A 02	Texas Water Development Board, P.O. Box 13057, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Program Coordinator, 215 South First St., Muleshoe, Tex. 79347.	May 24, 1974. Sept. 19, 1975.
Do.	Wichita	Burkburnett, city of	H 480658A 01 through H 480658A 06 H 480658A 01	do.	City Engineer, City Hall, Burkburnett, Tex. 76354.	June 7, 1974. Sept. 19, 1975.
Do.	Grayson	Pottsboro, town of	H 481052 01	do.	Mayor, P.O. Box 357, Pottsboro, Tex. 75076.	Do.
Do.	Wise	Alvord, town of	H 481103 01	do.	Mayor, P.O. Box 11, Alvord, Tex. 76225.	Do.
Do.	Denton	Highland Village, city of	H 481103 01	do.	City Administrator, P.O. Box 880, City of Highland Village, Lewisville, Tex. 75067.	Do.
Utah	Sevier	Sigurd, town of	H 490123 01	Dept. of Natural Resources, Division of Water Resources, State Capitol Bldg., Rm. 435, Salt Lake City, UT 84114. Utah Insurance Dept., 115 State Capitol, Salt Lake City; UT 84114.	Town Council, Town of Sigurd, Sigurd, Utah 84657.	Do.
Do.	Wasatch	Charleston, town of	H 490165 01	do.	Town President, Rural Delivery, Town of Charleston, Heber City, Utah 84632.	Do.
Do.	Daggett	Manila, town of	H 490202 01	do.	Town President, Town Hall, Manila, Utah 84046.	Do.
Do.	Salt Lake	South Salt Lake, city of	H 490219 01 through H 490219 02	do.	Mayor, 2500 South State St., Salt Lake City, Utah 84115.	Do.
Vermont	Rutland	Rutland, city of	H 500101A 01 through H 500101A 03	Management and Engineering Division, Water Resources Department, State Office Bldg., Montpelier, Vt. 05602. Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Chairman, Rutland City Planning Commission, P.O. Box 69, Rutland, Vt. 05701.	Mar. 15, 1974. September 1975.
Washington	Snohomish	Gold Bar, town of	H 530285 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	Mayor, 501 Lewis St., Gold Bar, Wash. 98231.	Sept. 19, 1975.
Do.	do.	Woodway, town of	H 530305 01	do.	Clerk, 23020-113th Place West, Edmonds, Wash. 98020.	Do.
West Virginia	Jefferson	Charles Town, city of	H 540066A 01 through H 540066A 02	Office of Federal-State Relations, Division of Planning and Development, Capitol Bldg., Room 150, Charleston, W. Va. 25305. Insurance Commissioner, Building No. 3, Room 643, 1800 Washington St., Charleston, W. Va. 25305.	Mayor, City Hall, Charles Town, W. Va. 25414.	Feb. 1, 1974.
Wisconsin	Outagamie	Combined Locks, village of	H 550304A 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53701.	Village President, Combined Locks, Wis. 54113.	June 21, 1974.
Wyoming	Carbon	Rawlins, city of	H 560011A 01 through H 560011A 04	Wyoming Disaster and Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001. Department of Insurance, State of Wyoming, State Office Bldg., Cheyenne, Wyo. 82001.	City Engineer, City Hall, Rawlins, Wyo. 82301.	May 24, 1974. Sept. 19, 1975.
Do.	Big Horn	Cowley, town of	H 560059 01	do.	Mayor, P.O. Box 265, Cowley, Wyo. 82420.	Sept. 19, 1975.
Do.	Natrona	Evansville, town of	H 560071 01	do.	Clerk, P.O. Drawer 158, Evansville, Wyo. 82636.	Do.
Do.	Niobrara	Lusk, town of	H 560074 01	do.	Planner, P.O. Box 385, Lusk, Wyo. 82225.	Do.
Do.	Unifac	Lyman, town of	H 560075 01	do.	Mayor, P.O. Box 315, Lyman, Wyo. 82037.	Do.
Do.	Crook	Moorecroft, town of	H 560077 01	do.	Clerk, P.O. Box 96, Moorecroft, Wyo. 82721.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152,

Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969).

Issued: July 23, 1975.

FRANCIS V. REILLY,
Acting Federal Insurance Administrator.

[FR Doc. 75-20674 Filed 8-8-75; 8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

[41 CFR Part 60-12]

AFFIRMATIVE ACTION PLAN FOR FEDERALLY INVOLVED CONSTRUCTION CONTRACTORS IN THE PHILADELPHIA AREA

Extension of Comment Period

On July 7, 1975, the Office of Federal Contract Compliance published a proposed affirmative action plan for the Philadelphia area construction industry. The proposed plan would establish affirmative action requirements applicable to all non-exempt Federal and Federally assisted construction contracts in the Philadelphia area including goals for minority manpower utilization.

Interested persons were invited to comment upon the proposal by submitting written data, views or arguments to the Department of Labor on or before August 6, 1975. That comment period will expire shortly, and many persons have submitted requests asking for an extension of the time to comment. In consideration of these requests, the comment period is hereby extended until September 8, 1975.

Interested persons may submit their comments to Mr. Philip J. Davis, Director, Office of Federal Contract Compliance, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N3402, Washington, D.C. 20210.

Signed at Washington, D.C. on this 5th day of August 1975.

ROBERT C. CHASE,
Acting Assistant Secretary for
Employment Standards.

PHILIP J. DAVIS,
Director, Office of Federal
Contract Compliance.

[FR Doc.65-20601 Filed 8-8-75; 8:45 am]

[41 CFR Part 60-14]

AFFIRMATIVE ACTION PLAN FOR FEDERALLY INVOLVED CONSTRUCTION CONTRACTORS IN THE CITY OF NEW YORK

Extension of Comment Period

On July 7, 1975, the Office of Federal Contract Compliance published a proposed affirmative action plan for the New York construction industry. The proposed plan would establish affirmative action requirements applicable to all non-exempt Federal and Federally assisted construction contracts in the City of New York including goals for minority manpower utilization.

Interested persons were invited to comment upon the proposal by submit-

ting written data, views or arguments to the Department of Labor on or before August 6, 1975. That comment period will expire shortly and many persons have submitted requests asking for an extension of the time to comment. In consideration of these requests, the comment period is hereby extended until September 8, 1975.

Interested persons may submit their comments to Mr. Philip J. Davis, Director, Office of Federal Contract Compliance, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N3402, Washington, D.C. 20210.

Signed at Washington, D.C. on this 5th day of August 1975.

ROBERT C. CHASE,
Acting Assistant Secretary for
Employment Standards.

PHILIP J. DAVIS,
Director, Office of Federal
Contract Compliance.

[FR Doc.75-20600 Filed 8-8-75; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 431]

[Docket No. 75N-0147]

CERTIFICATION OF ANTIBIOTIC DRUGS

Facsimile Transmission Service for
Antibiotic Certificates

The Food and Drug Administration (FDA) is proposing a service whereby automated equipment will be used for transmitting antibiotic certificates to manufacturers. This service, available on a voluntary basis, will permit participating manufacturers to receive copies of antibiotic certification and testing results promptly by telephone. A fee for supplying an advance copy of the Form 7 (request for certification or testing of an antibiotic batch) will be charged to the individual antibiotic manufacturer. Interested persons have until October 10, 1975, to submit comments.

Sections 507 and 512(n) of the Federal Food, Drug, and Cosmetic Act require the certification or release of batches of antibiotics manufactured for domestic distribution. The final release for distribution in interstate commerce of any certifiable antibiotic product must await the receipt of an approved Form 7 certificate from the FDA. At present, the certificates are mailed to the manufacturer.

The Pharmaceutical Manufacturers Association has expressed concern over delays that some manufacturers have encountered in receiving certificates by mail. They have suggested that the cer-

tificates be transmitted via facsimile machine reproduction through the telephone system.

The FDA has conducted a management study to evaluate the feasibility of providing such a service to those manufacturers who would be willing to pay the cost. Facsimile machines and ancillary equipment for the system were acquired and a pilot study was conducted. The results of the pilot study were highly satisfactory and demonstrated that the procedure is feasible.

The Form 7 has been revised to include a box whereby the applicant may indicate whether he wants the certificate transmitted by facsimile reproduction through the telephone system or by mail. The facsimile reproduction of the certificate or release will be considered authorization from the Commissioner to ship the product in interstate commerce. Only the certification portion (upper 2/3) of the Form 7 is transmitted to ensure the security of the proprietary information contained in the remainder of the form. After transmission, the entire form will be mailed to the applicant in the usual manner.

The telephone calls for the facsimile reproduction will be placed as collect calls to the drug firms and a fee of \$1.25 per certificate will be charged to cover expenses. The fee charge was developed after a study was conducted of the expenses involved.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 502, 507, 512(n), 52 Stat. 1050-1051 as amended, 59 Stat. 463, as amended, 82 Stat. 350-351 (21 U.S.C. 352, 357, 360b(n))) and under authority delegated to the Commissioner (21 CFR 5.1), it is proposed that Part 431 be amended in § 431.53 by redesignating paragraph (b) (3) as paragraph (b) (4) and adding a new paragraph (b) (3), as follows:

§ 431.53 Fees.

(b) * * *

(3) For persons using facsimile transmission by telephone for receipt of antibiotic certificates (Antibiotic Form 7, Request for check tests and assays or certification of a batch of antibiotic drug, prescribed by § 431.50 of this chapter), the fee is \$1.25 per certificate.

(4) For persons using the certification services and whose manufacturing facilities are not located in the United States or the Commonwealth of Puerto Rico, such persons shall be required to deposit each year sufficient funds to cover costs encountered when their facilities are inspected pursuant to the provisions of section 704 of the act.

Interested persons may, on or before October 10, 1975, submit to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville Lane, Rockville, MD 20852, written comments regarding this proposal. Comments shall be filed in quintuplicate (except that individuals may submit single copies) and in accordance with the requirements of Part 2 (21 CFR Part 2) as published and discussed in detail in the FEDERAL REGISTER of May 27, 1975 (40 FR 22949), and shall be identified with the Hearing Clerk docket number found in brackets in the heading of this document. Received comments may be seen in the above office Monday through Friday, from 9 a.m. to 4 p.m., eastern standard or daylight saving time, whichever is effective at the time, except on Federal legal holidays.

Dated: August 5, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 75-20894 Filed 8-8-75; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing
Production and Mortgage Credit—Federal
Housing Commissioner

[24 CFR Part 203]

[Docket No. R-75-346]

EXISTING AND PROPOSED CONSTRUCTION

Proposed Application Fee Charge

Section 215 of the National Housing Act, 12 U.S.C. 1715f, authorizes the Secretary to charge an application fee determined by him to be reasonable.

Notice is hereby given that the Secretary proposes to amend Part 203, § 203.12 to increase the amount of application fee which shall be paid to this Department for processing mortgages from \$40 to \$50 for an application involving existing construction and from \$50 to \$65 for an application involving proposed construction.

An increase in the application fees is necessary to provide for increased costs since the present fees were established February 1, 1971. Since that time, direct costs for processing FHA applications have increased 30 percent, not including overhead and related actions such as subdivision processing, repair inspections, and travel. An increasing number of fee appraisers are being used by HUD-FHA and it has been necessary to increase the payment to fee appraisers to obtain qualified fee appraisers.

Interested persons are invited to participate in this proposed rulemaking by submitting written data, views and arguments with respect to this proposal. Communications should be identified by the above docket number and should be filed with the Rules Docket Clerk, Office of General Counsel, Room 10245, Department of Housing and Urban Development,

451 Seventh Street SW., Washington, D.C. 20410. All relevant material received on or before September 15, 1975, will be considered before adoption of the final rule. Copies of comments submitted will be available for public inspection during normal business hours at the above address.

In consideration of the foregoing, and pursuant to authority contained in section 215 of the National Housing Act, 12 U.S.C. 1715f, it is proposed to amend Chapter II of Title 24 of the Code of Federal Regulations by revising Part 203, § 203.12, paragraphs (a) (1) (i) and (a) (1) (ii) as follows:

§ 203.12 Application and commitment extension fees.

(a) Application fee. (1) Amount of fee. . . .

(i) \$50 for an application involving existing construction.

(ii) \$65 for an application involving proposed construction.

Issued at Washington, D.C., August 5, 1975.

DAVID M. DEWILDE,
Acting Assistant Secretary—Com-
missioner for Housing Pro-
duction and Mortgage Credit.

[FR Doc. 75-20898 Filed 8-8-75; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Chapter 1]

[CGD 75-101]

MARINE OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Advance Notice of Proposed Rulemaking

The Coast Guard is considering amending Chapter I of Title 46, Code of Federal Regulations, by adding a new subchapter prescribing occupational safety and health standards for vessels and facilities, including deepwater ports, mobile offshore drilling units, artificial islands, and other fixed structures that are under Coast Guard jurisdiction.

This advance notice of proposed rulemaking is issued pursuant to the Coast Guard's policy concerning the early institution of rulemaking proceedings. An advance notice is issued when it is found that the consideration by the Coast Guard and reasonable outside inquiry do not identify a sufficient basis to select a tentative course of action, or alternate courses of action, or where it would be helpful to invite public participation in the identification and selection of a course or alternate courses of action. The subject matter of this notice involves a situation contemplated by that policy.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number (CGD 75-101), include

the name and address of the person submitting the comment, give the reasons supporting any recommendations, and be addressed to: Commandant (G-CMC/82), U.S. Coast Guard, Washington, D.C. 20590. All communications received on or before December 9, 1975, will be considered by the Coast Guard before publishing a proposed rule. Copies of all written comments received, both before and after the closing date for comments, will be available for examination by interested persons in Room 8234, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. If it is determined to be in the public interest to proceed further and after consideration of the available data and comments received in response to this notice, a notice of proposed rulemaking will be issued.

The Coast Guard has extensive authority to regulate safety of life and property on vessels certificated by the Coast Guard, and on artificial islands and fixed structures erected on the subsoil and seabed of the Outer Continental Shelf. The authority is found in sections 375, 416, 390(b), 391, 391(a), and 404 of Title 46, U.S. Code, and section 1333 of Title 43, U.S. Code. The Coast Guard proposes to issue additional regulations prescribing occupational safety and health standards covering the work places and working conditions on all vessels and facilities under its jurisdiction. Vessels under Coast Guard jurisdiction include vessels required to be certificated by the Coast Guard, regardless of their geographic location, including mobile offshore and semi-submersible drilling units. Facilities include deepwater ports, artificial islands, and fixed structures located on the Outer Continental Shelf. The Coast Guard will continue to negotiate memoranda of understanding with other government agencies to eliminate possible conflicts of jurisdiction.

The Coast Guard proposes to regulate all working conditions and places on vessels and facilities under its jurisdiction if they are determined to be hazardous to employees, and if the Coast Guard determines that the hazards encountered can be reduced or eliminated by the promulgation of appropriate regulations. These regulations will not make determinations with respect to matters under the control of the Department of Labor within the scope of Pub. L. 85-742, 72 Stat. 835, which amends the Longshoremen's and Harbor Workers' Compensation Act, as amended (46 Stat. 1444, 33 U.S.C. 941). However, the proposed Coast Guard regulations will cover industrial operations, workmen and crew members on fixed structures on the Outer Continental Shelf and on certificated offshore mobile drilling units.

The Coast Guard proposes to remove all existing occupational safety regulations and place them, together with the new regulations developed as a result of this notice, in a new subchapter under Title 46, Code of Federal Regulations.

In developing new marine occupational safety and health standards, the Coast

Guard intends to consider all relevant existing safety data and standards; particularly those promulgated by the Department of Labor in 29 CFR Parts 1910, 1915, 1916, 1917, and 1918. Specific advice and recommendations are requested to identify:

1. Standards within the present vessel regulations which may be incorporated in the new subchapter;
2. Standards within the present vessel regulations which should not be moved;
3. Standards within the present vessel regulations which should appear in both;
4. Nonmarine industrial standards which may be adopted by the Coast Guard;
5. Marine industrial safety standards which may be adopted by the Coast Guard;
6. Standards adopted by the Department of Labor which may have significant application to working conditions on vessels;
7. Standards adopted by the Department of Labor which should be adopted by the Coast Guard without change;
8. Department of Labor standards which should be modified or revised for marine industry;
9. Department of Labor standards which should not be adopted by the Coast Guard for marine industry;
10. Standards not adopted by the Department of Labor which may be necessary or appropriate for marine industry;
11. The most serious safety and health problems existing in the marine industry;
12. The priorities which the Coast Guard should adopt in the promulgation of marine industrial standards.

The Coast Guard welcomes any additional relevant suggestions on matters which should be brought to its attention in the development and implementation of these proposed standards.

(14 U.S.C. 2; 88 Stat. 2137 (33 U.S.C. 1509); 67 Stat. 462 (43 U.S.C. 1333); 49 CFR 1.46(t), 1.46(b))

Dated: August 5, 1975.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant Marine Safety.

[FR Doc. 75-20924 Filed 8-8-75; 8:45 am]

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 12060]

AIRWORTHINESS DIRECTIVES

Hawker Siddeley DH-104 and DH-114 Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the electrical system, an amendment to the operating instructions, and a preventive maintenance check to ensure detection of loss of generated electrical power on Hawker Siddeley DH-114 Heron airplanes was published in the FEDERAL REGISTER at 37 FR 14816. Although no objections were received, the FAA has reevaluated the

basis for an airworthiness directive and determined that the condition which gave rise to the proposal continues likely to exist or develop in other airplanes of the same type design. In addition, after issuing the notice, the Agency determined that the same condition is likely to exist or develop in Hawker Siddeley DH-104 "Dove" airplanes. However, upon further consideration, with respect to both airplanes, the FAA believes that a revised compliance time is appropriate, that certain approvals provided for in the original notice are not applicable and that reference to manufacturer's service bulletins should be updated or made current. Therefore, the notice issued July 25, 1972, at 37 FR 14816 is being superseded by this notice that applies to Hawker Siddeley DH-104 "Dove" and DH-114 "Heron" airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before September 10, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

HAWKER SIDDELEY AVIATION LTD. Applies to DH-104 "Dove" and DH-114 "Heron" airplanes.

Compliance is required within the next 500 hours' time in service after the effective date of this AD unless already accomplished.

To prevent the possibility that a loss of generated electrical power would be undetected by the flight crew, accomplish the following:

(a) Alter the electrical system to incorporate a bus bar low voltage sensing unit, a bus bar low voltage warning light, and an essential service switch, designed and installed in accordance with paragraphs 5. and 6. of Hawker Siddeley Aviation Ltd., Technical News Sheet, Series: Heron (114), No. N.6., Issue 3 (for DH-114 "Heron") and CT104, No. 227, Issue 3 (for DH-104 "Dove"), both dated July 23, 1972, as amended to November 20, 1972, or FAA-approved equivalent of either.

(b) Amend the "Normal and Emergency Procedures", Part B, of the "Operating Procedures" section, section II, of the Applicable Airplane Flight Manual by adding the electrical system operation information con-

tained in paragraphs 7. and 8., and Figure 1 of the applicable Technical News Sheet, referred to in paragraph (a) of this AD, or an FAA-approved equivalent.

(c) Check the condition of the electrical distribution and generator system in accordance with paragraph 6. of the applicable Technical News Sheet, referred to in paragraph (a) of this AD, or an FAA-approved equivalent, and repair, as necessary. The checks required by this paragraph may be performed by persons authorized to perform preventive maintenance under FAR 43.

This notice of proposed rule making supersedes the notice of proposed rule making published in the FEDERAL REGISTER July 25, 1972, at 37 FR 14816.

Issued in Washington, D.C., on August 5, 1975.

R. P. SKULLY,
Director,
Flight Standards Service.

[FR Doc. 75-20804 Filed 8-8-75; 8:45 am]

Federal Railroad Administration

[49 CFR Part 220]

[Docket No. RSOR-5, Notice No. 1]

RADIO STANDARDS AND PROCEDURES

Proposed Rulemaking

The Federal Railroad Administration (FRA) is considering issuance of a new Part 220, Radio Standards and Procedures, to prescribe mandatory standards and procedures governing the use of radio communications in connection with the conduct of railroad operations. The purpose of the proposed amendment is to assure that radio communications are used in a manner which enhances the safety of railroad operations. The proposed amendment would in no way affect Federal Communications Commission Regulations governing the Railroad Radio Service (49 CFR Part 93).

In recent years, FRA has become increasingly concerned about the hazards inherent in inadequate procedures for the use of radio in connection with railroad operations. This concern is also shared by the National Transportation Safety Board (NTSB) as is evidenced by its Safety Recommendation R-72-9. In this recommendation, NTSB recommended that FRA:

issue as soon as possible regulations to provide for the use of radio in railroad operations. These regulations should include the traditional safeguards found in existing railroad operating rules where they apply to train movements. It is further recommended that, in drafting such regulations, consideration be given to the principles for radio used by military and civilian authorities.

The NTSB reiterated this recommendation in its railroad accident reports concerning the collision of Penn Central Freight Train OV-8 with an open draw bridge at Cleveland, Ohio, on May 8, 1974, and the collision of St. Louis-San Francisco Railway Trains 3210 and 3211, at Mustang, Oklahoma, on September 1, 1974 (Report Numbers NTSB-RAR-75-3 and NTSB-RAR-75-6).

FRA believes the radio standards and procedures proposed in this notice will

implement the NTSB recommendation and that their adoption and enforcement will enhance safety as well as operating efficiency. FRA was assisted in the development of these standards and procedures by the advice of the Railroad Operating Rules Advisory Committee. The expertise of this Committee was of invaluable assistance to this effort. The Advisory Committee approved the text of the Radio Standards and Procedures proposed in this notice and recommended that FRA issue a notice of proposed rule-making proposing their adoption.

FRA proposes to establish a new Part 220—Radio Standards and Procedures. This part would consist of three subparts: Subpart A—General; Subpart B—Radio Procedures; and Subpart C—Train Orders.

Proposed new Subpart B contains mandatory standards and procedures governing the use of radio communication in connection with railroad operations.

Proposed new Subpart C prescribes the procedures which must be followed when train orders are transmitted by radio.

The proposed radio standards and procedures would apply to railroads that operate on standard gage track of the general railroad system of transportation. They would not apply, however, to railroads which operate exclusively inside mining, manufacturing and other non-railroad installations nor would they apply to rapid transit railroads which operate only on track used exclusively for rapid transit, commuter or other short-haul passenger service in a metropolitan or suburban area. These exclusions are not to be construed to mean that these railroads are not subject to safety regulation under the Federal Railroad Safety Act of 1970 (45 U.S.C. 421 et seq.); they merely reflect FRA's belief that it is not necessary to make these railroads subject to the proposed standards and procedures.

Interested persons are invited to participate in the making of these standards by submitting written data, views, or comments. Communications should identify the regulatory docket number, and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before September 24, 1975, will be considered before final action is taken on the proposed rules. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5101, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590.

The proposals contained in this notice may be changed in light of the comments received.

In addition, the FRA will conduct a public hearing on September 25, 1975 in Room 5332-34, 400 Seventh Street, SW., Washington, D.C. at 10 a.m. The hearing will be informal, and not a judicial or evidentiary hearing. There will be no cross-examination of persons making statements. A staff member of the FRA

will make an opening statement outlining the matter set for hearing. Interested persons will then have the opportunity to present their oral statements. At the completion of all initial oral statements, those persons who wish to make rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures for conducting the hearing will be announced at the hearing.

Interested persons may present oral or written statements at the hearing. All statements will be made a part of the record of the hearing and be a matter of public record. Any person who wishes to make an oral statement at the hearing should notify the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW., Washington, D.C. 20590 before September 24, 1975, stating the amount of time required for the initial statement.

In consideration of the foregoing, it is proposed to amend Chapter II of Title 49 of the Code of Federal Regulations by adding a new Part 220 as set forth below.

Issued in Washington, D.C. on August 4, 1975.

ASAPH H. HALL,
Deputy Administrator.

PART 220—RADIO STANDARDS AND PROCEDURES

Subpart A—General

- Sec. 220.1 Scope.
- 220.3 Application.
- 220.5 Definitions.
- 220.7 Penalty.

Subpart B—Radio Procedures

- 220.21 Railroad operating rules; radio communications.
- 220.23 Publication of radio information.
- 220.25 Instruction of employees.
- 220.27 Identification.
- 220.29 Statement of letters and numbers.
- 220.31 Initiating a transmission.
- 220.33 Receiving a transmission.
- 220.35 Ending a transmission.
- 220.37 Voice test.
- 220.39 Continuous monitoring.
- 220.41 Notification on failure of train radio.
- 220.43 Communication consistent with rules.
- 220.45 Communication must be complete.
- 220.47 Emergencies.
- 220.49 Yard movements, switching, backing.
- 220.51 Signal indications.

Subpart C—Train Orders

- 220.61 Transmission of train orders by radio.

AUTHORITY: Sec. 202 and 209, 84 Stat. 971, 975 (45 U.S.C. 431, 438), and § 1.49(n) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(n).

Subpart A—General

§ 220.1 Scope.

This part prescribes minimum requirements governing the use of radio communications in connection with railroad operations. So long as these minimum requirements are met, railroads may adopt additional or more stringent requirements.

§ 220.3 Application.

- (a) Except as provided in paragraph
- (b) of this section, this part applies to

railroads that operate trains or other rolling equipment on standard gage track which is part of the general railroad system of transportation.

(b) This part does not apply to:

(1) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation; or

(2) A rapid transit railroad that operates only on track used exclusively for rapid transit, commuter, or other short-haul passenger service in a metropolitan or suburban area.

§ 220.5 Definitions.

As used in this part, the term:

(a) "Employee" means any person who is authorized by a railroad to use its radio facilities in connection with railroad operations.

(b) "Railroad operation" means any movement of a train, engine, on-track equipment, or track motor car, single or in combination with other equipment, on the track of a railroad.

(c) "Train Order" means mandatory directives for the conduct of a railroad operation which, under the railroad's operating rules, must be conveyed in a written form.

§ 220.7 Penalty.

Each railroad to which this part applies that violates any requirement prescribed in this part is liable to a civil penalty of at least \$250 but no more than \$2500.

Subpart B—Radio Procedures

§ 220.21 Railroad operating rules; radio communications.

(a) After (effective date), the operating rules of each railroad with respect to radio communications shall conform with the requirements of this part.

(b) Before (90 days after effective date) or 30 days before it commences to use radio communications in connection with railroad operations, whichever is later, each railroad shall file with the Federal Railroad Administrator, Washington, D.C. 20590, one copy of its operating rules with respect to radio communications. Each amendment to these rules shall be filed with the Federal Railroad Administrator within 30 days after it is issued.

§ 220.23 Publication of radio information.

Each railroad shall designate its territory where radio base stations are installed, where wayside stations may be contacted, and designate appropriate radio channels by publishing them in a timetable or special instruction. The publication shall indicate the periods during which base and wayside radio stations are attended or in operation.

§ 220.25 Instruction of employees.

Each employee who is authorized to use a radio in connection with a railroad operation, shall be:

(a) Provided with a copy of the railroad's operating rules governing the use of radio communication in a railroad operation.

(b) Instructed in the proper use of radio communication as part of the program of instruction prescribed in § 217.11 of this chapter.

§ 220.27 Identification.

(a) Except as provided in paragraph (c) of this section, the identification of each wayside, base or yard station shall include at least the following minimum elements, stated in the order listed:

(1) Name of railroad. An abbreviated name or initial letters of the railroad may be used where the name or initials are in general usage and are understood in the railroad industry;

(2) Name of office or other unique designation of the station; and

(3) Location of the station.

(b) Except as provided in paragraph (c) of this section, the identification of each mobile station shall consist of the following elements, stated in the order listed:

(1) Name of the railroad. An abbreviated name or initial letters of the railroad may be used where the name or initials are in general usage and are understood in the railroad industry;

(2) Train name (number), if one has been assigned, or other appropriate unit designation; and

(3) The word "engine", "caboose", "motorcar", "pakset" or other word which indicates to the listener the precise mobile transmitting station, unless identical to the requirement of paragraph (b) (2) of this section.

(c) If positive identification is achieved in connection with switching, classification, and similar operations wholly within a yard, fixed and mobile units may use short identification after the initial transmission and acknowledgement consistent with applicable Federal Communication Commission regulations governing "Station Identification".

§ 220.29 Statement of letters and numbers.

(a) A phonetic alphabet shall be used to pronounce any letter used as an initial, except initial letters of railroads. See Appendix A, this part, for the recommended phonetic alphabet.

(b) A word which needs to be spelled for precision or clarity shall first be pronounced, and the word shall then be spelled. If necessary, the word shall be spelled again, using a phonetic alphabet.

(c) Numbers shall be spoken by digit, except that exact multiples of hundreds and thousands may be stated as such. A decimal point shall be indicated by the word "decimal". (See Appendix B to this part, for a recommended guide to the pronunciation of numbers.)

§ 220.31 Initiating a transmission.

Before transmitting by radio, an employee shall:

(a) Listen to insure that the channel on which he intends to transmit is not already in use;

(b) Identify his station in accordance with the requirements of § 220.27; and

(c) Verify that he has made radio

contact with the person or station with whom he intends to communicate by listening for an acknowledgement. If the station acknowledging his transmission fails to identify itself properly, the employee shall require a proper identification before proceeding with the transmission.

§ 220.33 Receiving a transmission.

(a) Upon receiving a radio call from another station, an employee shall promptly acknowledge the call, identifying his station in accordance with the requirements of § 220.27 and stand by to receive. An employee need not attend the radio, however, if this would interfere with other immediate duties relating to the safety of railroad operations.

(b) An employee shall acknowledge receipt of all transmissions directed to him or his station.

(c) An employee who receives a transmission shall repeat it to the transmitting party unless the communication:

(1) Relates to yard switching operations;

(2) Is a recorded message from an automatic alarm device; or

(3) Is general in nature and does not contain any information, instruction or advice which could affect the safety of a railroad operation.

§ 220.35 Ending a transmission.

(a) At the close of each transmission to which a response is expected, the transmitting employee shall say "over" to indicate to the receiving employee that the transmission is ended.

(b) At the close of each transmission to which no response is expected, the transmitting employee shall state his identification followed by the word "out" to indicate to the receiving employee that the exchange of transmissions is complete.

§ 220.37 Voice test.

(a) Each radio which is used in connection with a railroad operation outside yard limits shall be tested at the point where the train is originally made up. At least once during each tour of duty, the engineer and conductor shall be responsible for the testing of the radio to verify that the radio is operating properly on the engine and caboose. The tests shall consist of an exchange of voice transmissions with another station. The other station shall advise the station conducting the test of the quality and readability of its transmission.

(b) Any radio found not to be functioning properly shall be removed from service until it has been repaired.

(c) When a radio is removed from service, each crew member of the train and the train dispatcher or other employee designated by the railroad shall be so notified.

§ 220.39 Continuous monitoring.

Engine and caboose radios must be turned on to the appropriate channel as designated in § 220.23 with the volume adjusted to receive communications while the engine or caboose is manned.

§ 220.41 Notification on failure of train radio.

The failure of an engine or caboose radio en route shall be reported as soon as practicable to the train dispatcher or other employee designated by the railroad by any alternate means of communication available.

§ 220.43 Communication consistent with rules.

Radio communication may not be used in connection with a railroad operation in a manner which conflicts with the requirements of this Part 220 or the railroad's operating rules.

§ 220.45 Communication must be complete.

Any radio communication which is not fully understood or completed in accordance with the requirements of Part 220 and the operating rules of the railroad, shall not be acted upon and shall be treated as though not sent.

§ 220.47 Emergencies.

(a) An emergency transmission shall be preceded by the word "emergency", repeated three times. An emergency transmission shall have priority over all other transmissions and the frequency or channel shall be kept clear of non-emergency traffic for the duration of the emergency transmission.

(b) Emergency transmissions shall be used to report derailments, collisions, storms, wash-outs, fires, obstructions to tracks, and other hazardous conditions which could result in death or injury, damage to property or serious disruption of railroad operations. Emergency transmissions shall describe as completely as possible the nature, degree and location of the hazard.

§ 220.49 Yard movements, switching, backing.

When radio communication is used in lieu of hand signals in connection with the switching, backing or pushing of a train, engine, or car, the employee directing the movement shall give complete instructions or keep in continuous radio contact with the employees receiving the instructions. When backing or pushing a train, engine or cars, the distance of the movement must be specified, and the movement must stop in one-half the remaining distance unless additional instructions are received. If the instructions are not understood or continuous radio contact is not maintained, the movement shall be stopped immediately and may not be resumed until the misunderstanding has been resolved, radio contact has been restored, or communication has been achieved by hand signals or other procedures in accordance with the operating rules of the railroad.

§ 220.51 Signal indications.

(a) No information may be given by radio to a train or engine crew about the position or aspect displayed by a fixed signal. However, radio may be used by a train crew member to communicate information about the position or aspect

displayed by a fixed signal to other members of the same crew.

(b) Except as provided in the railroad's operating rules, radio communication may not be used to convey instructions which would have the effect of overriding the indication of a fixed signal in automatic block territory.

Subpart C—Train Orders

§ 220.61 Transmission of train orders by radio.

(a) Train orders may be transmitted by radio only when authorized by railroad's operating rules and must be transmitted in accordance with the railroad's operating rules and the requirements of this Part 220.

(b) The procedures for transmission of train orders by radio are as follows:

(1) The dispatcher or operator shall call the addressees of the train order and state his intention to transmit the train order.

(2) Before the train order is transmitted, the employee to receive and copy the train order shall state his name, identification or call sign, location, and that he is prepared to receive a train order. Train orders may not be received and copied by an employee operating the controls on an engine of a moving train. Train orders may not be transmitted to the crew of a moving train when, in the judgment of either the conductor, the engineer, or the train dispatcher, the train order cannot be received and copied without impairing the safe operation of their train.

(3) Train orders received by radio shall be copied in accordance with the railroad's operating rules.

(4) After the train order has been received and copied, it shall be repeated in accordance with the railroad's operating rules. After verifying the accuracy of the "repeat" train order, the dispatcher shall then issue "complete", and state the time and the initials of the employee designated by the railroads.

(5) Before a train order is acted upon, both the conductor and engineer must have a written copy of the train order and make certain that the train order is read and understood by other members of the crew.

(6) A train order which is not "complete" and does not comply with the requirements of the railroad's operating rules, may not be acted upon and must be treated as though not sent. Information contained in train orders may not be acted upon by other than those to whom the train orders are addressed.

APPENDIX A—RECOMMENDED PHONETIC ALPHABET

A ALFA	N NOVEMBER
B BRAVO	O OSCAR
C CHARLIE	P PAPA
D DELTA	Q QUEBEC
E ECHO	R ROMEO
F FOXTROT	S SIERRA
G GOLF	T TANGO
H HOTEL	U UNIFORM
I INDIA	V VICTOR
J JULIET	W WHISKEY
K KILO	X XRAY
L LIMA	Y YANKEE
M MIKE	Z ZULU

The letter ZULU should be written as "Z" to distinguish it from the numeral "2."

APPENDIX B—RECOMMENDED PRONUNCIATION OF NUMERALS

To distinguish numbers from similar sounding words, the word "figures" should be used preceding such numbers. Numbers should be pronounced as follows:

Number:	Spoken
0	ZERO
1	WUN
2	TOO
3	THUH-REE
4	FO-WER
5	PI-YIV
6	SIX
7	SEVEN
8	ATE
9	NINER

(The figure ZERO should be written as "0" to distinguish it from the letter "O". The figure ONE should be underlined to distinguish it from the letter "I". When railroad rules require that numbers be spelled, these principles do not apply.)

The following examples illustrate the recommended pronunciation of numerals:

Number:	Spoken
44	FO-WER FO-WER
500	PI-YIV HUNDRED
1000	WUN THOUSAND
16000	WUN SIX THOUSAND
14899	WUN FO-WER ATE NINER
	NINER
20.3	TOO ZERO DECIMAL THUR-REE

[FR Doc.75-20857 Filed 8-8-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[DOCKET NO. 20523]

GENERAL TELEPHONE AND ELECTRONICS CORP. ET AL.

Annual Report Forms

In the Matter of amendment of Annual Report Form M for telephone companies, Form O for wire-telegraph and ocean-cable carriers, Form R for radio-telegraph carriers, and Form H for holding companies to provide for more comprehensive information on corporate ownership.

By the Chief, Common Carrier Bureau: 1. The Commission has received a motion dated July 25, 1975 from General Telephone & Electronics Corporation and its subsidiary domestic telephone operating companies (GTE) requesting an extension from July 28, 1975 to November 26, 1975 in which to submit comments concerning the notice of proposed rule making on corporate ownership information.

2. GTE states that it supports AT&T in its request of July 22, 1975 for an extension of time within which to file comments in this docket. Further GTE indicates that it is in the process of obtaining information of the type discussed by AT&T and believes that more meaningful comments could be submitted if more time were afforded to prepare such comments.

¹ The American Telephone and Telegraph Company and the associated Bell System operating companies on July 22, 1975 requested the Commission to extend the time for filing comments in this Docket to November 26, 1975.

3. In an Order adopted July 24, 1975, the Chief, Common Carrier Bureau states that it appears it is in the public interest to allow additional time for comments. Further the Order indicates that an extension of time to September 1975 rather than to November 26, 1975, as requested by AT&T, would be more appropriate in order not to unduly delay action in this proceeding. Further, the Order states that we believe in granting that extension sufficient time has been made available to all interested persons within which to file their comments.

4. Accordingly, It is ordered, Pursuant to authority delegated by § 3.03(c) of the Commission's rules, that the request of GTE for an extension of time from July 28, 1975 to November 26, 1975 within which to file comments in the above captioned proceeding is hereby denied to the extent that it extends beyond September 29, 1975, the date granted by Order adopted July 24, 1975, pursuant to the motion of AT&T.

5. It is further ordered, That the time for filing comments is September 29, 1975 and the time for filing reply comments is October 14, 1975, as provided in the Order adopted July 24, 1975. We urge all interested persons to take appropriate steps to file their comments within the time periods established in this proceeding.

Adopted: July 29, 1975.

Released: July 30, 1975.

FEDERAL COMMUNICATIONS COMMISSION,

WALTER R. HINCHMAN,

Chief, Common Carrier Bureau.

[FR Doc.75-20872 Filed 8-8-75;8:45 am]

[47 CFR Part 61]

[FCC 75-894; Docket No. 19660, RM-690]

INTERNATIONAL RECORD CARRIERS' SCOPE OF OPERATIONS IN THE CONTINENTAL UNITED STATES

Inquiry and Proposed Rulemaking

By the Commission: Commissioner Robinson issuing a separate statement.

1. Notice is hereby given of further inquiry and proposed rule making looking toward the authorization of new gateway cities for international record carriers.

2. By Notice of Inquiry and Proposed Rule Making in Docket No. 19660, 38 FCC 2d 541 (1972), we instituted an inquiry and rule making on various questions concerning the relationship between the international record carriers (IRCs) and The Western Union Telegraph Company (WU). The proceeding was prompted by a series of applications, tariff revisions and other filings which seemed interrelated. We have already disposed of the aspect concerned with WU's landline haul charges, FCC 75-723, adopted June 18, 1975, and are treating separately the question of revision to the international formula prescribed under Section 222 of the Act. Moreover, we are concurrently issuing a Memorandum Opinion and Order (FCC 75-893), which addresses the question of access by the presently-excluded IRCs to existing

gateways. This Notice has to do with the question whether the public interest, convenience and necessity would be served by authorization of new gateways pursuant to Section 222 of the Act.

3. We have pending applications by ITT World Communications, Inc., (File No. T-C-2433), RCA Global Communications, Inc., (File No. T-C-2449), Western Union International, Inc., (File No. I-T-C-2617), and TRT Telecommunications Corp., (File No. I-T-C-2498-2), which in combination seek authorization of the following cities as new gateway points:

Memphis, Tenn.	Milwaukee, Wis.
Atlanta, Ga.	Detroit, Mich.
Los Angeles, Calif.	Houston, Tex.
Chicago, Ill.	St. Louis, Mo.
Philadelphia, Pa.	Newark, N.J.
Cleveland, Ohio.	Stamford, Conn.
Dallas, Tex.	Hicksville, N.Y.
Boston, Mass.	Cincinnati, Ohio.
Seattle, Wash.	Baltimore, Md.
Minneapolis, Minn.	Denver, Colo.
Pittsburgh, Pa.	

These applications and the opposition pleadings thereto are described in our concurrent Memorandum Opinion and Order (FCC 75-893), on access to existing gateways. Rather than repeating such description here, we incorporate that Memorandum Opinion and Order.¹

4. It is our view that the public interest would be served by authorizing some new gateway cities under section 222 of the Act. Since the existing gateways were approved some 30 or more years ago, there have been significant changes in the operations of the IRCs and technological advances in the provision of communications service which may have rendered obsolete a gateway framework suitable to another era. When the existing gateways were authorized public message telegraph service was the principal service of the IRCs. Today, the bulk of their services consists of telex, leased channel, and video program transmission. New international cables have been authorized, and the 1960's saw the advent of international services via communications satellites, with earth stations located far from the traditional gateways. Computer technology, which has had a significant impact on communications in general, has also affected the services and operations of the IRCs.

5. In addition to these developments there have also been changes in the need for the IRCs to rely on WU. When section 222 was enacted in 1933 to permit WU to merge with Postal Telegraph Cable Company, and thereby achieve a de facto monopoly in the provision of domestic telegraph service, the IRCs had to rely on WU for most of the pickup and delivery of public telegraph messages outside their gateways. It would

have been impracticable for them to duplicate the extensive facilities WU then had for message telegraph service; or even the curtailed public message facilities that WU maintains today. However, in the case of their current offerings of leased-channel service and video program transmission, the IRCs have other domestic carriers available (AT&T, the specialized and miscellaneous common carriers) for pickup and delivery of communications to many points in the hinterland. Also, there would appear to be no reason why the IRCs could not pick up and deliver some of their international record communications. Some of the provisions of section 222, e.g., the international formula and the requirement for WU to divest international telegraph operations "theretofore carried on," are geared to WU's monopoly position in the provision of domestic telegraph service. While these provisions are strict requirements, section 222(a)(5) makes the approval of gateways a matter of Commission discretion. That section, which permits the IRCs to accept and deliver international telegraph messages in the cities which constitute gateways approved by the Commission, does not by its terms preclude the Commission from authorizing new gateways for public message telegraph service, in addition to those gateways then authorized, as the public interest requires. Even more clearly, the statute does not preclude authorization of new gateways for other services of the IRCs.

6. Notwithstanding the foregoing, we are concerned that the authorization of new gateways should not have a substantial, adverse impact on WU's basic services to the public, and its charges therefor. With respect to TWX and domestic telex, we solicit the views of interested persons as to whether the public interest would be better served by maintaining the status of WU or authorizing hinterland gateways to the IRCs for the purpose of pickup and delivery of their international telex service. For message telegraph service, our present inclination is to approve hinterland pickup and delivery by the IRCs, where practicable, while recognizing that there will be continued need to rely on WU in a great many instances. While WU is the sole carrier authorized to provide domestic telex, TWX and message telegraph service, it has increasingly engaged also in competitive private line services. Insofar as WU's private line services are concerned, it is in no different position from that of any other specialized common carrier and enjoys no umbrella protection. Thus, for hinterland pickup and delivery of leased-channel services by the IRCs, we presently see no public interest bar, but invite comments also on this question.²

7. In short, we are aware that the policy we are here proposing will have some economic effect on WU. In view of the substantial public interest considerations

in favor of authorizing new gateways to the IRCs, the effect on WU must be measured in terms of apparent adverse impact on its basic services to the public if it is to weigh in our consideration of the relevant public interest factors. We expect that WU will take responsibility for calling to our attention all pertinent circumstances affecting it and its services to the public; and that it will support all assertions it makes in this regard with sufficient data to permit our determination as to the overall public interest. We expect also that the IRCs in their comments will address, with support, the question of substantial, adverse impact on WU public services.

8. We have previously, in approving the transfer of Bartlett earth station from the Communications Satellite Corporation to RCA, FCC 73-1322, and in authorizing terrestrial domestic facilities to United States Transmission Systems, Inc., a subsidiary of International Telephone and Telegraph Corporation, 48 FCC 2d 859, conditioned our authorizations upon a requirement that such facilities not be used to expand the gateways of the IRCs. It logically follows from the policy we are here proposing with respect to the authorization of new gateways, that these restrictions would be lifted. Thus, interested persons are requested to address this aspect also. We will also consider in this further proceeding the IRC's proposal for expansion of the geographic limits of existing gateways, as well as the appropriate boundaries for any new gateways.

9. Accordingly, interested persons are invited to submit comments on the foregoing on or before October 17, 1975 and reply comments on or before November 14, 1975. An original and 14 copies of all pleadings submitted in response to this notice shall be filed with the Commission. In addition to the comments invited by this Notice, the Commission may consider any other relevant material properly before it. The subject applications and pleadings submitted in response to this Notice will be available for public inspection in Room 539 of the Commission's offices at 1919 M Street, N.W., Washington, D.C.

Adopted: July 24, 1975.

Released: August 6, 1975.

FEDERAL COMMUNICATIONS
COMMISSION¹

[SEAL] VINCENT J. MULLINS,
Secretary.
[FR Doc. 75-20862 Filed 8-8-75; 8:45 am]

[47 CFR Part 73]

[Docket No. 20566 RM-2479]

TABLE OF ASSIGNMENTS

FM Broadcast Stations, (Eugene and Grants Pass, Oreg.)

1. Petitioner, proposal, and comments.
(a) Notice of Proposed Rule Making is given concerning amendment of the FM Table of Assignments (§ 73.202(b) of the

¹ We also have pending facilities applications by Radiocall, Inc., (File No. 2209-C 4-P-72 and 2164-C 4-P-72) for proposed record services between Los Angeles and Honolulu. To the extent that these applications depend on approval of Los Angeles as a new gateway, we propose to resolve that question here, but not to treat the merits of the applications.

² Cf. RCA Global Communications, Inc. et al. 42 FCC 2d 774, 779-781 (1973); American Satellite Corp., 43 FCC 2d 348, 353-355 (1973).

³ See attached statement of Commissioner Robinson. Filed as part of the original document.

Commission's rules and regulations) as concerns Eugene and Grants Pass, Oregon.

(b) A petition for rule making was filed on behalf of MATTCO, Inc. ("MATTCO"), proposing that unoccupied (and, at present, unapplied for) Channel 260 be deleted from Grants Pass, Oregon, and assigned to Eugene, Oregon, as a fifth FM channel assignment to the community. In lieu of the deletion, the petitioner proposes the substitution of Channel 262 at Grants Pass. Public Notice of the filing of the petition was issued on November 29, 1974 (Report No. 931). In its petition, MATTCO sought to justify its request for the assignment by citing what it described as Eugene's "phenomenal growth rate," and asserting that the 1975 population of Eugene would either equal or exceed 100,000. Noting previously announced Commission policy regarding population criteria for assignments,¹ MATTCO urged that Eugene is entitled to a fifth FM channel assignment.

(c) On January 30, 1975, an "Opposition to Petition for Rule Making" was filed on behalf of Pacific Northwest Broadcasting Corporation ("PNW"), licensee of radio stations KPNW and KPNW-FM, Eugene. PNW urged summary denial of MATTCO's petition on the grounds that the Eugene market was "over-radioed" and could not support a thirteenth commercial radio station, that MATTCO had grossly exaggerated Eugene's growth rate, and that the proposed channel assignment, if adopted, would amount to an inefficient use of the radio spectrum, resulting in the creation of an "enormous" area of preclusion.

(d) On February 20, 1975, MATTCO, by way of reply, responded to certain of PNW's assertions, and urged that sufficient information had been placed before the Commission upon which a rule making proceeding could be initiated. Our reasons for concluding that a notice should be issued are discussed in paragraph 4.

2. Demographic Data. (a) *Location:* Eugene, the seat of Lane County, is located approximately 100 miles southwest of Portland, Oregon, and fifty miles east of the Pacific Ocean coastline.

(b) *Population:* Eugene—79,028;² Lane County—215,401.³

¹ Further Notice of Proposed Rule Making, Docket 14185, and incorporated by reference in para. 25, Third Report and Memorandum Opinion and Order, 23 R.R. 1859 (1963).

² Unless otherwise noted, all population statistics are cited from the 1970 U.S. Census.

³ The petitioner has supplied the Commission with a document entitled "Addendum 1. Population of Eugene" which is a compilation prepared by the Center for Population Research at Portland State University showing its estimates of both the actual and projected population statistics for the city of Eugene. They project an estimated population of 102,750 for Eugene in 1975.

(c) *Local Broadcast Service:* Eugene presently receives local aural service from seven AM stations,⁴ five commercial FM stations,⁵ and three noncommercial educational FM stations.⁶ It is also served by two network affiliated VHF television stations.

(d) *Industry:* Eugene is a wholesale and retail trade and service center with the higher education and wood products manufacturing sectors also occupying prominent positions in the economy.

3. Preclusion Studies. (a) *Preclusive effects of Channel 260 assignment at Eugene.* Preclusion would occur on co-channel 260 and on first adjacent channels 259 and 261A. Madras, Oregon (pop. 1,800), which does not have an FM assignment, is the only community with a population in excess of 1,000 that would be precluded by the proposal. Petitioner did not indicate whether an alternate channel would be available for use in that community. The communities of Florence (pop. 1,802) and Veneta (pop. 1,200), Oregon, would be precluded from the assignment of Channel 261A; the petitioner has not indicated whether alternate channels exist for assignment to these communities. Moreover, the petitioner did not provide information regarding the extent of presently "unserved" or "underserved" areas to be served by the proposed assignment.

(b) *Preclusive effects of Channel 262 assignment at Grants Pass.* The assignment of Channel 262 to Grants Pass would create preclusion on Channels 262, 263, 264, and 265A, however, the removal of Channel 260 allows Channels 257A, 258, and 259 to be used in areas where they cannot be presently assigned. The resulting preclusion areas consist, for the most part, of large, sparsely populated land areas. The communities located within those areas either have an FM assignment or receive FM service from a nearby community.

4. Additional Considerations. (a) We are disposed to the issuance of a notice of proposed rule making in order to obtain a full and complete discussion by the parties on some close and serious questions which could not be considered if we summarily denied the petition.

(b) The resolution of this proceeding does not turn on such a narrow question as whether or not the city of Eugene has a population of 100,000. Reliance upon such a mechanistic application of the population criteria used in conjunction with FM channel assignments would be

⁴ One of the seven, KORE, is licensed to serve Springfield-Eugene. The remaining stations are KUGN, KPNW, KEED, KATR, and KBDF which is licensed to the petitioner. One of the stations, KATR, is a daytime-only facility, the others full-time.

⁵ One of the five, KORE-FM (Channel 226), is licensed to serve Springfield-Eugene. The remaining stations are KBMC (Channel 233), KZEL-FM (Channel 241), KPMY (Channel 250), and KPNW-FM (Channel 256).

⁶ They are KLCC (Channel 212), KWAX (Channel 216), and KVRM (Channel 220).

error for, as we have repeatedly stated, population criteria are not "an immutable standard" and represents only one of many considerations to be weighed by the Commission in arriving at a result that is consistent with the public interest.⁷

(c) To assist the Commission in the resolution of this proceeding, we seek all relevant information on whether the proposed assignment represents a "fair, efficient, and equitable distribution of radio services . . . among the several States and communities." In addition, MATTCO should submit Roanoke Rapids⁸ and Anamosa⁹ showings illustrating the extent of first and second aural service and first and second FM service to be provided by the proposed assignment. Further, MATTCO should identify alternate channels that may be utilized in the communities situated in the areas of preclusion discussed above, see para. 3(a).

(d) Two of the issues raised by PNW are considered premature and need not be resolved at this point. The first concerns the economic viability of the Eugene radio market and the impact of an additional station upon that market. Consistent with our previously announced policy, the economic impact issue is more properly considered at the application stage (if there is to be one) rather than in the rule making context.¹⁰ The second issue relates to "blanketing interference", a type of interference which occurs in the immediate vicinity of a transmitter which PNW alleges may result if MATTCO's proposal is adopted. As above, the proper time for consideration of such interference is at the application stage when the applicant(s) must provide the Commission with certain technical data. Further consideration at this stage would be speculative at best.

5. Proposed Amendment to the FM Table of Assignments. The Commission proposes to amend the FM Table of Assignments, Section 73.202(b), with regard to the communities of Eugene and Grants Pass, Oregon, as follows:

City	Channel No.	
	Present	Proposed
Eugene, Oreg.	233, 241, 250, 256	233, 241, 250, 256, 260
Grants Pass, Oreg.	260	262

⁷ Alexandria, La., 51 F.C.C. 2d 498 (1975); Yakima, Wash., 42 F.C.C. 2d 548 (1973); Fresno, Cal., 38 F.C.C. 2d 525 (1972).

⁸ Hattiesburg, Miss., 37 F.C.C. 2d 54 (1972); Gulfport, Miss., 43 F.C.C. 2d 1188 (1973).

⁹ 47 U.S.C. § 307(b).

¹⁰ Roanoke Rapids, N.C., 9 F.C.C. 2d 672 (1967).

¹¹ Anamosa, Ia., 46 F.C.C. 2d 520 (1974).

¹² Melbourne, Fla., 47 F.C.C. 2d 717 (1974); Adrian, Mich., 37 F.C.C. 2d 1021 (1972); Carroll Broadcasting Co. v. FCC, 258 F. 2d 440 (D.C. Cir. 1958); FCC v. Sanders Bros., 309 U.S. 470 (1940).

6. *Authority.* The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

7. *Comments and replies.* Interested parties may file comments on or before October 1, 1975, and reply comments on or before October 20, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

1. Pursuant to authority found in sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and Section 0.281(b) (6) of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's rules and regulations, as set forth in the notice of proposed rule making to which this Appendix is attached.

2. *Showings required.* Comments are invited on the proposal(s) discussed in the Notice of Proposed Rule Making to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

3. *Cut-off procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of Commission Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this Notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision in this docket.

4. *Comments and reply comments; service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the notice of proposed rule making to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply

is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission rules.)

5. *Number of copies.* In accordance with the provisions of Section 1.419 of the Commission's Rules and Regulations, an original and fourteen copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public inspection of filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 75-20873 Filed 8-8-75; 8:45 am]

FEDERAL MARITIME COMMISSION

[46 CFR Part 536]

[General Order 13; Docket No. 75-28]

GENERAL RATE INCREASES AND CERTAIN SURCHARGES FILED BY COMMON CARRIERS, CONFERENCES, AND MEMBER CARRIERS OF RATE AGREEMENTS

Submission of Revenue and Cost Data

Notice is hereby given that the Federal Maritime Commission is considering amending Part 536, containing regulations governing the contents of tariff publications by common carriers by water in the foreign commerce of the United States and by conferences of such carriers.

The Commission has determined that a need exists for the promulgation of rules requiring submission of certain revenue and cost data by conferences, members of rate agreements, and independent carriers operating in the foreign commerce of the United States. The Commission has, in the past, attempted to elicit this type of information by means of informal staff requests, but the response has been inadequate and unproductive. The Commission has, therefore, been unable properly to evaluate the ratemaking activities of common carriers.

The Commission has the responsibility to insure that common carriers by water in our foreign commerce establish rates which are not set at levels detrimental to the commerce of the United States in violation of section 18(b)(5) of the Shipping Act, 1916.

The proposed rules require that the common carriers, conferences, and members of rate agreements serving the United States foreign commerce, indicate the circumstances of their cost requirements and translate these changing circumstances into justification for the additional revenues being sought in the form of general rate increases and/or certain surcharges.

Therefore, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) and sections 18(b), 21 and 43 of the Shipping Act, 1916, (45 U.S.C. 817(b), 820 and 841(a)), notice is hereby given that the Federal Maritime Commission is considering the

amendment of Part 536 of Title 46 by inserting a new § 536.— reading as follows:

§ 536.— Submission of Revenue and Cost Data, Concerning General Rate Increases and Certain Surcharges Filed by Common Carriers, Conferences, and Member Carriers of Rate Agreements.

(a) *General Rate Increases.* (1) Whenever a Conference or the parties to a Rate Agreement or an independent ocean carrier files a General Rate Increase with the Federal Maritime Commission, which will increase 50 percent or more of its tariff items or increase its aggregate or individual gross revenue by 5 percent or more, within a period of 180 days, or at any time that individual rate increases on individual commodities in the tariff total 50 percent or more of the tariff items or the total aggregate revenues are cumulatively increased by 5 percent or more during any 180-day period, it shall file simultaneously therewith aggregate cost and revenue data as indicated in this section.¹

(2) Where a carrier subject to this section operates in more than one trade on the same voyage, total aggregate costs and revenue data shall be supplied in addition to the amounts applicable to the trade for which the rate increase is being requested.

(3) All amounts shall be converted to U.S. dollars utilizing the current exchange rate except for depreciation and amortization expense, which shall be converted at the exchange rates prevailing when the corresponding assets were acquired. Accounting principles shall be those utilized in the United States. All data submitted shall be certified to be correct by an officer of the Conference or by all the parties to a Rate Agreement or by an officer of the independent ocean carrier.

(4) The aggregate cost and revenue data required is as follows:

(i) An Aggregate Statement of Revenue and Expense for a 12-month period ending not more than 60 days prior to the date of filing the general rate increase with the Commission.

(ii) A projected Aggregate Statement of Revenue and Expense for a 12-month period beginning with the month following the date on which the general rate increase is proposed to become effective. The amount of additional aggregate revenue to be received as a result of the rate increase shall be set forth separately and appropriately noted. The method for determining projected aggregate revenue shall be set forth and fully explained.

(iii) A statement of the specific reason(s) for requesting the rate increase. If the reason is one of increased cost, state the specific cost(s) that have increased, supplying both the aggregate total dollar amount of the cost(s) for the last 12-month period and the projected

¹ Where the term aggregate cost and revenue data is used in this Section it shall mean actual cost and revenue data for an independent ocean carrier.

aggregate cost(s) for the next 12-month period, beginning with the month following the date the rate increase is scheduled to become effective. The methodology for determining aggregate projected expenses shall be set forth and fully explained.

(iv) (A) For the same 12-month period covered by the Statement of Revenue and Expense in paragraph (a) (4) (i) of this section, a statement setting forth in separate categories, aggregate cargo statistics in revenue tons and the aggregate amount of revenue earned for each of the 15 commodities, producing the highest aggregate revenue in the applicable trade in which the rate increase is being requested. In the event there are less than fifteen (15) commodities in the particular trade, list those commodities; however, no report shall be necessary for any commodity of less than 500 revenue tons.

(B) Project the aggregate volume of cargo which is anticipated will be carried during the 12-month period which coincides with the projected Aggregate Statement of Net Profit or Loss, in paragraph (a) (4) (ii) of this section in the same manner as required by paragraph (a) (4) (iv) (A) of this section.

(5) Upon implementation of the general increase, a record will be maintained and a report will be made to the Commission 180 days thereafter comparing actual additional revenue with the revenue need projections made under paragraph (a) (4) (ii) of this section.

(b) *Surcharges.* (1) Whenever a Conference or the parties to a Rate Agreement or an independent carrier in the foreign trade of the United States imposes a new surcharge or amend an existing surcharge, except as provided in paragraph (b) (3) and paragraph (b) (4) of this section, there shall be filed simultaneously therewith, pertinent cost and operating data on an aggregate basis for the Conference or the Rate Agreement or the independent carrier, to justify the particular surcharge being filed.

(2) The Conference or parties to a Rate Agreement or independent carrier shall, in addition to the initial aggregate costs and operating data, submit quarterly thereafter, starting ninety (90) days from the date the surcharge becomes effective, aggregate costs and operating data to continually justify the level and/or need for the surcharge.

(3) Bunker surcharge data shall include for each carrier for the preceding 90-day period data which will permit the Commission to determine the increased costs relating to fuel price increases in total and that portion attributable to the specific tariff areas for which the surcharge is proposed. This data shall comprise both cost information and cargo statistical information as follows:

(i) *Cost Information:* (A) The cost in

dollars per ton of fuel at the base date prior to the increase in fuel costs for which the surcharge is sought and the location of bunkering ports.

(B) The current purchased price of fuel in dollars per ton for which the requested surcharge is intended to compensate, and the location of bunkering ports.

(ii) *Operating Data:* (A) Operating data shall be submitted on a terminated round voyage basis. The definition of terminated round voyage is set forth in paragraph (b) (3) (ii) (E) of this section below. For each terminated round voyage in the preceding 90-day period, data shall be submitted without disclosing the identity thereof for each carrier member showing (1) the vessel itinerary for each voyage, (2) the port of loading and the port of discharge (port pair) for all revenue tons of cargo carried on each voyage. The revenue tons shall be shown separately by direction of movement and the number of revenue tons for each port pair relating to the cargo for which the surcharge is being sought shall be stated for each port pair.

(B) The standard shortest direct navigable distance, ocean mileage between each port pair shall also be stated. The source of the mileage shall be noted in each instance.

(C) The applicant shall also state the total revenue tons subject to the surcharge, the average revenue per ton of the revenue tons subject to the surcharge, and the average number of tons of fuel consumed per terminated round voyage.

(D) The total increased cost will be allocated between the revenue tons subject to the surcharge and all other revenue tons carried on the same voyages based upon a Revenue Ton Mile Relationship as shown on the sample worksheets provided herein.

(E) Terminated round voyage means a completed round voyage from port of origin and return to port of origin. In no case shall a voyage be split to reflect outward and inward services separately. However, when a vessel is reassigned to a new base point, then the voyage is from the old port of origin to the new port of origin. Where a vessel performs outbound in the service and then proceeds to charter, the voyage will be considered to be terminated upon completion of the discharge of the last cargo in the service. The requirement respecting commencement and termination of a completed round voyage by a carrier party to an operating differential subsidy agreement may be observed by such carrier for the purposes of this section. Voyages generally are considered to be terminated on the completion of one or the other of the following operations or events:

(1) The latest of:

- (i) Crew paid off;
- (ii) Discharge of last of homeward cargo; or
- (iii) Completion of repairs (excluding annual overall and emergency repairs); or
- (2) Midpoint in time of operations simultaneously loading and unloading cargo.

Usually this will be considered to have happened at noon or midnight of the day on which the determining operation is completed.

(4) The requirements of this section shall not apply to currency adjustment surcharges filed by those Conferences and/or Rate Agreements which maintain a Dual Rate Contract System.

(c) *Confidentiality of Information.* Financial data filed pursuant to the requirements of this section shall be confidential information, and shall be withheld from public disclosure: *Provided, however,* That such confidential information may be used by the Commission as the basis for a proceeding instituted pursuant to section 22 of the Shipping Act, 1916, and may also be used in such a proceeding.

Interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C., 20573, on or before September 5, 1975, an original and 15 copies of their views or comments pertaining to the proposed amendments. All suggestions for changes in the text as set out above should be accompanied by drafts of the language thought necessary to accomplish the desired changes and by comments and arguments supporting the suggested changes.

The Federal Maritime Commission's Bureau of Hearing Counsel shall participate in the proceeding and shall file Reply to Comments on or before September 26, 1975, by serving an original and 15 copies on the Federal Maritime Commission and one copy to each party who filed written comments. Answers to the Replies shall be submitted to the Federal Maritime Commission on or before October 10, 1975.

As the adoption of the proposals set forth in this rulemaking proceeding could in no way be considered to result in major federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*), no environmental assessment will be undertaken and no environmental impact statement will be issued in this proceeding.

By Order of the Federal Maritime Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

SAMPLE.—Revenue ton-mile calculation

From port—	To port—	Total revenue tons	Surcharge subject revenue tons	Miles (Navy Hydro Office)	Total revenue ton-miles (cols. 1×3)	Subject revenue ton-miles (cols. 2×3)
		(1)	(2)	(3)		
A.....	B.....	3,000	1,500	900	2,700,000	1,350,000
A.....	C.....	2,000	1,000	1,200	2,400,000	1,200,000
A.....	D.....	1,000		1,200	1,200,000	
A.....	E.....	3,000	1,000	800	2,400,000	800,000
B.....	D.....	1,000		400	400,000	
B.....	E.....	1,000		100	100,000	
C.....	E.....	1,000		1,000	1,000,000	
C.....	A.....	2,000		1,200	2,400,000	
D.....	A.....	3,000		1,200	3,600,000	
D.....	B.....	1,000		400	400,000	
E.....	A.....	1,000		800	800,000	
E.....	B.....	3,000		100	300,000	
E.....	C.....	2,000		100	200,000	
Total.....			3,500		17,900,000	3,350,000

Sample—Fuel surcharge calculation

1. Average tons of fuel consumed per voyage.....	2,000
2. (a) Total revenue ton miles subject to surcharge.....	3,350,000
(b) Total revenue ton miles.....	17,900,000
(c) Percent 2(a) ÷ 2(b).....	18.715
3. Average tons allocated to surcharge cargo (1×2(c)).....	374
4. Cost per ton base period.....	\$60.00
5. Cost per ton current.....	\$70.00
6. Increase (5-4).....	\$10.00
7. Additional cost per voyage (3×6).....	\$3,740.00
8. Cost per surcharge cargo ton $3,740 \div 3500$	\$1.07
9. Surcharge, percent increase:	
(a) Average revenue per revenue ton.....	\$18.00
(b) Cost per revenue ton (8).....	\$1.07
(c) Percent increase 9(b) ÷ 9(a).....	5.94

[FR Doc. 75-20571 Filed 8-8-75; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 210, 239, 240, 249]

[Release Nos. 33-5601, 34-11562]

COMPANIES IN THE DEVELOPMENT STAGE

Proposed Accounting and Reporting Requirements

The Commission hereby proposes to amend Article 5A (17 CFR Part 210.5A-01—210.5A-07) and certain rules of Regulation S-X (17 CFR Part 210) which specify the requirements for the form and content of the financial statements and schedules to be included in registration statements and periodic reports filed with the Commission by certain commercial, industrial and mining companies in the promotional, exploratory or other stages of development; to amend instruction in various registration and reporting forms regarding the applicability of Article 5A requirements to the financial statements to be included in those forms filed by the development stage companies; and to amend other references to Article 5A in forms and rules.

Article 5A contains specialized requirements for the financial statements of development stage companies meeting specified standards, and they differ in several significant respects from the requirements for financial statements in Regulation S-X which are applicable to companies which are not in a development stage, particularly for balance sheets and income statements (Article 5) (17 CFR 210.5-01—210.5-04), state-

ments of other stockholders' equity (Article 11 (17 CFR 210.11-01, 210.11-02) and statements of source and application of funds (Article 11A) (17 CFR 210.11A-01, 210.11A-02). When these specialized requirements for the form and content of the financial statements of certain companies in the development stage were adopted by the Commission, there were no authoritative statements of the accounting profession regarding the appropriate accounting and financial reporting directly applicable to such companies. In June 1975 the Financial Accounting Standards Board (FASB) issued Statement of Financial Accounting Standards No. 7, "Accounting and Reporting by Development Stage Enterprises," which specifies in summary that financial statements issued by a development stage enterprise shall conform to generally accepted accounting principles applicable to established operating enterprises, and that certain additional information shall be disclosed in the financial statements. This FASB Statement relates to all of the types of companies to which Article 5A and the related rules in Regulation S-X are applicable, as well as to other development stage companies which did not meet the standards for utilization of the Article 5A requirements.

The Commission stated, in Accounting Series Release No. 150 (39 FR 1260), that the pronouncements of the FASB will be considered to constitute substantial authoritative support for accounting and reporting procedures and practices used in preparing financial statements filed with the Commission. Therefore, the Commission believes it should

revise its requirements for the presentation of financial statements by development stage companies in filings with the Commission to conform them to the requirements in the FASB Statement.

Specifically, Article 5A in Regulation S-X would be revised to eliminate the specialized financial statement requirements for all companies to which Article 5A is now applicable and to require the furnishing of the additional information specified in FASB Statement No. 7 in the financial statements included in registration statements and periodic reports filed by all companies in the development stage. All other rules and instructions in Regulation S-X relating to the current Article 5A requirements would also be eliminated. The instructions as to financial statements applicable to the development stage companies in Forms S-2, S-3, 1-A, 10 and 10-K (17 CFR 239.12, 239.13, 239.90, 249.210 and 249.310) would be amended to conform to the requirements for the form and content of financial statements to those prescribed for established operating companies in Articles 5, 11 and 11A of Regulation S-X. General Instruction H in Form 10-Q (17 CFR 249.308a) and Rules 13a-13 and 15d-13 (17 CFR 240.13a-13 and 240.15d-13) under the Exchange Act which contain references to Article 5A would be revised.

Form S-1 is the general form used for registration of securities under the Securities Act; Form S-2 is used by commercial and industrial companies in the development stage and Form S-3 is used by mining companies in the development stage or registration of equity securities for sale for cash under the Securities Act; Form 1-A is used for filing the notification and offering circular for securities pursuant to Regulation A under the Securities Act; Form 10 is the general form used for registration of securities under the Exchange Act; Form 10-K is used for annual reports and Form 10-Q is used for quarterly reports pursuant to the Exchange Act.

Commission action. The Commission hereby proposes to amend Parts 210, 239, 240 and 249 of Chapter II of Title 17 of the Code of Federal Regulations as shown in the attachment hereto.

The proposed amendments would be adopted pursuant to authority in sections 6, 7, 8, 10 and 19(a) (15 U.S.C. 77f, 77g, 77h, 77j and 77s) of the Securities Act of 1933; and sections 12, 13, 15(d) and 23(a) (15 U.S.C. 78l, 78m, 78o(d) and 78w) of the Securities Exchange Act of 1934.

The amendments are proposed to be effective for financial statements for fiscal periods beginning on or after December 26, 1975, and earlier application would be encouraged. All interested persons are invited to submit written comments on the proposals on or before September 15, 1975. The communications should be addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and should be

referenced to File No. S7-574. All comments will be available for public inspection.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

JULY 31, 1975.

PART 210—FORM AND CONTENT OF FINANCIAL STATEMENTS, SECURITIES ACT OF 1933, SECURITIES EXCHANGE ACT OF 1934, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935, AND INVESTMENT COMPANY ACT OF 1940

I. Various rules, instructions and articles of Part 210 (Regulation S-X) would be revised or revoked, as follows:

§ 210.4-09 [Revoked]

1. Section 210.4-09 would be revoked.

§ 210.5-01 [Amended]

2. Section 210.4-09(a) (1) would be revoked and § 210.5-01(a) (2), (3), (4), (5), (6), (7), (8), (9) would be renumbered as (a) (1), (2), (3), (4), (5), (6), (7), (8), respectively.

3. The title and §§ 210.5A-01 and 210.5A-02 of Article 5A would be revised, and §§ 210.5A-03, 210.5A-04, 210.5A-05, 210.5A-06 and 210.5A-07 would be revoked as follows.

COMPANIES IN THE DEVELOPMENT STAGE (ARTICLE 5A)

§ 210.5A-01 Application of §§ 210.5A-01 and 210.5A-02 (Article 5A).

(a) Sections 210.5A-01 and 210.5A-02 shall be applicable to the financial statements in registration statements and periodic reports filed by companies in the development stage.

(b) For purposes of this rule, a company shall be considered to be in the development stage if it is devoting substantially all of its efforts to establishing a new business and either of the following condition exists:

- (1) Planned principal operations have not commenced.
- (2) Planned principal operations have commenced, but there has been no significant revenue therefrom.

§ 210.5A-02. Additional information required to be included in financial statements filed by companies in the development stage.

(a) Financial statements included in a registration statement or periodic report filed by a company in the development stage shall include additional information, as follows:

- (1) In a balance sheet, include any cumulative net losses reported with a descriptive caption such as "deficit accumulated during the development stage" in the stockholders' equity section.
- (2) In an income statement show amounts of revenue and expenses for each period covered by the income statement and, in addition, cumulative amounts from the enterprise's inception.

¹For a dormant enterprise that is reactivated to undertake development stage activities, the disclosure of cumulative amounts required by this paragraph shall be from inception of the development stage.

(3) In a statement of source and application of funds or changes in financial position, show the sources and uses of financial resources for each period for which an income statement is presented and, in addition, cumulative amounts from the enterprise's inception.

(4) In a statement of stockholders' equity, show from the enterprise's inception:

- (i) For each issuance, the date and number of shares of stock, warrants, rights, or other equity securities issued for cash and for other consideration.
- (ii) For each issuance, the dollar amounts (per share or other equity unit and in total) assigned to the consideration received for shares of stock, warrants, rights, or other equity securities. Dollar amounts shall be assigned to any noncash consideration received.

(iii) For each issuance involving non-cash consideration, the nature of the noncash consideration and the basis for assigning amounts.

(b) The financial statements shall be identified as those of a development stage enterprise and shall include a description of the nature of the development stage activities in which the enterprise is engaged.

(c) The financial statements for the first fiscal year in which an enterprise is no longer considered to be in the development stage shall disclose that in prior years it had been in the development stage. If financial statements for prior years are presented for comparative purposes, the cumulative amounts and other additional disclosures required by paragraphs (a) and (b) of this section need not be shown.

§§ 210.5A-03—210.5A-07 [Revoked]

4. In § 210.12-01, § 210.5A-07 would be deleted from the list of cited rules.

§ 210.12-01 Application of §§ 210.12-01—210.12-43 (Article 12).

These sections prescribe the form and content of the schedules required by §§ 210.5-04 (210.5A-07), 310.6-10, 210.6-13, 210.6-24, 210.6-34, 210.7-06, 210.7A-06 and 210.9-04.

§ 210.12-06 [Amended]

5. In § 210.12-06, *Property, plant and equipment*. Instruction 2(c) would be revoked.

§ 210.12-06A [Revoked]

6. Section 210.12-06A, *Unrecovered cost incurred in the promotional, exploratory, and development stage* would be revoked.

§ 210.12-07 [Amended]

7. In § 210.12-07, *Accumulated depreciation, depletion and amortization of*

²Separate issuances of equity securities within the same fiscal year for the same type of consideration and for the same amount per equity unit may be combined in the statement of stockholders' equity. Appropriate modification of the statement of stockholders' equity may be required for (a) a combined group of companies that, as a whole, is considered to be in the development stage and (b) an unincorporated development stage enterprise.

property, plant and equipment. Instruction 1(b) would be revoked.

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

§ 239.12 [Amended]

II. Section 239.12 (Form S-2). Item 13, Financial Statements, would be revised and expanded to include instructions as to financial statements, as given below:

Item 13. Financial statements. 1. Include in the prospectus all financial statements called for by the Instructions as to Financial Statements. All schedules to balance sheets and income statements may be omitted from the prospectus, except those prepared in accordance with Rule 12-16 of Regulation S-X which are applicable to income statements included in the prospectus.

2. *Instructions as to financial statements.* The balance sheet and statements of income and source and application of funds required to be filed as a part of the registration statement are prescribed below. Regulation S-X governs the examination and the form and content of such financial statements and prescribes the statements of retained earnings and other stockholders' equity and the schedules to be filed. All financial statements required to be filed shall be audited. Attention is directed to Rule 411(b) regarding incorporation by reference of financial statements and to section 10(a)(3) of the Act and Release No. 4936 regarding updating the financial statements in specified circumstances.

a. *Balance sheet.* The registrant shall file a balance sheet as of a date within 90 days prior to the date of filing the registration statement.

b. *Statements of income and source and application of funds.* The registrant shall file statements of income and source and application of funds for each of the last three fiscal years, or for the life of the registrant, if less, and for the interim period, if any, between the end of the most recent of such fiscal years and the date of the balance sheet specified in (a) above.

c. *Reorganization of registrant.* (1) If, during the period for which its income statements are required, the registrant has emerged from a reorganization in which substantial changes occurred in its asset, liability, capital shares, other stockholders' equity or reserve accounts, a brief explanation of such changes shall be set forth in a note or supporting schedule to the balance sheet filed.

(2) If the registrant is about to emerge from such a reorganization, there shall be filed, in addition to the balance sheet of the registrant otherwise required, a balance sheet giving effect to the plan of reorganization. These balance sheets shall be set forth in such form, preferably columnar, as will show in related manner the balance sheet of the registrant prior to the reorganization, the changes to be effected in the reorganization and the balance sheet of the registrant after giving effect to the plan of reorganization. By a footnote or otherwise a brief explanation of the changes shall be given.

d. *Filing of other financial statements in certain cases.* (1) The Commission may, upon the informal written request of the registrant and where consistent with the protection of investors, permit the omission of one or more of the financial statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Commission may also by informal written notice require the filing of other financial statements in addition to, or in substitution for, the statements herein required in any case where such statements are

necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required or whose statements are otherwise necessary for the protection of investors.

§ 239.13 [Amended]

III. Section 239.13 (Form S-3). Item 12, Financial Statements, would be revised and expanded to include instructions as to financial statements, as given below:

Item 12. Financial statements. 1. Include in the prospectus all financial statements called for by the Instructions as to Financial Statements. All schedules to balance sheets and income statements may be omitted from the prospectus, except those prepared in accordance with Rule 12-16 of Regulation S-X which are applicable to income statements included in the prospectus.

2. *Instructions as to Financial Statements.* The balance sheet and statements of income and source and application of funds required to be filed as a part of the registration statement are prescribed below. Regulation S-X governs the examination and the form and content of such financial statements and prescribes the statements of retained earnings and other stockholders' equity and the schedules to be filed. All financial statements required to be filed shall be audited. Attention is directed to Rule 411 (b) regarding incorporation by reference of financial statements and to section 10(a) (3) of the Act and Release No. 4936 regarding updating the financial statements in specified circumstances.

a. *Balance sheet.* The registrant shall file a balance sheet as of a date within 90 days prior to the date of filing the registration statement.

b. *Statements of income and source and application of funds.* The registrant shall file statements of income and source and application of funds for each of the last three fiscal years, or for the life of the registrant, if less, and for the interim period, if any, between the end of the most recent of such fiscal years and the date of the balance sheet specified in (a) above.

c. *Reorganization of registrant.* (1) If, during the period for which its income statements are required, the registrant has emerged from a reorganization in which substantial changes occurred in its asset, liability, capital shares, other stockholders' equity or reserve accounts, a brief explanation of such changes shall be set forth in a note or supporting schedule to the balance sheet filed.

(2) If the registrant is about to emerge from such a reorganization, there shall be filed, in addition to the balance sheet of the registrant otherwise required, a balance sheet giving effect to the plan of reorganization. These balance sheets shall be set forth in such form, preferably columnar, as will show in related manner the balance sheet of the registrant prior to the reorganization, the changes to be effected in the reorganization and the balance sheet of the registrant after giving effect to the plan of reorganization. By a footnote or otherwise a brief explanation of the changes shall be given.

d. *Filing of other financial statements in certain cases.* (1) The Commission may, upon the informal written request of the registrant and where consistent with the protection of investors, permit the omission of one or more of the financial statements herein required or the filing in substitution thereof of appropriate statements of comparable character. The Commission may also by informal written notice require the filing of other financial statements in addition to, or in substitution for, the statements herein

required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required or whose statements are otherwise necessary for the protection of investors.

§ 239.90 [Amended]

IV. Section 239.90 (Form 1-A). Paragraphs (a) and (b) of Item 11 of Schedule I of Form 1-A under Regulation A would be revised to read as follows:

SCHEDULE I—INFORMATION TO BE INCLUDED IN THE OFFERING CIRCULAR REQUIRED BY RULE 256

Item 11. . . .

(a) A balance sheet shall be furnished as of a date within 90 days prior to the filing of the notification, or such longer period of time, not exceeding six months, as the Commission may permit at the written request of the issuer upon a showing of good cause therefor.

(b) Statements of income, statements of source and application of funds, and statements of other stockholders' equity shall be furnished for each of at least two full fiscal years prior to the date of the statement furnished pursuant to paragraph (a) above, and for the period, if any, between the close of the last full fiscal year and the date of such statements, or for the period of the issuer's existence if less than the period specified above.

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

VIII. Sections 240.13a-13 and 240.15d-13 would be revised as given below:

§ 240.13a-13 Quarterly reports on Form 10-Q.

(a)

(b) Quarterly reports on Form 10-Q need not be filed by the following issuers:

(5) (Companies in the promotional or development stage to which paragraph (c) of Rule 5A-01 of Regulation S-X is applicable.) (Bracketed sentence would be revoked.) Mining companies not in the production stage but engaged primarily in the exploration for or the development of mineral deposits other than oil, gas or coal, if all the following conditions are met:

(i) The registrant has not been in production during the current fiscal year or the two years immediately prior thereto; except that being in production for an aggregate period of no more than eight months over the three-year period shall not be a violation of this condition.

(ii) Receipts from the sale of mineral products or from the operations of mineral producing properties by the registrant and its subsidiaries combined have not exceeded \$500,000 in any of the most recent six years and have not aggregated more than \$1,500,000 in the most recent six fiscal years.

§ 240.15d-13 Quarterly reports on Form 10-Q.

(a)

(b) Quarterly reports on Form 10-Q need not be filed by the following issuers:

(5) (Companies in the promotional or development stage to which paragraph (c) of Rule 5A-01 of Regulation S-X is applicable.) (Bracketed sentence would be revoked.) Mining companies not in the production stage but engaged primarily in the exploration for or the development of mineral deposits other than oil, gas or coal, if all the following conditions are met:

(i) The registrant has not been in production during the current fiscal year or the two years immediately prior thereto; except that being in production for an aggregate period of no more than eight months over the three-year period shall not be a violation of this condition.

(ii) Receipts from the sale of mineral products or from the operations of mineral producing properties by the registrant and its subsidiaries combined have not exceeded \$500,000 in any of the most recent six years and have not aggregated more than \$1,500,000 in the most recent six fiscal years.

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

§ 249.210 [Amended]

V. Section 249.210 (Form 10) would be amended as follows:

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

1. Instruction 14. *Registrant not in the production stage.* Would be revoked and the number reserved.

§ 249.310 [Amended]

VI. Section 249.310 (Form 10-K) would be amended as follows:

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

1. Instruction 8. *Registrants not in the production stage.* would be revoked and the number reserved.

§ 249.308a [Amended]

VII. Section 249.308a (Form 10-Q). Instruction H(a) of the general instructions for the form would be revised to read as follows:

H. *Presentation of financial statements.* (a) The summarized financial information called for by Part A below shall be furnished in the comparative columnar form, in the manner indicated, subject to appropriate variations to conform to the nature of the business, for (1) the interim period between the end of the last fiscal year and the end of the latest fiscal quarter, and (2) the corresponding period of the preceding fiscal year. Additional captions may be used where appropriate. [Where a company is in the promotional or development stage to which paragraph (b) of Rule 5A-01 of Article 5A of Regulation S-X is applicable, the information specified in Rules 5A-02 and 5A-06 of Regulation S-X shall be furnished for the above periods in lieu of the information called for by Parts A and B below.] (Bracketed material would be revoked.)

[FR Doc. 75-20880 Filed 8-8-75; 8:45 am]

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The purpose of the meeting is review land use alternatives for the future management of Rock Creek and to confirm the schedule for the completion of the land use plan.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the extent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public, or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

Dated: August 4, 1975.

ROBERT W. DAMON,
Forest Supervisor,
Deerlodge National Forest.

[FR Doc.75-21053 Filed 8-8-75; 8:45 am]

Packers and Stockyards Administration

[P. & S. Docket No. 5151]

RATES AND CHARGES

Order Extending Period of Suspension of Modifications

On July 8, 1975, an order was issued instituting the following proceeding under Title III of the Packers and Stockyards Act, 1921, as amended, 42 Stat. 159, as amended, (7 U.S.C. 181 et seq.):

In re: C. E. Mills and E. E. Mills, d/b/a Mills Auction Market, Ocala, Florida—Respondents

Such order, among other things, suspended and deferred the operation and use by the respondents of modifications of its current schedule of rates and charges to become effective July 8, 1975, for a period of thirty days beyond the time such modifications would otherwise go into effect.

Notice is hereby given that, since the hearing in this proceeding could not be concluded within such period of suspension, an order has been issued in the above proceeding suspending and deferring the operation and use of such modifications of the current schedule of rates and charges for a further period of thirty days beyond the date when such modifications would have otherwise become effective.

Done at Washington, D.C., August 6, 1975.

MARVIN L. McLAIN,
Administrator, Packers
and Stockyards Administration.

[FR Doc.75-20946 Filed 8-8-75; 8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

HOWARD UNIVERSITY, ET AL.

Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

The following is a consolidated decision on 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) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1974.)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Decision: Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign article, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

Reasons: Subsection 301.8 of the Regulations provides in pertinent part:

"The applicant shall on or before the 20th day following the date of such notice, inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article for the same intended purposes to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Deputy Assistant Secretary in writing prior to the expiration of the 90 day period. * * *

If the applicant fails, within the applicable time periods specified above, to either (a) inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (b) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Deputy Assistant Secretary on the application within the context of Subsection 301.11."

The meaning of the subsection is that should an applicant either fail to notify the Deputy Assistant Secretary of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20 day period, or fails to resubmit a new application within the 90 day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above, therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Subsection 301.8 further provides:

"* * * the Deputy Assistant Secretary shall transmit a summary of the prior denial without prejudice to resubmission to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant."

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants

to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Deputy Assistant Secretary.

Docket number: 75-00151-00-61800. Applicant: Triton College, 2000 5th Avenue, River Grove, Illinois 60171. Article: Two (2) Mirror Zoom Projectors, Model 2003-10 with Optional Polarizers. Date of denial without prejudice to resubmission: March 31, 1975.

Docket number: 75-00281-33-46040. Applicant: Howard University, Howard University Hospital, 2041 Georgia Avenue, NW., Washington, D.C. 20060. Article: Electron Microscope, Model Elmiskop 101. Date of denial without prejudice to resubmission: April 18, 1975.

Docket number: 75-00416-33-46500. Applicant: University of California, San Francisco, Coleman Memorial Laboratory, HSE-863, 3rd and Parnassus Streets, San Francisco, Calif. 94143. Article: Ultramicrotome, Model LKB 8800A. Date of denial without prejudice to resubmission: April 18, 1975.

Docket number: 75-00205-35-46040. Applicant: National Institutes of Health, National Institute of Dental Research, 9000 Rockville Pike, Bldg. 30, Rm 121, Bethesda, Md. 20014. Article: Electron Microscope, Model EM 201. Date of denial without prejudice to resubmission: April 18, 1975.

Docket number: 75-00207-33-46070. Applicant: Harvard University, Purchasing Department, 75 Mt. Auburn Street, Cambridge, Mass. 02138. Article: Scanning Electron Microscope, Model SMSM-T. Date of denial without prejudice to resubmission: April 3, 1975.

Docket number: 75-00228-99-46040. Applicant: Ohio University, Athens, Ohio 45701. Article: Electron Microscope, Model HS-8, Mark II. Date of denial without prejudice to resubmission: April 9, 1975.

Docket number: 75-00272-33-90000. Applicant: The Toledo Hospital, 2142 North Cove Boulevard, Toledo, Ohio 43606. Article: EMI Scanner System. Date of denial without prejudice to resubmission: April 3, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Acting Director,
Special Import Programs Division.

[FR Doc.75-20603 Filed 8-8-75; 8:45 am]

SAN DIEGO STATE UNIV.

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1974.)

A copy of the record pertaining to this decision is available for public review

during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00511-75-77030. Applicant: San Diego State University Foundation, San Diego, California 92182. Article: CPS-2 Coherent NMR Pulse Spectrometer. Manufacturer: Spin Lock Electronics Ltd., Canada. Intended use of article: The article is intended to be used for investigation of self-diffusion in plastic crystals and proton exchange in water. The article will also be used in connection with Physics 198A, "Senior Research," and Physics 199, Special Study on the undergraduate level to introduce senior students to the techniques of research work and the problems often encountered in independent study and physics 297, "Research" on the graduate level to train M.S. candidates in the research techniques.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the specification of a coherent nuclear magnetic resonance (NMR) pulse spectrometer. The most closely comparable domestic instrument, the Model WL-100 a wide line continuous wave instrument manufactured by Varian Associates, is not capable of pulse operation. The National Bureau of Standards (NBS) advises in its memorandum dated July 14, 1975 that the specification of a coherent NMR pulse spectrometer is pertinent to the applicant's intended purposes. We, therefore, find that the Model WL-100 is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Acting Director,

Special Import Programs Division.

[FR Doc.75-20604 Filed 8-8-75; 8:45 am]

COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE; FOREIGN AVAILABILITY SUBCOMMITTEE

Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that a meeting of the Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee will be held on Wednesday, September 10, 1975 at 9:30 a.m. in Room 5230, Main Commerce Building, 14th and

Constitution Avenue, NW., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) (Supp. III, 1973) and the Federal Advisory Committee Act. The Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee was established on July 8, 1975, with the approval of the Director, Office of Export Administration, pursuant to the charter of the Committee.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls. The Foreign Availability Subcommittee was formed to ascertain if certain kinds of equipment are available in non-COCOM and Communist bloc countries, and if such equipment is available, then to ascertain if it is technically the same or similar to that available elsewhere. The agenda for the meeting is:

- (1) Opening remarks by the Subcommittee Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Review and discussion of work programs.
- (4) Assignment of tasks to subcommittee members.

The meeting will be open to public observation, and a limited number of seats will be available to the public. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

Copies of the minutes of the meeting will be available upon written request addressed to the Freedom of Information Officer, Room 3100, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/967-4196.

Dated: August 7, 1975.

LAWRENCE J. BRADY,

Acting Director,

Office of Export Administration.

[FR Doc.75-21016 Filed 8-8-75; 8:45 am]

COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE; LICENSING PROCEDURES SUBCOMMITTEE

Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that a meeting of the Licensing Procedures Subcommittee of the Computer Systems Technical Advisory Committee will be held on Wednesday, September 10, 1975 at 2 p.m. in Room 5230, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) (Supp. III, 1973) and the Federal Advisory Committee Act. The Licensing Procedures Subcommittee of the Computer Systems Technical Advisory Committee was initially established on February 4, 1974. On July 8, 1975 the Director, Office of Export Administration, approved the reestablishment of this Subcommittee, pursuant to the charter of the Committee.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls. The Licensing Procedures Subcommittee was formed to review the procedural aspects of export license applications within the Office of Export Administration and recommend areas where improvements can be made.

The Subcommittee meeting agenda has four parts:

GENERAL SESSION

- (1) Opening remarks by the subcommittee Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Review and discussion of areas to examine regarding export control licensing procedures.

EXECUTIVE SESSION

Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available to the public. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (4), the Assistant Secretary of Commerce for Ad-

ministration, with the concurrence of the delegate of the General Counsel, formally determined on December 16, 1974, pursuant to Section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Subcommittee during the Executive Session of the meeting have been properly classified under the Executive Order. All Subcommittee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be made available upon written request addressed to the Freedom of Information Officer, Room 3100, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce Washington, D.C. 20230, telephone: A/C 202/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in *Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al.*, September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof, was published in the Federal Register (40 FR 2243, appearing in the issue of January 10, 1975).

Dated: August 7, 1975.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.75-21015 Filed 8-8-75;8:45 am]

Maritime Administration SS UNITED STATES

Invitation for Bids for Sale and Operation of the Vessel

Notice is hereby given that pursuant to the provisions of Public Law 92-296, the Maritime Administration has issued Invitation for Bids No. PD-X-999, dated August 7, 1975, inviting sealed bids from citizens of the United States for the purchase of the SS *United States*, Official Number 263934.

The Assistant Secretary of Commerce for Maritime Affairs, acting for and on behalf of the Secretary of Commerce and pursuant to the provisions of Public Law

92-296, purchased on February 6, 1973, the passenger liner SS *United States* from its former owner. The Public Law permits the Maritime Administration to sell or charter the vessel to a qualified operator or lay up the vessel in the National Defense Reserve Fleet. Notices in the Federal Register on February 26, 1973 (38 FR 5197) and Federal Register of November 9, 1973 (38 FR 31021) solicited proposals and/or bids from qualified operators interested in the purchase or charter of the vessel for operation under the United States flag. None of the bids to these notices were completely responsive.

The Maritime Administration is reoffering the ship for sale on an "as is, where is" basis to United States citizens for United States flag operation as contemplated by Pub. L. 92-296 under the terms and conditions set forth in the Invitation for Bids No. PD-X-999.

The minimum acceptable bid price for the SS *United States* is \$7,500,000. The purchase price is payable in cash within 30 days of acceptance of the successful bid by the Maritime Administration.

A ten percent bid deposit is required with each bid.

Award will be made to the highest responsive and responsible bidder, and accordingly, the Maritime Administration reserves the right to reject any bid proposing operations not considered in keeping with the intent of Pub. L. 92-296.

Each bid is to be accompanied by a suitably detailed outline of the proposed operation of the vessel, together with sufficient detail concerning the financial resources of the bidder to enable the Maritime Administration to determine the ability of the bidder to consummate the transaction and operate the vessel in a manner contemplated by Pub. L. 92-296. Bidders who have previously submitted proposals in response to the notices in the Federal Register of February 26, 1973, and November 9, 1973, must update and resubmit their proposals to be eligible for consideration under this Invitation.

Sale of the SS *United States* is subject to the following conditions:

1. No operating-differential subsidy shall be paid for operation of the vessel.
2. The provisions of Section 506 of the Merchant Marine Act, 1936, as amended, shall apply to operations of the SS *United States*, since the exemption from such provision contained in Section 613 of the Act applies only to passenger vessels under operating-differential subsidy contracts.

Construction subsidy paid on the vessel amounted to \$18,646,749. Thus, payback pursuant to Section 506 could approximate \$745,000 per year (for the statutory life of the vessel).

3. At no time may the vessel be sold or scrapped without the prior approval of the Maritime Administration, and during the statutory life of the vessel (until June 19, 1977), it shall not be used for any purpose not contemplated by Pub. L. 92-296. Should the buyer utilize the vessel for any purpose not contemplated by Pub. L. 92-296 during its statutory life, the Maritime Administration shall have the option to repurchase the vessel based on the following schedule of prices:

Dec. 31, 1975	\$3,397,310.20
Mar. 31, 1976	2,826,866.80
June 30, 1976	2,250,085.14
Sept. 30, 1976	1,666,965.23
Dec. 31, 1976	1,083,845.30
Mar. 31, 1977	513,401.90

Retention of this option by the Maritime Administration is to insure that the vessel will be used during its statutory life in a manner contemplated by Pub. L. 92-296, notwithstanding the provisions of Article 9(a) of Construction-Differential Subsidy Agreement, Contract No. MCC-61974, and Section 802 of the Merchant Marine Act, 1936, as amended.

Copies of the Invitation for Bids No. PD-X-999 dated August 7, 1975, may be obtained from the Contracting Officer, Burton T. Kyle, Director, Office of Domestic Shipping, Maritime Administration, Washington, D.C. 20230.

Bids are to be in the form specified in the Invitation for Bids and are to be addressed to Secretary, Code M-120, Maritime Administration, U.S. Department of Commerce, Washington, D.C. 20230. Bids will be received until 2:15 p.m., Eastern Standard Time, November 5, 1975, and public opening will be held at 2:15 p.m., Eastern Standard Time, on that date at the offices of the Maritime Administration, Room 3708, Commerce Building, 14th Street between E and Constitution Avenue, NW., Washington, D.C.

Dated: August 5, 1975.

By Order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-20992 Filed 8-8-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

Meeting

Notice is hereby given, pursuant to Section 10(a)(2), Public Law 92-463, that the next meeting of the National Advisory Council on Education Professions Development will be held on Wednesday, September 10, 1975, 9 a.m. to 5 p.m., Thursday, September 11, 1975, 9 a.m. to 5 p.m., and Friday, September 12, 1975, 9 a.m. to 12 noon, local time, at the Statler Hilton Hotel, Washington, D.C.

The National Advisory Council on Education Professions Development is established under Section 502 of the Education Professions Development Act (Public Law 90-35). The Council is charged with the review of the Education Professions Development Act and of all other Federal programs for the training and development of educational personnel.

The meeting of the Council is open to the public. The proposed agenda includes discussion of progress reports on Teacher Centers, Competency-Based Teacher Education, Mainstreaming, and Educational Technology, as well as follow-up activities relating to the Council's recommendations for Federal legislation concerning the Teacher Corps contained in its report entitled *Teacher Corps: Past or Prologue?* published in July of this year.

The meeting on Thursday, September 11, 1975, involves a site visit. Members of the public planning to attend should provide their own transportation and should give advance notice of their intention to attend the meeting by calling the Council (202-382-8712) or by mail no later than Monday, September 8, 1975.

Records are kept of all Council proceedings and are available for public inspection at the Council offices, located at 1111 20th Street, NW., Suite 306, Washington, D.C. 20036.

Signed at Washington, D.C. on August 4, 1975.

GEORGE E. ARNSTEIN,
Executive Director.

[FR Doc. 75-20927 Filed 8-8-75; 8:45 am]

Food and Drug Administration

[DESI 11250; Docket No. 75N-0109]

CERTAIN DRUG PRODUCTS FOR TREATMENT OF AMMONIA INTOXICATION

Withdrawal of Approval of New Drug Applications

A notice of opportunity for hearing (DESI 11250; Docket No. FDC-D-654 (Now Docket No. 75N-0109); NDA 11-250 etc.) was published in the FEDERAL REGISTER of December 5, 1973 (38 FR 33511) in which the Commissioner of Food and Drugs proposed to issue an order withdrawing approval of the drug products described below. The basis of the proposed action was the lack of substantial evidence that the products are effective for their labeled indications. The products have been used in conditions associated with elevated blood ammonia levels. No person requested a hearing and approval of the new drug applications is now being withdrawn.

NDA 11-250; R-Gene Injection containing arginine hydrochloride (5 percent); Cutter Laboratories, Inc., Fourth and Parker St., Berkeley, CA 94710. This particular product, reviewed in the Drug Efficacy Study, is labeled for use in conditions associated with elevated blood ammonia levels. Another arginine hydrochloride product of Cutter Laboratories, named R-Gene-10 Injection, containing 10 percent arginine hydrochloride (NDA 16-831), was approved in 1973 for use as a stimulant to the pituitary. It is not affected by this notice.

NDA 12-036; Glutavene Solution for Injection containing sodium glutamate; Cooper Laboratories, Pharmaceutical Division (successor to Tilden Yates), 1259 Route 46, Parsippany, NJ 07054.

NDA 12-037; Glutavene K Solution for Injection containing sodium glutamate and potassium glutamate; Cooper Laboratories, Pharmaceutical Division.

Also included in the notice of December 5, 1973 was Modumate Solution for Injection containing arginine glutamate (NDA 11-640), Abbott Laboratories, 14th and Sheridan Rd., North Chicago, IL 60064. The inclusion of that product in the notice of opportunity for hearing was inappropriate since Modumate is included in the list of drug products that may remain on the market pending completion of scientific studies to determine effectiveness, published in the FEDERAL REGISTER of December 14, 1972 (37 FR 26623). Therefore, the notice of opportunity for hearing published December 5, 1973 is hereby rescinded insofar as it pertains to NDA 11-640 for Modumate Solution for Injection.

All drug products that are identical, related, or similar to any of the drugs named above, not the subject of an approved new drug application, are covered by the new drug applications reviewed and are subject to this notice pursuant to § 310.6 (21 CFR 310.6). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance, (HFD-310), 5600 Fishers Lane, Rockville, MD 20852.

Neither the holders of the new drug applications nor any other person filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes election by such persons not to avail themselves of the opportunity for hearing.

The Director of the Bureau of Drugs, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended (21 U.S.C. 355)), and under authority delegated to him (21 CFR 2.121), finds that on the basis of new information before him with respect to the drug products, evaluated together with the evidence available to him when the applications were approved, there is a lack of substantial evidence that the above listed drug products will have the effects they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

Therefore, pursuant to the foregoing finding, approval of new drug applications Nos. 11-250, No. 12-036, and No. 12-037 and all amendments and supplements thereto, is withdrawn effective August 21, 1975.

Shipment in interstate commerce of the above products for which approval is being withdrawn, or any identical, related, or similar product, not the subject of an approved new drug application, will then be unlawful.

Dated: July 28, 1975.

CARL M. LEVENTHAL,
Acting Director, Bureau of Drugs.

[FR Doc. 75-20895 Filed 8-8-75; 8:45 am]

Social and Rehabilitation Service HANDBOOK OF PUBLIC ASSISTANCE ADMINISTRATION

Revocation of Parts I, II, and VI and Supplements A, B, and C

Notice is given that the Parts and Supplements of the Handbook of Public Assistance Administration listed below which contain certain requirements, interpretations, informational materials, and instructions for the administration of the financial assistance, medical assistance, and social services programs under Titles I, IV, X, XIV, XVI, and XIX of the Social Security Act, and were issued by the Department prior to March 19, 1970, are hereby revoked. All material contained in these three parts and supplements either has been superseded by regulations previously published as part of the Code of Federal Regulations under Title 45, Chapter II, or has been reissued under the current Social and Rehabilitation Service issuance system as program instructions or interpretation of policy, or has become outdated because of amendments to existing laws or enactment of new laws.

The Handbook of Public Assistance Administration materials listed below are hereby revoked:

- Part I—Federal and State Responsibility
- Part II—State Organization and Administration
- Part VI—Statistical Reporting and Research
- Supplement A—Guides and Recommendations
- Supplement B—Work Experience and Training Program
- Supplement C—Nondiscrimination in Federally Assisted Programs

Effective date. This notice shall be effective on August 11, 1975.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))
(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program; 13.754, Public Assistance—Social Services; 13.761, Public Assistance—Maintenance Assistance (State Aid))

Dated: August 5, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and
Rehabilitation Service.

[FR Doc. 75-20920 Filed 8-8-75; 8:45 am]

Office of the Secretary

PRESIDENT'S COMMITTEE ON MENTAL RETARDATION

Meeting

The President's Committee on Mental Retardation was established to provide advice and assistance in the area of mental retardation to the President including evaluation of the adequacy of the national effort to combat mental retardation; coordination of activities of Federal agencies; provision of adequate liaison between Federal activities and related activities of State and local governments, foundations and private organizations; and develop information designed for dissemination to the general public. The Committee will meet on Sunday, Sep-

September 28, 1975, 5:00 to 9:00 p.m., Monday, September 29, 1975, 9:00 a.m. to 4:30 p.m., and Tuesday, September 30, 1975, 9:00 a.m. to 1:00 p.m., at the Executive Park Motor Hotel, 1447 Northeast Expressway, Atlanta, Georgia 30329. The meeting will be a Regional Public Forum with testimony from selected individuals and questions received from participants. The following States will participate: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee. These meetings are open to the public.

Dated: August 4, 1975.

FRED J. KRAUSE,
Executive Director, President's
Committee on Mental Retardation.

[FR Doc.75-20919 Filed 8-8-75; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration RAILROAD OPERATING RULES ADVISORY COMMITTEE Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given that the Railroad Operating Rules Advisory Committee will meet on Tuesday and Wednesday, September 9 and 10, 1975.

The Committee was established to provide advice to the Federal Railroad Administration concerning solutions to problem areas involving the operating rules of the nation's railroads.

The meeting will be held in Room 4436, Department of Transportation, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. The agenda for this meeting will include a discussion of rule 93 of the Association of American Railroads' Standard Code of Operating Rules. The Committee will also discuss priorities for study at later meetings in 1975 and 1976.

The meeting will be open to the public. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so. Under a procedure established by the Committee, persons submitting written statements are requested to provide 15 copies to provide distribution to each of the Committee members. Members of the public who wish to make prepared oral presentations should inform the Office of the Chief Counsel, Federal Railroad Administration, (202) 426-8220 at least 5 days prior to the meeting if possible and reasonable provision will be made for their appearance on the agenda. Time will also be provided on the agenda for public comments with respect to the discussions during the meeting.

Minutes of the meeting will be made available for public inspection and duplication during regular business hours in the Office of the Chief Counsel, Federal Railroad Administration, Room 5101, Nassif Building, 400 Seventh Street, S.W., Washington, D.C.

Issued in Washington, D.C., on August 4, 1975.

ASAPH H. HALL,
Deputy Administrator,
Committee Chairman.

[FR Doc.75-20858 Filed 8-8-75; 8:45 am]

CIVIL AERONAUTICS BOARD

[Order 75-8-18; Docket 27573; Agreement C.A.B. 25257, R-1 through R-9; Agreement C.A.B. 25278, R-1 through R-9]

CARGO RATE MATTERS

Agreements Adopted by the Traffic Conferences of the International Air Transport Association

Issued under delegated authority August 6, 1975.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at the Composite Cargo Traffic Conferences in Nice,

France during May-June 1975. The agreements comprise portions of the worldwide cargo rate structure, intended for effectiveness from October 1, 1975 through September 30, 1977, and have only limited application in air transportation as defined by the Act.

General cargo rates over the South Atlantic, and within Traffic Conference 2 (Europe/Africa/Middle East) have indirect application in air transportation as defined by the Act since they are combinable with general cargo rates to/from United States points, and will be approved herein. We will also approve currency surcharge resolutions for these areas, but will disclaim jurisdiction with respect to specific commodity rate resolutions which are noncombinable with rates in air transportation.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14:

1. It is not found that the following resolutions, incorporated in the agreements as indicated and which have indirect application in air transportation as defined by the Act, we are adverse to the public interest or in violation of the Act:

Agreement CAB	IATA No.	Title	Application
25257:			
R-1.....	001c	Cargo Tie-In Resolution—South Atlantic	1/2 (South Atlantic).
R-2.....	001zz	South Atlantic Escape Resolution—Cargo	1/2 (South Atlantic).
R-3.....	002	Standard Revalidation Resolution	1/2 (South Atlantic).
R-4.....	022ii	JT12 (Mid and South Atlantic) Special Rules for Sales of Cargo Air Transportation (New)	1/2 (South Atlantic).
R-5.....	022L	JT12 (South Atlantic) Special Rules for Sales of Cargo Air Transportation (Revalidating and Amending)	1/2 (South Atlantic).
R-6.....	501	Minimum Charges for Cargo—South Atlantic (Revalidating and Amending)	1/2 (South Atlantic).
R-7.....	534e	Charges for Bulk Unitization—South Atlantic (Revalidating and Amending)	1/2 (South Atlantic).
R-8.....	554e	South Atlantic General Cargo Rates	1/2 (South Atlantic).
25278:			
R-1.....	002	Standard Revalidation Resolution	2.
R-2.....	022kk	TC2 Special Rules for Sales of Cargo Air Transportation (New)	2.
R-3.....	022m	TC2 Special Rules for Sales of Cargo Air Transportation (Revalidating and Amending)	2.
R-4.....	501	Minimum Charges for Cargo (Revalidating and Amending)	2.
R-5.....	516a	Air Ferry Rates for Live Horses and Attendants (Revalidating and Amending)	2.
25278:			
R-7.....	552	TC2 General Cargo Rates	2.

2. It is not found that the following resolutions incorporated in the agreements as indicated, affect air transportation within the meaning of the Act:

Agreement CAB	IATA No.	Title	Application
25257:			
R-9.....	590	Specific Commodity Rates Board (Revalidating and Amending)	1/2 (South Atlantic).
25278:			
R-6.....	521c	Shipper Packed Unit Rates (Revalidating and Amending)	2.
R-8.....	590	Specific Commodity Rates Board (Revalidating and Amending)	2.
R-9.....	590x	Specific Commodity Rates (Within Africa) (New)	2.

Accordingly, it is ordered, That:

1. Those portions of Agreements C.A.B. 25257 and C.A.B. 25278, described in finding paragraph 1 above, which have indirect application in air transportation as defined by the Act, be and hereby are approved; and

2. Jurisdiction be and hereby is disclaimed with respect to those portions of Agreements C.A.B. 25257 and C.A.B. 25278, described in finding paragraph 2 above.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the **FEDERAL REGISTER**.

JAMES L. DEEGAN,
Chief, Passenger and Cargo
Rates Division, Bureau of Economics.

[SEAL] **EDWIN Z. HOLLAND,**
Secretary.

[FR Doc.75-20935 Filed 8-8-75;8:45 am]

[Docket 28043]

HILO SERVICE CASE

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on October 2, 1975, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Chief Administrative Law Judge Robert L. Park.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before September 12, 1975, and the other parties on or before September 22, 1975. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., August 5, 1975.

[SEAL] **ROBERT L. PARK,**
Chief Administrative Law Judge.

[FR Doc.75-20933 Filed 8-8-75;8:45 am]

[Order 75-8-22; Docket 26494; Agreement C.A.B. 25293]

NORTH/CENTRAL PACIFIC PASSENGER FARES

Agreement Adopted by Members of the International Air Transport Association

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of August, 1975.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreement, adopted at a North/Central Pacific Passenger Fares Meeting held in Geneva during July 10-11, 1975, has been assigned the above C.A.B. agreement number.

In view of Board action in Order 75-3-100 (March 26, 1975) which disapproved major portions of a new North/Central Pacific fare structure proposed to be effective from April 1, 1975, the agreement would readopt for a two-month period ending September 30, 1975, the present North/Central Pacific fare structure which reflects agreed international fares prior to April 1, 1975. In addition, the agreement would amend the resolution governing North/Central Pacific GIT fares to permit open-jaw travel from the Pacific as well as from the Western Hemisphere. We will approve the agreement since it merely represents reestablishment of previously approved fares for a limited period in order to permit time for consideration and filing of a new North/Central Pacific fare package for October 1, 1975 effectiveness.

Pursuant to the Federal Aviation Act of 1958 and particularly sections 102, 204 (a) and 412 thereof, the Board does not find that the following resolution, incorporated in Agreement C.A.B. 25293, is adverse to the public interest or in violation of the Act:

[Order 75-8-20; Docket 28045]

PAKISTAN INTERNATIONAL AIRLINES CORP.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 6th day of August, 1975.

In Order 72-4-8 approved by the President on April 1, 1972, the Board granted to Pakistan International Airlines Corporation (PIAC) an amended foreign air carrier permit¹ to engage in foreign air transportation of persons, property and

mail between Karachi, Pakistan and New York, via certain intermediate points.

On July 2, 1975 PIAC filed its application under sections 402, 801, and 1102 of the Federal Aviation Act of 1958, as amended, and Part 211 of the Economic Regulations of the Board for amendment of its foreign air carrier permit to add Dubai, United Arab Emirates (Dubai) as an intermediate point on each of its four (4) routes. In support of its application, PIAC alleges:

(a) That it is the designated airline of the Government of Pakistan;

(b) That the additional point was designated by the aeronautical authority of Pakistan pursuant to Article X(D) of the Air Transport Services Agreement between the United States of America and Pakistan;

(c) That PIAC is a citizen of the Republic of Pakistan. All of its officers are nationals of the Republic of Pakistan. Over 90% of its stock is owned by the Government of the Republic of Pakistan, and the remainder of its stock is owned by nationals of the Republic of Pakistan;

(d) That PIAC is presently engaged in providing air transportation between, *inter alia*, Karachi and New York;

(e) That its present aircraft fleet includes Boeing 707, 720-B and DC-10 aircraft, which are suitable for the air transportation proposed herein; and

(f) That since PIAC wishes to commence service to Dubai at the earliest possible date, it requests that Dubai be added to each of its present routes by show cause procedures.

On July 8, 1975 Pan American World Airways, Inc. (PAA) filed its answer to the instant application stating that it had no objections to the use of show cause procedures for the addition of Dubai. However, PAA stated that if the Board proceeds in this matter, it should do so on the basis of "principles of international comity," rather than on the basis that the addition of Dubai is required by the Air Transport Services Agreement between the United States and Pakistan. No other answers relative to this application were filed.

Upon consideration of the pleadings and the lack of opposition to PIAC's request, the Board tentatively finds that amendment of PIAC's permit, to add Dubai to its current four (4) routes, is in the public interest. We need not here decide if the Government of Pakistan would have a right to add Dubai to the bilateral routes pursuant to Article X

¹ The permit was originally issued pursuant to Order E-16850, approved May 24, 1961, wherein the Board found that PIAC was fit, willing, and able to properly perform the transportation authorized by the Air Transport Services Agreement between the United States and Pakistan.

Agreement CAB	IATA No.	Title	Application
25293	0024	Special Readoption Resolution (JT31 North and Central Pacific). 3/1.	

Accordingly, it is ordered, That: Agreement C.A.B. 25293 be and hereby is approved, subject, where applicable, to all conditions previously imposed by the Board on those resolutions readopted by IATA Special Readoption Resolution 002d.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.

[SEAL] **EDWIN Z. HOLLAND,**
Secretary.

[FR Doc.75-20937 Filed 8-8-75;8:45 am]

(D) of the Agreement, since the Board finds that the addition of the point to the current routes set forth in the applicant's permit may in any event be supported on the basis of the principle of comity. In this connection, the Board notes that the proposed amendment is unopposed, and will not serve to alter the economic value of the exchange of rights under the Agreement to any significant degree. Accordingly, the Board tentatively finds and concludes that:

(1) PIAC is fit, willing, and able properly to perform the foreign air transportation proposed in its application and to conform to the provisions of the Act and the rules, regulations and requirements of the Board thereunder;

(2) PIAC is substantially owned and effectively controlled by the Republic of Pakistan;

(3) A hearing on the application is not required in the public interest;

(4) The amendment of PIAC's permit as proposed is in the public interest; and

(5) The public interest requires that the exercise of the privileges granted by said permit shall be subject to the terms, conditions, and limitations prescribed therein, and to such other reasonable terms, conditions and limitations required by the public interest as may from time to time be prescribed by the Board.

All interested persons will be given 20 days following the adoption of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific issues, and to support such objections with detailed analyses. If an evidentiary hearing is requested, the objectors should state the issues with respect to which a hearing is requested and should state, in detail, why such a hearing is necessary and what relevant and material facts he would expect to establish through such a hearing. Vague, general, or unsupported objections will not be entertained.

Accordingly, it is ordered, That: 1. All interested persons be and they hereby are directed to show cause why the Board should not make final the tentative findings and conclusions herein and why an order should not be issued, subject to approval by the President pursuant to section 801 of the Act, issuing an amended foreign air carrier permit to Pakistan International Airlines Corporation in the form attached hereto;

2. Any interested persons having objections to the issuance of an order making final the tentative findings and conclusions herein, or to the issuance of the proposed amended foreign air carrier permit, shall, within 20 days after adoption of this order, file with the Board and serve on the persons named in paragraph 5 a statement of objections to, together with a summary of, testimony, statistical

data and such evidence expected to be relied upon to support the statement of objections;

3. If timely and properly supported objections hereto are filed, full consideration will be accorded the matters or issues raised therein before further action is taken by the Board: *Provided*, That the Board may proceed to enter an order in accordance with the tentative findings and conclusions herein if it determines that there are no factual issues presented that warrant the holding of an evidentiary hearing;

4. In the event no objections are filed hereto, all further procedural steps will be deemed to have been waived, and the Board may proceed to enter an order in accordance with the tentative findings and conclusions herein; and

5. This order shall be served upon Pakistan International Airlines Corporation; Pan American World Airways, Inc., Trans World Airlines, Inc., the Ambassador of Pakistan, and the Department of State.

This order shall be published in the *FEDERAL REGISTER* and transmitted to the President.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-20936 Filed 8-8-75; 8:45 am]

[Docket 27914]

TOURIST ENTERPRISES CORP. (ORBIS)

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on September 11, 1975, at 10 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Dee C. Blythe.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on August 5, 1975, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 5, 1975.

[SEAL] DEE C. BLYTHE,
Administrative Law Judge.

[FR Doc. 75-20934 Filed 8-8-75; 8:45 am]

[Docket 28146; Order 75-8-13]

WESTERN AIR LINES, INC.

Investigation and Suspension

Adopted by the Civil Aeronautics Board, at its office in Washington, D.C., on the 24th day of July, 1975.

By tariff revisions filed June 16, 1975 for effect August 8, 1975, Western Air

* Since provision is made for the filing of objections to this order, petitions for reconsideration will not be entertained.

Lines, Inc. (Western) proposes a general six percent increase in all U.S. west coast-Mexico fares.¹ Western contends in its accompanying justification that, while Western's U.S.-Mexico fares have not been increased since January 1974, costs have continued their upward spiral at an unprecedented rate;² that the Board has permitted further fuel-related fare increases during this period in other international and domestic areas; that, although the Board has twice refused to allow increases in Western's U.S.-Mexico fares, concluding that Western's earnings were adequate at present fare levels, it has nevertheless approved increases in other U.S.-Mexico markets where certain carriers were, allegedly, earning returns on investment (ROI) above the 12 percent guideline; and that the Board's policy of considering the composite ROI of all U.S. carriers in a given market works to Western's disadvantage because it is the only U.S. carrier offering direct service from the west coast, and the competing Mexican-flag carriers, which might be earning less than 12 percent, are not required to submit financial data.

Western has submitted a statement of financial results in U.S.-Mexico scheduled passenger service which shows returns on investment of 11.90 percent during the year ended March 31, 1975; 5.03 percent during the same period assuming an 8.5 percent cost inflation factor; and 7.92 percent with the six percent fare increase. The 8.5 percent cost escalation figure reflects an increase in costs per available seat-mile for the year ended March 31, 1975 over the corresponding previous year of 11.4 percent, adjusted to reflect only the nine months from the midpoint (September 30, 1974) of the most recent reported year to the current date (June 30, 1975).³ Western anticipates a revenue improvement from the proposed six percent fare increase of \$658,000, or 1.87 percent, reflecting a traffic loss of four percent due to elasticity of approximately -0.66.

Finally, Western contends that its reported return in Mexican operations is misleading since certain unprofitable domestic flights are actually scheduled primarily to facilitate Mexican service from beyond gateway points; and that, in any event, Western operates within six major ratemaking areas subject to the separate regulation of three countries and one state, all with different standards. Under these circumstances, Western contends that it will never achieve an adequate overall return unless the Board fixes its

¹ Western Air Lines, Inc., International Passenger Tariff No. 3, C.A.B. No. 118, 16th Revised Page 12 and 14th Revised Page 13.

² Specifically, Western cites labor cost increases of 23 percent, fuel cost increases of 47 percent, and an overall cost increase of 36 percent.

³ Western alleges that application of an experienced cost-escalation factor to reflect current cost levels is consistent with Order 73-11-83, November 20, 1973, *Domestic Passenger-Fare Increases Proposed by Various Carriers*. The carrier also cites recent additional increases in fuel costs which are not, however, reflected in its financial statement.

* The attached proposed permit includes an initial tariff condition which the Board has recently included in permits of foreign air carriers. The termination clause is also clarified with respect to a partial deletion of authority by a subsequent agreement. Proposed permit filed as part of the original document.

fares and rates on the basis of system-wide results.

Upon full consideration of the tariff filing, Western's justification, and all other relevant factors, the Board finds that the proposed fares may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further finds that the fares should be suspended pending investigation.

Western states that it earned an 11.90 percent return during the year ended March 31, 1975 in scheduled passenger service to/from Mexico, but the Board believes this figure to be understated for several reasons. First, computation of investment on a regulatory basis using standards established in the *Domestic Passenger-Fare Investigation* results in a figure of \$19,054,000 for U.S.-Mexico scheduled passenger service rather than the \$20,682,000 employed by Western, and avoids double counting of the same investment base for domestic and international ratemaking purposes.⁴ Adjusting Western's statement of historical results accordingly shows a return on investment of 12.63 percent rather than the 11.90 percent figure cited by the carrier.

Second, with respect to cost escalation, the Board has substituted an annualization of present (first-quarter 1975) costs per available seat-mile for Western's 8.5 percent cost factor. As we stated in Order 75-6-72, the methodology used by Western (the increase in operating expense per available seat-mile from one year to the next) is reasonable "as long as unit costs are increasing at a reasonably steady rate." However, cost inflation at the present time is much less severe than in the year ended March 1975, and Western's cost projections are not supported by any data on experienced or contractual cost increases. Its cost-escalation factor, therefore, is essentially anticipatory and clearly overstates operating expenses. While our annualization of first-quarter costs may not fully reflect contractual increases in all areas, no such data has been supplied by Western, and we believe the Board's figure is a much more accurate reflection of present cost levels than the one submitted by the carrier. In the single area, fuel, where data are reported on a recurrent basis, we have made an adjustment to reflect the latest reported data (May 1975) which show a four-cent per gallon price increase over the first quarter, or \$923,000 on an annual basis.

Third, Western anticipates a revenue improvement of \$658,000 or only 1.87 percent from a fare increase of six percent, reflecting an estimate of demand elasticity which appears to be unduly pessimistic in light of historical results in the west coast-Mexico market. For example, the last fare increase (six percent) became effective January 1, 1974 and Western's traffic nevertheless increased by 12 percent in the first quarter of 1974 over

the corresponding period of 1973, and calendar 1974 traffic increased 5.3 percent over calendar 1973. We note additionally that Western anticipates a load factor, with elasticity, of 56.8 percent which is significantly below its historical experience in this market.⁵ Moreover, elasticity of demand generally applies in actual practice only where a fare increase represents an increase in real dollars, and there is no indication that the proposed increase will exceed the overall inflation in consumer prices during the period immediately ahead. For these reasons the Board cannot accept Western's revenue estimate.

Adjusting to eliminate elasticity, and to reflect current cost levels as discussed above, results in an ROI of 15.14 percent, clearly above the 12 percent return on investment guideline.⁶ While our estimate of return under the proposed fares may be slightly overstated, it is clearly more realistic than Western's anticipated 7.92 percent, and indicates that an increase of the magnitude proposed would place the carrier in an excess-earnings position. Western's current earnings in west coast-Mexico service are adequate, and although its return may decline somewhat at present fare levels, nothing indicates that a fare increase is necessary to the carrier's financial stability or to continued efficient operations in the market.

Finally, we do not accept the contention that Western's reported earnings in U.S.-Mexico operations are overstated due to losses on domestic flights which continue on to Mexico, nor that the Board should evaluate return on investment on a system basis. As stated in Order 74-8-117, the Form 41 format constitutes the official procedure for the reporting of financial results in each market entity, and is appropriate as a basis for evaluation of fare proposals; in any event, losses on these flights are considered for domestic rate purposes, and considering them in evaluating U.S.-

⁴ During the 12 months ended March 1975, for example, Western experienced a 63.1 percent load factor.

⁵ At present fares Western would earn a 9.37 percent return. See Appendix.

APPENDIX.—*Western Air Lines, Inc., United States-Mexico scheduled passenger service, year ended Mar. 31, 1975, in thousands*

	Reported (unadjusted)	Reported (adjusted) ¹ fares	At 1st quarter 1975 cost levels ²		
			Present fares	Proposed fares ³	Proposed fares ⁴
Passenger revenue.....	\$35,239	\$35,239	\$35,239	\$35,897	\$37,353
Passenger-related.....	917	917	917	917	917
Total operating revenues.....	36,156	36,156	36,156	36,814	38,270
Total operating expenses.....	32,152	32,152	33,348	32,939	33,348
Operating profit.....	4,004	4,004	2,808	3,875	4,922
Interest expense.....	(792)	(792)	(677)	(677)	(677)
Net income before tax.....	3,212	3,212	2,131	3,198	4,245
Income tax at 48 percent.....	1,542	1,597	1,023	1,535	2,038
Net income after tax.....	1,670	1,730	1,108	1,663	2,207
Add: Interest expense.....	792	677	677	677	677
Return element.....	2,462	2,407	1,785	2,340	2,884
Investment.....	20,682	19,054	19,054	19,054	19,054
ROI (percent).....	11.90	12.63	9.37	12.28	15.14

¹ Regulatory investment and interest expense for system and United States-Mexico scheduled passenger services, developed according to DPF standards.

² 1st-quarter 1975 operating expenses, allocated to scheduled passenger service at 95.53 percent = \$8,518,000/239,329,000 asm = \$0.0354/asm. Reported year ended Mar. 31, 1975 asm's 800,791,000 (0.0364) = \$32,425,000. Total operating expenses also include \$923,000 in additional fuel costs attributable to May fuel price increase.

³ Western's estimated traffic and revenue reflecting elasticity; traffic-related expenses reduced accordingly.

⁴ No elasticity.

[FR Doc.75-20570 Filed 8-8-75; 8:45 am]

⁴ The domestic portion of total system investment has already been allowed Western in the Board's consideration of the four percent domestic fare increases extended in Order 75-6-72, June 13, 1975.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN MAN-MADE FIBER TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN EL SALVADOR

Import Restriction

AUGUST 5, 1975.

On July 31, 1975, the United States Government, in furtherance of the objectives of, and under the terms of, the Arrangement Regarding International Trade in Textiles, done at Geneva on December 20, 1973, requested the Government of El Salvador to enter into consultations concerning exports to the United States of man-made fiber textile products in Categories 224 (only women's, girls', and infants' knit coats) and 229 (woven coats), produced or manufactured in El Salvador. A complete description of these categories was published in the FEDERAL REGISTER of February 3, 1975 (40 FR 5010).

Notice is hereby given that under the provisions of Article 3 of the Arrangement, if no solution is mutually agreed upon by the two governments within sixty (60) days of the date of delivery of the aforementioned note, entry and withdrawal from warehouse for consumption of man-made fiber textile products in Categories 224 (pt.) and 229, produced or manufactured in El Salvador and exported to the United States during the twelve-month period beginning on the date of delivery of the note, may be restrained at levels which are yet to be determined.

There is published below market disruption information relating to each of the aforementioned categories. Any party wishing to express a view or provide data or information with respect to these categories is invited to submit such in ten copies to Mr. Alan Polansky, Chairman of the Committee for the Implementation of Textile Agreements and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Room 3826, Washington, D.C. 20230. To enable timely consideration, comments should be submitted at the earliest date possible, but no later than September 10, 1975.

Views, data or information submitted under this procedure will be available for public inspection at the Central Reference and Records Inspection Facility, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Room 7043, Washington, D.C. 20230 and may be obtained upon written request pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (1970), as amended, Pub. L. No. 93-502, (November 21, 1974) and the regulations of the Department of Commerce (15 C.F.R. Part 4 (1974)). Whenever practicable, public comment may be invited concerning views, comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments on market disruption or any other matter pursuant to this notice is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) and 554(a)(4) (1970) relating to matters which constitute "a foreign affairs function of the United States."

ALAN POLANSKY,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy As-
sistant Secretary for Re-
sources and Trade Assist-
ance U.S. Department of
Commerce.

CATEGORY 224—PART

OTHER WOMEN'S, GIRLS' AND INFANTS' COATS—KNIT

Apparel items included in this part of Category 224 include knit women's, girls' and infants' raincoats, jackets, suit-type coats and other outer coats.

The U.S. women's, girls' and infants' knit coat industry is one of the most import impacted areas of the apparel industry. The import/production ratio for these types of coats was more than 50 percent in 1974.

Imports: Total U.S. imports of women's, girls' and infants' other coats increased from 279 thousand dozen in 1974

to 316 thousand dozen in the year ending May 1975. El Salvador has become the second largest supplier of these type of coats. Imports from El Salvador increased from 17,449 dozen in 1974 to 32,351 dozen in the year ending May 1975. Among the largest suppliers, Taiwan, Mexico, Japan, Korea and Colombia control their exports to the United States.

Prices: The CIF value, including import duties, of imports of this category from El Salvador averaged \$57 dollars per dozen. This is substantially below the domestic price for comparable goods and is also below the value of imports from Hong Kong and Japan.

Domestic Production: U.S. production of women's, girls' and infants' other coats declined during the first half of 1975. Output during 1974 totaled 556,000 dozen, down more than 5 percent from 1973.

U.S. Production and imports, women's other coats, category 224 (part), in 1,000 dozens

Year	Production	Imports	Ratio
1972.....	414	(1)	(1)
1973.....	587	(1)	(1)
1974.....	556	279	50.2

(1) Not available.

Category 224 (part): U.S. general imports from El Salvador and major suppliers—other women's, girls', and infants' coats (382-0407 and 382-7809), in pounds

Period	Quantity	Period	Quantity
1972.....		February 1975.....	28,737
1973.....		March 1975.....	42,425
1974.....	144,929	April 1975.....	19,229
Year ending March 1975.....	238,929	May 1975.....	9,965
Year ending April 1975.....	259,541		
Year ending May 1975.....	265,638		

Major suppliers	Period			
	1972	1973	1974	Year ending May 1975
El Salvador ¹			144,929	265,638
China (T).....			346,022	429,110
Mexico.....			226,349	222,061
Japan.....			213,901	198,994
All other countries.....			1,025,760	1,114,038
Total.....			1,956,961	2,226,811

¹ El Salvador is No. 3 based on year ending May 1975.

CATEGORY 229

COATS, WOVEN

Apparel items in this category include men's and boys' raincoats, suit-type sport coats and jackets, and other outer coats and women's girls' and infants' raincoats, outer coats and jackets; ornamented and non ornamented.

The U.S. men's and women's coat industry is one of the most import impacted areas of the U.S. apparel industry. The import/production ratio for man-made fiber woven coats is estimated to have increased to 50 percent in the first half of 1975, up from 44 percent in 1974 and 11 percent in 1968.

Imports: Total imports of woven coats into the U.S. market have increased

nearly fourfold from 530 thousand dozen in 1968 to more than 2 million dozen in the year ending May 1975.

Imports from El Salvador began in 1968 on a relatively small scale, but began to increase substantially in 1973 reaching 12,672 dozen. By the year ending May 1975, these imports had increased threefold from 1973 to 37,985 dozen. El Salvador is the twelfth largest suppliers of woven coats to the U.S. market. All major suppliers have either entered into or are consulting toward agreements to control their exports to the U.S. market.

Prices: The CIF value, including import duties, of imports of this category from El Salvador ranged from \$57 per dozen for children's coats to \$98 per dozen for women's raincoats. These

prices are substantially below the domestic prices for comparable items, and are also below the value of comparable products being imported from Hong Kong and Japan. (Annex B)

Domestic Production: U.S. production of woven coats declined during the latter part of 1974 and the first half of 1975 to an estimated 4 million dozen, on an annual basis, from 5 million dozen in 1973 and 1974.

Employment in the U.S. men's and women's suit and coat industry in June 1975 totaled 145,600, or 25 percent less than in June 1974.

Category 229: U.S. general imports from El Salvador and major suppliers—coats (not knit) in dozens

Period	Units	Period	Units
1972.....	1,448	March 1975.....	6,285
1973.....	12,672	April 1975.....	2,675
1974.....	24,161	May 1975.....	4,094
Year ending March 1975.....	34,014		
Year ending April 1975.....	34,585		
Year ending May 1975.....	37,985		

Major suppliers	1972	1973	1974	Year ending May 1975
El Salvador ¹	1,448	12,672	24,161	67,985
Korea, Republic of.....	656,649	677,477	516,622	579,067
China (T) ²	376,243	310,289	245,213	230,481
Hong Kong.....	380,293	284,598	201,387	200,422
All other countries.....	1,107,415	1,368,726	1,215,682	962,148
Total.....	2,522,048	2,653,762	2,202,065	2,019,103

¹ El Salvador is No. 12 supplier.

ANNEX A—MARKET CONDITIONS IN THE U.S. APPAREL INDUSTRY

The United States apparel industry is in a depressed state.

The Federal Reserve Board production index for apparel products in March 1975 was down 22 percent from a year

earlier and the lowest since February 1963.

Total employment in the apparel industry in June 1975 was 1,210,000, down 144,000 or 11 percent from June 1974.

Unemployment in the apparel industry was 13.9 percent in June 1975, compared with 7.5 percent for the same month a year earlier.

ANNEX B.—El Salvador import and domestic price data, dollars per category unit

Category	Item	Unit	El Salvador	Korea	Hong Kong	Taiwan	Japan	United States
224	Other coats, W.G.I., MMF, knit, Dozen.....		57	49	163	42	65	185
229	Raincoats, W.G.I., MMF, N.K., do.....		98	70	122	111	161	305
229	Other coats, W.G.I., MMF, N.K., do.....		57	50	77	45	76	165

NOTE.—Imports are average duty-paid CIF values.

[FR Doc.75-20557 Filed 8-8-75;8:45 am]

COMMISSION ON THE REVIEW OF THE NATIONAL POLICY TOWARD GAMBLING

REVISED HEARINGS

AUGUST 5, 1975.

Public Notice of hearings in Las Vegas, Nevada, dated July 21, 1975 and published in the FEDERAL REGISTER 40 FR 31026, July 24, 1975 are herewith amended. The hearings which will be held on August 19-21, 1975, will be held in Meeting Room A, Las Vegas Convention Center, 3150 South Paradise Road, Las Vegas, Nevada instead of the previously published Federal Building. All

other provisions of the notice published July 21, 1975, remain the same.

JAMES E. RITCHIE,
Executive Director.

[FR Doc.75-20915 Filed 8-8-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

PUBLIC PLAYGROUND EQUIPMENT

Acceptance of an Offer To Develop Safety-Related Requirements—Summary of Terms of Acceptance

By notice in the FEDERAL REGISTER of March 7, 1975 (40 FR 10706), the Con-

sumer Product Safety Commission, pursuant to its Congressional mandate to protect consumers against unreasonable risks of injury associated with consumer products, began a proceeding for the development of safety-related requirements applicable to Public Playground Equipment that may be used as the basis of a proposed regulation under the Federal Hazardous Substances Act (FHSA) (15 USC 1261 et seq.).

The notice set forth the injuries and hazards associated with public playground equipment and invited any person to submit to the Commission, on or before April 7, 1975, either: (1) One or more previously developed standards that address one or more of the hazards identified in the notice and that could be used as the basis for a proposed regulation under the FHSA; or (2) an offer to develop one or more safety-related requirements applicable to public playground equipment that address one or more of the hazards identified in the notice and that could be used as the basis for a proposed regulation under the FHSA.

In response to the subject notice the Commission received one offer and one "existing" standard.

The purpose of this notice is to announce that the Commission has accepted the offer of the National Recreation and Park Association (NRPA), 1601 North Kent Street, Arlington, Virginia, 22209, to develop the requisite safety-related requirements. In this respect, the Commission has determined that the NRPA: (1) Appears technically competent, (2) is likely to develop appropriate safety-related requirements within the 120 day period provided by the Commission, and (3) will comply with appropriate Commission regulations pertaining to the development proceeding.

The NRPA characterizes itself as a non-profit, public interest, research and educational organization, supported by philanthropy and its membership. The NRPA members embrace public, private, voluntary and industrial and commercial recreation and park agencies, representing local park and recreation officials, therapeutic recreations specialists, natural resource planners and landscape architects, park and recreation educators and students, lay members of park and municipal and state recreation boards and commissions, and the general public.

METHOD OF DEVELOPMENT

NRPA will develop the safety-related requirements by means of a 13 member, central "Development Panel", consisting of (1) five consumers, two of whom are "technically" oriented and three of whom are "user" oriented; (2) four industry representatives; (3) three buyer-installer representatives from the parks, recreation and schools fields; (4) one NRPA representatives who will serve as the Project Coordinator.

The Development Panel will receive direct input from: (1) The public, including anyone who indicates an interest

in the issues; (2) 6 "Task" Groups, to be composed both of appointees of the Development Panel and of volunteers, organized to deal with six, broad hazard areas:

Contact with or by fixed or moving parts of equipment.

Falls from equipment.

Contact with surfaces installed under or directly adjacent to equipment.

Entrapment and "other".

Structural failure.

Layout, installation and/or maintenance and human factors, with additional task groups to be added if necessary.

The Development Panel will receive additional input from a "Talent Bank" composed of individuals and organizations with specific expertise in such pertinent areas as biomedical, design and engineering, hazard analysis, psychomotor development, psychology of play, testing, economic impact, human factors, legal considerations, etc.

Since NRPA does not have testing facilities or testing staff, NRPA plans to negotiate an agreement with the Franklin Institute Research Laboratories (FIRL), Philadelphia, Pa., regarding responsibility for all technical and testing aspects of the safety-related requirements development process. FIRL is a not-for-profit research and development organization having no affiliation with any manufacturers or special interest groups related to this project.

PARTICIPATION BY CONSUMERS AND OTHER INTERESTED PERSONS

NRPA has presented in its offer a broad-ranging "Consumer Participation Plan" that is consistent with Commission regulations. The procedures of that plan include the following:

1. The voting power in determining the final regulation submitted to the Commission lies with a balanced panel of five consumer votes; four industry votes; three park/school (buyer-installer) votes; and one NRPA vote.

2. An advisory group of engineers, lawyers, and other technically-oriented consumers is being formed which will meet, as necessary, to respond to consumer questions involving technical matters.

3. Ongoing active participation is being solicited and once the process begins, all meetings will be open to any interested party for once only or ongoing attendance.

NRPA has provided for a minimum of six two-day working sessions on Fridays and Saturdays so that the public, the Task Groups and the Development Panel can have ample opportunity to meet "as a whole and individually." These two-day sessions are intended to provide maximum opportunity for general meetings and indepth work sessions and will reduce conflicts with regular employment work days as much as possible.

The NRPA has contacted a wide range of national organizations to identify

those interested in participating and to build a Talent Bank of people with appropriate expertise. The NRPA also plans news releases to the press, radio, television, and direct mail communication to individuals and organizations known to have an interest in this issue. In addition NRPA has sent letters to all metropolitan Washington residents whose names were on file with the Commission as of December 1974 as persons interested in participation in standards development. Monthly summaries of the proceedings will be prepared and mailed to all persons indicating an interest.

NRPA will designate approximately 10 educational institutions having curricula in parks and recreation as depositories for successive drafts as the development process proceeds. These depositories will provide an additional opportunity for any interested persons to easily obtain a copy of the drafts or review them on the spot and submit informed comments by means of special forms with pre-addressed, postage paid envelopes for return to NRPA.

OFFER ACCEPTANCE AGREEMENT

The NRPA has agreed to develop recommended safety-related requirements applicable to Public Playground Equipment in accordance with: (1) the terms of the March 7, 1975, FEDERAL REGISTER Notice (40 F.R. 10706), soliciting offers for such development, and (2) the terms of a formal Agreement executed July 14, 1975, between the NRPA and the Commission. The Agreement is available for public inspection in the Office of the Secretary of the Commission, Room 1025, 1750 K Street NW., Washington, D.C.

In its acceptance of the NRPA Offer, the Commission has agreed to contribute \$87,650 (eighty-seven thousand, six hundred fifty dollars) toward the costs of developing the requisite safety-related requirements. These funds will be used to defray miscellaneous expenses of development, including travel and per diem expenses as specified in (1) NRPA's offer of April 7, 1975, (2) the NRPA letter of June 2, 1975, to Stanley R. Parent, supplemental to the NRPA offer, and (3) the formal Acceptance Agreement. Playground equipment manufacturers will contribute \$25,000 (twenty-five thousand dollars) to the development process.

The Commission may, by notice in the FEDERAL REGISTER, extend the period of development, if it finds for good cause shown that an additional period of time is appropriate.

Copies of the NRPA offer, and its supplemental letter dated June 2, 1975 are available for public inspection in the Office of the Secretary of this Commission, Room 1025, 1750 K Street, N.W., Washington, D.C.

All persons interested in participating in the development of the safety-related requirements pertaining to Public Playground Equipment should contact Mr. Robert Buechner, Project Director for this effort and Director of Administration of the National Recreation and Park

Association at 1601 North Kent Street, Arlington, Virginia 22209; telephone (703) 525-0606.

Dated: August 5, 1975.

SADY DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc. 75-20815 Filed 8-8-75; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-33000/300 & 301 & 302 (FRL 413-5)]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1) (d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by each applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before October 10, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under Section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication.

cation which are received on or before October 10, 1975.

Dated: August 1, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP-33000/300)

EPA File Symbol 2749-URL. Aceto Chemical Co., Inc., Agricultural Chemicals Div., 126-02 Northern Blvd., Flushing NY 11368. PROPACHLOR/ATRAZINE WETTABLE POWDER HERBICIDE MIXTURE. Active Ingredients: 2-Chloro-N-isopropylacetanilide 48.1%; Atrazine [2-Chloro-4-(ethylamino) - 6 - (isopropylamino) - s-triazine] 20.9%. Methods of Support: Application proceeds under 2(c) of interim policy. PM25

EPA File Symbol 4208-IT. Blackhawk Chemical Corp., 4090 E. Washington Blvd., Los Angeles CA 90023. PYRRODIAZOLE TECHNICAL. Active Ingredients: 3-Amino-s-triazole 95%. Method of Support: Application proceeds under 2(c) of interim policy. PM25

EPA File Symbol 456-BRG. Chemical Formulators, Inc., PO Box 26, Nitro WV 25143. MALEIC HYDRAZIDE TECHNICAL CRYSTALS. Active Ingredients: 1,2-dihydro-3,6-pyridinedione 99.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM25

EPA File Symbol 1416-UR. Churchill Chemical Co., 576 S. Chambers St., Galesburg IL 61401. CHURCHILL NEW NO-GRO WEED KILLER. Active Ingredients: Monuron Trichloroacetate [3-(p-chlorophenyl)-1,1-dimethylurea trichloroacetate] 3.19%; Aromatic Petroleum Derivative 91.67%. Method of Support: Application proceeds under 2(c) of interim policy. PM25

EPA File Symbol 37295-R. C.P. Chemicals, Inc., Arbor St., Seward NJ 07077. BASIO COPPER SULFATE. Active Ingredients: Copper 53%. Method of Support: Application proceeds under 2(c) of interim policy. PM22

EPA File Symbol 2311-RE. Haag Laboratories, Inc., 14010 S. Seeley, Blue Island IL 60408. QAT 160 DISINFECTANT FUNGICIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.8%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.8%; Sodium Metasilicate 2.4%; Tetrasodium ethylenediamine tetraacetate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM83

EPA File Symbol 1969-RRI. Parsons Chemical Works, Inc., Box 146, Grand Ledge MI 48837. PARSONS KILANE EMPTY GRAIN BIN SPRAY. Active Ingredients: Petroleum Distillates 68.6%; Aromatic Petroleum Solvent 25.0%; Malathion (0,0-Dimethyl dithiophosphate of diethyl-mercaptosuccinate) 3.9%; Methoxychlor Technical 2.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM13

EPA File Symbol 30-EG. W. R. Sweeney Mfg., Inc., 312-16 S. Broadway, Salisbury MO 63281. SWEENEY'S POISON WHEAT WITH ROZOL. Active Ingredients: 2-[p-chlorophenyl] phenylacetyl - 1,3 - indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 10485-RA. United Chemical Corp., 601 N. Leach, PO Box 1499, Hobbs NM 88240. ALPHA 550 WATER TREATMENT MICROBIOCIDAL. Active Ingredients: Sodium Dimethyldithiocarbamate 9.75%; Nabam (Disodium Ethylene Bis-

dithiocarbamate) 9.75%. Method of Support: Application Proceeds under 2(c) of interim policy. PM33

EPA File Symbol 10485-RI. United Chemical Corp. ALPHA 541 ANTIMICROBIAL SURFACE-TREATED BEAD FORM. Active Ingredients: Sodium Pentachlorophenate 79%; Sodium Salts of Other Chlorophenols 11%. Method of Support changed from 2(b) to 2(c) of interim policy. PM32

EPA File Symbol 10485-RO. United Chemical Corp. ALPHA 540 ANTIMICROBIAL GROUND FORM. Active Ingredients: Sodium Pentachlorophenate 79%; Sodium Salts of Other Chlorophenols 11%. Method of Support changed from 2(b) to 2(c) of interim policy. PM32

APPLICATIONS RECEIVED (OPP-33000/301)

EPA File Symbol 34279-E. Cappe Enterprises, Inc., MR256E S. Main St., Roswell NM 88201. A-T CONCENTRATED GERMICIDE-SANITIZER-DISINFECTANT-ALGAECIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) Dimethyl benzyl ammonium chloride 35%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 35143-E. Cougar Chem. Corp., 51 N.W. 71st St., Miami FL 33150. DU-RITE D-8 WEED AND VEGETATION KILLER. Active Ingredients: Bromacil (5-bromo-3-sec-butyl-6-methyluracil) 2.175%. Method of Support: Application proceeds under 2(c) of interim policy. PM25

EPA File Symbol 5736-LG. DuBois Chem., Div. of Chemed Corp., DuBois Tower, Cincinnati OH 45202. GAX-15 BACTERIOSTAT AND ALGAECIDE. Active Ingredients: Sodium pentachlorophenate 25.3%; Sodium trichlorophenate 6.8%; Sodium salts of other chlorophenols and related compounds 3.5%; Dipropylene glycol methyl ether 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA Reg. No. 270-57. Farnam Co., Inc., PO Box 21447, Phoenix AZ 85036. SUPER DIE-FLY. Active Ingredients: Dimethyl (2,2,2-trichloro-1-hydroxyethyl) phosphonate 1.0%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM16

EPA File Symbol 35954-R. Magnus Maritec International, Inc., 860 River Rd., Edgewater NJ 07020. MARICIDE DISINFECTANT-SANITIZER. Active Ingredients: Alkyl (C14 50%, C12 40%, C16 10%) Dimethyl Benzyl Ammonium Chloride 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 37061-E. Midwest Chlorine Corp., 600 W 41st St., Chicago IL 60609. COMPRESSED CHLORINE GAS. Active Ingredients: Chlorine 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA File Symbol 4972-EN. Protexall Chem., Inc., 5576 S. Ridgewood, Daytona Beach FL 32019. PROTEXALL HOME & GARDEN BUG KILLER (PRESSURIZED). Active Ingredients: Pyrethrins 0.25%; Piperonyl butoxide, technical 0.80%; N-octyl bicycloheptene dicarboximide 0.40%; Petroleum distillate 8.05%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA Reg. No. 1624-108. U.S. Borax, PO Box 75128, Sanford Sta., Los Angeles CA 90010. 20 MULE POWER BATHROOM CLEANER. Active Ingredients: Tetrasodium ethylenediamine tetraacetate 9.13%; Isopropanol 5.00%; 5-Chloro-2-(2,4-dichlorophenoxy) phenol 0.07%. Method of Support: Application proceeds under 2(a) of interim policy. PM32

APPLICATIONS RECEIVED (OPP-33000/302)

EPA File Symbol 3579-RT. Brewer Chemical Corp., PO Box 48, Honolulu HI 96810. SODIUM SALT ALPHA-NAPHTHALENEACETIC ACID CONCENTRATED HORMONE-LIKE PLANT STIMULANT. Active Ingredients: Sodium Alpha-Naphthaleneacetate 98%. Method of Support: Application proceeds under 2(c) of interim policy. PM25

EPA File Symbol 9904-E. Great Plains Bag Corp., Mill St., Hodge LA 71247. PYRENONE INSECT REPELLENT TREATMENT. Active Ingredients: Pyrethrins 0.033%; Piperonyl Butoxide (butylcarbityl) (6-propylpiperonyl) ether 0.33%; Related Compounds 0.048%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 5568-RIE. The Hubbard-Hall Chemical Co., 563 S. Leonard St., Waterbury CT 06708. AHCOLINE. Active Ingredients: Sodium Hypochlorite 15%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA File Symbol 1791-EL. North Coast Chemical Co., Inc., 6300 17th Ave. S. Seattle WA 98108. NORTHO RINSOL DISINFECTANT-SANITIZER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%; Ethyl Alcohol 2.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 1791-EO. North Coast Chemical Co., Inc., 6300 17th Ave. S. Seattle WA 98108. NORTHO NEOSOL DISINFECTANT FUNGICIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 3635-ERE. Oxford Chemicals, PO Box 80202, Atlanta GA 30341. OXFORD 1204. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.250%; Related compounds 0.034%; Pyrethrins 0.150%; Piperonyl butoxide technical 0.600%; Aromatic petroleum hydrocarbons 0.331%; Petroleum distillate 19.125%. Method of Support: Application proceeds under 2(b) of interim policy. PM17

EPA File Symbol 201-GIG. Shell Chemical Co., Suite 200, 1025 Connecticut Ave. NW, Washington DC 20036. SHELL PROFESSIONAL FLYING INSECT KILLER. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.200%; Related compounds 0.028%; d-trans Allethrin (allyl homolog of Cinerin I) 0.400%; Related compounds 0.030%; Aromatic petroleum hydrocarbons 0.273%; Petroleum distillate 6.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM17

CORRECTED ITEM

The following is a corrected item previously published in the list of Applications Received in the FEDERAL REGISTER.

EPA File Symbol 37296-R. Products-Sol Inc., 2010 Cole, Birmingham MI 48008 (originally published with incorrect file symbol). (40 FR 31260) PM32

[FR Doc. 75-20594 Filed 8-8-75; 8:45 am]

[FRL 414-4; OPP-00011]

STATE-FEDERAL FIFRA IMPLEMENTATION ADVISORY COMMITTEE

Meeting

Pursuant to P.L. 92-463, notice is hereby given that a meeting of the State-Federal FIFRA Implementation Advisory Committee will be held at 8:15 a.m., Wednesday, September 3, in Room 3803-5, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

The principal purpose of the meeting will be to obtain State Lead Agency input on a number of issues bearing upon the anticipated Congressional hearings concerning renewal of EPA's authority to implement the amended FIFRA.

Such issues include: 1) Use inconsistent with the label and minor use; 2) private applicator certification; 3) Section 3 regulations; 4) Section 5 regulations and guidelines; and 5) Section 24(c) regulations governing State special local need registrations.

The meeting will be open to the public. Any member of the public wishing to attend should contact George Beshore, Program Support and Special Projects Branch, Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 755-6180.

Dated August 6, 1975.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.75-20962 Filed 8-8-75; 8:45 am]

INTERNATIONAL TRADE COMMISSION

[TA-201-2]

BOLTS, NUTS, AND SCREWS OF IRON OR STEEL

Rescheduling of Hearing

Notice is hereby given that the U.S. International Trade Commission has rescheduled the public hearing in its investigation No. TA-201-2, Bolts, Nuts and Screws, to Wednesday, September 3, 1975, at 10 a.m., e.d.t., in the Hearing Room, U.S. International Trade Commission Building, 701 E Street, NW., Washington, D.C. Requests for appearances at the hearing should be submitted, in writing, to the Secretary of the Commission at his office in Washington by no later than noon, Thursday, August 28, 1975.

Notice of investigation and of the hearing originally set for August 19, 1975, was published in the FEDERAL REGISTER on June 26, 1975 (40 FR 27079).

Issued: August 6, 1975.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.75-20925 Filed 8-8-75; 8:45 am]

[TA-201-5]

STAINLESS STEEL, ALLOY TOOL STEEL AND SILICON ELECTRICAL STEEL

Investigation and Hearing

Investigation instituted. Following receipt of a petition filed on July 16, 1975, by the Tool and Stainless Steel Industry Committee and the United Steelworkers of America, AFL-CIO, the U.S. International Trade Commission, on August 5, 1975, instituted an investigation under section 201(b) of the Trade Act of 1974 to determine whether ingots, blooms, billets, slabs and sheet bars; bars; wire rods; and plates, sheets and strip, not cut, not pressed, and not stamped to nonrectangular shape; all the foregoing of stainless steel, alloy tool steel, or silicon electrical steel, provided for in items 608.18, 608.52, 608.76, 608.78, 608.85, 608.88, 609.06, 609.07 and 609.08 of the Tariff Schedules of the United States (TSUS), and as additionally subject to duty under items 607.01 through 607.04, inclusive, of the TSUS, are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

For purposes of this investigation, the term "alloy tool steel" refers to that alloy steel defined in statistical headnote 1(a) and (b) of subpart B, part 2 of schedule 6 of the TSUS; and the term "silicon electrical steel" refers to that alloy steel containing, by weight, over 0.60 percent but not over 6.0 percent of silicon, and in which silicon is the only metallic element that renders the steel an alloy steel as defined in headnote 2(h) (ii) of subpart B, part 2, of schedule 6 of the TSUS.

Public hearing ordered. A public hearing in connection with this investigation will be held in Washington, D.C., at 10:00 a.m., EST, on Tuesday, October 28, 1975, in the Hearing Room, U.S. International Trade Commission, Eighth and E Streets, N.W. Requests for appearances at the hearings should be received in writing by the Secretary of the Commission at his offices in Washington not later than noon, Thursday, October 23, 1975.

Inspection of petition. The petition filed in this case is available for public inspection at the Office of the Secretary, U.S. International Trade Commission, and at the New York City Office of the U.S. International Trade Commission located at 6 World Trade Center.

By order of the Commission:

[SEAL] KENNETH R. MASON,
Secretary.

AUGUST 5, 1975.

[FR Doc.75-20947 Filed 8-8-75; 8:45 am]

FEDERAL RESERVE SYSTEM

CENTRAL WISCONSIN BANKSHARES, INC.

Acquisition of Bank

Central Wisconsin Bankshares, Inc., Wausau, Wisconsin, has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842(a) (3)) to acquire 80 percent or more of the voting shares of Central National Bank of Wausau, Wausau, Wisconsin. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than September 8, 1975.

Board of Governors of the Federal Reserve System, August 4, 1975.

[SEAL] ROBERT SMITH, III,
Assistant Secretary of the Board.

[FR Doc.75-20879 Filed 8-8-75; 8:45 am]

GENERAL SERVICES ADMINISTRATION

Public Building and Space

[GSA Bulletin FPMR D-121]

REDESIGNATION OF FEDERAL BUILDING

FR oc.75-20315 was previously published on page 32879 in the issue of Tuesday, August 5, 1975. Paragraph 3 of this document was printed incorrectly. For the convenience of the reader, FR Doc. 75-20315 is hereby reprinted in its entirety.

TO: Heads of Federal agencies

SUBJECT: Redesignation of Federal building

1. *Purpose.* This bulletin announces a change in the name and address of a Federal building.

2. *Expiration date.* This bulletin expires July 31, 1975. However, the building designation announced by this bulletin will remain in effect until canceled or superseded.

3. *Redesignation.* The former and new names of the building being redesignated are as follows:

Former Name	New Name
U.S. Tariff Commission Building, 7th and F Streets, NW., Washington, DC 20004.	U.S. International Trade, Commission Building, 701 E Street, NW., Washington, DC 20436.

Dated: July 8, 1975.

DWIGHT A. INK,
Acting Administrator of
General Services.

DEPARTMENT OF LABOR

Manpower Administration
INDIAN YOUTH PROGRAMS
1975 Summer Allocations

Pursuant to 29 CFR 97.104, the Manpower Administration announces the allocation of funds for use by each des-

ignated prime sponsor during the summer of 1975 for Indian Youth Programs authorized by Section 304 of the Comprehensive Employment and Training Act (CETA) of 1973.

This notice contains the names of the prime sponsors and their respective allocations:

1975 Summer Indian Prime Sponsors

Prime sponsor	Reservation	Allocation
Alaska:		
Metlakatla Indian Community, Post Office Box 8, Metlakatla, Alaska 99626.	Metlakatla	\$14,920
Arizona:		
Gila River Indian Community, Box 97, Sacaton, Ariz. 85347.	Gila River	96,901
The Navajo Nation, Window Rock, Ariz. 86515.	Navajo	2,097,063
Hopi Tribal Council, Box 123, Oraibi, Ariz. 86639.	Hopi	89,286
Indian Development District of Arizona, 1230 East Camelback Rd., Phoenix, Ariz. 85050.	Camp Verde, Coconino, Yavapai, Fort Mojave, Havasupai, Hualapai, Kaibab, San Carlos	45,847
San Carlos Apache Tribe, P.O. Box "O", Phoenix, Ariz. 85014.	San Carlos	108,450
The Papago Tribe of Arizona, P.O. Box 837.	Papago	104,672
White Mountain Apache Tribe, White River, Ariz. 85941.	Fort Apache	107,003
Quechan Tribal Council, Fort Yuma Indian Reservation, P.O. Box 1169, Yuma, Ariz. 85364.	Fort Yuma	13,183
Salt River Pima-Maricopa Indian Community, Route 1, Scottsdale, Ariz. 85256.	Salt River	36,523
Mr. Anthony Drennan, Sr., Chairman, Colorado River Indian Tribe, Route 1, Box 23-B, Parker, Ariz. 85344.	Colorado River	23,290
California:		
Inter-Tribal Council of California.	Big Pine, Bishop, Cold Spring, Fort Bidwell, Fort Independence, Grindstone, La Jolla, Laytonville, Lone Pine, Morongo, Pala, Round Valley, Runney, San Manuel, Santa Rosa Reservation, Santa Rosa Ranch, Santa Ynez, Soboba, Sulphur Bank, Sycuan, Trinidad, Toiyune, Viejas, Woodlands, Dry Creek, Rincon, Agua Caliente, Big Sandy, Cahuilla, Coahuila	69,653
California Tribal Chairman's Association, 2427 Marconi Ave., Suite No. 5, Sacramento, Calif. 95821.	Barona, Campo, Hoopa Valley, Los Coyotes, Manchester, Manzanita, Pecharanga, Santa Ysabel, San Pascual, Tule River, Susanville, Mesa Grande, Pauma, XL	37,844
Colorado:		
State of Colorado, 770 Grant St., Denver, Colo. 80203.	Southern Ute, Ute Mountain	34,191
District of Columbia:		
Coalition of Eastern Native Americans, 733 15th St. NW., No. 637, Washington, D.C. 20005.	Onelda, St. Regis, Shinnecock, Pamunkey	\$2,708
Florida:		
Miccosukee Tribe of Indians of Florida, P.O. Box 44021, Tamiami Station, Miami, Fla. 33024.	Miccosukee	4,740
Seminole Tribe of Florida, 6673 Stirling Rd., Hollywood, Fla. 33024.	Big Cypress, Brighton, Hollywood	68,400
Idaho:		
Nes Perce Tribe of Idaho, Manpower Program, P.O. Box 423, Lapwai, Idaho 83540.	Nes Perce	15,417
Idaho Inter-Tribal Policy Board, Inc., Sonna Bldg., Suite 214, Boise, Idaho 83702.	Coeur d'Alene, Fort Hall, Kootenai	40,563
Kansas:		
The United Tribes of Kansas, Southeast Nebraska, Inc., P.O. Box No. 29, Horton, Kans.	Iowa, Sac and Fox, Potawatomi	4,585
Louisiana:		
Indian Manpower Service, Inc., 4155 Essen Lane, No. 131, Baton Rouge, La. 70809.	Chitimacha	3,808
Maine:		
Tribal Governor's, Inc., 65 Main St., Orono, Maine 04473.	Penobscot, Pleasant Point	17,562
Michigan:		
Inter-Tribal Council of Michigan, 405 East Easterday Ave., Sault Ste. Marie, Mich.	Bay Mills, Hamnville, Isabella, Keweenaw	21,660
Minnesota:		
Leech Lake Reservation, Business Committee, Box 308, Cass Lake, Minn. 56633.	Leech Lake	42,117
White Earth Reservation Business Committee, Box 274, c/o White Earth CAP, White Earth, Minn.	White Earth	29,995
Red Lake Tribal Council, Red Lake, Minn. 56671.	Red Lake	73,400
Fond Du Lac Reservation Business Committee, P.O. Box F, Cloquet, Minn. 55720.	Fond Du Lac	9,860
Nett Lake Reservation Business Committee, P.O. Box 628, Nett Lake, Minn. 55772.	Nett Lake	13,055
Mille Lacs Reservation Business Committee, Star Route, Onamia, Minn. 56039.	Mille Lacs	11,656
Urban American Indian Center, 3045 Park Ave., Minneapolis, Minn. 55407.	Lower Sioux, Prairie Island, Prior Lake, Upper Sioux	5,750
American Indian Fellowship Association, 101 First Ave. East, Duluth, Minn. 55803.	Grand Portage	2,797
Mississippi:		
Mississippi Band of Choctaw Indians, Tribal Office Bldg., Route 7, Box 21, Philadelphia, Miss. 39350.	Choctaw	50,900
Montana:		
Chippewa-Cree Tribe, Rock Boy's Reservation, Rocky Boy Route, Box Elder, Mont. 59521.	Rocky Boy	77,500
Blackfoot Tribal Business Council, Blackfoot Indian Reservation, Browning, Mont. 59417.	Blackfoot	233,900
Crow Indian Tribe, Crow Tribal Council, Crow Agency, Mont. 59022.	Crow	2700 '01
Fort Belknap Community Council, Fort Belknap Agency, Harlem, Mont. 59526.	Fort Belknap	109,100
Confederated Salish and Kootenai Tribes of the Flathead Reservation, Dixon, Mont. 59831.	Flathead	123,900

NOTICES

1975 Summer Indian Prize Sponsors—Continued

Prime sponsor	Reservation	Allocation
Northern Cheyenne Tribe, P.O. Box 128, Lame Deer, Mont. 59045.	Northern Cheyenne.....	104,092
Assiniboin and Sioux Tribes, Fort Peck Indian Reservation, Box 37, Poplar, Mont. 59255.	Fort Peck.....	126,999
Nebraska:		
Omaha Tribe of Nebraska, Macy, Nebr. 68039.	Omaha.....	35,700
Nebraska Indian Inter-Tribal Development Corporation, P.O. Box 238, Winnebago, Nebr. 68701.	Sac and Fox (Iowa), Winnebago, Flandreau (S. Dak.), Kickapoo.	37,455
Santee Sioux Tribe of Nebraska, Route No. 2—Santee, Niobrara, Nebr. 68790.	Santee.....	20,500
Nevada:		
Inter-Tribal Council of Nevada, 68 Colony Rd., Reno, Nev. 89502.	Battle Mountain, Carson, Dresslerville, Duck Valley, Duckwater, Elko, Ely, Fallon, Fort McDermitt, Goshute, Las Vegas, Lovelock, Moapa River, Pyramid Lake, Reno Sparks, South Fork, Walker River, Yerington, Yomba.	134,700
New Mexico:		
Pueblo of Zuni, Zuni Tribal Council, Zuni, N. Mex. 87327.	Zuni.....	130,647
All Indian Pueblo Council, P.O. Box 6597, 1015 Indian School Rd. NW, Albuquerque, N. Mex.	Acoma, Cochiti, Isleta, Jemez, Jicarilla, Laguna, Mescalero, Navajo, Picuris, Pojoaque, Sandia, San Felipe, San Ildefonso, San Juan, Santa Ana, Santa Clara, Santa Domingo, Taos, Tesque, Zia.	525,339
New York:		
Seneca Nations of Indians Manpower Office, P.O. Box No. 344, Salamanca, N.Y. 14779.	Allegany, Cattaraugus.....	105,138
North Carolina:		
Eastern Band of Cherokee Indians, P.O. Box 333, Cherokee, N.C. 28719.	Cherokee.....	116,200
Lumbee Regional Development Association, Inc., P.O. Box 637, Pembroke, N.C. 28372.		130,600
North Dakota:		
Turtle Mountain Band of Turtle Mountain Tribal Council, Chippewa Indians, Belcourt, N. Dak. 58318.	Turtle Mountain.....	134,103
Devil's Lake Sioux Tribe, Manpower Programs, Fort Totten, N. Dak. 58335.	Fort Totten.....	61,400
Standing Rock Sioux, Fort Yates, N. Dak. 58538.	Standing Rock.....	100,800
Three Affiliated Tribes, Manpower Programs, P.O. Box 607, New Town, N. Dak. 58763.	Fort Berthold.....	83,600
Oklahoma:		
Osage Tribal Council, P.O. Box 897, Pawhuska, Okla. 74056.	Osage.....	69,900
Oregon:		
Warm Springs Consortium, Confederated Tribes of the Warm Springs Reservation of Oregon, Warm Springs, Oreg. 97761.	Warm Springs, Umatilla, Burns Paiute.....	31,800
South Dakota:		
Sisseton-Wahpeton Sioux Tribe, 406 Second Ave. East, Sisseton, S. Dak. 57262.	Sisseton-Wahpeton.....	47,001
Rosebud Sioux Tribe, Tribal Office Bldg., Rosebud, S. Dak. 57570.	Rosebud.....	173,000
Cheyenne River Sioux Tribe, Eagle Butte, S. Dak. 57625.	Cheyenne River.....	147,600
Crow Creek Sioux Tribe, P.O. Box 638, Fort Thompson, S. Dak. 57639.	Crow Creek.....	66,100
Oglala Sioux Tribe, Box G, Pine Ridge, S. Dak. 57770.	Pine Ridge.....	209,111
Yankton Sioux Tribe, Route 3, Wagner, S. Dak. 57380.	Yankton.....	15,404
Lower Brule Sioux Tribe, Lower Brule, S. Dak.	Lower Brule.....	29,000
Tennessee:		
United Southeastern Tribes, 101 Kermit Dr., Nashville, Tenn. 37217.		932
Texas:		
Texas Commission for Indian Affairs, Office of Indian Manpower Programs, Box 206, Livingston, Tex. 77351.	Alabama-Coushatta, Tigua.....	16,785
Utah:		
Ute Indian Tribe, Box 129, Fort Duchesne, Utah 84036.	Fort Duchesne.....	95,400
Utah Native American Consortium Inc., 120 West 1300 South, Salt Lake City, Utah 84101.	Skull Valley.....	389
Washington:		
Tribal Services Association, 3030 Wetmore, Everett, Wash. 98002.	Lummi, Makah, Swinomish, Tulalip, Puyallup.....	45,847
Small Tribes Organization of Western Washington, Inc., 529 Pacific Ave., P.O. Box 578, Federal Way, Wash. 98003.	Lower Elwha, Muckleshoot, Nisqually, Nooksack, Port Gamble, Skokomish, Squaxin Island, Port Madison.	24,556
Eastern Washington Indian Consortium, Inc., P.O. Box 2000, Wellpinit, Wash. 99040.	Colville, Kalispel, Spokane, Yakima.....	131,093
CHE-HO-QUI-SHO, Box 1228, Taholah, Wash. 98587.	Chelalis, Hoh, Quileute, Quinalt, Shoalwater.	23,778
Wisconsin:		
Great Lakes Inter-Tribal Council, Box 5, Lac Du Flambeau, Wis. 54538.	Bad River, Lac Du Flambeau, Mole Lake, Potawatomi, Red Cliff, St. Croix, Stockbridge-Munsee.	95,902
La Courte Oreilles Band of Lake Superior Chippewa Indians, Route 2, Stone Lake, Wis. 54576.	Lac Courte Oreilles.....	32,389
Menominee Restoration Committee, P.O. Box 163, Keshena, Wis. 54133.	Menominee.....	50,000
Oneida Tribe of Indians of Wisconsin, Inc., Route 4, De Pere, Wis. 54115.	Oneida.....	25,022
Wisconsin Winnebago Business Committee, Nelson Hall—Room 318, University of Wisconsin, Stevens Point, Stevens Point, Wis. 54481.	Winnebago.....	13,600
Tribal Chairman, Stockbridge-Munsee Community, Route 1, Bowler, Wis. 54416.	Stockbridge-Munsee.....	17,809
St. Croix Tribal Council, Star Route, Webster, Wis. 54893.	St. Croix.....	17,809
Wyoming:		
Shoshone and Arapahoe Joint Business Council, P.O. Box 217, Fort Washakie, Wyo. 82514.	Wind River.....	144,800

Signed at Washington, D.C. this 4th day of August, 1975.

WILLIAM H. KOLBERG,
Assistant Secretary
for Manpower.

[FR Doc.75-20528 Filed 8-7-75;8:45 am]

Manpower Administration
INDIAN MANPOWER PROGRAMS
Fiscal Year 1976 Allocations

Pursuant to 29 CFR 97.104 the Manpower Administration announces the tentative allocation of funds to each designated prime sponsor for use during Fiscal Year 1976 for Indian manpower programs authorized by title III, section 302 of the Comprehensive Employment and Training Act (CETA) of 1973. These tentative allocations are announced for Fiscal Year operational planning purposes only.

The following list represents the tentative allocations for fiscal year 1976, except that it is anticipated that three additional prime sponsors will be designated shortly:

FISCAL YEAR 1976, INDIAN PRIME SPONSORS:
ALASKA

	Tentative title III, sec. 302, allocations
Mr. Cecil Barnes, President, North Pacific Rim Native Corporation, 912 East 15th Ave., Anchorage, Alaska 99501	\$60,182
Mr. Robert W. Rude, Presi- dent, Cook Inlet Native Association, 670 W. Fire- weed Lane, P.O. Box 515, Anchorage, Alaska 99501	213,668
Mr. Michael E. Swetozor, Presi- dent, The Aleut League, 425 G St., Suite 840, Anchorage, Alaska 99501	131,990
Mr. Joe Upicksoun, Presi- dent, Arctic Slope Regional Corporation, P.O. Box 566, Barrow, Alaska 99723	107,158
Mr. Raphael Murran, Chair- man, Board of Directors, Yupiklak Bista, Inc., Box 219, Bethel, Alaska 99559	666,383
Mr. Hector Ewan, President, Copper River Native Asso- ciation, P.O. Box 823, Cop- per Center, Alaska 99573	42,117
Mr. Harold H. Samuelsen, President, Bristol Bay Na- tive Corporation, P.O. Box 237, Dillingham, Alaska 99576	160,024
Mr. Melvin Charlie, Presi- dent, Tanana Chiefs Con- ference, Inc., 103 Lacey St., Fairbanks, Alaska 99701	346,324
Mr. Ray E. Paddock, Jr., Executive Director, Central Council, Tlingit and Haida Indians of Alaska, 114 South Franklin St., Room 202, Juneau, Alaska 99801	412,094
Mr. George Miller, Jr., President, Kenaitze In- dian Tribe, P.O. Box 1210, Kenai, Alaska 99611	62,079
Mr. Frank Peterson, Execu- tive Director, Kodiak Area Native Association, P.O. Box 172, Kodiak, Alaska 99615	89,187
Mr. Ernest Norton, Execu- tive Director, Mauneluk Association, Inc., P.O. Box 266, Kotzebue, Alaska 99752	104,690
Mr. Solomon Guthrie, Mayor, Metlakatla Indian Com- munity, P.O. Box 8, Met- lakatla, Alaska 99026	105,168

Mr. Robert W. Madden,
Executive Director, KA-
WERAK, Inc., P.O. Box 505,
Nome, Alaska 99762 \$286,994 |

ARIZONA

Mr. Buck Kitcheyan, Chair- man, San Carlos Apache Tribe, P.O. Box "0", San Carlos, Ariz. 85550	\$305,231
Mr. Jacob Escalante, Chair- man, The Papago Tribe of Arizona, P.O. Box 837, Silla, Ariz. 85654	399,443
Mr. Ronnie Lupe, Chairman, White Mountain Apache Tribe, White River, Ariz. 85941	398,385
Mr. Abbott Sekaquaptewa, Chairman, Hopi Tribal Council, Box 123, Oraibi, Ariz. 86039	315,821
Mr. Syd Beane, Executive Director, Phoenix Indian Center, Inc., 4025 North 2d St., Phoenix, Ariz. 85012	321,595
Mr. Alexander Lewis, Sr., Governor, Gila River In- dian Community, Box 97, Sacaton, Ariz. 85347	473,208
Mr. Peter MacDonald, Chair- man, The Navajo Nation, Window Rock, Ariz. 86515	5,911,497
Grace McCullagh, Executive Director, Indian Develop- ment District of Arizona, 1230 East Camelback Rd., Phoenix, Ariz. 85014	129,750
Mr. Elmer Savilla, President, Quechan Tribal Council, Fort Yuma Indian Reser- vation, P.O. Box 1169, Yuma, Ariz. 85364	107,827
Mr. Kent C. Ware II, Execu- tive Director, Arizona In- dian Centers, Inc., Suite 914, 2721 North Central Ave., Phoenix, Ariz. 85004	102,882
Ms. Ella Rumley, Chairper- son, Board of Directors, American Indian Associa- tion of Tucson, Inc., P.O. Box 7672, 2512 South 6th Ave., Tucson, Ariz. 85713	237,287
Mr. Gerald Anton, President, Salt River Pima-Maricopa Indian Community, Rt. 1, Box 120, Scottsdale, Ariz. 85256	109,763
Mr. Anthony Drennan, Sr., Chairman, Colorado River Indian Tribe, Route 1, Box 23-B, Parker, Ariz. 85344	65,819

CALIFORNIA

Mr. John Knife Chief, Presi- dent, Orange County In- dian Center, Inc., 1807 W. Katella Blvd., Rm. 111, Anaheim, Calif. 92804	179,073
Mr. A. D. Roberts, San Joa- quin Council of American Indians, 144 Mun Kwok Lane, 446, Stockton, Calif. 95202	71,872
Mr. Jeff Davis, Sr., Execu- tive Director, Fresno Amer- ican Indian Council, Inc., 2940 Fresno St., Fresno, Calif. 93721	366,834
Mr. Timothy D. Deasls, Chairman, Indian Center, Inc., 1127 W. Washing- ton Blvd., Los Angeles, Calif. 90015	1,231,766

Tentative title
III, sec. 302,
allocations

Mr. Louis B. Andrade, Chair- man, Candelaria Ameri- can Indian Council, 3711 South Saviers Rd., Ox- nard, Calif. 93030	\$95,858
Mr. Karl Mathiesen, Chair- man of the Board, Region IX American Indian Coun- cil, 330 Ellis St., Room 518, San Francisco, Calif. 94102	705,787
Mr. Dan Herron, Executive Director, YA-KA-AMA, In- dian Education & Develop- ment, Inc., 6215 Eastside Rd., Hearldsburg, Calif. 95448	128,949
Mr. Matthew L. Calac, Execu- tive Director, Americans for Indians Futures and Traditions, 1623 5th Ave., San Diego, Calif. 92101	248,202
Walter J. Lara, Chairman, Inter-Tribal Council of California, 2969 Fulton Ave., Sacramento, Calif. 95821	1,261,798
Mr. Banning Taylor, Chair- man, California Tribal Chairman's Association, 2427 Marconi Ave., Suite 5, Sacramento, Calif. 95821	135,044
Mr. Tom Parsons, Center for Community Development, Humboldt State Univer- sity, Room 100, University Annex Bldg., Arcata, Calif. 95521	250,103
Mr. Gus M. Adams, Director, Indian Center of San Jose, Inc., 90 South Second St., San Jose, Calif. 95113	206,475
Mr. Wayne Red-Horse, Exe- cutive Director, Sacra- mento Indian Center, Inc., 1004 18th St., Sacramento, Calif. 95816	150,974

COLORADO

Ms. Gladys Benson, Chairper- son, Board of Directors, Denver Native Americans United, 1525 Josephine, Denver, Colo. 80206	330,698
Hon. Richard Lamm, Gover- nor, State of Colorado, 770 Grant St., Denver, Colo. 80203	100,832

Attention: State Manpower Office

CONNECTICUT

Mr. Brian Myles, Chairman, American Indians for De- velopment, P.O. Box 117, Meriden, Conn. 06450	116,985
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DISTRICT OF COLUMBIA

Mr. W. J. Strickland, Execu- tive Administrative Direc- tor, Coalition of Eastern Native Americans, 733 Fif- teen St. NW, #637, Wash- ington, D.C. 20005	635,768
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FLORIDA

Mr. Howard Tommie, Tribal Chairman, Seminole Tribe of Florida, 6073 Stirl- ing Rd., Hollywood, Fla. 33024	92,866
Mr. Buffalo Tiger, Chairman, Miccosukee Tribe of In- dians of Florida, P.O. Box 44021, Tamiami Station, Miami, Fla. 33144	70,594

NORTH DAKOTA

Tentative title
III, sec. 302,
allocations

Mr. Warren W. Means, Executive Director, United Tribes of North Dakota, 3315 South Airport Rd., Bismarck, N. Dak. 58501... \$129,353

Mr. Edwin J. Henry, Chairman, Turtle Mountain Tribal Council, Turtle Mountain Band of Chippewa Indians, Belcourt, N. Dak. 58316... 425,125

Mr. Carl McKay, Chairman, Devil's Lake Sioux Tribe, Manpower Programs, Fort Totten, N. Dak. 58335... 168,755

Mr. Melvin White Eagle, Chairman, Standing Rock Sioux, Fort Yates, N. Dak. 58538... 288,467

Ms. Rose Crow Flies High, Chairperson, Three Affiliated Tribes, Manpower Programs, P.O. Box 597, New Town, N. Dak. 58763... 168,966

OHIO

Ms. Ruby Hooper, Chairperson, Cleveland American Indian Center, 550-5502 Lorain Ave., Cleveland, Ohio 44102... 195,199

Tukemus, Chief, Tecumseh Confederacy, Shawnee Nation, P.O. Box 609, Xenia, Ohio 45385... 102,723

OKLAHOMA

Mr. Lee Motah, Chairman, Comanche Tribal Business Committee, Comanche Tribe of Oklahoma, P.O. Box 1127, Lawton, Okla. 73501... 221,349

Mr. Vince Knight, President, United Urban Indian Club, Inc., P.O. Box 724, 1008 N. McKinley, Oklahoma City, Okla. 73132... 525,292

Mr. Edward F. Mouss, Executive Director, Creek Nation, P.O. Box 281, Okmulgee, Okla. 74447... 608,878

Mr. Sylvester J. Tinker, Principal Chief, Osage Tribal Council, P.O. Box 897, Pawhuska, Okla. 74056... 165,196

Mr. Felix Allen, Chairman, Ponca Tribe of Indians, Ponca Tribal Business of Oklahoma, P.O. Box 11 (White Eagle), Ponca City, Okla. 74601... 105,810

Mr. Bob Cannon, Chairman, Kiowa Tribe of Oklahoma, P.O. Box 1028, Anadarko, Okla. 73005... 408,461

Mr. Harry J. W. Belvin, Principal Chief, Choctaw Nation of Oklahoma, Choctaw Tribal Office, 302 W. Willow St., Durant, Okla. 74701... 728,978

Mr. Overton James, Governor, Chickasaw Nations, 6033 Glenoove Pl., Oklahoma City, Okla. 73132... 421,719

Mr. W. W. Keeler, Principal Chief, Cherokee Nation of Oklahoma, Cherokee Tribal Council, P.O. Box 119, Tahlequah, Okla. 74464... 2,039,496

Mrs. Evelyn Stephens, Chairman, Oklahoma Tribal Assistance Program, P.O. Box 2841, Tulsa, Okla. 74101... 564,591

Mr. Edwin Tanyan, Principal Chief, Seminole Nation of Oklahoma, 4th and Brown Sts., Wewoka, Okla. 74884... \$185,208

Mr. Russell B. Ellis, Director, Central Tribes of the Shawnee Area, Inc., P.O. Box 2427, University Station, Shawnee, Okla. 74802... 262,861

Mr. Leonard Biggoose, Chairman, North Central Inter-Tribal Council, 315 S. Pine St., Ponca City, Okla. 74601... 101,256

OREGON

Mr. Elnathan Davis, Director, Organization of the Forgotten American, 3954 S. 6th St., P.O. Box 1257, Klamath Falls, Oreg. 97601... \$104,864

Mr. Kenneth Smith, Warm Springs Consortium, Confederated Tribes of the Warm Springs Reservation of Oregon, Warm Springs, Oreg. 97761. Attn.: Mr. Warren R. Clements, Chairman, ORTEC... 212,672

Mr. Lowell Curley, Chairman, Urban Indian Council, 2326 NW Westover Rd., Portland, Oreg. 97205... 556,091

PENNSYLVANIA

Mr. William H. Lynch, Executive Director, United American Indians of Delaware Valley, 430 City Hall Annex, Philadelphia, Pa. 19107... \$134,940

RHODE ISLAND

Prime sponsor to be designated... 92,375

SOUTH DAKOTA

Mr. Wayne Ducheneaux, Chairman, Cheyenne River Sioux Tribe, Eagle Butte, S. Dak. 57635... 275,029

Mrs. Elnita Rank, Chairwoman, Crow Creek Sioux Tribe, P.O. Box 658, Fort Thompson, S. Dak. 57339... 101,985

Mr. Michael Jandreau, Chairman, Lower Brule Sioux Tribe, Lower Brule, S. Dak. 57548... 46,737

Mr. Richard Wilson, President, Oglala Sioux Tribe, Box G, Pine Ridge, S. Dak. 57770... 637,524

Mr. Robert Burnette, Chairman, Rosebud Sioux Tribe, Tribal Office Bldg., Rosebud, S. Dak. 57570... 486,585

Mr. Gerald Flute, Chairman, Sisseton-Wahpeton Sioux Tribe, 406 Second Ave. E., Sisseton, S. Dak. 57362... 148,833

Mr. Percy R. Archambeau, Chairman, Yankton Sioux Tribe, Route 3, Wagner, S. Dak. 57380... 85,933

Clarence W. Skye, Executive Director, United Sioux Tribe of South Dakota Development Corporation, P.O. Box 1193, Pierre, S. Dak. 57501... 455,024

TENNESSEE

Tentative title
III, sec. 302,
allocations

Mr. Eugene A. Begay, Executive Director, United Southeastern Tribes, 1101 Kermit Dr., Nashville, Tenn. 37217... \$731,469

TEXAS

Mr. LeRoy Mason, Chairman, Board of Directors, Dallas Inter-Tribal Center, 336½ W. Jefferson, Dallas, Tex. 75208... 367,183

Mr. Ward Phelan, Director, Texas Commission for Indian Affairs, Office of Indian Manpower Programs, Box 206, Livingston, Tex. 77351... 531,377

UTAH

Mr. Lester M. Chapoose, Chairman, Ute Indian Tribe, Box 129, Fort Duchesne, Utah 84026. Attn.: Ms. Linda Garcia, Assistant Manpower Director... 108,716

Mr. E. Daniel Edwards, Chairman of the Board, Utah Native American Consortium, Inc., 120 W. 1300 South, Salt Lake City, Utah 84101... 198,271

WASHINGTON

Mr. Phillip A. LaCourse, Director, Tribal Services Association, 3030 Wetmore, Everett, Wash. 98002... 147,057

Mr. Leo J. LaClair, Executive Director, Small Tribes Organization of Western Washington, Inc., 520 Pacific Ave., P.O. Box 578, Sumner, Wash. 98390... 713,630

Mr. Cliff S. John, Director, Eastern Washington Indian Consortium, Inc., P.O. Box 2000, Wellpinit, Wash. 98040... 679,632

Mr. Jim Harp, Director, CHEHOQUISHO, % Patricia A. Cultee, Quinault Reservation, Box 1118, Taholah, Wash. 98587... 118,229

Mr. Newman W. Hood, Chairman, Seattle Indian Center, Inc., 619 Second Ave., Seattle, Wash. 98104... 412,331

Mr. Downayne Goodan, Executive Director, Native American Center, West 1525 9th Ave., Spokane, Wash. 99204... 109,308

WISCONSIN

Mrs. Betty Jack, President of the Board, American Indian Child Placement and Development Programs, Inc., 610 N. Jackson St., Milwaukee, Wis. 53202... 115,115

Mr. Purcell Powless, Chairman, Oneida Tribe of Indians of Wisconsin, Inc., Route 4, Oneida, Wis. 54155... 190,831

Ms. Ada E. Deer, Chairperson, Menominee Restoration Committee, P.O. Box 168, Keshena, Wis. 54135... 301,806

Mr. Peter Christensen, Chairman, Great Lakes Inter-Tribal Council, Box 5, Lac Du Flambeau, Wis. 54538... 210,988

*Tentative title
III, sec. 302,
allocations*

Mr. Rick Baker, Chairman, La Courte Oreilles Band of Lake Superior Chippewa Indians, Route 2, Stone Lake, Wis. 54876	\$97,523
Mr. Arnold Garvin, Chair- man, Wisconsin Winnebago Business Committee, c/o Mr. Chauncy Hopinkah, Nelson Hall, Room 308, University of Wisconsin— Stevens Point, Stevens Point, Wis. 54481	88,304
Mr. Stanley Webster, Chair- man, Milwaukee Area American Indian Man- power Council, 2040 W. Wisconsin Ave., Box 758, Milwaukee, Wis. 53233	189,739
Mr. Leonard E. Miller, Jr., Tribal Chairman, Stock- bridge-Munsee Commu- nity, Route 1, Bowler, Wis. 54416	31,271
Mr. E. W. Taylor, Chairman, St. Croix Tribal Council, Star Route, Webster, Wis. 54893	67,023

WYOMING

Mr. Jesse Miller, Arapahoe Chairman, Mr. Robert Har- ris, Sr., Shoshone Chair- man, Shoshone and Ara- pahoe Joint Business Coun- cil, P.O. Box 217, Fort Wa- shakie, Wyo. 82514	341,716
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Signed at Washington, D.C., this 5th day of August 1975.

WILLIAM H. KOLBERG,
Assistant Secretary
for Manpower.

[FR Doc. 75-20856 Filed 8-8-75; 8:45 am]

Manpower Administration

**EMPLOYMENT TRANSFER AND BUSINESS
COMPETITION DETERMINATIONS**

Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924 (b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result

in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.
2. Employment trends in the same industry in the local area.
3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential

impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Manpower, 601 D Street NW., Washington, D.C. 20213.

Signed at Washington, D.C. this 4th day of August, 1975.

BEN BURDETSEY,
Deputy Assistant Secretary
for Manpower.

Applications received during the week ending Aug. 1, 1975

Name of applicant	Location of enterprise	Principal product or activity
S.C. Cap & Gown, Inc. (tenant to Robon Creek)	Laurens, S.C.	Manufacture of caps and gowns.
Fire Delight, Inc.	Camilla, Ga.	Fireplace logs.
Cumberland Components, Inc.	Crossville, Tenn.	Manufacture and sale of roof trusses.
Bob White Packing Co., Inc.	Bowling Green, Ky.	Meat processing and slaughtering.
Lake Management Corp./Marcorp.	Omro, Wis.	Nursing home.
Birch's Heating & Air Conditioning, Inc.	Charleston, Ill.	Heating, air-conditioning, TV appliances, and refrigeration equipment sales.
Huron Woods Nursing Home	Kawkaulin, Mich.	Nursing home.
Gen-Tex Cotton Oil Mill	Thorndale, Tex.	Cotton seed processing plant.
Plains Cooperative Oil Mill, Inc.	Plainview, Tex.	Processing sunflower seeds.
Solar, Inc.	Mead, Nebr.	Manufacturing and marketing a collector and storage heating system.
H. T. Smith Co.	Drexel, Mo.	Sales of farm machinery.
Farmers Union Oil Co. (tenant to city of Washburn)	Washburn, N. Dak.	Petroleum products, fertilizer, and hardware sales.
Hoffman Motors, Inc. (tenant to city of Washburn)	do.	Sales of new and used auto parts and service.
Nelson Lumber & Supply (tenant to city of Washburn)	do.	Building materials and construction.
Washburn Power & Equipment, Inc. (tenant to city of Washburn)	do.	Farm equipment and parts.
Mardians, Inc.	Mobridge, S. Dak.	Processing scrap metal and furs.
H & R Lumber & Cabinets, Inc.	Clear Lake, and Castlewood, S. Dak.	Building material.
A. Jerome Anderson	Pribilof Islands, Prince of Wales Island, Alaska.	Seafood.
Newport Marine Co.	Newport, Oreg.	Hotel.

[FR Doc. 75-20926 Filed 8-8-75; 8:45 am]

Office of the Secretary

[TA-W-53]

**ALLIS CHALMERS CORP.; PITTSBURGH,
PENNSYLVANIA**

**Negative Determination Regarding Certifi-
cation of Eligibility To Apply for Worker
Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-53 investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on June 10, 1975 in response to a worker petition received on June 9, 1975 which was filed by the International Union of United Automobile, Aerospace and Agri-

cultural Implement Workers of America (UAW) on behalf of workers formerly producing overhead and submersible distribution transformers and instrument transformers at the Pittsburgh, Pennsylvania plant of Allis Chalmers Corporation.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 25741) on June 18, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Allis Chalmers Corporation, its major customers, industry analysts, the U.S. International Trade Commission, the U.S. Department of Commerce, National Electrical Manufacturers Association and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Employment levels at the Pittsburgh plant declined from the second quarter of 1974 through the first quarter of 1975, when the plant closed. In the first quarter of 1975, employment of hourly workers was 40 percent below that in the first quarter of 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales of overhead and submersible distribution transformers produced at Pittsburgh declined since the fourth quarter of 1974. During the last six months of operation, monthly dollar sales declined by 57 percent. Comparing the first quarter of 1975 to the same period in 1974, dollar sales were down 57 percent.

Production of overhead and submersible distribution transformers at Pittsburgh have declined since 1973, a boom year in housing starts. From 1973 to 1974, following the drop in housing starts, transformer production declined by 11 percent. Comparing the first quarter of 1975 to the same period in 1974, transformer production was down by 56 percent.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of distribution transformers like or directly competitive with the overhead and submersible distribution transformers made at Pittsburgh have had little effect in the U.S. market. Industry experts believe that less than one percent of the total market is supplied with overhead and submersible distribution transformers from foreign sources. In recent years imports of these products have decreased both relatively and absolutely.

The evidence developed in the Department's investigation indicates that the decreased purchases of distribution transformers by domestic public utility companies were the result of a drastic decline in housing starts in 1974 coupled

with an earlier inventory buildup to hedge against expected price increases. When the economic downturn continued into 1975, many former purchasers of transformers refrained from purchasing additional equipment. The decision to close the Pittsburgh plant was based upon a lack of sales unrelated to imports.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with the overhead and submersible distribution transformers and instrument transformers produced at the Pittsburgh plant of Allis Chalmers Corporation did not contribute importantly to the total or partial separation of the workers or to the absolute decline in sales or production of the plant.

Signed at Washington, D.C., this 5th day of August 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[PR Doc.75-20853 Filed 8-8-75;8:45 am]

[TA-W-54]

ALLIS CHALMERS CORP., GADSDEN, ALABAMA

Negative Determination Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-54: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on June 10, 1975 in response to a worker petition received on June 9, 1975 which was filed by the International Union of United Automobile, Aerospace, and Agricultural Implement Workers of America, (UAW) on behalf of workers formerly producing padmounted distribution transformers at Gadsden, Alabama plant of Allis Chalmers Corporation.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 25646) on June 17, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Allis Chalmers Corporation, its major customers, industry analysts, the U.S. International Trade Commission, the U.S. Department of Commerce, the National Electric Manufacturers Association, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the

firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Employment levels for padmounted transformer workers at the Gadsden plant declined from the second quarter of 1974 through the first quarter of 1975, when the Padmounted Transformer Division shut down. In the first quarter of 1975, employment of hourly workers was 69 percent below that in the first quarter of 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales of padmounted distribution transformers produced at Gadsden have declined since 1973. From 1973 to 1974, dollar sales declined by 11 percent, and the number of machines sold declined 25 percent. Comparing the first quarter of 1975 to the same period in 1974, dollar sales were down 63 percent and sales volume declined 75 percent.

Production of padmounted distribution transformers at Gadsden have declined since 1973, a boom year in housing starts. From 1973 to 1974, following the drop in housing starts, transformer production declined by 36 percent. Comparing the first quarter of 1975 to the same period in 1974, transformer production was down by 81 percent.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of distribution transformers like or directly competitive with the padmounted distribution transformers made at Gadsden have had little effect in the U.S. market. Industry experts believe that less than one percent of the total market is supplied with padmounted distribution transformers from foreign sources. In recent years imports of these products have decreased both relatively and absolutely.

The evidence developed in the Department's investigation indicates that the decreased purchases of distribution transformers by domestic public utility companies were the result of a drastic decline in housing starts in 1974 coupled with an earlier inventory build-up to hedge against expected price increases. When the economic downturn continued into 1975, many former purchasers of transformers refrained from purchasing additional equipment. The decision to close the Padmounted Distribution

Transformer Division at the Gadsden plant was based upon a lack of sales unrelated to imports.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with padmounted distribution transformers produced by the Gadsden, Alabama plant of Allis Chalmers Corporation did not contribute importantly to the total or partial separation of the workers or to the absolute decline in sales or production of the plant.

Signed at Washington, D.C., this 5th day of August 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary
for Trade and Adjustment Policy.

[FR Doc.75-20854 Filed 8-8-75; 8:45 am]

FISHER FOOTWEAR, INC.; ELDON, MISSOURI

Negative Determination Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-45: Investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on June 6, 1975 in response to a worker petition received on June 5, 1975 which was filed by the Boot and Shoe Workers Union on behalf of workers formerly producing footwear for infants, children, misses and growing girls at Fisher Footwear, Inc., Eldon, Missouri.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 25647) on June 17, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Fisher Footwear, Inc., its customers, the U.S. International Trade Commission, the U.S. Department of Commerce, American Footwear Industries Association, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

- (1) That a significant number or proportion of the workers in such firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,
- (2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and
- (3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof,

and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

A significant number or proportion of the workers at Fisher became totally or partially separated in the third quarter of 1974 when employment declined 26 percent. Further separations occurred in the fourth quarter of 1974 when production at Fisher ceased. All Fisher employees were terminated the end of April, 1975.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production at Fisher declined sharply in the third and fourth quarters of 1974. All production ceased in November, 1974.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of infants', children's and misses' nonrubber footwear substantially increased their share of domestic consumption and production from 1970 to 1974. While imports of footwear like or directly competitive with those produced at Fisher increased during the period Fisher's employees became separated and Fisher's sales and production declined, officials of customer firms accounting for over 90 percent of Fisher's total footwear sales indicated that imports were not a factor in their reduced purchases from Fisher. Fisher's decision to close was based on the loss of contracts with other footwear manufacturers for which Fisher had made footwear, the company's inability to secure additional footwear contracts and the insufficiency of Fisher's retail footwear accounts to sustain operation of the company.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with footwear for infants, children, misses and growing girls produced by Fisher Footwear, Inc. did not contribute importantly to the total or partial separation of the workers or to the absolute decline in sales or production of Fisher Footwear, Inc.

Signed at Washington, D.C., the 5th day of August 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary
for Trade and Adjustment Policy.

[FR Doc.75-20855 Filed 8-8-75; 8:45 am]

[TA-W-99]

GENERAL ELECTRIC CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 31, 1975, the Department of Labor received a petition filed under

section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical, Radio, and Machine Workers on behalf of the workers and former workers of Philadelphia, Pennsylvania plant of General Electric Company, Syracuse, New York (TA-W-99). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with electrical switchgears produced by General Electric Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before August 21, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 31st day of July, 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.75-20847 Filed 8-8-75; 8:45 am]

[TA-W-100]

GENERAL MOTORS CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 30, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical, Radio, and Machine Workers on behalf of the workers and former workers of Delco Products Division, Dayton, Ohio, of General Motors Corporation, Detroit, Michigan (TA-W-100).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with automobile parts including shock absorbers, bumper shock absorber, pollution control valves, etc., produced by General Motor Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before August 21, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 30th day of July, 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc. 75-20848 Filed 8-8-75; 8:45 am]

[TA-W-103]

KEYSTONE CARBON CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 31, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical, Radio and Machine Workers on behalf of the workers and former workers of Keystone Carbon Company, St. Marys, Pennsylvania (TA-W-103). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with thermistors produced by Keystone Carbon Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before August 21, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 30th day of July, 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc. 75-20851 Filed 8-8-75; 8:45 am]

[TA-W-104]

SPRINGFIELD WIRE OF INDIANA, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 31, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical, Radio and Machine Workers on behalf of the workers and former workers of Springfield Wire of Indiana, Inc., Evansville, Indiana plant of Springfield Wire, Inc., Springfield, Massachusetts (TA-W-104). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with power cords & wire harnesses for appliances produced by Springfield Wire of Indiana, Inc. or an appropriate subdivision thereof have

contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before August 21, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 31st day of July, 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc. 75-20852 Filed 8-8-75; 8:45 am]

[TA-W-101]

STERLING ELECTRONICS

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 31, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical, Radio and Machine Workers on behalf of the workers and former workers of Magnetic Windings Division, Easton, Pennsylvania plant of Sterling Electronics, Houston, Texas (TA-W-101). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with coils and transformers produced by Sterling Electronics or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to

the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before August 21, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 31st day of July, 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.75-20849 Filed 8-8-75;8:45 am]

STACKPOLE CARBON CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 31, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the

Act") by the International Union of Electrical, Radio and Machine Workers on behalf of the workers and former workers of Stackpole Carbon Company, St. Marys, Pennsylvania (TA-W-102). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with resistors, ferrites, brushes & anodes produced by Stackpole Carbon Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales of production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the

address shown below, on or before August 21, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 31st day of July, 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.75-20850 Filed 8-8-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

CANADIAN T.V. STATIONS WITHIN 250 MILES OF BORDER

Supplementary Changes as of July 31, 1975

AUGUST 5, 1975.

A supplement to the list of Canadian Television Stations within 250 miles of the Canada-U.S.A. border dated April 1, 1973, has been issued by the FCC.

Compiled from information supplied by the Department of Communications of Canada, the list reflects all additions, changes, deletions and corrections made up to July 31, 1975.

Further changes will be issued as reported to the Commission by the Canadian Communications Department.

Copies of the list may be obtained from Downtown Copy Center, 1730 K Street, NW., Washington, D.C. 20006, telephone (202) 452-1422.

The following stations shown on List No. 5, dated July 8, 1975, are corrected as indicated below:
CBAFT, Fredericton-Saint John, New Brunswick, Channel 5, and station CBUBT-10, Natal, British Columbia, on Channel 11 rather than Channel 10.

Supplementary list of changes, additions and corrections as of July 31, 1975, to the list of Canadian television stations within 250 mi of the border issued by the Commission dated Apr. 1, 1973.

[List No. 6—July 31, 1975]

Call sign	Licensee	Location	Radiated power (kW)	Antenna			Offset
				Directivity	Above ground	Above MSL	
CHANNEL 5 (76-82 MHz)							
CRAFT-1		Fredericton-Saint John, New Brunswick, N. 45°31'57", W. 66°47'41".	33.75 V DA 3.375 A		250	950	640.5 (-):
CHANNEL 11 (198-204 MHz)							
CBUBT-10		Natal, British Columbia, N. 49°43'28", W. 114°51'48"	0.103 V DA 0.0103 A		55	4830	-598 No.

[SEAL]

WALLACE E. JOHNSON,
Chief, Broadcast Bureau, Federal Communications Commission.

[FR Doc.75-20869 Filed 8-8-75;8:45 am]

[FCC 75-893; Docket No. 19660, RM-690; File No. T-C-2433, File No. T-C-2449, File No. I-T-C-2617, File Nos. T-C-2498, I-T-C-2605, I-T-C-2498-1, I-T-C-249-2, I-T-C-2498-3]

**ITT WORLD COMMUNICATIONS INC.
ET AL.**

Applications

In the matter of International Record Carriers' Scope of Operations in the Continental United States, Including Possible Revisions to the Formula Prescribed under Section 222 of the Communications Act.

1. In instituting the proceedings in Docket No. 19660, we included among the various issues the question whether the public interest would be served by granting applications of international record carriers (IRCs) for authority under Section 214 and 222 of the Communications Act to utilize additional gateways in the continental United States in providing their international services. *Notice of Inquiry and Proposed Rule Making in Docket No. 19660*, 38 FCC 2d 541 (1972). We are concurrently issuing a further notice of inquiry and proposed rule making which looks toward the authorization of new gateway cities under appropriate standards (FCC 75-894). This Memorandum Opinion and Order is concerned solely with the question whether additional IRCs should be authorized to operate in the existing gateway cities. In brief, we have before us applications by TRT Telecommunications Corp. (TRT) for authority to use New York City as a gateway for its leased-channel services, and applications by ITT World Communications Inc. (ITT), RCA Global Communications, Inc. (RCA), and Western Union International, Inc. (WUI) for authority to use Miami and New Orleans as gateways for all their services.¹ New York City is presently a gateway for ITT, RCA, WUI and the French Telegraph Cable Company, but not for TRT; Miami and New Orleans are gateways for all services of TRT, whereas ITT, RCA and WUI are authorized to use Miami only for leased-channel services and have no authority to use New Orleans. These applications and various responsive pleadings are summarized below.

2. Preliminarily, we note that some of those applications have not been the subject of comments on the merits. Indeed, WUI's has been on file for less than 30 days. While we believe that all of the applications have considerations in common which warrant the same treatment, we do not here reach any final decision in light of this procedural posture. Rather, we will set forth our tentative decision and accord the applicants and other interested parties a 30-day period for comment on the applications and our proposed disposition.

¹ To the extent that the ITT, RCA and WUI applications also seek authorization of various new gateway cities, they will be treated in the further rule making and not in this decision.

TENTATIVE STATEMENT OF POLICY

I. BACKGROUND

A. The Applications

1. ITT

3. ITT filed an application, File No. T-C-2433, on September 20, 1971 for authorization pursuant to Sections 214 and 222 of the Act to provide expanded international record service directly to the public within the metropolitan areas of two existing (Miami and New Orleans) and 13 new gateway cities and to acquire facilities incidental to such operations.² Specifically, ITT proposes to offer a limited, expanded international public message service (PMS), an expanded international telex service, and expanded leased channel service. While we are here concerned only with the two existing gateways, the following description of the ITT, RCA and WUI applications and responsive pleadings is in terms of all proposed gateways, both existing and new.

PMS

4. ITT proposes to subscribe to the Wide Area Telecommunications Service (WATS) offered by the American Telephone and Telegraph Company (AT&T) and other common carriers under AT&T's Tariff F.C.C. No. 259. More specifically, ITT would obtain a mix of full and measured-time WATS access lines for inward and outward service (in the "band six" classification, except for those needed for intrastate service) and to use those lines to connect the appropriate telephone company premises with ITT's premises. ITT would use the WATS lines, in its existing telephone room mode of operations (but with additional operating personnel), to provide a limited international PMS to the public in the 15 new areas. By means of inward WATS, a customer anywhere in the contiguous 48 states would be able to file directly with ITT (so long as the local telephone company is a concurring, participating or connecting carrier providing WATS service) an outbound international message telegram. ITT would use the outward WATS lines to deliver inbound international message telegrams throughout the contiguous 48 states "where such handling is appropriate."³ ITT application at p. 4. ITT does not propose

² The cities proposed as new gateways for ITT are Houston, Texas; Newark, New Jersey; Philadelphia, Pennsylvania; Chicago, Illinois; Los Angeles, California; Cleveland, Ohio; Dallas, Texas; Boston, Massachusetts; Seattle, Washington; Minneapolis, Minnesota; Pittsburgh, Pennsylvania; Milwaukee, Wisconsin; and Detroit, Mich. ITT's application does not define what ITT means by the "metropolitan areas" of these cities; it says only that it includes several suburban communities considered to be within the metropolitan areas of the named city. ITT Application at p. 5.

³ Both acceptance and delivery would be done at no charge to the customer other than be tariffed per-word international message charges.

either over-the-counter or messenger acceptance or delivery in any of the new gateway cities; but only in the existing ones.

5. ITT estimates the investment required for handling PMS by telephone at \$27,400 and the annual operating costs at \$1.3 million (through an investment of \$208,000 in increased automation of message processing operations, the annual operating costs would be reduced to \$1 million). ITT estimates that 750,000 messages would be handled by telephone in the first year of operation.⁴ ITT does not estimate the increased revenues which would flow from this traffic.

Telex

6. ITT proposes to establish operating centers in the metropolitan areas of each of the 15 additional cities⁵ to offer international telex service directly to the public (including use of such telex facilities by customers for acceptance and delivery of international message telegrams). These operating centers consist of maintenance shop, storage space and central office equipment; but would have no sales functions. ITT proposes to install in each center time division multiplex (TDM) equipment connected to customer printers through a network of tie-lines (leased from local telephone companies). The centers would be connected with ITT's New York Offices by lines leased from domestic communications common carriers. In New York, the facilities would interface with existing subscriber switches. ITT does not state the number of circuits needed to connect the new operating centers to its New York offices; but only that the number would vary according to projected traffic volumes for each city.⁶ International telex would be provided in the same mode as at present; but the message portion of the expanded telex operation would require additional (amount unspecified) processing equipment and operators at ITT's New York offices.

7. ITT estimates the initial investment to establish telex facilities in the 15 new gateways at \$5.9 million and the increased annual operating expenses at \$3.6 million (through investment of an additional \$6.2 million in increased automation. ITT estimates that annual expenses could be reduced to \$3.2 million). ITT estimates that traffic volume in the first year of operation would be 5,200,000 minutes but does not estimate the additional revenues from such traffic.

⁴ ITT's estimates were based on the assumption that operations would begin January 1, 1972.

⁵ See Fn. 2 *Supra*.

⁶ ITT proposes initially to install one complete telex system (multiplex cabinet, frame and modern) plus one backup system in Cleveland, Dallas, Boston, Seattle, Minneapolis, Pittsburgh, New Orleans, Milwaukee, and Detroit; two plus one backup in Houston, Newark, Miami and Philadelphia; three plus one backup in Chicago; and four plus one backup in Los Angeles. ITT states those proposals are based on market forecasts it has made, but does not provide those forecasts with its application.

Leased Channels

8. ITT proposes to offer international leased channel services to the public in each of the 15 cities using the operating centers established for telex. The customer's premises would be connected to ITT's multiplex equipment by tie-lines leased from local carriers. The leases would then be routed to New York over lines leased by ITT from domestic communications carriers where they will be interconnected with overseas circuits.

9. ITT does not estimate the increase in traffic, revenues, investment or expenses associated with its expanded leased channel operations. It states only that, with establishment of the operating centers for telex, which are to be used jointly for leased channels, the "incremental costs associated with the rendition of leased channel services would be relatively small." ITT application at p. 7. ITT states that a grant of its application would serve the public interest by making its services available directly to the public at points other than its present gateways. ITT also states that its proposal would also provide competition to WU's domestic telegraph services and that such competition in the international sphere has led to lower rates and better service.

2. RCA

10. RCA filed an application, File No. T-C-2449 on January 1, 1972 for authorization pursuant to Section 214 of the Act to re-establish telegraph operations at seven cities it served until 1942¹ and to establish operations at eleven additional cities² it has never served directly and to acquire facilities incidental to such operations for the purpose of offering directly to the public within the metropolitan areas of those cities overseas PMS, telex and leased channel services.³

PMS

11. RCA proposes to extend overseas PMS only to subscribers to its international telex service and as an incident to such service. RCA states that it anticipates no traffic personnel associated with PMS operations in any of the 18 new cities. Rather, telex subscribers sending international telegraph messages over their telex tie-lines will have those messages switched directly to traffic operating facilities in San Francisco and New York.

Telex

12. RCA proposes to establish combined telex exchanges in Chicago,

Los Angeles and Houston which are to be interconnected over diverse routes with its computerized central offices in San Francisco and New York and to interconnect those exchanges with local WU exchanges so that WU subscribers in those cities will have direct access to its expanded system.⁴

13. RCA lists its projected capital costs for initial installations in the 18 cities at \$6,966,000.⁵ RCA also states that the rate quoted by AT&T for the voice-grade circuits needed in the first year at \$114,000. RCA will also lease from local carriers the necessary tie-lines to connect subscribers to its three new operating centers as well as those to be connected directly to the existing centers and to connect its new centers to the WU exchanges. RCA estimates the additional revenues from telex services and the PMS operations incidental thereto at \$3,135,000 in the first year; \$6,542,000 in year two; \$9,020,000 in year three; \$11,103,000 in year four; and \$29,800,000 in year five. RCA also estimates additional expenses at \$2,773,000 in the first year; \$3,623,000 in year two; \$4,507,000 in year three; \$5,366,000 in year four; and \$16,274,000 in year five.⁶ RCA does not estimate the increased traffic it expects to derive from the expanded operations or the basis on which it derived its estimates for increased revenues and expenses (it only shows a breakdown showing the sources of revenues and the categories of expense items).

Leased Channel Services

14. RCA's application states that it plans initially to use certain of the TDM-derived channels for extension of leased teleprinter (telegraph-grade) channels to the 18 named cities. Further, as needs develop, RCA will extend international

¹ Schedule A to RCA's application shows that Seattle will be connected to the San Francisco central exchange; that Dallas and New Orleans will be connected to the new Houston exchange; that Minneapolis, Milwaukee, St. Louis and Detroit will be connected to the Chicago exchange; and that Stamford, Boston, Pittsburgh, Philadelphia, Cleveland, Miami, Newark and Hicksville will be connected to the New York central exchange.

² RCA breaks down its first year capital requirement as follows:

Teleprinters	\$1,646,000
Telex switches	1,286,000
Site preparation—	
Switches	226,000
Time division multiplex gear	2,210,000
Tool kits for technicians	14,000
Channel simulators	11,000
Test equipment, etc.	20,000
Construction	5,413,000
Overhead	320,000
Interest on construction	160,000
CTE (Central Telex Exchange) term	1,073,000
Total	\$6,966,000

RCA estimates cumulative first costs for the year two at \$8,331,000; year three, \$10,525,000; year four, \$12,599,000; and year five, \$14,262,000.

³ The net gains for the five years are \$357,000 in year one; \$2,919,000 in year two; \$4,513,000 in year three; \$5,737,000 in year four; and \$13,526,000 in year five.

overseas voice-record (AVD) circuits to these cities and "perhaps other cities as well." RCA does not estimate the increase in investment, expenses, traffic or revenues associated with its proposed leased channel operations. RCA merely states that the leased channel service is "not expected to have any significant effect on the additional revenues and additional expenses" for provision of service.⁷ RCA Application, Schedule E.

15. On June 16, 1975, WUI filed an application, File No. I-T-C-2617, for authorization to establish gateway operations in the "metropolitan areas"⁸ of twenty additional cities, to amend its gateway authorization in Miami, Florida, to expand the geographical service area of its existing New York, Washington, San Francisco and Miami gateways to include the area within the "metropolitan areas," of those cities, and to acquire the facilities necessary to carry on such expanded gateway operations. Within these areas, WUI proposes to offer directly to the public all of its regularly-authorized services including PMS, telex, and leased channels. The cities for which WUI seeks gateway authorization are Atlanta, Georgia; Philadelphia, Pennsylvania; Minneapolis, Minnesota; Boston, Massachusetts; Stamford, Connecticut; Cleveland, Ohio; Cincinnati, Ohio; Detroit, Michigan; Pittsburgh, Pennsylvania; Baltimore, Maryland; Los Angeles, California; New Orleans, Louisiana; St. Louis, Missouri; Newark, New Jersey; Chicago, Illinois; Seattle, Washington; and Denver, Colorado.

16. WUI proposes to establish in each of these cities an operating center to which telex customers will be connected by local loops obtained from a domestic carrier. Each of these centers will be connected to each other and to WUI's existing gateways through circuits from domestic carriers.⁹ At each new operating office, WUI will install TDM equipment to derive telegraph-grade channels from the domestic circuit. WUI states that the central office and subscriber terminal equipment will be maintained by personnel based in or near each proposed gateway city, but estimates a first-year cost for intercity circuitry of \$160,000, a second-year expense of \$225,000, and a third-year expense of \$290,000. WUI also lists a first-year expense for local loops of \$160,000, a second-year expense of \$525,000, and a third-year expense of \$990,000. WUI lists a total capital investment of \$1,570,000 (year 1), \$3,480,000 (year 2) and \$5,770,000 (year 3) to establish the proposed gateways. WUI projects total incremental

⁴ RCA also estimates the capital needed for leased channel service to be "minimal." RCA Application, Schedule D.

⁵ For purposes of its application, WUI defines "metropolitan area" to encompass the particular named city and an area outside that city within a forty-mile radius of its operating office. WUI Application at p. 4.

⁶ WUI states that it is considering AT&T Dataphone Digital Service (DDS) to effect these connections. As traffic increases, WUI proposes to acquire larger-capacity DDS circuits.

¹ Chicago, Illinois; Los Angeles, California; Philadelphia, Pennsylvania; Boston, Massachusetts; Detroit, Michigan; New Orleans, Louisiana; and Seattle, Washington.

² Houston, Texas; Cleveland, Ohio; Dallas, Texas; Hicksville, New York; Miami, Florida; Milwaukee, Wisconsin; Minneapolis, Minnesota; Newark, New Jersey; Pittsburgh, Pennsylvania; St. Louis, Missouri; and Stamford, Connecticut.

³ In Schedule B to its application, RCA lists for each city the suburban communities which it includes within the term "metropolitan area" for purposes of its application.

expenses to be \$825,000 (year 1), \$2,415,000 (year 2) and \$4,385,000 (year 3). Projected additional revenues for the three years are \$765,000; \$2,800,000 and \$5,270,00, respectively. After deduction of the incremental expenses, WUI projects a net loss in the first year of \$60,000 which will become a surplus of \$385,000 in year 2; and a surplus of \$885,000 in year 3.

17. WUI states that the instant proposal is needed to provide customers in the designated areas with a realistic choice of carrier by which to communicate with foreign points and to offer low-cost, reliable international services directly to the public in these cities. This will benefit PMS users by freeing them from responsibility for the costs of intermediate transmission facilities and reducing the time required to communicate with overseas points. Telex users will be benefited by elimination of congestion occasionally encountered in the domestic telex network. Leased channel customers will benefit by elimination of (for customers in the new gateways), or substantial reduction in (for those outside, but near, gateways), the charges for domestic connecting channels which such customers now must get from domestic carriers. Finally, WUI states its proposal will permit "modular expansion of WUI's intercity circuitry as needed at very low incremental cost." WUI Application at p. 10. In consideration of the above, WUI asserts that a grant of its application will be in the public interest.

4. TRT

18. TRT filed an application, File No. T-C-2498, on September 1, 1972 for authorization pursuant to Sections 214 and 222 of the Act for authority:

(a) to utilize New York, New York as a gateway for purposes of transmitting leased channel traffic;

(b) to acquire by lease and operate one voice-grade circuit between an operating office to be established in New York, New York and its existing operating office in Fort Lauderdale, Florida; and to

(c) utilize the facilities requested to provide leased voice-channel services between New York and points in Latin America and the Caribbean.

In its application, TRT states that the authorization of New York as a gateway and the facilities requested will be used to provide (unspecified) leased-channel service directly between New York and foreign points in the Caribbean and Central and South America which TRT is or may be authorized to serve. TRT also notes that it presently provides such services to a number of customers in New York through interconnection with AT&T and "other connecting carriers" that provide circuits to those customers between their premises and TRT's Fort Lauderdale office. TRT contends that the present authority is sought so it can provide a more efficient, direct service to its New York customers and that such authority would be a step in equalizing

its position vis-a-vis ITT, RCA and WUI which operate in the New York gateway and who are also authorized to provide leased channel services in TRT's principal gateway—Miami, Florida.¹⁸ Since that time, TRT has also been authorized to serve various European points.

19. TRT proposes to lease the voice-grade circuit between New York and Fort Lauderdale from AT&T Long Lines. TRT will then use TDM equipment to derive 24 telegraph-grade channels which it projects will satisfy its circuitry needs for the first year of operation. TRT will use these channels to provide service to its existing New York customers (it proposes to reroute such traffic over the new facilities) and to seek new customers. TRT estimates the investment associated with the proposed operations as follows: \$20,000 for multiplexing equipment in New York and \$20,000 in Fort Lauderdale (the equipment to be dedicated solely to the requested circuit), \$20,000 for test equipment (to service New York lease customers), and an unspecified amount for purchase of teleprinters.¹⁹ Additionally, TRT estimates its increased operating expenses as follows: \$6,520 (\$535/month) annually for lease of the New York/Fort Lauderdale circuit (plus a \$20 non-recurring installation charge), \$4,000 depreciation expense (straight-line over a ten-year estimated useful life), \$37,000 annually for office operation (rent, technicians' salaries, and equipment maintenance). TRT does not estimate the increase in traffic or revenues it expects from the expanded operations. However, it does state that it presently has five customers in New York for service to the Bahamas which it will shift to the new facilities. It contends that the additional revenues it will derive from these five customers by avoiding the AT&T charges (\$758 per month per circuit alone) would "almost cover the additional cost(s)" without the addition of any new customers. TRT states it expects to add additional New York customers, but does not project the number it will add.

20. On March 11, 1974 TRT filed a second application, File No. T-C-2605, seeking operating authority pursuant to Section 214 of the Act to offer leased-channel services in New York. Specifically, this application seeks authority:

(a) to modify its existing authorization to acquire by lease and operate one voice-grade circuit between its operating office in Fort Lauderdale, Florida and the operating offices of ITT (File No. T-C-2462-3) to reterminate the circuit at a

¹⁸ In the early 1960's, we authorized the three major carriers operating in the New York gateway to offer leased-channel services directly to the public in Miami, Florida.

¹⁹ TRT states that it does not know how many teleprinters it will be able to rent in New York but that any such investment would be financed by charges it receives from leasing the equipment.

technical operating facility (TOF) to be established in New York, New York;

(b) to modify its existing authorization to acquire by lease and operate one voice-grade circuit between its operating office in Fort Lauderdale and the operating office of WUI (File No. T-C-2388) to reterminate the circuit at TRT's proposed New York TOF;

(c) to modify its existing authorization to acquire by lease and operate four voice-grade circuits between TRT's Fort Lauderdale operating office and the Etam, West Virginia satellite earth station (File Nos. T-C-2462, T-C-2462-1, T-C-2335-1-A and T-C-2481, respectively) to reterminate those circuits at TRT's proposed New York TOF;

(d) to modify its existing authorization to acquire by lease and operate one voice-grade circuit between TRT's Fort Lauderdale operating office and the Andover, Maine satellite earth station to reterminate that circuit at its proposed New York TOF;

(e) to acquire by lease and operate four voice-grade circuits one each between TRT's proposed New York TOF on the one hand and the New York operating offices of ITT, RCA and WUI, respectively, on the other hand;

(f) to modify its existing authorizations to acquire by lease and operate satellite voice-grade circuits between the United States on the one hand and Brazil (File No. T-C-2462), Columbia (File No. T-C-2462-1), Italy (File No. T-C-2335-1-A), Panama (File No. T-C-2481), and Puerto Rico (File No. T-C-2497-M) to reterminate those circuits at the same proposed TOF in New York rather than at its Fort Lauderdale office where they presently terminate; and

(g) to operate the requested and reterminated facilities to provide leased-channel services between the United States on the one hand and Brazil, Columbia, Italy, Panama and Puerto Rico and points beyond on the other.²⁰

²⁰ TRT states it plans to use two of its three presently-authorized Fort Lauderdale/New York voice-grade circuits for initial requirements for telegraph-grade circuits between those points and beyond through use of high density TDM equipment on one of these circuits and frequency division multiplex (UFCT) on the other. The present TRT/Fort Lauderdale to WUI and ITT/New York telegraph circuits will be rerouted over local facilities to TRT's New York TOF and then to TRT/Fort Lauderdale over the TDM-equipped circuit. This will release two UFCT terminals in Fort Lauderdale to be moved to New York to terminate two international circuits via satellite. They will then be rerouted via New York to the satellite earth stations and two Fort Lauderdale earth station circuits will be discontinued. This will release an additional two UFCT terminals to be transferred to New York (two UFCT terminals will be transferred and two overseas circuits rerouted per month over a period of four months). This step by step approach is intended, according to TRT, to accomplish the changeover in a cost-effective manner and provide for efficient use of already-authorized facilities. See TRT Application at pp. 15-16.

21. TRT states in its application that it is not seeking authority to accept or deliver international telex or telegraph messages in New York, that it seeks solely to establish the proposed TOF to reconfigure its existing domestic network "in a more cost effective manner," that it does not propose a new gateway in New York and that it therefore requires no other authority other than the above modifications. However, TRT further states that if the Commission concludes it does require authority under Section 222 (or "any other section of the Communications Act") to offer leased-channel services from the TOF in New York, it thereby requests such needed authority.

22. TRT projects the investment required for its New York TOF at \$176,900 in year one, an additional \$65,500 in year two and an additional \$17,500 in year three. TRT projects its additional operating expenses at \$76,147 in year one, \$156,989 in year two and \$176,357 in year three. TRT expects increased revenues of \$76,756 in year one, \$391,608 in year two and \$758,478 in year three (for a net contribution to overall revenues, including consideration of the projected savings in Fort Lauderdale, of \$15,795 in year one, \$149,261 in year two and \$323,446 a year three). From this, TRT asserts that its proposal is economically viable.

23. In addition, TRT filed on November 7, 1974, an application File No. I-T-C-2498-1 for authorization pursuant to Section 214 of the Act to:

(1) Acquire by lease and operate one voice-grade circuit between the AT&T Technical Control Facility (TCF) in New York City and the United States/Canada border near Calais, Maine;

(2) Acquire by lease and operate one voice-grade circuit between the United States/Canada border and the CANTAT-II cable head at Beaver Harbor, Canada (the cost to be borne equally by TRT and its overseas correspondent, the British Post Office);

(3) Acquire by lease and operate one voice-grade circuit in the CANTAT-II cable between Beaver Harbor and the theoretical midpoint in the Atlantic to be extended to Hillingdon, United Kingdom by the British Post Office; and

(4) Utilize the facilities requested to provide leased voice channel services, including voice-equipped-for-data or alternate voice/data (AVD), or both between the United States and the United Kingdom and points beyond for use by the United States Department of Defense in connection with its Automatic Voice Network (AUTOVON).

*TRT also estimates a savings on operating expenses at Fort Lauderdale (from re-routing the subject circuits) at \$28,975 in year one, \$52,170 in year two and \$51,050 in year three.

24. This application and the pleadings associated with it are described fully in *TRT Telecommunications Corp.*, FCC 75-472, adopted April 23, 1975, which description is incorporated herein by reference. In the TRT Order, we concluded that the requested authority constituted a request for Commission approval of New York City as a gateway, for leased-channel services, for TRT and that, as such, it came within the issues in Docket No. 19660. We declined to act on the application and associated pleadings to be retained for appropriate action in Docket No. 19660. As we view the application, it is a supplement to TRT's application File No. I-T-C-2605 since it seeks the same general operating authority in New York as does the latter application, although it seeks a different mode of operation and requests authorization for different facilities. This being the case, we find that the two referenced TRT applications are not inconsistent or contradictory, see Section 1.747 of our Rules, but complementary and that they both raise the same public interests question. Accordingly, we will consolidate the two applications for consideration herein.

B. Associated Pleadings

25. WU, on October 21, 1971, filed a Petition to Return or Dismiss (ITT) Application (File No. T-C-2433). WU attacks ITT's application essentially on the grounds that it fails to comply with Section 63.01 of the Commission's Rules and Regulations, 47 C.F.R. § 63.01 (1973), in that it fails to supply information required by that section to be included in applications for authority under Section 214. ITT filed on November 1, 1971 an Opposition to (WU) Petition to Return or Dismiss (ITT) Application. ITT admits its application lacks some of the data mentioned in Section 63.01, it states it made a reasonable effort to comply therewith and that it supplied all information necessary to process the application. It further states that the urgent need for alternatives to the present mode of providing authorized overseas services should not be treated the same as a routine application for service to a new point and that Section 63.01 was not designed to elicit information pertinent to an application such as ITT's. On November 11, 1971, WU replied to ITT's opposition in which it asserted ITT had not answered its attacks on the sufficiency of the information in the application and reasserted that the significant issues raised cannot be answered without such information.

26. On February 2, 1972, the American Communications Association, Communications Trade Division IBT (a trade union representing the employees of RCA, WUI and French Cable) filed comments in support of the RCA application on the grounds that the RCA proposal would improve service. While not filing formal pleadings, WU, by a series of letters, indicated its belief that the RCA application, like that of ITT, constituted

an attempt to restructure the record communications industry and thus raises significant public interest questions.

27. Oppositions to the original TRT application, File No. T-C-2498, were filed by ITT, RCA and WU. On September 29, 1972, ITT filed an opposition in which it urged no action on TRT's application until its own application has been acted upon. ITT states it does not necessarily oppose in principal the request of TRT, but because it is part of a plan to restructure the industry, action should be taken only after action on ITT's application. On October 2, 1972, RCA filed a Petition to Deny TRT's application in which it states that TRT has failed to show its proposal is either needed or economically viable. Further, RCA asserts no action should be taken until after its own application has been considered. WU, on October 3, 1972, also filed a Petition to Deny in which it states that TRT has not made the necessary showing under Section 222 that its proposal is necessary or desirable. Further, WU offers to enter into arrangements with TRT for interconnected service to common-rated.

II. DISCUSSION AND CONCLUSIONS

31. In defining the term "domestic telegraph operations," Section 222(a) (5) of the Communications Act provides:

That nothing in this section shall prevent international telegraph carriers from accepting and delivering international telegraph messages in the cities which constitute gateways approved by the Commission as points of entrance into or exit from the continental United States, under regulations prescribed by the Commission, and the incidental transmission or reception of the same over its own or leased lines or circuits within the continental United States.

Although the Act speaks only in terms of telegraph messages, the Commission has traditionally applied the gateway concept to other services of the IRCs as well. As previously stressed, the question before us is not approval of any new city as a gateway point. We have long since approved New York City, Miami and New Orleans as appropriate gateway points. We are solely concerned here with the question of whether additional IRCs should be authorized to operate in the approved gateways.

32. Upon consideration of the record we are of the opinion that the existing gateway authorizations, while appropriate when made, have become obsolete with the passage of time and changing circumstances and now require revision in the public interest. TRT and its predecessors originally operated only to Central and South America. For services to such points, its Miami and New Orleans

*"Common rating" refers to the practice of ITT, RCA and WUI of quoting the same rate for service to certain points from their New York gateway as from Miami. TRT asserts that because it must quote a rate from Miami it cannot compete in New York since a New York customer must add to the TRT rate the charges for a tie-line to Miami.

gateways were sufficient, and TRT had not much need for a New York gateway. However, we have recently authorized TRT to serve Italy, the United Kingdom and the Federal Republic of Germany. Carriers serving these points traditionally operate from the New York City gateway, and we believe that TRT should now be granted the same authority. We further believe that ITT, RCA and WUI should have access to the Miami and New Orleans gateways for all of their authorized services since they serve points in the Caribbean and Central and South America.

33. To the extent that TRT has customers in New York City and vicinity, it would be less costly to the customer and operationally more efficient for TRT to serve them via a New York gateway rather than the Miami gateway. By the same token, it would eliminate unnecessary back-hauling of communications and extra charges to the New Orleans and Miami area customers of ITT, RCA and WUI if their services to Latin America could be provided through the Miami and New Orleans gateways rather than via the New York gateway.³³ In short, we find that the public will benefit from opening existing gateways to all carriers through the elimination of charges to it for unnecessary backhauling. This will also give users more freedom to select the carrier of their choice without being influenced by the disadvantages imposed on some carriers by artificial gateway restrictions. Further, we believe that considerations of fair competition require that all carriers serving the same points be given equal treatment.

34. Contrary to the contention of some of the parties, we do not view this action as a departure from traditional gateway concepts. As indicated above, the initial gateway authorizations were dictated by economic and operational concerns, such as proximity to cable heads or radio transmitters and the fact that the authorized carriers had commercial operations in such cities which were convenient to the international points they served. Since those initial authorizations, technology has advanced and we now have earth stations for the international communications satellite system. Moreover, the IRCs have been authorized to serve new points, based on findings that the public interest would be served thereby. It is reasonable therefore to conclude that the carriers should also have access to the gateway traditionally used for service to such points. Just as the original gateway authorizations had

their basis in concerns of economy, efficiency and competitive fairness, the revisions we now propose are premised on the same concerns in the light of today's conditions.

35. With respect to the economic impact, if any, on the carriers operating in existing gateways, we believe that such impact will not be of a degree sufficient to impair their ability to adequately serve the public. We note that in recent years we have found that additional competition provided by TRT in service to various European countries was reasonably feasible and offered a reasonable expectation of benefit to the public.³⁴ Similarly, our authorizations to RCA, ITT and WUI to use Miami as a gateway for leased channel services were based on findings that the additional competition was feasible and offered benefits to the public. In both of these instances, we believe that experience has shown that benefits to the public have accrued. We believe that the additional competition proposed herein will provide benefits to the public in the form of economy, efficiency and increased customer choice.

36. Concerning the alleged effect on Western Union, we point out that New York City is already a gateway for four IRCs, whose combined international services far outshadow the relatively small volume of TRT. The same is true also in the case of TRT's later-filed applications for authority to provide all its services in New York as well as the Washington and San Francisco gateways.³⁵ The effect on WU may be somewhat greater in the case of ITT, RCA and WUI in Miami and New Orleans. However, there is no basis in the record before us, or in other filings and reports WU makes to the Commission, for concluding that any economic effect on WU is likely to have an adverse effect on WU's charges for its basic domestic services. Insofar as hinterland traffic is concerned, the only difference is that WU will be receiving traffic from, turning traffic over to, more carriers at the same points. While ITT, RCA and WUI will have direct pick-up and delivery of some traffic within the narrow confines of these two gateway cities that would otherwise be handled by WU, we cannot conceive that this would have any substantial effect on WU. We would be reluctant to prejudice the public interest in the provision of international services by maintaining inefficient competitive conditions among IRCs merely on the ground of minimal economic effect on WU, in the absence of a strong showing of substantial, adverse effect on the public.

37. One final matter warrants consideration. By order subsequent to the original notice in Docket No. 19660, 40

³³Tropical Radio Telegraph Co., 35 FCC 2d 950 (1972), reconsideration denied, 40 FCC 2d 1168 (1973); TRT Telecommunications Corp., 46 FCC 2d 1042 (1974); TRT Telecommunications Corp., 49 FCC 2d 1408 (1974).

³⁴As indicated, TRT does not use WU for the Latin American leased channel traffic of its present New York customers.

FCC 2d 1082, 1088-9 (1973), we added an issue to determine whether the carriers participating in the Central Bureau of Registered Addresses, by refusing the request of TRT to participate therein, have engaged in any practices which are: (a) anti-competitive in nature, or (b) contrary to the public interest standards of the Communications Act, and (c) if so, whether the public convenience and necessity would be served by granting the petition for TRT to participate in the Central Bureau of Registered Addresses. In view of our proposal herein to authorize TRT to use New York City as a gateway, we would expect that other carriers would now permit it to participate in the Central Bureau. However, we do not propose to make any findings on that issue at this time.

38. In light of the foregoing we conclude that the public interest will be served by adoption of a policy that all authorized international carriers be permitted to operate in all established gateways for all of their authorized services. We therefore propose to adopt a policy favoring granting of applications of IRCs insofar as they seek authority to use the established gateways of New York City, Washington, D.C., Miami, New Orleans and San Francisco.³⁶

III. ORDER

39. Accordingly, it is ordered, pursuant to section 403 of the Communications Act, that interested persons may submit comments on the foregoing Tentative Statement of Policy on or before September 5, 1975.

Adopted: July 24, 1975.

Released: August 6, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc. 75-20861 Filed 8-8-75; 8:45 am]

[FCC 75-884; Docket No. 20555, File No. 7424-C5-P-71; Docket No. 20556, File No. 1065-C5-P-72; Docket No. 20557, File No. 1088-C5-P-72]

PEABODY TELEPHONE ANSWERING SERVICE, ET AL.

Construction Permits in the Multipoint Distribution Service for a New Station at Boston, Mass.

By the Commission: Commissioner Lee dissenting.

1. The Commission has before it the above-referenced applications of Peabody Telephone Answering Service (Peabody), filed on June 16, 1971; Microband Corporation of America (Microband), filed on August 25, 1971; and DPRS, Inc., trading as Zipcall (Zipcall), filed on August 27, 1971. All three applications propose Channel 1 operation in the Multi-

³⁶The authorizations for the actual facilities will be treated on an individual basis as the applications become ripe for consideration.

³³Now, for example, if TRT has a New York customer for leased channel service to Europe via satellite, the customer must bring the communication to Miami on facilities leased from a domestic carrier like AT&T and paid for by the customer. TRT then carries the communication over its lines back to the Etam, West Virginia or Andover, Maine earth station for transmission to Europe. With access to the New York gateway, TRT could carry the communication directly from New York to Etam or Andover, with elimination of the unnecessary backhauling and extra charges to consumers entailed thereby.

point Distribution Service (MDS)¹ in the Boston area, and thus are mutually exclusive and require comparative consideration. All three applications have been amended as a result of informal requests of the Commission staff for additional information, and no petitions to deny or other objections to any of the applications have been received.

2. Both Peabody and Zipcall are existing radio common carriers providing mobile telephone service to the greater Boston area. In addition, Zipcall has recently been granted a construction permit to construct a Channel One MDS facility at Worcester, Massachusetts. Microband, a wholly-owned subsidiary of the Arthur Lipper Corporation, has operating MDS facilities in several cities at the present time and construction permits for several more locations not yet operational.

3. This group of mutually exclusive applications represents the first instance of the need for comparative evaluation in the MDS service, and we therefore believe that a general discussion of the comparative criteria is appropriate. The first factor deals with the relative merits of each proposal considering the efficiency of frequency usage. Under this issue, we would expect examination of the transmitter location, the nature of the antenna system, the transmitting and receiving equipment characteristics, and any other factors which may reasonably affect the service area and frequency usage by others in the same general area. Generally speaking, the applicant which offers the greatest effective service area² compatible with adjacent channel use in the same city and co-channel use in nearby cities (as reasonably possible) should be preferred. The investigation in this area should be complete enough so as to arrive at a reasonable comparative result but limited so as to preclude highly complex and lengthy technical analysis that would be of only marginal significance.

4. The Commission's Rules regarding this service have been designed to allow the maximum amount of flexibility possible to the operator of a facility in its use of the radio spectrum to satisfy the varied service requirements of its customers. This flexibility will enable the MDS operator to meet, along with those requirements which currently exist, new and different uses for the facilities which are likely to develop in the future. Thus, the types of services proposed initially by the applicants, as well as the ability of the facilities proposed to adapt to those new services which may arise, are of importance in the comparative evaluation of applications. For example, two of the Boston applicants propose the construction of rather complete programming facilities which will enable a customer to

originate various types of programs, e.g. live events, tape, or film. The other Boston applicant does not propose the construction of its own studio facilities but will help arrange for the use by its customers of existing local facilities. The cost of such facilities as proposed by Microband and Peabody, which may result in higher cost of service to their customers, may well be justified by an existing or likely need for such equipment or to provide a variety of uses of the service which would not otherwise be possible. On the other hand, if the additional facilities proposed are not likely to meet any effective public need, and the cost of the resulting service to customers would in fact become more expensive because of the higher costs involved, such proposals would not seem to be advantageous. As a further example of the type of flexibility of service envisioned for MDS, the provision of, or adaptability to, remote pickup equipment can be considered. These examples should not be considered inclusive of the various types of flexibility of service potential which may be considered under Issue 2, but rather as indices of the types of differences between the proposals which should be evaluated. However, we believe that the investigation in this area should be limited to service requirements based on definite factual evidence (e.g. expressions of interest by potential customers or classes thereof) and service flexibility predicated upon practical economic and technical considerations.

5. Together with the nature and variety of services and facilities proposed, the quality and reliability of service which may be anticipated from the various applicants should also be analyzed. For example, the adequacy of the maintenance proposal of an applicant will be a factor in determining whether the services and facilities it proposes to operate will in fact be available on a regular basis with the minimum amount of disruption. Other factors may also have a bearing on the quality and reliability of service which may be anticipated; for example, significant differences in equipment or in the installation programs for receive facilities.

6. In evaluating the proposed charges, regulations and conditions of service, it is important to consider them in relation to the nature and quality of service. For instance, a lower level of charges or more favorable regulations or conditions of service standing alone does not necessarily merit comparative advantage or disadvantage. As indicated in paragraph 4 above, a lower rate level, for example, may be obtained by failure to provide equipment which would significantly enhance the service that could be rendered by the facility. On the other hand, establishing a facility incorporating equipment not proposed by other applicants, may result in the provision of service, although of higher quality, far in excess of the likely needs of any potential customers (i.e. unnecessarily "gold plated"). Therefore, lower charges would warrant a comparative advantage only in context with the quality and type of service to

be rendered (i.e. represents a better bargain for the subscriber). Of course, the level of charges should be compared to capital costs and operating expenses so that it would appear that such charges would yield a reasonable return on investment. In addition to the charges to be made for service, any regulations or conditions of service contained in existing or proposed tariffs of the applicants may be comparatively evaluated to determine if any of these regulations or conditions appear to significantly limit the number, nature, or identity of potential customers or the flexibility of services available to these customers.

7. The MDS industry is in its developmental stage and although the Commission believes that it has a great potential to serve a large variety of service requirements, the success of any given MDS facility will be due to a large extent to the ability of the carrier to successfully promote the availability of these services and to provide innovative offerings as necessary to attract maximum and diverse use of the station. We believe the MDS operator will require a great amount of both managerial and promotional ability in order to succeed in what is still an infant communications business. Although we recognize that the evaluation of somewhat intangible qualities in an applicant may be difficult, we believe that it is a relevant and important consideration. In making such a determination, two of the factors which are likely to be of significance are: (a) the background of the active managers and the extent and nature of their managerial and promotional experience; and (b) the plans they have for developing and promoting the service.

8. Upon review of the captioned applications, we find that the three applicants are legally, technically, financially, and otherwise qualified to provide the services which they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.

9. Accordingly, it is hereby ordered, That pursuant to Section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Peabody Telephone Answering Service, Microband Corporation of America, and DPRS, Inc., trading as Zipcall, are designated for hearing, in a consolidated proceeding, at the Commission's offices in Washington, D.C., on a date and before an Administrative Law Judge to be specified by later order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order to best serve the public interest, convenience, and necessity. In making such a determination the following factors shall be considered:

(a) The relative merits of each proposal with respect to efficient frequency use;

(b) The nature of the services and facilities proposed, and whether they will satisfy those types of service requirements that are likely to exist or be developed in the Boston area;

¹ MDS is a newly created common carrier omnidirectional microwave radio service. See the Report and Order in Docket No. 19493, 45 FCC 2d 616 (1974).

² In context with MDS, the term "service area" is not considered synonymous with general population density. Rather, it should be considered that area representing the largest concentration of potential users.

(c) The anticipated quality and reliability of the service proposed, including installation and maintenance programs;

(d) The charges, regulations, and conditions of the service to be rendered, and the relation of charges to the costs of services; and

(e) The managerial, promotional, and entrepreneurial abilities and background of the applicants.

10. It is further ordered, That Peabody Telephone Answering Service, Microband Corporation of America, DPRS, Inc., trading as Zipcall, and the Chief, Common Carrier Bureau, are made parties to this proceeding.

11. It is further ordered, That parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of Section 1.221 of the Commission's Rules.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-20871 Filed 8-8-75; 8:45 am]

RADIO TECHNICAL COMMISSION FOR
AERONAUTICS

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of the Radio Technical Commission for Aeronautics Special Committee 129, Future Civil Aviation Spectrum Requirements. It is to be held September 4-5, 1975, in Conference Room 8210, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C., commencing at 9:30 a.m.

AGENDA

1. Approval of Minutes of Third Meeting, held July 31 and August 1, 1975.
2. WARC-79—Gordon L. Huffcutt, Advisor, Office of International Communications Policy, Department of State.
3. Chairman's Report:
 - a. Review of SC-129 Work Program.
 - b. Ad hoc group structure, Terms of Reference and procedures.
 - c. Outline of ad hoc group Work Program.
4. Reports of ad hoc Group Chairmen.
5. Ad hoc group working sessions.
6. Report of ad hoc group working sessions.
7. Other Business.
8. Date and Place of Next Meeting.

Meetings of Special Committee 129 are open to the public, subject to limitations of space available, and any member of the public may present oral statements at the meeting, subject to time available, or may submit written statements to the RTCA Secretariat. Persons planning to attend or who desire additional information concerning this meeting are requested to contact the RTCA Secretariat,

Suite 655, 1717 H Street, N.W., Washington, D.C., 20006, or telephone Area Code (202) 296-0484.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-20870 Filed 8-8-75; 8:45 am]

[FCC 75R-292; Docket No. 20287,
File No. BR-1525]

WALTON BROADCASTING, INC. (KIKX)
Renewal of License

This proceeding involves the application of Walton Broadcasting, Inc. (Walton), for renewal of its license to operate standard broadcast Station KIKX, Tucson, Arizona. By Order and Notice of Apparent Liability, FCC 74-1368, 40 FR 833, published January 3, 1975, the Commission designated the captioned application for hearing on various issues. Now before the Review Board is a petition to enlarge issues, filed on May 9, 1975, by the Broadcast Bureau, requesting the addition or misrepresentation and Rule 73.125 issues against Walton.¹

2. In support of the requested issues, the Bureau relies on a letter dated April 23, 1975, from Martin Ross, vice-president of Walton and general manager of Station KIKX to Walton's communications counsel. Therein, Ross states, in pertinent part:

They (Black Media Coalition) have also asked about our affirmative action program and having none, I will contact a local member, Roy Cooksey, to get his input on developing one.

According to petitioner, this admission by Ross that Station KIKX does not have an affirmative action program as required by Section 73.125 of the Commission's Rules, when contrasted with the equal employment opportunity (EEO) program exhibits submitted by Walton in response to Section VI of its 1971 and 1974 KIKX renewal applications, raises questions with regard to the truthfulness of Walton's representations of its intention to implement and effectuate those EEO programs. In addition, the Bureau contends, citing *Triple X Broadcasting Company, Inc.*, 51 FCC 2d 585, 32 RR 2d 1560 (1975), since Section 73.125 of the

¹ Also before the Board are the following related pleadings: (a) erratum, filed May 12, 1975, by the Bureau; (b) opposition, filed June 9, 1975, by Walton; (c) reply, filed June 19, 1975, by the Bureau; (d) petition for leave to file supplemental statement, filed June 26, 1975, by Walton; and (e) supplemental statement, filed June 26, 1975, by Walton. Walton's unopposed motion for leave to file a supplemental statement will be granted and the supplement will be accepted.

Commission's Rules requires an affirmative action program to overcome the effect of past discrimination, the above-noted admission also raises a question concerning Walton's compliance with that section of the rules. Therefore, the Bureau concludes, an inquiry into the employment practices of KIKX since July 6, 1971, the date it filed its 1971 renewal application, is also warranted.²

3. In opposition, Walton argues that the Bureau's petition is based on a mistaken premise, namely that, in referring to the absence of an affirmative action program, Ross meant that term to be synonymous with both the requirements embodied in Section 73.125 of the Commission's Rules and the representations made by Walton in Section VI of the 1971 and 1974 KIKX license renewal applications. Rather, Walton asserts that on April 23, 1975, KIKX did have an "equal employment policy—affirmative action program" as required by Rule 73.125 and Section VI, and the above-quoted statement in Ross' letter did not imply anything to the contrary since Ross used the term affirmative action program in a far broader sense than is used by the Commission.³ In support of its position, Walton submits an affidavit wherein Ross avers that his letter of April 23, was written following a discussion with the Black Media Coalition regarding an affirmative action program, that based on that discussion he understood the term affirmative action to mean an actual written proposal which would specify timetables, specific dates and quotas with respect to the hiring and training of minorities,⁴ that he advised the Black

² The Bureau argues that good cause exists for the late-filing of the subject petition since the letter it relies upon was initially furnished to the Commission in Walton's opposition to informal objection, filed May 5, 1975. In addition, the Bureau notes that it acted within a reasonable time after receipt of this information. Moreover, the Bureau maintains that this newly discovered information raises serious public interest questions, which warrant consideration on the merits, citing *The Edgefield-Saluda Radio Company (WJES)*, 5 FCC 2d 148, 8 RR 2d 611 (1966).

³ Walton also notes that the specific terms "affirmative action program" and "affirmative action" are not mentioned in either Rule 73.125 or Section VI of FCC Form 303.

⁴ In this regard Walton explains that the meaning of the term affirmative action is subject to different interpretations, both legally and as a matter of ordinary parlance. Thus, Walton submits an analysis of the variance between what the Commission means by the term and the broader meaning currently in use by the federal courts. Walton asserts that the "inevitable result" of the widespread publicity those federal cases have been given in the press is that Ross and the Black Media Coalition would use the term affirmative action in roughly the same manner in which it is being used by the federal courts.

Media Coalition that KIKX did not have an affirmative action program of that kind and that this was what he meant when he wrote his April 23 letter. In addition, Ross avers that he was informed by communications counsel that if KIKX was doing what was spelled out in its renewal application, it was satisfying the Commission's Section VI requirements. Viewed in this light, concludes Walton, the statement contained in the April 23 letter was accurate in the way Ross meant it and reflected absolutely no impropriety.

4. In reply, the Bureau argues that even accepting Walton's premise that there are distinctions between interpretations applied to the concept of affirmative action, it is nevertheless manifestly clear that Walton has failed to comply with the literal requirements of Section 73.125(b) (3) and (5) of the Commission's Rules.^{*} In particular, the Bureau asserts that while the applicant may have an EEO program on paper, the licensee has failed to substantiate whether it, in fact, has an operational plan and methodology for implementing that EEO program. In support, the Bureau provides a breakdown of KIKX's employees during 1972, 1973 and through approximately June 1, 1974, as disclosed in KIKX's renewal application and a November 8, 1974 amendment thereof. In view of that analysis, petitioner concludes that the small number of minority employees hired over a period of almost three years, as well as the apparent inability to retain minority employees, reflects fundamental inadequacies in the licensee's EEO program or a lack of guidelines with respect to its proper implementation.

5. In its supplemental statement Walton requests that no consideration be given to the Bureau's reply since it, in effect, abandons reliance on the April 23 letter and, for the first time, relies upon allegations as to the effectiveness of the licensee's EEO program based solely upon the number of minority employees KIKX has hired. Moreover, even considering the substance of the Bureau's reply, Walton contends that it lacks merit since the Bureau is claiming the existence of a misrepresentation based upon a failure to perform, which, Walton asserts, has never been held by

the Commission to be evidence of an original lack of intent to perform. In any event, argues Walton, the questions of implementation and whether the licensee's performance falls within the zone of reasonableness were previously considered by the Commission before it designated the KIKX renewal application for hearing. Specifically, Walton notes that in response to a Bureau inquiry requesting information concerning the implementation of its EEO program, the licensee amended its application on November 8, 1974. Nevertheless, continues Walton, the Commission obviously felt that no substantial question about the licensee's EEO performance was raised by the November amendment since it failed to designate an EEO performance issue. Accordingly, Walton concludes that the Bureau's request is an untimely request for reconsideration of matters previously ruled on by the Commission.

6. The Review Board will add the requested issues.^{*} The Board agrees with Walton's assertion that the Bureau's reply pleading contains new allegations of fact which are not responsive to matters raised in the opposition, and we therefore will disregard those allegations.^{*} However, the Board is also of the view that the allegation contained in the Bureau's petition, i.e. Ross' statement that Station KIKX has no affirmative action plan, raises substantial questions as to the accuracy of the representations contained in Section VI of KIKX's 1971 and 1974 renewal applications and its compliance with the requirements of Section 73.125 of the Commission's Rules. These questions cannot, in our opinion, be resolved solely on the basis of Ross' self-serving explanation that he understood the term affirmative action plan to mean something other than the requirements contained in the Commission's Rules. Rather, we believe that, absent some substantiation of Walton's representation that it does have such a program, an evidentiary inquiry into the truthfulness of the representation and Walton's compliance with Commission requirements in this regard is warranted. The Bureau's petition will therefore be granted.

7. Accordingly, it is ordered, That the petition for leave to file supplemental statement, filed June 26, 1975, by Walton Broadcasting, Inc. (KIKX), IS GRANTED and the supplemental statement is accepted; and

8. It is further ordered, That the petition to enlarge issues, filed on May 9, 1975, by the Broadcast Bureau is granted, and that the issues in this proceeding are enlarged by the addition of the following issues:

^{*}The Board notes that petitioner has shown good cause for its delay in filing its initial petition, see note 2, *supra*, as required by Section 1.229(b) of the Commission's Rules.

^{*}See Sections 1.45 and 1.294 of the Rules. Also see *Industrial Business Corporation*, 40 FCC 2d 69, 26 RR 2d 1447 (1973).

(a) To determine whether Walton Broadcasting, Inc. made misrepresentations to the Commission in connection with the submission of an equal employment opportunity program;

(b) To determine whether Walton Broadcasting, Inc. has violated Section 73.125 of the Commission's Rules;

(c) To determine, in light of the evidence adduced pursuant to issues (a) and (b), above, the effect upon the qualifications of Walton Broadcasting, Inc. to remain a licensee of the Commission.

9. It is further ordered, That the burden of proceeding with the introduction of evidence under Issues (a) and (b), above, shall be on the Broadcast Bureau, and that the burden of proof under all of the issues added herein shall be on Walton Broadcasting, Inc.

Adopted: July 31, 1975.

Released: August 6, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-20874 Filed 8-8-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION STATE SET-ASIDE PROGRAM Postponement of Hearing

On July 16, 1975, the Federal Energy Administration issued a notice of proposed rulemaking and public hearing on proposals to modify or terminate the State set-aside program (40 FR 30500, July 21, 1975). The public hearing was scheduled to be held on August 12, 1975, in Washington, D.C.

Notice is hereby given that the hearing is postponed until further notice. FEA has received a number of requests for regional hearings, and is considering whether the scheduled hearing should be restructured on a regional basis.

Upon resolution of this matter, FEA will attempt to contact all the persons who requested an opportunity to make an oral presentation on August 12, and provide them an opportunity to present their views at a hearing in Washington or elsewhere. In addition, FEA will provide general notice of dates and locations of the hearings and of the procedures to be followed to request an opportunity to make an oral presentation. FEA will also provide notice of any additional opportunity to submit written data, views, and arguments with respect to these proposals.

Issued in Washington, D.C., August 7, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

[FR Doc.75-21060 Filed 8-7-75;3:49 am]

^{*}Section 73.125(b) (3) and (5) state that under the terms of its EEO program, a station shall:

(3) Communicate the station's equal employment opportunity policy and program and its employment needs to sources of qualified applicants without regard to race, color, religion, national origin or sex, and solicit their recruitment assistance on a continuing basis; and

(5) Conduct continuing review of job structure and employment practices and adopt positive recruitment, training, job design, and other measures needed in order to insure genuine equality of opportunity to participate fully in all organizational units, occupations, and levels of responsibility in the station.

FEDERAL POWER COMMISSION

[Docket No. CP76-29]

ARKANSAS LOUISIANA GAS CO.

Application

AUGUST 4, 1975.

Take notice that on July 25, 1975, Arkansas Louisiana Gas Company (Applicant), P.O. Box 1734, Shreveport, Louisiana 71151, filed in Docket No. CP76-29 an application pursuant to Sections 7(b) and 7(c) of the Natural Gas Act and Section 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission and approval to abandon, for a twelve-month period commencing September 24, 1975, and operation of field gas compression and related metering and appurtenant facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which will not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction and abandonment would not exceed \$3,000,000, nor would the cost of any single project exceed \$500,000. Applicant states that the proposed facilities would be financed from cash on hand, from cash generated from internal sources, or from short-term bank loans and other short-term borrowings utilized in the normal operation of Applicant's business.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment

are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-20833 Filed 8-8-75; 8:45 am]

[Docket No. CP76-32]

CITIES SERVICE GAS CO.

Application

AUGUST 4, 1975.

Take notice that on July 28, 1975, Cities Service Gas Company (Applicant), P.O. Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP76-32 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of one tap and measuring, regulating, and appurtenant facilities for a direct sale of natural gas for domestic and irrigation use in Haskell County, Kansas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that pursuant to a voluntary grant of right-of-way easement obtained from Forrest Cox as administrator of the Edith Cox estate (Cox), it agreed to make a single tap on its existing Kansas Hugoton Field 20-inch gathering pipeline in Haskell County and to sell and deliver gas therefrom to Cox for domestic and irrigation uses. Applicant estimates the annual additional sales made by means of the proposed tap would be approximately 2,070 Mcf of gas. Applicant estimates that the cost of the proposed tap would be approximately \$1,010, to be financed from treasury cash.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 29, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

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 fur-

ther notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-20834 Filed 8-8-75; 8:45 am]

[Docket No. CP73-302]

COLUMBIA GAS TRANSMISSION CORP.

Order Granting Interventions, Setting Hearing Date, and Prescribing Procedure

AUGUST 4, 1975.

On May 14, 1973, Columbia Gas Transmission Corporation (Columbia) filed in Docket No. CP73-302 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of natural gas storage facilities.

Columbia proposes to activate a depleted Clinton gas production field for underground storage operations in Fairfield and Hocking Counties, Ohio, to be known as Crawford Storage Field. Columbia requests authorization to develop 230 storage wells in the field, to construct and operate 137 miles of 4-inch through 30-inch well and field lines, a gas measurement facility at its nearby Crawford Compressor Station, and to install miscellaneous headers and yard piping at Crawford Compressor Station to permit utilization of existing compressor horsepower. Columbia also intends to make a lease acquisition of approximately 70,000 acres, 36,800 acres of which are within the storage reservoir boundary. The estimated total capacity of the field is 115,000,000 Mcf at an average shut-in pressure of 800 psig, with an estimated peak day delivery of 690,000 Mcf.

Columbia states that the proposed storage capacity will assist it in maintaining its authorized levels of service to its existing customers and that it does not propose any additional sales above the level of its existing authorizations. It alleges that the new storage field will assist it in offsetting curtailments by three of its five non-affiliated pipeline suppliers and will permit it to warehouse excess summer gas supplies for delivery in the high demand winter heating season.

The estimated cost of the facilities is \$32,972,200 to be financed by the sale of notes and/or common stock to the Columbia Gas System, Columbia's parent company.

These proceedings have been held in abeyance pending the preparation, publication and circulation of a "Final Envi-

ronmental Impact Statement". Such a statement became available on May 9, 1975. Consequently, we deem it now timely and appropriate to establish a hearing date and procedures for this proposal. There, Columbia and any other parties may present evidence with regards to the financial, technical and/or environmental feasibility and desirability of the instant proposal.

Petitions to intervene in this proceeding were filed by Dayton Power and Light Company on June 11, 1973; New York State Electric & Gas Corporation on June 18, 1973; Washington Gas Light Company on June 20, 1973; and the Department of Natural Resources, State of Ohio (DNRO), on July 9, 1974.

On October 24, 1974, Commission Staff sent a letter to Columbia requesting supplemental information. This data was received on December 27, 1973. On March 18, 1974 Columbia filed additional information to its above application. On April 30, 1974, Columbia filed an application for a temporary certificate in this proceeding. Such application was denied on June 10, 1974. As part of its July 8, 1974 petition to intervene, DNRO sought an extension of thirty days in which to file objections to the Draft Environmental Impact Statement (DEIS) and submitted comments supporting its motion to intervene. On July 15, 1974 comments on the DEIS were filed by the Department of Health, Education and Welfare. The time for comments on the DEIS was extended to September 15, 1974 by notice dated July 18, 1974. Comments were received from: DNRO on July 22, 1974; Department of Transportation, United States Coast Guard on July 24, 1974; Forest Service and Soil Conservation Service of the Department of Agriculture on August 8, 1974; Columbia on August 9, 1974; and Department of the Interior on August 9, 1974. On August 16, 1974, DNRO filed a supplement to its July 8, 1974 request which was corrected and re-submitted on August 19, 1974. On August 20, 1974 a comment of the Ohio Environmental Protection Agency (OEPA) on the DEIS was filed. A comment on the Final Environmental Impact Statement was filed by: OEPA on June 9, 1975; Columbia on June 30, 1975; and OEPA on July 3, 1975.

The Commission finds. (1) The intervention of the above parties in this proceeding may be in the public interest.

(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 issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

The Commission orders. (A) The above parties are hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition, for leave to intervene; and *Provided, further,* That the admission of said

interveners shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the Authority of the Natural Gas Act, particularly Sections 7 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held on September 16, 1975, at 10 a.m. (e.d.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

(C) On or before August 15, 1975, Columbia and any supporting parties shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their positions. This evidence will include, but not be limited to: the source of the gas to be injected into the storage field; the customers to be curtailed to make injection volumes available; and the customers who will obtain the volumes withdrawn during the winter.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure and the purposes expressed in this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.
[FR Doc. 75-20819 Filed 8-8-75; 8:45 am]

[Docket No. RP73-85, Docket No. RP73-86]

COLUMBIA GULF TRANSMISSION CO. AND COLUMBIA GAS TRANSMISSION CO.

Order Accepting Withdrawal From Settlement, Reopening Proceeding, and Remanding for Further Hearing

AUGUST 1, 1975.

By Opinion No. 734, issued June 12, 1975, we granted rehearing of a prior order in these proceedings¹ and accepted a proposed Stipulation and Agreement, with certain conditions, in resolution of the difficult issues presented in these proceedings. On July 10, 1975, Columbia Gulf Transmission Company (Columbia Gulf) and Columbia Gas Transmission Company (Columbia Gas) (collectively Columbia) advised the Commission that, pursuant to Article XVII of the Agreement, it was withdrawing from the Settlement instead of seeking reconsideration of our Opinion. Columbia states that it will promptly explore the possibility for the development of a revised Settlement.

¹ Order Approving Stipulated Issue And Rejecting Proposed Stipulation And Agreement And Remanding For Further Hearing And Setting Procedural Dates, issued January 20, 1975.

We do not intend to foreclose any discussions among the parties and the Commission Staff to explore the possibility of a revised settlement agreement. However, we cannot rely on this possibility and at the same time perform our statutory duty under Section 4(e) of the Natural Gas Act to give preference to the hearing and decision of questions of proposed rate increases over other matters before the Commission. Accordingly, we shall order procedural dates to provide that the parties may file additional evidentiary support for their positions regarding the just and reasonable rates to be collected by Columbia during this locked in period. Since we herein accept Columbia's withdrawal from the agreement, the settlement becomes privileged under Section 1.18(e) of the Commission's Regulations.² Although we have passed on the merits of the originally proposed settlement and accepted it with certain conditions, we expect that different positions would be presented in the context of a contested hearing or a subsequent settlement proposal. We shall pass on the merits of the justness and reasonableness of Columbia's rates when we are presented with a complete record or subsequent settlement agreement exploring all issues raised, whether or not addressed by the Stipulation and Agreement which was the subject of Opinion No. 734.

We note that Columbia's stated reason for withdrawing from the agreement was that its actual sales were some 70 Bcf below the sales volumes adopted by Opinion No. 734. Columbia stated that therefore it would fall short of realizing the rate of return found just and reasonable by our Opinion No. 734. We believe that the parties should address their attention to this matter, as well as all other issues which may bear upon the determination of the just and reasonable rate level for Columbia. For example, for the purposes of the settlement cost of service, Federal Income Taxes were computed at the statutory rate rather than the actual effective rate available to Columbia, on a consolidated basis. We believe it appropriate that the parties address this and all other items related to the justness and reasonableness of the proposed rates in the remanded proceedings.

For the foregoing reasons, we shall accept Columbia's withdrawal from the settlement agreement in these proceedings, reopen the record herein, and remand the case for an evidentiary hearing as to all matters relating to just and reasonable rates for Columbia, as hereinafter ordered.

The Commission finds. It is necessary and appropriate and in the public interest to aid in the enforcement of the Natural Gas Act that the proceedings in the instant dockets be reopened and remanded as hereinafter ordered.

The Commission orders. (A) Columbia's withdrawal from the proposed Stipulation and Agreement filed herein, except as to the issue resolved by Article III and approved by the Commission, is hereby accepted.

(B) The proceedings are hereby reopened and remanded for an evidentiary hearing in accordance with the procedural schedule hereinafter ordered.

(C) A public hearing as to the lawfulness of the increased rates charged by Columbia and in effect, subject to refund, shall be held on December 16, 1975, at 10 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

(D) On or before September 2, 1975, Columbia shall file supplemental testimony and exhibits in these proceedings. Staff testimony and exhibits shall be filed on or before November 4, 1975. Any intervenor testimony and exhibits shall be filed on or before November 18, 1975. Company rebuttal shall be filed on or before December 2, 1975.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20820 Filed 8-8-75; 8:45 am]

[Docket Nos. RP75-105, RP75-106]

COLUMBIA GULF TRANSMISSION CO. AND COLUMBIA GAS TRANSMISSION CO.

Order Granting Late Petition To Intervene

AUGUST 1, 1975.

On July 7, 1975 the City of Columbus, Ohio filed a petition to intervene out of time in these consolidated dockets. A joint petition to intervene out of time was also filed by the Cincinnati Gas & Electric Company (Cincinnati Gas) and the Union Light, Heat and Power Company (Union) on July 7, 1975. Notice of the filings of Columbia Gulf Transmission Company and Columbia Gas Transmission Company were issued June 4, 1975, with protests and petitions to intervene due on or before June 20, 1975. Several timely and untimely petitions to intervene were received and subsequently granted by order dated July 14, 1975. Cincinnati Gas and Union state that allowance of their joint petition will cause no delay in the procedural schedule heretofore established in this proceeding.

The Commission finds. It is desirable and in the public interest to allow the above-named petitioners to intervene.

The Commission orders. (A) The above-named petitioners are hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however*, That participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in the petitions to intervene; and *Provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The interventions granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20821 Filed 8-8-75; 8:45 am]

[Docket No. ER75-37]

CONNECTICUT LIGHT AND POWER CO.

Termination

AUGUST 1, 1975.

Take notice that The Connecticut Light and Power Company (CL&P) tendered for filing on July 28, 1975, a Notice of Termination of FPC Rate Schedule No. CL&P 101 and HELCO 82, together with Supplements 1 thereto, effective September 1, 1974, and November 20, 1974, respectively, and terminated in accordance with its terms, effective April 30, 1975. CL&P states that notice of the proposed termination has been served upon the Montauk Electric Company and The Hartford Electric Light Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20832 Filed 8-8-75; 8:45 am]

[Docket No. RP71-77; Remand]

CONSOLIDATED GAS SUPPLY CORP.

Further Extension of Procedural Dates

AUGUST 4, 1975.

On July 30, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by Opinion No. 703-A issued March 28, 1975, as most recently modified by notice issued July 10, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff Testimony, August 23, 1975.
Service of Intervenor Testimony, September 4, 1975.

Service of Company Rebuttal, September 17, 1975.

Hearing, September 23, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20835 Filed 8-8-75; 8:45 am]

[Docket No. CI76-41]

CONTINENTAL OIL CO.

Application

AUGUST 1, 1975.

Take notice that on July 23, 1975, Continental Oil Company (Applicant), P.O. Box 2197, Houston, Texas 77001, filed in Docket No. CI76-41 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), from Block 177, West Cameron area, offshore Louisiana all as more fully set forth in the application on file with the commission and open to public inspection.

Applicant proposes to sell to Tennessee 75 percent of the gas production from the subject producing properties and states that it has a three-year option to reserve the remainder for its own use. Estimated monthly sales are 30,000 Mcf of gas. The initial contract rate for the subject sales is 52.02 cents per Mcf at 15.025 psia, including all adjustments and tax reimbursements, but subject to an upward and downward Btu adjustment from a base of 1,000 per cubic foot of gas. Applicant states that any retained reserves would be transported onshore by Tennessee.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own re-

view of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-20822 Filed 8-8-75; 8:45 am]

[Docket No. ID-1763]

DONALD W. MCCARTHY
Initial Application

AUGUST 1, 1975.

Take notice that on June 20, 1975, Donald W. McCarthy, (Applicant) filed an initial application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Executive Vice President, Northern States Power Company (Minnesota), Public Utility.
Director, Northern States Power Company (Minnesota), Public Utility.
Director, Northern States Power Company (Wisconsin), Public Utility.

Northern States Power Company, Minnesota, has its principal office at 414 Nicollet Mall, Minneapolis, Minnesota. It owns and operates utility properties and furnishes electric service at retail in 418 communities and adjacent rural territories and electric energy at wholesale for resale in 28 additional communities and to 12 other utility companies, including its only utility subsidiary, Northern States Power Company (Wisconsin). Of the 446 communities so served, 390 (including Minneapolis and St. Paul) are located in Minnesota, 18 in North Dakota, and 38 in South Dakota. The Company also furnishes natural gas at retail in St. Paul and 61 other communities in Minnesota and in five communities in North Dakota; steam heating service in the central business districts of St. Paul, Minnesota; and telephone service in Minot, North Dakota, and vicinity.

Northern States Power Company (Wisconsin) has its principal office at 100 North Barstow Street, Eau Claire, Wisconsin. It owns and operates utility properties in west central Wisconsin. It furnishes electric service at retail in 171 communities and adjacent territories and electric energy at wholesale for resale to 11 additional communities. It also furnishes natural gas at retail in 11 communities.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the Commission's Rules

of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-20823 Filed 8-8-75; 8:45 am]

[Docket No. CP75-48]

EL PASO NATURAL GAS CO.
Petition To Amend

AUGUST 1, 1975.

Take notice that on July 24, 1975, El Paso Natural Gas Company (Petitioner), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP75-48 a petition to amend the order of the Commission of November 18, 1974, issued in said docket, to authorize the operation of an additional exchange point for the exchange of natural gas with Northwest Pipeline Corporation (Northwest) under the San Juan Gathering Agreement dated January 31, 1974, as amended, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

The petition states that, by Commission order issued September 21, 1973, in Docket No. CP74-14, Petitioner was authorized to abandon its Northwest Division System facilities to Northwest for the purpose of implementing divestiture under and consistent with the United States District Court's decree entered on June 16, 1972, as amended. It is stated that as part of the implementation of such divestiture, Petitioner and Northwest entered into the San Juan Gathering Agreement to provide for the mutual gathering and exchange of gas in the San Juan Basin area after divestiture. Petitioner states that by order issued January 22, 1974, in Docket Nos. CP73-331, et al., the Commission approved such gathering arrangement and authorized Petitioner and Northwest to operate two existing points of interconnection between their gathering facilities in order to make necessary exchange deliveries of gas. It is further stated that by order issued November 18, 1974, the Commission authorized the establishment of a third point of interconnection for the delivery of balancing gas.

Petitioner alleges that Northwest has advised Petitioner by letter dated April 9, 1975, that under present operations, it may not have the minimum volumes of gas necessary to operate efficiently its Ignacio Gasoline Plant, absent a fourth exchange point at the outlet of said plant. As a result, Petitioner and Northwest have agreed to the utilization of this fourth point of interconnection in order to provide Northwest with greater flexibility and reliability in making balancing exchange deliveries to Petitioner. This

proposed exchange point would be operated by Northwest to effectuate the authorized exchange of gas between the parties in accordance with the San Juan Gathering Agreement.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before August 25, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-20824 Filed 8-8-75; 8:45 am]

[Docket Nos. RP67-9, AR64-1, etc.
and AR61-1, etc.]

EL PASO NATURAL GAS CO.
Report of Refunds Due

AUGUST 1, 1975.

Take notice that on July 14, 1975, El Paso Natural Gas Company (El Paso) tendered for filing and acceptance its report of intended disposition of refunds received in compliance with ordering paragraph (C) of the Commission's Order Directing Disbursement and Flow-Through of Refunds issued March 17, 1975, at Docket Nos. AR64-1, et al., and ordering paragraph (P) (1) of the Commission's order Applying Opinion Nos. 468 and 468-A Rates to Show Cause Proceedings issued November 26, 1968, at Docket Nos. AR61-1, et al.

El Paso states the instant report pertains to producer-supplier refunds received and retained by El Paso, aggregating \$1,124,827.92, applicable to gas purchased by El Paso for resale in its interstate transmission system. Such aggregate refund amount results from refunds received by El Paso from certain producer-suppliers in the amount of \$1,118,857.81 submitted to El Paso in compliance with the aforementioned order of March 17, 1975, at Docket Nos. AR64-1, et al., and other producer-supplier refund amounts received by El Paso pursuant to Commission order issued November 26, 1968, at Docket Nos. AR61-1, et al., in the amount of \$5,970.11. El Paso states that the intended disposition of such amount is consistent with El Paso's obligation to flow through refunds received from its producer-suppliers to its jurisdictional customers, under the Stipulation and Agreement dated as of January 1, 1967, approved by Commission order issued April 3, 1967, at Docket No. RP67-9. Additionally, included in said report is the intended dis-

position of refunds to certain of El Paso's non-jurisdictional direct industrial customers whose sales agreements are keyed to the refund obligations to El Paso's jurisdictional customers subject to said Stipulation and Agreement.

El Paso states that it intends to flow through the jurisdictional amount of \$988,868.82 of such refunds to individual jurisdictional customers in accordance with Article IV of the said Stipulation and Agreement dated as of January 1, 1967. Likewise, El Paso intends to flow through the non-jurisdictional keyed amount, aggregating \$93,766.96, to its non-jurisdictional keyed customers, who, by contractual agreements are treated in like manner as those foregoing jurisdictional customers under the said Stipulation and Agreement. El Paso will retain the remaining non-jurisdictional amount of \$42,192.14 not subject to flow through to its customers. Additionally, El Paso will flow through interest accrued through July 30, 1975, in the amount of \$149.24 on the jurisdictional and non-jurisdictional keyed amount of \$6,619.43 of refunds received and retained pending flow through in accordance with the aforementioned Order Applying Opinion Nos. 468 and 468-A Rates To Show Cause Proceedings and Order Directing Disbursement and Flow-Through of Refunds.

El Paso states that it proposes to flow through the subject refund amounts to those customers entitled thereto on July 31, 1975, or immediately thereafter as the Commission may designate, upon approval of the instant report.

El Paso states copies of the filing were served on all of El Paso's interstate transmission system jurisdictional and non-jurisdictional direct keyed customers and interested state regulatory commissions.

Any person desiring to be heard or to make any protest with reference to this filing should, on or before August 18, 1975, file with the Federal Power Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations Under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20825 Filed 8-8-75; 8:45 am]

[Docket Nos. RP74-19, etc.]

FLORIDA GAS TRANSMISSION CO.

Order Accepting Withdrawal From Settlement, Reopening Proceedings, and Remanding for Further Hearing

AUGUST 1, 1975.

By Opinion No. 732, issued May 20, 1975, we conditionally approved a proposed settlement agreement of the rate proceedings in the above-captioned dockets. The various rates in these dockets were in effect during the period from February 16, 1969 through December 31, 1974. The condition we imposed was to reduce the rate of return for the rates in effect from March 15, 1974 through December 31, 1974, in Docket No. RP74-19, from the proposed level of 9.5% to 9.04%.

By letter filed June 19, 1975, Florida Gas Transmission Company (Florida Gas Transmission) filed a proposed revised settlement agreement which accepts our rate of return condition but proposes to adjust the sales volumes upon which the rates in Docket No. RP74-19 are predicated. Florida Gas Transmission suggests that settlement discussions be resumed in order that the parties may reach a revised settlement to be submitted to the Commission. Because of Florida Gas Transmission's proposed revision to the sales volumes, we shall treat its filing of June 19, 1975 as a withdrawal from the settlement agreement certified to the Commission on November 8, 1974. We herein accept such withdrawal. The proposed settlement, therefore, becomes privileged under Section 1.18(e) of our Regulations.

We recognize Florida Gas Transmission's proposal that additional settlement discussions be held and we do not intend to foreclose the freedom of the parties to these proceedings in this regard. We are, however, constrained to reopen and remand these proceedings for further evidentiary hearings, consistent with our statutory duty under Section 4(e) of the Natural Gas Act that preference over other matters be given to hearings concerning the justness and reasonableness of proposed increased rates. To that end, we shall establish additional procedural dates so that the parties may make an evidentiary showing in support of whatever position they may have in the context of a contested hearing. Although we decided on the merits that the November 8 settlement agreement was just and reasonable as conditioned, we will be required to examine all issues raised as to the lawfulness of the proposed rates in a subsequent settlement agreement or on a full record after hearing and initial decision.

Florida Gas Transmission states that its actual resale sales during 1974 were 12.85 percent below those contained in the settlement agreement, and therefore it cannot earn the return provided by

Opinion No. 732. We direct the parties and the Commission Staff to address this and all other matters relating to the justness and reasonableness of Florida Gas Transmission's rates. For example, for the purposes of the settlement cost of service, Federal Income taxes were computed at the statutory tax rate, a rate different than the rate which may be available to Florida Gas Transmission on a consolidated basis.

For the foregoing reasons, we shall accept Florida Gas Transmission's withdrawal from the settlement agreement in these proceedings, reopen the record herein, and remand the case for an evidentiary hearing as to all matters relating to just and reasonable rates for Florida Gas Transmission, as hereinafter ordered.

The Commission finds. It is necessary and appropriate and in the public interest to aid in the enforcement of the Natural Gas Act that the proceedings in the instant dockets be reopened and remanded as hereinafter ordered.

The Commission orders. (A) Florida Gas Transmission's withdrawal from the proposed Stipulation and Agreement filed herein is hereby accepted.

(B) The proceedings are hereby reopened and remanded for an evidentiary hearing in accordance with the procedural schedule hereinafter ordered.

(C) A public hearing as to the lawfulness of the increased rates charged by Florida Gas Transmission and in effect, subject to refund, shall be held on December 16, 1975, at 10 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

(D) On or before September 2, 1975, Florida Gas Transmission shall file supplemental testimony and exhibits in these proceedings. Staff testimony and exhibits shall be filed on or before November 4, 1975. Any intervenor testimony and exhibits shall be filed on or before November 18, 1975. Company rebuttal shall be filed on or before December 2, 1975.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20836 Filed 8-8-75; 8:45 am]

[Docket No. G-6272]

GETTY OIL CO. Application

AUGUST 1, 1975.

Take notice that on July 21, 1975, Getty Oil Company (Applicant), P.O. Box 1404, Houston, Texas 77001, filed in Docket No. G-6272 an application pursuant to Section 7(b) of the Natural Gas

Act for permission and approval to abandon the sale for resale of natural gas to El Paso Natural Gas Company (El Paso) from the Blinberry, et al., Fields, Lea County, New Mexico, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it proposes to abandon the sale of natural gas to El Paso from the Blinberry, et al., Fields because effective July 1, 1975, the New Mexico Oil Conservation Commission reclassified certain wells in said field from gas wells to oil wells, and that El Paso is no longer contractually entitled to the gas produced.

Applicant states that the gas from the subject wells is dedicated to Skelly Oil Company (Skelly) under a percentage-type contract for oil well gas and that Skelly would sell the residue gas remaining to El Paso and Northern Natural Gas Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 28, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20826 Filed 8-8-75; 8:45 am]

[Docket No. RP75-94]

GREAT LAKES GAS TRANSMISSION CO.
Order Granting Late Intervention

AUGUST 1, 1975.

On April 30, 1975, Great Lakes Gas Transmission Company (Great Lakes)

tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 2 which would result in increased jurisdictional revenues of \$12,000,000 based on sales and transportation volumes for the test year ended December 31, 1974, as adjusted.

Great Lakes' filing was noticed on May 8, 1975, with all comments, protests or petitions to intervene due on or before May 23, 1975. By order issued June 13, 1975, the Commission accepted for filing and suspended Great Lakes' proposed rate increase.

On June 26, 1975, an untimely petition to intervene was filed on behalf of Michigan Wisconsin Pipe Line Company. Michigan Wisconsin Pipe Line Company states that the application was filed late due to an inadvertent oversight and that the granting of its application will not result in a delay of the proceedings nor in any prejudice to other parties.

The Commission finds. Participation by Michigan Wisconsin Pipe Line Company in this proceeding may be in the public interest and good cause exists for permitting such intervention.

The Commission orders. (A) The above-mentioned petitioner is hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission, *Provided, however,* That the participation of such intervenor shall be limited to matters affecting the rights and interests specifically set forth in its petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition that it might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(B) The late intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20837 Filed 8-8-75; 8:45 am]

[Docket No. E-9446]

GREEN MOUNTAIN POWER CORP.

Order Granting Reconsideration and Amending Prior Order

AUGUST 4, 1975.

On July 14, 1975, Green Mountain Power Corporation (Green Mountain) filed an application for rehearing of our order issued June 13, 1975, in Docket No. E-9446. The June 13 order had accepted and suspended in part, and rejected in part Green Mountain's rate increase filing.

In its application for rehearing, Green Mountain asked for reconsideration of our rejection of that portion of the rate increase filing that was based upon the inclusion of construction work in progress (CWIP) in the rate base. In support of its request, Green Mountain asserts that such action by the Commission is not based upon an alleged violation of any regulation, is not consistent with our actions in other dockets, and required the company to file new tariff sheets to reflect a de minimus reduction in rates. Further Green Mountain requests a modification of the length of the suspension period, now set for three months.

With respect to our authority to reject that portion of the filing based upon the inclusion of CWIP in rate base the United States Court of Appeals for the District of Columbia has stated:

There are occasions when an agency may dispose of a controversy on the pleadings without an evidentiary hearing when opposing presentations reveal that no dispute of fact is involved, but only a question of law or administrative policy of such a nature that there is neither a dispute as to material facts nor a need to ventilate the underlying facts to aid in policy determination.

Municipal Light Boards of Reading and Wakefield, Massachusetts v. F.P.C., 450 F.2d 134 (D.C. Cir. 1971) at page 1345.

In this proceeding there is no dispute that Green Mountain has included CWIP in the rate base for the test period, ended December 31, 1974, which facilities were not placed in service during the test period. Present Commission policy requires that rates be based upon facilities in service.¹ Thus, there is no need for a hearing or briefs on this issue. Where CWIP has been improperly included in a utility's rate base an appropriate motion for its exclusion will lie. We shall continue to follow the practice of disallowing CWIP until such time as we may change our policy on this issue.

Green Mountain alleges that the effect of requiring it to exclude CWIP from rate base would amount to \$208 per year. In light of that figure, Green Mountain asks reconsideration of our requiring the filing of new tariff sheets. We shall amend our previous order. To save paper work and filing costs associated with this small amount, which in the end must be borne by the ratepayers and taxpaying public, we shall not require the filing of new tariff sheets and instead allow Green Mountain to refund the excess revenues at the termination of this docket when other refund amounts have been determined.

With respect to Green Mountain's request for a reduction in the length of the suspension period, we have reviewed the filing and additional pleadings and are satisfied with the length of our original suspension period.

The Commission finds. Good cause exists to grant reconsideration of and amend our order issued June 13, 1975, in this docket to the extent set forth below. No additional issues of fact, law, or policy have been raised which would justify any other modification of our June 13, 1975 order.

The Commission orders. (A) Ordering paragraph (A) which rejected part of Green Mountain's filing is hereby deleted from our June 13, 1975 order.

¹ See proposed rulemaking in Docket No. RM75-13.

(B) Ordering paragraph (C) of our June 13, 1975 order in this docket is hereby amended as follows:

(C) The Company shall be allowed to collect rates under the tendered tariff sheets, provided, however, Green Mountain shall be required to refund at the termination of this docket, together with other refunds ordered, all amounts which have been collected as a result of the inclusion of CWIP in the rate base.

(C) All other relief sought is hereby denied.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20827 Filed 8-8-75;8:45 am]

[Docket No. RP73-97 PGA76-1]

**KENTUCKY-WEST VIRGINIA GAS CO.
Proposed PGA Rate Adjustment**

AUGUST 1, 1975.

Take notice that on July 11, 1975, Kentucky-West Virginia Gas Company (K-WV) tendered for filing a Fifth Revised Sheet No. 12-E to its FPC Gas Tariff, Original Volume No. 1 reflecting a proposed PGA rate decrease. K-WV states that the filing would effectuate a 0.85¢ per Mcf, as \$292,591 decrease in the current cost of purchased gas and a 1.57¢ per Mcf reduction (from 2.21¢ to 0.64¢) surcharge to amortize the balance in the Unrecovered Purchase Gas Cost Account. The proposed 0.64¢ surcharge is to amortize \$63,531 over the next 6 month period. K-WV proposes an effective date of September 1, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 19, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20838 Filed 8-8-75;8:45 am]

[Docket No. CP76-27]

**MICHIGAN WISCONSIN PIPE LINE CO.
Application**

AUGUST 1, 1975.

Take notice that on July 24, 1975, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP76-27 an application pursuant to

Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas from offshore Texas to onshore Louisiana for Mesa Petroleum Co. (Mesa) under an agreement between Applicant and Mesa dated May 23, 1975, all as more fully set forth in the application on file with the Commission and open to public inspection.

It is stated that by an advance payment agreement dated October 3, 1974, Mesa agreed to sell to Applicant a portion (generally 50 percent it is stated) of the gas attributable to Mesa's reserves in 21 blocks in the High Island Area, and one block in the Galveston Area, offshore Texas, and that Applicant agreed to make specified advance payments to Mesa and to transport, or cause to be transported, Mesa's gas interest from the same points of delivery where Applicant will purchase gas from Mesa to a mutually agreeable point onshore Louisiana. It is stated that the transportation agreement dated May 23, 1975, was entered into to provide such service.

By the transportation agreement it is agreed that Applicant would take delivery of the gas to be transported for Mesa at the points where Mesa would deliver gas to Applicant for sale. Redelivery would be made for the account of Mesa to Transcontinental Gas Pipeline Corporation (Transco) at a point where Applicant's and Transco's pipelines intersect approximately 1.8 miles east of Tegetate, Acadia Parish, Louisiana, to Transco at a point where the pipelines of Applicant and Transco intersect approximately 6.3 miles north of Tegetate, or to Southern Natural Gas Company (Southern) at an existing point of interconnection with Southern at Southern's Shadyside Compressor Station near Patterson, St. Mary Parish, Louisiana, it is stated.

It is further stated that Applicant would construct or cause to be constructed the gathering system that would be required to gather Mesa's gas and would use its own facilities, together with proposed facilities of Amtex Offshore Pipe Line Company (Amtex), certificate applicant in Docket No. CP75-104, or those of such other person as might be authorized to construct facilities for the transportation of gas from the offshore High Island Area. Applicant states that the amount of gas to be delivered to Mesa would be the amount of gas received from Mesa reduced by Mesa's pro rata share of the use and/or loss of gas resulting from the operation of the transmission facilities between the point of delivery and the point of redelivery.

Applicant states that the initial contract volumes would be 25,000 Mcf of gas per day. The rate that would be paid to Applicant by Mesa would be a demand rate that would result in annual revenues to Applicant equal to the sum of a pro rata portion, based on facility utilization, of the cost of service attributable to Mesa of the gathering facilities; the pro rata portion, based on contract demands, of the charge paid by Appli-

cant to Amtex, or another party, to transport the gas to Applicant's offshore Louisiana facilities; and a pro rata share, based on facility utilization, of the cost of service attributable to Applicant's facilities used in the further transportation of the gas from offshore Louisiana to the point of redelivery.

Applicant states that it will further file with the Commission for authorization when these costs become known and prior to the initiation of the transportation service and that it will also further file with the Commission for the authorization to construct the gathering facilities that will be necessary to implement the agreement when the specific facilities become known. Applicant states further that if the application in Docket No. CP75-104 is not approved it might be necessary for Amtex or some other person to secure other authorization to transport gas from the High Island area and it might be necessary for Applicant to construct facilities.

Applicant states that Mesa has advised Applicant that Mesa, along with Ashland Exploration Company, Highland Resources, Inc., and Kewanee Oil Company, plan to build an anhydrous ammonia manufacturing plant near Donaldsonville, Louisiana, with Mesa being the owner of a 50 percent interest in the plant and with each of the parties' providing its proportionate share of the natural gas requirements of the plant. The transportation gas would provide Mesa's share of the gas to be used in the plant. Mesa is negotiating with other pipeline companies for the transportation of the transportation gas from the redelivery point proposed herein to the plant site, Applicant states.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed,

or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20828 Filed 8-8-75; 8:45 am]

[Docket No. ER75-40]

NEVADA POWER CO.

Filing of Change in Rate Schedule

AUGUST 1, 1975.

Take notice that on July 28, 1975, the Nevada Power Company (NPC) tendered for filing a change in rate schedule for the California-Pacific Utilities (CPUC) at Henderson, Nevada, and at Needles, California. Nevada states that the change in CPUC's rates will consist of an increase in the demand component of \$1.94 per Kw per month to CPUC at Henderson, and \$2.83 per Kw per month to CPUC at Needles. The net increase in the energy component to both Henderson and Needles is 1.03 mills per Kwh.

NPC has requested that the effective date be as of the receipt of their application, July 28, 1975. NPC states that this rate relief is urgent due to their financial emergency. NPC further states that their return on common stock equity for the first five months of the year has been under 5% and for the month of May, 1975 their return was negative.

NPC states that copies of this filing have been mailed to CPUC, Public Service Commission of Nevada, Public Utilities Commission of California, and the Federal Power Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20839 Filed 8-8-75; 8:45 am]

[Docket No. ER76-14]

NEW ENGLAND POWER POOL AGREEMENT (NEPOOL)

Agreement With Additional Participants

AUGUST 1, 1975.

Take notice that on July 18, 1975, the New England Power Pool Management

Committee, on behalf of the Participants under the New England Power Pool Agreement, (NEPOOL) tendered for filing NEPOOL Power Pool Agreement, dated September 1, 1971, as amended, signature pages executed by:

Town of Danvers Electric Department.
Town of Hingham Municipal Lighting Plant.
Town of Holden Municipal Light Department.
Town of Littleton Electric Light & Water Department.
Town of Mansfield Municipal Electric Department.
Town of Middleborough Gas & Light Department.
City of Peabody Municipal Light Plant.
Town of Reading Municipal Light Department.
Town of Sterling Municipal Electric Light Department.

NEPOOL requests the Commission waive its notice requirements and permit participation in NEPOOL by the nine municipal systems to be effective as of June 15, 1975.

NEPOOL states that the tendered filing does not change in any manner of the NEPOOL Agreement as previously filed with the Commission, other than to make the nine municipal electric systems additional participants in the power pool. NEPOOL further states no estimates of transactions and revenues relating to participation by the nine systems in the power pool for the period following June 15, 1975, are submitted because they cannot be made with accuracy. Additionally, NEPOOL states that existing facilities are sufficient for service to these new participants and no additional facilities are to be installed or modified in order for them to render or receive services under the NEPOOL Agreement. NEPOOL further states that copies of the filing have been mailed to all systems rendering or receiving service under the NEPOOL Agreement and to each of the persons on the Commission's service list in Docket No. E-7690.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure. All such petitions or protests should be filed on or before August 14, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20840 Filed 8-8-75; 8:45 am]

[Docket No. CP75-185]

NORTHERN NATURAL GAS CO.

Withdrawal

AUGUST 4, 1975.

On July 14, 1975, Northern Natural Gas Company filed a withdrawal of its application of abandonment, filed December 20, 1974, in the above-designated matter.

Notice is hereby given that pursuant to Section 1.11(d) of the Commission's Rules and Regulations, the withdrawal of the above application will be effective on August 13, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20841 Filed 8-8-75; 8:45 am]

[Docket No. E-9039]

NORTHERN STATES POWER CO.

Order Accepting Initial Rate Schedule for Filing, Instituting Investigation, and Establishing Procedures

AUGUST 1, 1975.

On September 27, 1974, as supplemented on November 7, 1974 and July 3, 1975, Northern States Power Company (Northern States) tendered for filing as an initial rate filing an Agreement dated September 20, 1974, between Northern States and Dairyland Power Cooperative (Dairyland). The Agreement provides for the interchange of capacity and associated energy between Northern States and Dairyland for the period November 1, 1974 through October 31, 1980.

The Agreement sets forth capacity transactions extending through October 31, 1980, that are part of the considerations associated with the proposed sharing of a 1978 generating unit (Alma No. 6) by Northern States and Dairyland. The Agreement provides that Northern States will sell capacity to Dairyland until such time as Alma No. 6 becomes operational in 1978. At that time Dairyland will sell an equivalent number of megawatt seasons to Northern States.

The parties have further agreed that the capacity charge for the service shall be \$15.00 per KW Season and that the Energy Charge for the service shall be 9.75 mills per KWH. Northern States states that the basis for the energy charge was the premise that all energy charges should be the Average Production Cost of the Alma No. 6 generating unit and that the energy charge prior to the operation of Alma No. 6 will be determined assuming Alma No. 6 had been placed in service at the beginning of the capacity exchange.

The Agreement additionally includes a fuel adjustment clause which provides that the cost of fuel shall be the estimated cost of Western coal at the site of the future No. 6 unit in such month and shall include costs which would be recorded in Account 501. Northern States has requested an effective date of November 1, 1974.

Northern State's September 27, 1974 filing was noticed on October 30, 1974, with all protests, comments or petitions to intervene due on or before November

20, 1974. No comments have been received by the Commission. Northern States' July 3, 1975 supplementary filing, in response to a deficiency letter mailed by the Secretary of this Commission, was noticed on June 22, 1975, with all comments, protests or petitions to intervene due on or before July 29, 1975.

Our review of the proposed initial rates and the supplemental information tendered in compliance with the Secretary's deficiency letter indicates that the initial rate schedule has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. We shall therefore accept Northern States' filing to become effective November 1, 1974, and institute a Section 206 investigation into the rates and charges therein provided, including the proposed fuel clause, which we note is based on hypothetical changes in fuel costs.

The Commission finds. It is necessary and proper in the public interest and in carrying out the provisions of the Federal Power Act that the Commission accept Northern States initial rate schedule for filing effective November 1, 1974 and institute a Section 206 investigation into the reasonableness of the proposed initial rate schedule, including the proposed fuel clause included therein.

The Commission orders. (A) Pursuant to the authority of the Federal Power Act, particularly Section 206 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Federal Power Act, we hereby accept for filing, effective November 1, 1974, Northern States initial rate schedule with Dairyland and further convene a public hearing on December 2, 1975, in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, concerning the lawfulness of the rates, charges, classifications and services contained in the proposed initial rate schedule, including the lawfulness of the proposed fuel clause included therein.

(B) On or before September 16, 1975, Northern States shall serve its direct testimony and exhibits. On or before October 14, 1975, the Commission Staff shall serve its prepared testimony and exhibits. Any intervenor evidence shall be served on or before October 28, 1975. Any company rebuttal evidence shall be served on or before November 11, 1975.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in Section 2.59 of the Commission's Rules of Practice and Procedure.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20829 Filed 8-8-75; 8:45 am]

[Docket No. RP75-102]

PANHANDLE EASTERN PIPE LINE CO.

Order Granting Late Petition To Intervene

AUGUST 1, 1975.

On July 10, 1975, Colorado Interstate Gas Company (CIG) filed a petition to intervene out of time in this docket. Notice of the filing of Panhandle Eastern Pipe Line Company was issued on May 30, 1975, with protests and petitions to intervene due on or before June 16, 1975. Several timely petitions to intervene were received and subsequently granted by order dated June 30, 1975. CIG now comes stating that it inadvertently failed to file a timely petition for intervention, that its interest will not be adequately represented by any other party to this proceeding, and that allowance of its intervention will cause no delay.

The Commission finds. Participation by CIG in this proceeding may be in the public interest and good cause exists for permitting such intervention.

The Commission orders. (A) The above mentioned petitioner is hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* That the participation of such intervenor shall be limited to matters affecting the rights and interests specifically set forth in its petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition that it might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20842 Filed 8-8-75; 8:45 am]

[Docket No. RI75-147]

FEDERAL TRADE COMMISSION

Request for Access to Data; Extension of Time

AUGUST 4, 1975.

On July 15, 1975, Edwin L. Cox filed a request for an extension of time in which to comply with the Commission's Order, issued July 3, 1975, requiring a response to the Order issued June 16, 1975 in the above-designated matter.

Notice is hereby given that the date by which the above-indicated response is to be filed is extended to August 20, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20843 Filed 8-8-75; 8:45 am]

[Docket No. RP73-64]

SOUTHERN NATURAL GAS CO.

Proposed Changes in FPC Gas Tariff

AUGUST 1, 1975.

Take notice that Southern Natural Gas Company (Southern) on July 23, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Sixth Revised Volume No. 1, to become effective September 1, 1975. The revised tariff sheets replace the map showing rate zones and delivery points on Southern's transmission system.

Copies of the filing are being served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-20844 Filed 8-8-75; 8:45 am]

[Docket No. CP76-28]

UNITED GAS PIPE LINE CO.

Application

AUGUST 1, 1975.

Take notice that on July 24, 1975, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP76-28 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas from Louisiana to Alabama for Shell Chemical Company, a Division of Shell Oil Company (Shell), all as more fully set forth in the application on file with the Commission and open to public inspection.

It is stated that by the terms of an exchange agreement dated June 27, 1975, Applicant has agreed to transport for Shell gas that Shell would deliver to Applicant at points of interconnection in the Humphreys and Gibson Fields, Terrebonne Parish, Louisiana, and to redeliver such gas to Shell at the outlet sides of several measuring and regulating stations at which Applicant presently delivers gas to Mobile Gas Service Corporation at Mobile, Mobile County, Alabama. Applicant states that alternate delivery points are proposed at Shell's complex at Norco, St. Charles Parish, Louisiana, and at the outlets of Shell's North Terrebonne Plant and Exxon Corporation's

Lirette Plant, Terrebonne Parish, Louisiana. Applicant states that it would transport up to 5,000 Mcf of gas per day for Shell and that such deliveries would be subject to Applicant's ability to accommodate the volumes of gas delivered. Applicant states that the proposed price of the transportation service, initially 13.48 cents per Mcf at 14.73 psia, would be Applicant's average cost of service in the Northern Rate Zone as determined by Applicant.

The application states that the transported gas will be used exclusively for the manufacture of hydrogen cyanide at a new plant Shell plans to construct in Mobile and that approximately 40% of the gas will be as feedstock with the remainder being used for process temperature control. The application states further that the hydrogen cyanide would be an essential feedstock for downstream processes which will produce triazine herbicides and methionine.

Applicant notes that the gas proposed to be transported is presently being utilized at Shell's Norco manufacturing complex and that approval of the instant proposal would permit the redistribution of existing gas supplies between two Shell manufacturing complexes.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 28, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[PR Doc.75-20830 Filed 8-8-75; 8:45 am]

[Docket No. ER76-22]

UTAH POWER & LIGHT CO.

Tendered Revised Tariff Sheets and Service Agreements

AUGUST 1, 1975.

Take notice that on July 25, 1975, Utah Power & Light Company, (Utah), tendered for filing Revised Tariff Sheet Nos. 1, 2, 3, 12, 13, 14, 15, and 15A to its FPC Electric Tariff Original Volume No. 1. Utah states that changes in Sheet Nos. 2 and 3 were necessitated by the sale of its subsidiary, The Western Colorado Power Company to a group of REA co-operators. It states further that revisions in Sheet Nos. 12 through 15A are designed to facilitate the addition of a number of new resale customers within the next few months. Sheet No. 1 is entitled "Table of Contents."

Also contained within Utah's tendered filing are Resale Electric Service Agreements between the company and Colorado Ute Electric Association and the company and Helper City, a municipal corporation. Utah requests waiver of the notice requirements of Section 35.3 of our Regulations to permit these filings to become effective retroactively on May 1, 1975, and October 24, 1974, respectively since, it claims, service to Colorado-Ute was initiated on May 1, 1975, and service through the new Helper meter was started on October 24, 1974.

Estimates of sales and revenues under the related proposed rates were also included with the tendered filing.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[PR Doc.75-20831 Filed 8-8-75; 8:45 am]

[Docket No. ID-1614]

WILLIAM H. DICKHONER Supplemental Application

AUGUST 1, 1975.

Take notice that on July 7, 1975 William Dickhoner, (Applicant) filed a supplemental application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

President, The Cincinnati Gas & Electric Company, Public Utility.
President, The Union Light, Heat and Power Company, Public Utility.

President & Director, Miami Power Corporation, Public Utility.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 15, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[PR Doc.75-20845 Filed 8-8-75; 8:45 am]

[Project No. 1984]

WISCONSIN RIVER POWER CO.

Application for Amendment of License

AUGUST 1, 1975.

Public notice is hereby given that application was filed April 7, 1975, under the Federal Power Act (16 U.S.C. 791a-825r) by Wisconsin River Power Company (Correspondence to: Mr. M. O. Andrae, President, Wisconsin River Power Company, General Offices, Wisconsin Rapids, Wisconsin 54494) for amendment of license for constructed Project No. 1984 known as the Castle Rock-Petenwell Project, located on the Wisconsin and Yellow Rivers in Adams and Juneau Counties, Wisconsin.

The application seeks permission to eliminate from the project license 16.5 miles of 34.5 kV transmission line and related switchgear, easements, and appurtenances between Castle Rock and Petenwell Stations at Project No. 1984. The transmission line would be sold to Wisconsin Power & Light Company with the necessary easements to maintain the transmission line as a distribution line in its service area. There would be no change in the physical components of the transmission line and appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 15, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's

Rules. The application is on file with the Commission and is available for public inspection.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by Section 308 and 309 of the Federal Power Act (16 U.S.C. 825g, 825h) and the Commission's Rules of Practice and Procedure, specifically Section 1.32(b) (18 CFR § 1.32(b)), as amended by Order No. 518, a hearing may be held without further notice before the Commission on this application if no issue of substance is raised by any request to be heard, protest or petition filed subsequent to this notice within the time required herein and if the applicant or initial pleader requests that the shortened procedure of Section 1.32(b) be used. If an issue of substance is so raised or applicant or initial pleader fails to request the shortened procedure, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant or initial pleader to appear or be represented at the hearing before the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20946 Filed 8-8-75; 8:45 am]

NATIONAL ENDOWMENT FOR THE ARTS AND THE HUMANITIES

FELLOWSHIPS PANEL

Meeting

JULY 29, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that meetings of the Fellowships Panel will be held at Washington, D.C. on September 2, 3, 5, 6, 7 and 8, 1975.

The purpose of the meetings is to review Independent Fellowship applications submitted to the National Endowment for the Humanities for 1976-77 fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meetings would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meetings to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C., 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.75-20914 Filed 8-8-75; 8:45 am]

PUBLIC PROGRAMS PANEL

Meeting

AUGUST 4, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Public Programs Panel will meet at Washington, D.C. on September 8 and 9, 1975, commencing at 9:00 a.m.

The purpose of the meeting is to review Humanities Museums and Historical Organizations Grant proposals that have been submitted to the Endowment for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C. 20506, or call Area Code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.75-20909 Filed 8-8-75; 8:45 am]

PUBLIC PROGRAMS PANEL

Meeting

AUGUST 11, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Public Programs Panel will meet at Washington, D.C., on September 11 and 12, 1975, commencing at 9:30 a.m.

The purpose of the meeting is to review Humanities Media Grant proposals that have been submitted to the Endowment for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Declaration of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th

Street, N.W., Washington, D.C., 20506, or call Area Code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.75-20910 Filed 8-8-75; 8:45 am]

RESEARCH PANEL

Meeting

AUGUST 4, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Research Panel will meet at Washington, D.C. on September 8, 1975, from 9:00 A.M. to 5:00 P.M.

The purpose of the meeting is to review research grant applications submitted to the National Endowment for the Humanities for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202 382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.75-20913 Filed 8-8-75; 8:45 am]

RESEARCH PANEL

Meeting

AUGUST 4, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Research Panel will meet at Washington, D.C. on September 12 1975; from 9:00 A.M. to 5:00 P.M.

The purpose of the meeting is to review research grant applications submitted to the National Endowment for the Humanities for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to

close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202 382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.75-20912 Filed 8-8-75; 8:45 am]

RESEARCH PANEL

Meeting

AUGUST 4, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Research Panel will meet at Washington, D.C. on September 16, 1975, from 9:00 A.M. to 5:00 P.M.

The purpose of the meeting is to review research grant applications submitted to the National Endowment for the Humanities for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202 382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.75-20911 Filed 8-8-75; 8:45 am]

RESEARCH PANEL

Meeting

AUGUST 4, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Research Panel will meet at Washington, D.C. on September 22, 1975, from 9:00 A.M. to 5:00 P.M.

The purpose of the meeting is to review research grant applications submitted to the National Endowment for the Humanities for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which

would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202 382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.75-20940 Filed 8-8-75; 8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-332]

ALLIED-GENERAL NUCLEAR SERVICES, ET AL., (BARNWELL NUCLEAR FUEL PLANT SEPARATIONS FACILITY)

Resumption of Hearing

Please take notice that the evidentiary hearing being held before an Atomic Safety and Licensing Board to consider an application for the issuance of an operating license for the Barnwell Nuclear Fuel Plant Separations Facility, will resume on Tuesday, August 26, 1975, at 10 a.m., local time in:

Judge Simons' Courtroom, United States District Court, 223 Park Avenue, S.W., Aiken, South Carolina 29801.

The operating license proceeding for the Barnwell plant has been consolidated with a hearing on environmental matters related to the construction of the plant.

Members of the public are welcome to attend the hearing.

Dated at Bethesda, Md., this 5th day of August 1975.

It is so ordered.

For the Atomic Safety and Licensing Board.

ROBERT M. LAZO,
Chairman.

[FR Doc.75-20907 Filed 8-8-75; 8:45 am]

[Docket No. PRM-170-2]

CINCINNATI GAS AND ELECTRIC CO. ET AL.

Petition for Temporary Reduction of Licensing Fees

In matter of rulemaking proceeding to amend 10 CFR Part 170, and Docket No. PRM-170-2 the Commission has issued the following order.

ORDER

In May 1974, thirteen electric utilities filed a petition for rulemaking with the Atomic Energy Commission (AEC) to

amend the license fee schedules specified in 10 CFR Part 170 by reducing the fees for nuclear power reactor licenses. The petition was based on two recent decisions of the Supreme Court which held that Federal agency license fees based on full cost recovery were illegal.¹ This petition was docketed as PRM-170-2 and a notice of its receipt published in the FEDERAL REGISTER on May 21, 1974. (39 FR 17879)

Independent of this petition the AEC had undertaken the development of a revised license fee schedule in 10 CFR Part 170 to accommodate the holdings of the two Supreme Court decisions noted above. On November 11, 1974, the AEC published for public comment its proposed amendments of 10 CFR Part 170 (39 FR 39734). Comments received are presently under review by the Nuclear Regulatory Commission (NRC). As a result of the pendency of the Commission-initiated rulemaking proceeding to amend 10 CFR Part 170, action was deferred with respect to the petition.

In a letter, dated February 7, 1975, addressed to the Secretary of the NRC, regarding the PRM-170-2, petitioners (1) moved the Commission to limit fees to be charged in the future to the amounts specified in their petition of May 1974 with respect to "application fees, construction permits and operating licenses" until such time as the matter of appropriate fees is finally resolved by court or legislative actions, and (2) requested the Commission to consolidate into Docket PRM-170-2 the Commission-initiated rulemaking proceeding regarding the proposed amendments of 10 CFR Part 170.

We find no basis for granting petitioners' motion for a temporary reduction of licensing fees. The petitioners have not shown that the use of the 1967 fee schedule, as they propose, even allowing for an add-on factor to accommodate increased costs due to inflation and the increased intensity of environmental, health and safety reviews by the Commission, would bear a close relationship to or otherwise be valid as a measure of the value to recipients of a construction permit or operating license in 1975. Since a proposal similar to that urged by the petitioners is under consideration in the present Commission rulemaking proceeding we believe it premature to establish an interim fee schedule based on their proposal. We also believe that an interim schedule is unnecessary in view of the well advanced state of the pending rulemaking proceeding.

Furthermore, we see petitioners' proposal as one requiring the initiation of time consuming interim rulemaking procedures on the matter which is presently pending before the NRC in a well advanced state. To undertake such an effort would detract from the orderly and expeditious completion of the basic

¹ National Cable Television Association, Inc. v. United States, 415 U.S. 336 (1974) and Federal Power Commission v. New England Power Company, 415 U.S. 345 (1974).

rulemaking procedures and would only further delay the ultimate resolution of the matter. Accordingly, we deny petitioners' motion for a temporary reduction of fees as made in their letter of February 7, 1975. However, this denial does not prejudice petitioners' claim for rebate of, or credit for, past fees raised in paragraph 23 of petitioners' petition of May 2, 1974, once the final fee schedule is in effect.

As to petitioners' request to consolidate Docket PRM-170-2 with the Commission's ongoing rulemaking proceeding in connection with the proposed amendment of 10 CFR Part 170, it is granted. Petitioners' arguments are persuasive. We agree that consolidation of all matters relating to the proposed amendment to 10 CFR Part 170 can best be accomplished in a single consolidated proceeding.

Dated at Washington, D.C., this 5th day of August 1975.

It is so ordered.

By the Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.75-20908 Filed 8-8-75; 8:45 am]

[Docket No. 50-336]

**CONNECTICUT LIGHT AND POWER CO.,
HARTFORD ELECTRIC LIGHT CO., WEST-
ERN MASSACHUSETTS ELECTRIC CO.,
AND NORTHEAST NUCLEAR ENERGY
CO. (MILLSTONE NUCLEAR POWER
STATION, UNIT 2)**

Issuance of a Facility Operating License

Notice is hereby given that the Nuclear Regulatory Commission (the Commission) has issued Facility Operating License No. DPR-65 to The Connecticut Light and Power Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Northeast Nuclear Energy Company (licensees), authorizing the licensees, in accordance with the provisions of the license and the Technical Specifications, to load fuel and perform subcritical tests. The Millstone Nuclear Power Station, Unit 2, is a pressurized water nuclear reactor located at the licensees' site on the north shore of Long Island Sound and on the east side of Niantic Bay, in the Town of Waterford, Connecticut, about three miles from New London, Connecticut.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license.

The license is effective as of its date of issuance and shall expire one year from date of issuance.

A copy of (1) Facility Operating License No. DPR-65, complete with Technical Specifications (Appendices "A" and "B"); (2) the report of the Advisory Committee on Reactor Safeguards, dated June 11, 1974; (3) the Division of Reactor Licensing's Safety Evaluation dated May 10, 1974, Supple-

ment No. 1 dated March 7, 1975, and Supplement No. 2 dated August 1, 1975, (4) the Final Safety Analysis Report and amendments thereto; (5) the applicants' Environmental Report dated June 23, 1972 and amendments thereto; (6) the Draft Environmental Statement dated December 1972; and (7) the Final Environmental Statement dated June 1973, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. and the Waterford Public Library, Rope Ferry Road, Waterford, Connecticut. A copy of the license and Safety Evaluation plus supplements may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 1st day of August 1975.

For the Nuclear Regulatory Commission.

OLAN D. PARR,
Chief, Light Water Reactors
Project Branch 1-3, Division
of Reactor Licensing.

[FR Doc.75-20897 Filed 8-8-75; 8:45 am]

[Docket Nos. 50-450 and 50-451]

**DELMARVA POWER & LIGHT CO. AND
PHILADELPHIA ELECTRIC CO. (SUM-
MIT POWER STATION, UNITS 1 AND 2)**

**Assignment of Atomic Safety and
Licensing Appeal Board**

Notice is hereby given that, in accordance with the authority in 10 CFR 2.787 (a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this proceeding:

Michael C. Farrar, Chairman; Richard S. Salzman, Member; Dr. W. Reed Johnson, Member.

Dated: August 4, 1975.

MARGARET E. DU FLO,
Secretary to the Appeal Board.

[FR Doc.75-20900 Filed 8-8-75; 8:45 am]

[Docket Nos. 50-269, 50-270, 50-287]

DUKE POWER CO.

**Issuance of Amendments to Facility
Operating Licenses**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 9, 9, and 6 to Facility Operating License Nos. DPR-38, DPR-47, and DPR-55 issued to Duke Power Company which revised Technical Specifications for operation of the Oconee Nuclear Station Units 1, 2, and 3 located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

The amendments provide for administrative modifications of the environmental surveillance program to convert to metric measurements, modify sampling stations, redesignate and change sam-

pling locations and change sampling frequency requirements.

The application for these amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. The Commission has evaluated the potential impact of the operating plant in accordance with the amendments and has concluded that there will be no change in effluent types or amounts nor an increase in power level, as previously evaluated in the Final Environmental Statement for Oconee Nuclear Station Units 1, 2 and 3 dated March 1972 and will not result in any significant environmental impact. Having made this determination, the Commission has further concluded, pursuant to 10 CFR 51.5(d)(4), that an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of these amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated May 23, 1975, (2) the letter dated August 1, 1975 from R. Purple to Duke Power Company, and (3) Amendment Nos. 9, 9, and 6 with Change Nos. 19, 14 and 6 to License Nos. DPR-38, DPR-47, and DPR-55. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street N.W., Washington, D.C., and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina, 29691.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 1st day of August 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors
Branch No. 1, Division of Re-
actor Licensing.

[FR Doc.75-20905 Filed 8-8-75; 8:45 am]

[Docket Nos. 50-269, 50-270, 50-287]

DUKE POWER CO.

**Issuance of Amendments to Facility
Operating Licenses**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 10, 10, and 7 to Facility Operating License Nos. DPR-38, DPR-47, and DPR-55, respectively, issued to Duke Power Company which revised Technical Specifications for operation of the Oconee Nuclear Station, Units 1, 2, and 3 located in

Oconee County, South Carolina. The amendments are effective as of the date of issuance.

The amendments correct typographical errors and omissions in Tables 4.11-1 and 4.11-2 of Appendix A Technical Specifications.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. The Commission has evaluated the potential impact of the operating plant in accordance with the amendments and has concluded that there will be no change in effluent types or amounts nor an increase in power level, as previously evaluated in the Final Environmental Statement for Oconee Nuclear Station Units 1, 2, and 3, dated March 1972 and will not result in any significant environmental impact. Having made this determination, the Commission has further concluded pursuant to 10 CFR 51.5(d) (4), that an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of these amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated November 6, 1974, as supplemented January 21, 1975, (2) the letter dated August 1, 1975, from R. Purple to Duke Power Company, and (3) Amendment Nos. 10, 11, and 7 to License Nos. DPR-38, DPR-47, and DPR-55 with Change Nos. 20, 15, and 7. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina, 29691.

A copy of Items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 1st day of August 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors
Branch No. 1, Division of
Reactor Licensing.

[FR Doc. 75-20906 Filed 8-8-75; 8:45 am]

[Docket No. 50-321]

GEORGIA POWER CO. AND OGLETHORPE ELECTRIC MEMBERSHIP CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No.

12 to Facility Operating License No. DPR-57 issued to Georgia Power Company and Oglethorpe Electric Membership Corporation which revised Technical Specifications for operation of the Edwin I. Hatch Nuclear Plant Unit 1, located in Appling County, Georgia. The amendment is effective as of its date of issuance.

The amendment permits the low pressure core and containment cooling systems to be inoperable provided that the reactor is in the cold shutdown condition and no work is being done that has the potential for draining the reactor pressure vessel.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations, in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with action was published in the FEDERAL REGISTER on April 17, 1975 (40 FR 17203). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendment dated February 3, 1975, (2) Amendment No. 12 to License No. DPR-57, with Change No. 12 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 1st day of August 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of
Reactor Licensing.

[FR Doc. 75-20899 Filed 8-8-75; 8:45 am]

[Docket No. 50-331]

IOWA ELECTRIC LIGHT AND POWER CO., CENTRAL IOWA POWER COOPERATIVE, AND CORN BELT POWER COOPERATIVE

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 10 to Facility Operating License No. DPR-49 issued to Iowa Electric Light and Power Company, Central Iowa Power Cooperative, and Corn Belt Power Cooperative, which revised Technical

Specifications for operation of the Duane Arnold Energy Center, located in Cedar Rapids, Iowa. The amendment is effective as of its date of issuance.

The amendment establishes the required Emergency Service Water (ESW) system flow rate based on river water temperature rather than on a requirement for a flow rate of 1200 gpm regardless of river water temperature.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated June 27, 1975, (2) Amendment No. 10 to License No. DPR-49, with Change No. 11, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Cedar Rapids Public Library, 426 Third Avenue, SE., Cedar Rapids, Iowa 52401.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 30th day of July, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR, Chief,
Operating Reactors Branch No. 3,
Division of Reactor Licensing.

[FR Doc. 75-20898 Filed 8-8-75; 8:45 am]

[Docket Nos. 50-516, 50-517]

LONG ISLAND LIGHTING CO. (JAMESPORT NUCLEAR POWER STATION UNITS 1 AND 2)

Oral Argument on Pending Appeal

AUGUST 5, 1975.

Order. Oral argument on the pending appeal of the Oil Heating Institute of Long Island, Inc. (OHILI) is hereby calendared for oral argument at 10 a.m. on Wednesday, September 3, 1975 in the Appeal Panel Hearing Room, 5th Floor, East West Towers, 4350 East-West Highway, Bethesda, Maryland 20814. All parties filing memoranda on the questions posed in this Board's order of July 23, 1975 may participate in the argument. Following the passing of the August 21, 1975 deadline for the submission of those memoranda, the Board will determine the time allotment and order of presentation. The argument will encompass the issues of whether (1) OHILI has the requisite standing to intervene in the proceeding; and (2) there has been a "substantial showing of good cause for

failure to file (the OHIL petition for leave to intervene) on time" within the meaning of 10 CFR 2.714(a) as construed by the Commission in Nuclear Fuel Services, Inc. (West Valley Reprocessing Plant), CLI-75-4, NRCI-75/4 273 (April 17, 1975).

It is so ordered.

For the Atomic Safety and Licensing Appeal Board.

MARGARET E. DU FLO,
Secretary to the
Appeal Board.

[FR Doc.75-20902 Filed 8-8-75; 8:45 am]

[Docket No. 50-298]

NEBRASKA PUBLIC POWER DISTRICT (COOPER NUCLEAR STATION)

Order for Modification of License

1. Nebraska Public Power District (the Licensee) is the holder of Facility Operating License DPR-46 which authorizes operation of the Cooper Nuclear Station (the Facility), a boiling water reactor located at the Licensee's site near Brownville, Nemaha County, Nebraska.

2. For many weeks the Facility has been under close surveillance by the Licensee and by the Nuclear Regulatory Commission due to anomalous incore nuclear detector instrument readings indicative of possible damage to the Facility's fuel channel boxes. As a result of these readings, the Commission has twice issued orders—once on April 26, 1975 and again on July 22, 1975—confirming appropriate limitations on the operation of the Facility. The July 22 order, which superseded the order of April 26, confirmed a plan whereby the Facility was to operate at a maximum bundle power of 3.20 MWt and a maximum core coolant flow of 40 percent of design flow for the balance of a period of approximately 45 equivalent full flow days from April 26, 1975. The plan also contemplated that the Licensee would, during that period, operate the Facility at rated flow and power for a limited period to conduct incore tests, including accelerometer tests, and to obtain certain water quality data. At the end of approximately 45 equivalent full flow days from April 26, the Licensee was, under the plan, to shut down the Facility unless the efficacy of the 40 percent flow limit had been verified by accelerometer data. Finally, the limits on core flow and bundle power were to be re-evaluated in light of data collected during the interim period.

3. The license requirements added to Facility Operating License DPR-46 by the order of July 22, 1975 provide, in paragraph 3, that "[t]he Licensee shall shut down the facility following 45 equivalent full flow days from April 26, 1975," unless within that period certain specified tests have been completed with specified re-

sults. (See Appendix A of July 22, 1975 order.) As such, the July 22 order arguably admits of the interpretation that the decision date was to be exactly 45 equivalent full flow days from April 26, 1975. This, however, was not the intent of the July 22 order. As paragraphs 7 and 8 of the same order clearly imply, the approved plan contemplated restricted operation of the Facility for the balance of a period of approximately 45 equivalent full flow days from April 26, 1975.

4. By letter dated July 31, 1975, the Licensee advised that on or about August 3, 1975, the Facility will have completed 45 equivalent full flow days of operation counted from the April 26 reference date. However, according to the letter, the Licensee does not yet have on site all the equipment needed for the accelerometer tests. For this reason (and because of the desirability, from a power demand standpoint, to schedule the installation of the testing equipment during a weekend or other low load period), the Licensee requested in its July 31 letter authority to operate the Facility for ten additional equivalent full flow days, i.e., to a total of 55 equivalent full flow days from April 26, 1975.

5. As stated above, limitations on the operation of the Facility were imposed as a result of anomalous incore instrument readings. Those anomalous readings appear to have been caused by instrument tube vibration. The limitations were designed to reduce the vibration to acceptable levels. On the basis of recent data obtained at the Facility, there is reason to believe that the limitations have been effective in minimizing channel box wear.

6. Operation of the Facility for the full additional period requested in the Licensee's July 31 letter would clearly involve more interim operation than that contemplated by the July 22 order. Accordingly, the full request cannot be granted without further evaluation. However, operation of the Facility for five additional equivalent full flow days (i.e., to a total of 50 equivalent full flow days from April 26, 1975) is acceptable now since operation for that period is within (though near the upper limit of) the approximately 45 equivalent full flow day period contemplated in the July 22 order. To the extent that the July 22 order, by using the term "45 equivalent full flow days" rather than "approximately 45 equivalent full flow days," may be construed as precluding such additional interim operation, the July 22 order should be clarified.

7. Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission Rules and Regulations in 10 CFR Part 2 and 50, Facility Operating License DPR-46 is hereby amended by substituting for paragraph 3 of the license provisions added by the Order for Modification of License dated July 22, 1975 the following:

3. The Licensee shall shut down the facility following approximately 45 equivalent full

flow days from April 26, 1975, unless within such period a traversing incore probe surveillance program as specified in Section VIII of the Evaluation of Channel Box Wear dated July 22, 1975, has been completed and accelerometer tests performed with appropriate requirements specified in Section VII of the Evaluation of Channel Box Wear dated July 22, 1975 have been completed which indicate the efficacy of the 40 percent flow limit.

Dated at Bethesda, Maryland, this 1st day of August 1975.

For the Nuclear Regulatory Commission.

BEN C. RUSCHE,
Director, Office of
Nuclear Reactor Regulation.

[FR Doc.75-20903 Filed 8-8-75; 8:45 am]

[Docket No. 50-271]

VERMONT YANKEE NUCLEAR POWER CORP. (VERMONT YANKEE NUCLEAR POWER STATION)

Order for Modification of License

1. Vermont Yankee Nuclear Power Corporation (the Licensee) is the holder of Facility Operating License No. DPR-28 which authorizes operation of the Vermont Yankee Nuclear Power Station (the Facility), a boiling water reactor located near Vernon, Vermont.

2. On July 23, 1975, the Commission issued an "Order for Modification of License" (40 FR 32180, July 31, 1975) (the Order) which confirmed a plan for limited additional operation of the Facility. As detailed in the Order the Facility's channel box wear, as indicated by the noise-to-signal ratio recorded by the traversing incore probe (TIP), had exceeded the remedial action threshold. The remedial plan confirmed by the Order contemplated operation of the Facility for a limited period of time (until the August 3, 1975) at not more than 80% of rated core power and 70% of rated core flow, provided the TIP noise-to-signal ratio at those levels did not exceed 0.05. In addition, the Order permitted operation up to full flow and power for a brief period of time as necessary to obtain baseline TIP data.

3. By letter dated July 31, 1975,¹ the Licensee requested a modification of the Order to allow continued operation for an additional three days until August 6, 1975. The Licensee's letter states that the request is made at the behest of the New England Power Exchange based upon a serious power shortage resulting from the unscheduled outage of several units and forecasted weather conditions.

4. As discussed in the Commission's July 23, 1975 Order, and in the NRC Staff "Evaluation of Vermont Yankee Chan-

¹ Copies of all documents referred to in this Order are available or are being made available for public inspection in the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and the Commission's Local Public Document Room, Brooks Memorial Library, 224 Main Street, Brattleboro, Vermont.

APPENDIX A

1. The Licensee shall place the Facility in a shutdown condition not later than August 6, 1975 and shall not, without prior written approval of the Director, Office of Nuclear Reactor Operation, return the facility to operation following the shutdown.

2. Prior to the shutdown, the Licensee shall not operate the Facility at core power levels exceeding 80 percent of rated power or core flow rates exceeding 70 percent of design flow rate, and further shall place the facility in a shutdown condition if the traversing incore probe (TIP) noise band width-to-signal amplitude ratio exceeds 0.05.

3. The Licensee shall, during power operation with flow rates equal to 70 percent of rated flow, obtain unfiltered TIP traces as specified in Section VIII of the Evaluation of Channel Box Wear dated July 22, 1975, such that all operable TIP positions are traversed every seven days.

[FR Doc. 75-20904 Filed 8-8-75; 8:45 am]

[Docket Nos. 50-460, 50-513]

WASHINGTON PUBLIC POWER SUPPLY SYSTEM, WPPSS NUCLEAR PROJECTS NOS. 1 AND 4

Issuance of Limited Work Authorization

Pursuant to the provisions of 10 CFR 50.10(e) of the Nuclear Regulatory Commission's (Commission) regulations, the Commission has authorized the Washington Public Power Supply System to conduct certain site activities in connection with the WPPSS Nuclear Projects Nos. 1 and 4 prior to a decision regarding the issuance of construction permits.

The activities that are authorized are within the scope of those authorized by 10 CFR 50.10(e) (1) and 10 CFR 50.10(e) (3) and include site preparation, installation of temporary construction support facilities, excavation for certain facility structures, construction of service facilities, excavation for Category I structures and backfilling for laydown areas, and installation of ground grids and mudmats for Category I structures.

Any activities undertaken pursuant to this authorization are entirely at the risk of the Washington Public Power Supply System and the grant of the authorization has no bearing on the issuance of construction permits with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders of the Commission promulgated pursuant thereto.

A Partial Initial Decision on matters relating to the National Environmental Policy Act and site suitability and unresolved safety issues was issued by the

nel Box Wear for the Purpose of Limited Operation at Partial Power," dated July 23, 1975, the allowable channel box wear at 80% of rated core power/70% of rated flow will not be exceeded as long as the Vermont Yankee TIP noise level ratio does not exceed 0.05. However, the NRC Staff's evaluation recognized that wear continues even at the Licensee's proposed reduced flow rate, though slower than at full flow, and therefore agreed with the Licensee's proposal to shut down by August 3, 1975 as part of the plan to proceed with further remedial action.

5. As evaluated in the NRC Staff's "Supplement to Evaluation of Vermont Yankee Channel Box Wear for the Purpose of Limited Operation at Partial Power," dated August 1, 1975, the TIP noise level ratios recorded since the Commission's July 23, 1975 Order, at both the limited flow rate and the brief full flow rate period allowed to obtain baseline data, indicate that the Facility's channel box wear is still well within that allowable at the 80% of rated core power/70% of rated core flow limitations. The NRC Staff's evaluation concludes that no appreciable additional wear will occur during the requested three-day extension to August 6, 1975. In addition, the surveillance for excessive wear previously provided will continue.

6. The Facility can be operated until August 6, 1975 under the Licensee's proposed plan previously confirmed by the Commission's July 23, 1975 Order, without endangering the health and safety of the public. The NRC Staff believes the Licensee's modification to its plan is appropriate under the circumstances and should be confirmed by NRC Order.²

7. Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's Rules and Regulations in 10 CFR Parts 2 and 50, it is ordered, That, Facility Operating License No. DPR-28 is hereby amended by substituting the provisions set out in Appendix A below for the provisions set out in Appendix A below to the Commission's Order for Modification of License, dated July 23, 1975.

Dated at Bethesda, Maryland, this 1st day of August 1975.

For the Nuclear Regulatory Commission.

BEN C. RUSCHE,
Director, Office of
Nuclear Reactor Regulation.

² The brief period of operation at full flow and power to obtain baseline data has been achieved and is therefore deleted as no longer necessary.

Atomic Safety and Licensing Board in the above captioned proceeding on July 30, 1975. A copy of (1) the Partial Initial Decision; (2) the applicant's Preliminary Safety Analysis Report and amendments thereto; (3) the applicant's Environmental Report and amendments thereto; (4) the staff's Final Environmental Statement dated March 1975; and (5) the Commission's letter of authorization dated August 1, 1975, are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and the Richland Public Library, Swift and Northgate Streets, Richland, Washington 99352. The Final Environmental Statement (Document No. NUREG-75/012) may be purchased at current rates from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Rockville, Maryland, this 1st day of August, 1975.

For the Nuclear Regulatory Commission.

OLIVER LYNCH, JR.,
Acting Chief, Environmental
Projects Branch 4, Division
of Reactor Licensing.

[FR Doc. 75-20901 Filed 8-8-75; 8:45 am]

DEPARTMENT OF STATE

Office of the Secretary

[Delegation of Authority No. 104-11;
Notice No. 458]

FOREIGN ASSISTANCE AND MUTUAL SECURITY ACTS

Administrative Expenses

By virtue of the authority vested in me by section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381), Executive Order No. 10973 of November 3, 1961 (26 FR 10469), and section 4 of the Act of May 26, 1949, as amended (22 U.S.C. 2658), State Department Delegation of Authority No. 104 of November 3, 1961 (26 FR 10608), as heretofore amended, is hereby further amended by inserting in section 3(a) after "section 481" the words: "and section 637(b)".

This Delegation of Authority shall be deemed effective as of July 1, 1975.

Dated: July 29, 1975.

[SEAL] ROBERT S. INGERSOLL,
Acting Secretary of State.

[FR Doc. 75-20928 Filed 8-8-75; 8:45 am]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 500-1]

BBI, INC.

Suspension of Trading

AUGUST 1, 1975.

The common stock of BBI, Inc., being traded on the American, and the Philadelphia-Baltimore Washington Stock Exchanges pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange is suspended, for the period from August 2, 1975 through August 11, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 75-20882 Filed 8-8-75; 8:45 am]

[Rel. No. 8872; 811-504]

CROWN WESTERN INVESTMENTS, INC.

Filing of Application

AUGUST 1, 1975.

Notice is hereby given that Crown Western Investments, Inc. ("Applicant") an investment company registered under the Investment Company Act of 1940 ("Act") as an open end diversified management company, filed an application on May 5, 1975, pursuant to Section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

The Applicant registered under the Act on July 9, 1945, by filing of Form N-8A, Notification of Registration. Shares of Applicant's two Series (Dallas and Diversified) were registered pursuant to the Securities Act of 1933.

On December 9, 1974, notice was given to Applicant's shareholders of a special meeting to consider and vote upon a proposal to sell the assets of the Applicant to Selected American Shares, Inc. ("American"), a registered investment company, in exchange for shares of such company; to distribute the shares of American to Applicant's shareholders; and subsequently to dissolve the Applicant. Applicant submits that such action

was duly approved by the shareholders on January 30, 1975.

Applicant states that the assets of the Fund have accordingly been sold to American; that shareholders of each Series of the Fund received, in exchange, shares of American on the basis of the relative net asset value of each Series and of American as of the exchange date; and that the Applicant no longer has any shares issued or outstanding and will not issue additional shares in the future.

Applicant states further that all assets of Applicant, except for a small reserve for the payment of unpaid expenses of dissolution, have been transferred to American; that any monies remaining will be transferred to American which will credit those former shareholders of the Applicant who remain shareholders of American with appropriate amounts of additional shares of American; and that Applicant is not now making, nor does it propose to make, any future offering of its securities.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

NOTICE IS FURTHER GIVEN that any interested person may, not later than August 25, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 75-20883 Filed 8-8-75; 8:45 am]

[Release No. 19112, 70-5710]

DELMARVA POWER & LIGHT CO.

Proposal To Organize a Wholly Owned Subsidiary Corporation To Engage in the Exploration, Development, and Production of Natural Gas

AUGUST 1, 1975.

NOTICE IS HEREBY GIVEN that Delmarva Power & Light Company ("Delmarva"), a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6, 7, 9, 10, 12 and 13 of the Act and Rules 43 and 45 promulgated thereunder as applicable to the following proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

Delmarva proposes to organize and acquire, as a wholly owned subsidiary corporation, Delmarva Energy Company ("Energy"), a Delaware corporation. Delmarva will acquire, for \$10,000, all 1,000 authorized shares of Energy's non-par common stock. Energy will engage in the business of exploration, development and production of natural gas and will engage in no activities which do not have as their primary goal the production of additional energy supplies for the use of Delmarva in serving its public utility customers. Energy's sole source of funds will be Delmarva. The operations of Energy will be consolidated with Delmarva for the purpose of tax and general accounting reports and for public utility rate matters. It is expected that the costs and benefits of Energy's activities will be fully recognized in setting applicable rates to Delmarva's customers.

It is further proposed that Energy will acquire a 7.5% limited partnership interest in E.R.I., Ltd. ("Partnership"), a limited partnership to be formed under Texas and Louisiana law. The Partnership will acquire, explore, develop and operate oil, gas and other mineral properties. The Partnership will be comprised of one general partner, Enterprise Resources, Inc., and five limited partners, each of which is a subsidiary of a gas distribution public utility seeking additional supply. The Partnership will terminate eighteen months from the date of its commencement unless extended by the partners.

In the event that a prospect is found capable of producing oil or gas in paying quantities, the Partnership will transfer ownership of the prospect to the partners free and clear of the partnership. Energy's ownership share in such a distribution would be 6.75%. Upon such transfer, the owners are bound to enter into an operating agreement covering such prospect, naming Enterprise Resources, Inc., as the operator. The operator would prepare a budget for development of the prospect which would be paid proportionately by the owners unless they elect not to participate in the devel-

opment costs. Upon such an election, rights to receive benefits from the prospect would be proportionately reduced. Partners have the right to take their share of any oil or gas produced in kind. To the extent feasible Energy expects to take and deliver to Delmarva all natural gas to which it is entitled.

Delmarva further proposes to provide Energy with funds over the next three years of not more than \$1,000,000 to participate in the Partnership and prospects discovered. Such funds may be provided as contributions to capital, loans, consideration for goods and services, advance payment for energy supplies or in some other manner. Delmarva will provide \$250,000 to Energy to enable it to meet its initial commitment to the Partnership. Any funds to be provided by Delmarva to Energy in excess of the aforementioned amount will be the subject of future applications to this Commission.

The fees and expenses to be incurred in connection with this transaction are estimated at \$5,500, including legal fees of \$3,000. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

NOTICE IS FURTHER GIVEN that any interested person may, not later than August 25, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[PR Doc.75-20884 Filed 8-8-75;8:45 am]

[Rel. No. 8871, 812-38133]

DELAWARE FUND, INC. ET AL.

Filing of Application

AUGUST 1, 1975.

NOTICE IS HEREBY GIVEN that Delaware Fund, Inc., Decatur Income Fund, Inc., Delta Trend Fund, Inc. (collectively referred to as the "Funds"), each of which is registered as an open-end diversified management investment company under the Investment Company Act of 1940 ("Act"), and Delaware Management Company, Inc. ("Management") (collectively referred to with the Funds as "Applicants"), have filed an application on May 28, 1975, for orders (1) pursuant to Section 11(a) of the Act to permit the Funds to offer to exchange their shares for shares of Delchester Bond Fund, Inc. ("Bond Fund") on a basis other than their relative net asset value per share at the time of the exchange; and (2) pursuant to Section 6 (c) of the Act exempting Applicants from the provisions of Section 22(d) of the Act and Rules 23d-1 and 22d-2 thereunder in connection with such exchanges. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Bond Fund is an open-end diversified management investment company registered under the Act. Management is the principal underwriter for Bond Fund.

Management, as principal underwriter for each of the Funds and for Bond Fund, maintains a continuous public offering of the shares thereof at their respective net asset values plus a sales charge. At present, the applicable sales charge for the Funds and for Bond Fund varies with the quantity purchased in the transaction as follows:

Size of transaction at offering price:	Sales charge as percentage of offering price
Less than \$100,000	8.5
\$100,000 but under \$250,000	8.0
\$250,000 but under \$500,000	6.5
\$500,000 but under \$1,000,000	4.5
\$1,000,000 but under \$2,500,000	3.5
\$2,500,000 but under \$5,000,000	2.5
\$5,000,000 but under \$10,000,000	2.0
\$10,000,000 and over	1.0

Shares of each of the Funds and of the Bond Fund may be exchanged for shares of any of the Funds or of the Bond Fund on the basis of the relative net asset value per share at the time of the exchange without any sales charge. In addition, shareholders of The Bond Fund who redeem their shares have for 30 days after redemption a one-time privilege, to the extent the redeemed shares would have been eligible for exchange, to purchase shares of the Funds without sales charge up to the dollar amount of the redemption proceeds.

Applicants state that Bond Fund's Board of Directors has approved a reduction in the sales charge of Bond Fund, to

take effect upon the effectiveness of the necessary post-effective amendment to Bond Fund's registration statement, as follows:

Size of transaction at offering price:	Sales charge as percentage of offering price
Less than \$100,000	4.5
\$100,000 but under \$250,000	3.5
\$250,000 but under \$500,000	2.5
\$500,000 but under \$1,000,000	2.0
\$1,000,000 and over	1.0

Applicants propose to offer shares of each of the Funds to shareholders of Bond Fund for shares of Bond Fund that were purchased after the effectiveness of the Bond Fund sales charge reduction, on the basis of relative net asset values at the time of exchange plus a sales charge described in the prospectus of the Fund being acquired, less the sales charge paid on such Bond Fund shares at the time that they were originally acquired. An investor acquiring shares of one of the Funds through an exchange of shares of Bond Fund purchased at the reduced sales charges would, therefore, pay approximately the same overall charge that he would have paid had he purchased the same number of shares of one of the Funds directly.

Applicants represent that they will continue to exchange shares of each of the Funds for shares of Bond Fund which were purchased prior to the reduction of sales charges on the basis of the relative net asset value per share at the time of the exchange without any sales charge. Applicants further submit that no additional sales charge will be imposed upon the exchange of shares of Bond Fund which were acquired as a result of an exchange for shares of the Funds or as a result of the reinvestment of dividends or capital gain distributions on such Bond Fund Shares. Applicants say that in the event a shareholder desires to exchange a portion of his shares of Bond Fund, those shares that may be exchanged at relative net asset value without any additional sales charge will be exchanged first; and that the remaining shares to be exchanged will be selected from those shares entitled to be exchanged upon payment of the lowest additional sales charge.

Applicants further state that purchases of shares of the Funds by investors who redeemed Bond Fund shares within the previous 30 days will also include sales charges equal to the difference between the sales charges that were paid on the Bond Fund shares that were redeemed and the sales charges on the Fund shares acquired with the proceeds of such redemption. Purchases up to the dollar amount of proceeds from the redemption of Bond Fund shares that were acquired (1) prior to the sales charge reduction; (2) as a result of an exchange for shares of the Funds; or (3) as a result of the reinvestment of dividends or capital gains distributions on such Bond Fund Shares, will be made on the basis

of relative net asset value per share at the time of the purchase without any sales charge. In the event a shareholder desires to purchase shares of the Funds in an amount less than the dollar amount of redemptions, those purchases which can be made at relative net asset value without any sales charge will be made first followed by those purchases entitled to the lowest additional sales charge.

Section 11(a) of the Act provides, in part, that it shall be unlawful for any registered open-end company or any principal underwriter for such company to make or cause to be made an offer to the shareholders of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged unless the terms of the offer have first been submitted to and approved by the Commission.

Section 22(d) of the Act provides, in part, that no registered investment company or principal underwriter thereof shall sell any redeemable security issued by such company to any person except at a current offering price described in the prospectus. Rule 22d-1 provides for exemption from Section 22(d) to the extent necessary to permit the sale of redeemable securities of a registered investment company at prices which reflect reductions in or eliminations of the sales load under certain stated circumstances. Rule 22d-2 provides, subject to certain conditions, for a further exemption from the provisions of Section 22(d) to the extent necessary to permit, without sales charge, reinvestment in shares of such a company of the proceeds of a redemption of the same company's shares where the reinvestment takes place within 30 days of the redemption, or the purchase with such proceeds of shares of another investment company which offers to exchange its shares for shares of the company whose shares had been redeemed without any sales charge.

Applicants state that the purpose of the proposed exchange offer is to permit a shareholder of Bond Fund who changes his investment objective to change his investment to a different investment company without paying the full sales charge otherwise applicable. Applicants assert that the exchange offer to Bond Fund shareholders for Bond Fund shares acquired after the effectiveness of the reduced Bond Fund sales charge schedule cannot fairly be made at the relative net asset value of the Fund to be acquired because the Bond Fund shareholder would have paid substantially less sales load on his investment than similarly situated investors in the Fund to be acquired. Applicants further submit that if shares of the Funds could be acquired at net asset value by a Bond Fund shareholder exchanging Bond Fund shares purchased at the reduced sales loads, the purpose and spirit of Section 22(d) of the Act might be violated since an investor would be able to purchase shares of one of the Funds

at a sales charge other than that described in its prospectus merely by purchasing shares of Bond Fund at the new reduced sales load rates and thereafter exchanging such Bond Fund shares for Fund Shares at net asset value.

Section 6(c) provides, in part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, or transaction or any class or classes of persons, securities, or transactions from any provision or provisions of the Act and the Rules promulgated thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

NOTICE IS FURTHER GIVEN that any interested person may, not later than August 28, 1975, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication shall be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereon.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 75-20885 Filed 8-8-75; 8:45 am]

[Rel. No. 8870, 812-3830]

EDIE SPECIAL GROWTH FUND, INC. Filing of Application

AUGUST 1, 1975.

Edie Special Growth Fund, Inc. ("Growth"), a Delaware corporation and Edie Special Institutional Fund, Inc. ("Institutional"), a Delaware corporation (collectively referred to as the "Funds"), open-end diversified management investment companies registered under the Investment Company Act of

1940 (the "Act"), and Lionel D. Edie & Company, Incorporated, a Delaware corporation ("Edie"), the investment adviser to, and a shareholder of, the Funds (Funds and Edie collectively referred to as "Applicants") filed an application on June 30, 1975, pursuant to Section 17(b) of the Act, for an order of the Commission exempting from the provisions of Section 17(a) the proposed merger of Institutional into Growth and, pursuant to Section 17(d) of the Act and Rule 17d-1 thereunder, for an order of the Commission permitting Edie to participate, as a principal, in the merger of Institutional into Growth. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Growth and Institutional were both organized under the laws of Delaware in February, 1969. As of March 31, 1975, such Funds had net assets of approximately \$31,883,000 and \$23,378,000, respectively.

The investment objective of both Funds is to seek long-term capital appreciation. The application states that the Funds' portfolios are substantially similar. Each of the Funds offers its shares through Edie Sales, Inc., a wholly owned subsidiary of Edie, at net asset value, with no sales load. The shares of Growth are offered to the general public. The shares of Institutional are offered for investment to pension and profit-sharing trusts and other organizations such as educational, religious and charitable institutions and foundations which are exempt from Federal income taxation under Section 501 of the Internal Revenue Code of 1954, as amended. Each of the Funds has, since its inception, qualified as a "regulated investment company" under the Internal Revenue Code.

Edie acted as sponsor of Growth and Institutional and owned, as of the date of filing of the application, 5314 and 2158 shares of Growth and Institutional, respectively. Edie Management Services, Inc., a Delaware corporation ("EMS"), a registered investment adviser and a wholly-owned subsidiary of Edie, is presently furnishing Growth and Institutional investment advisory services pursuant to substantially identical agreements that have been approved by the Board of Directors and stockholders of each of the Funds. The officers and directors of Institutional and Growth are identical, and such officers and three of the directors are officers and employees of EMS and Edie. Based on the foregoing, Institutional and Growth may be deemed to be affiliated persons of EMS and each other and Edie may be deemed to be an affiliated person of EMS within the meaning of Section 2(a)(3) of the Act.

Amended investment advisory agreements between EMS and each of the Funds will be submitted to their respective stockholders for approval at the same meetings at which such stockholders will consider and vote upon the pro-

posed merger. The amended investment advisory agreements will be identical to the current agreements between EMS and Growth and Institutional, except that the amended investment advisory agreements will provide for a fee payable to EMS at an annual rate of $\frac{1}{4}$ of 1% of the average daily net assets, as compared with a fee equal, on an annual basis, to $\frac{1}{2}$ to 1% of the average daily net assets under the current agreements.

The proposed Agreement and Plan of Merger between the Funds will provide for the merger of Institutional with and into Growth, which will be the surviving corporation. The corporate existence of Institutional will cease on the effective date of the merger. The proposed merger is contingent upon, among other things, the approval thereof by the affirmative vote of the holders of a majority of the outstanding shares of common stock of each of the Funds and the receipt by the Funds of a ruling by the Internal Revenue Service to the effect that the proposed transaction will constitute a tax-free reorganization and that no gain or loss will be recognized by the Funds or their respective stockholders as a result of the transaction. The proposed merger is also conditioned upon the respective stockholders of each of the Funds approving the respective amended investment advisory agreements with EMS.

The aggregate expenses of the meetings of stockholders of Growth and Institutional at which, among other business to be transacted, the merger proposal will be considered and voted upon, are estimated to be \$26,100 and \$18,900, respectively, and, of such amounts, approximately \$19,600 and \$14,200, respectively, are estimated to be attributable to the proposed merger. In the event the proposed merger is not approved, the total expenses with respect to such meetings will be allocated between Growth and Institutional in approximately the same proportion as their respective net assets as of March 31, 1975, bear to each other. However, EMS has agreed to pay the expense of printing and mailing the proxy material to the extent such expense exceeds the amount thereof generally incurred in connection with regular annual meetings of stockholders of the respective Funds.

Each of the Funds intends to declare and pay to its respective stockholders dividends and distributions substantially equal to the amount of its respective net investment income and realized capital gains to the extent any such realized gains exceed any existing capital loss carry-overs, prior to the effective date of the merger, which is to be the first business day following the day of the meetings of stockholders of each of the Funds at which approval of the merger is obtained. Upon the effective date, each outstanding share of Institutional common stock will be converted into a number of shares of common stock of Growth having the same aggregate net asset value as a share of common stock of Institutional, each determined as of the close of business on the day of the meetings of stockholders of each of the Funds at which the merger is approved.

Although Section 262 of the General Corporation Law of Delaware affords appraisal rights to stockholders who dissent from a merger, subject to compliance by any such stockholders with the procedures set forth in said section, Applicants state that it is the position of the Commission (Investment Company Act Rel. No. 8752) that such procedures violate Rule 22c-1 under the Act, and further that such rule, under the Act, supersedes state law. Appraisal rights under Section 262 will not, therefore, be available to dissenting stockholders.

The Agreement and Plan of Merger will not provide for any adjustment of the net assets of either of the Funds to compensate stockholders for any potential Federal income tax consequences which may result from the differences between the Funds in realized or unrealized capital gains or losses. For the nine month period ended March 31, 1975, Growth and Institutional had net realized capital losses of \$6,159,517 and \$4,482,645, respectively, and the net unrealized depreciation of investments at March 31, 1975, were \$6,785,896 and \$2,803,666, respectively. As of June 30, 1974, Growth and Institutional had net capital loss carry-forwards of approximately \$7,431,000 and \$4,214,000, respectively, which will be available to offset a like amount of future taxable capital gains through 1979. Although the capital loss carry-forward of Growth is somewhat larger than the capital loss carry-forward available to Institutional, Applicants are of the opinion that the terms of the Agreement and Plan of Merger in not providing for any adjustments with respect to these items are equitable.

Edie presently owns 5,314 and 2,158 shares of Growth and Institutional, respectively. The current value of these shares is approximately \$97,299 and \$99,592, respectively, and constitute approximately 0.27% and 0.42% of the outstanding voting securities of Growth and Institutional, respectively.

Section 17(a) of the Act, in pertinent part, provides that it shall be unlawful for any affiliated person of a registered investment company or any affiliated person of such person, acting as principal, knowingly to sell to or purchase from such registered investment company any security or other property. Section 17(b) of the Act provides that the Commission, upon application, may exempt from the provisions of Section 17(a) a proposed transaction if evidence submitted establishes the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve over-reaching on the part of any party to the transaction, and the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act.

Applicants assert that the terms of the proposed merger are fair and reasonable insofar as Growth will be issuing its shares in exchange for shares of common stock of Institutional at a price not less than the net asset value of Growth's shares, and stockholders of Institutional will be receiving common stock of Growth

equal in aggregate value to Institutional's net assets. Applicants assert that the larger asset base of the combined fund and the elimination of certain costs incurred in connection with maintaining two separate corporate entities, such as certain printing, auditing, legal and administrative expenses borne by Growth and Institutional separately, may result in a reduction of per share expenses incurred by the combined fund.

The Funds assert that the proposed merger is consistent with their respective investment policies insofar as stockholders of Institutional will receive shares of an open-end management company with identical investment objectives, fundamental policies and investment restrictions, and a combined investment portfolio which is substantially similar to the separate investment portfolios with respect to specific issuers.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide, in pertinent part, that no affiliated person of any registered investment company and no affiliated person of any such person, acting as principal, shall participate in, or effect, any transaction in connection with any joint enterprise or arrangement in which such registered investment company is a participant unless an application regarding such joint enterprise or arrangement has been filed with the Commission and has been granted by an order. In passing upon such application, the Commission shall consider whether the participation of such registered investment company in such joint enterprise or joint arrangement on the basis proposed is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

The application states that Edie, through its receipt of shares of Growth in exchange for shares of Institutional pursuant to the proposed merger, might be deemed to be a participant in a joint enterprise with Growth and Institutional, and thus, subject to the provisions of Section 17(d) of the Act and Rule 17d-1 thereunder.

Applicants assert that the proposed merger is consistent with the provisions, policies and purposes of the Act. Applicants further assert that the participation of Edie, as a shareholder of Institutional, in the proposed merger will be on the same basis, i.e., net asset value, as all other shareholders of Institutional. Edie will bear any expenses of printing and mailing proxy material which exceed the amount generally incurred in connection with regular annual stockholder meetings.

NOTICE IS FURTHER GIVEN that any interested person may, not later than August 25, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing

thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney at law, by certificate) shall be filed contemporaneously with the request. As provided by Rule O-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20886 Filed 8-8-75; 8:45 am]

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Suspension of Trading

AUGUST 4, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½% debentures due 1990, 5½% convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from August 5, 1975 through August 14, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20887 Filed 8-8-75; 8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.

Suspension of Trading

AUGUST 4, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc., being traded otherwise than on a national securities exchange is required in

the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from August 5, 1975 through August 14, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20888 Filed 8-8-75; 8:45 am]

[Rel. No. 19116; 70-5716]

MONONGAHELA POWER CO.

Proposed Sale of Utility Assets Between Holding Company Systems and Between Subsidiary Companies of One Holding Company

AUGUST 4, 1975.

Notice is hereby given. That Ohio Power Company ("Ohio Power") and Wheeling Electric Company ("Wheeling"), electric utility subsidiary companies of American Electric Power Company, Inc. ("AEP"), a registered holding company, and Monongahela Power Company ("Monongahela") and West Penn Power Company ("West Penn"), electric utility subsidiary companies of Allegheny Power System Inc. ("APS"), a registered holding company, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9, 10 and 12(d) of the Act and rule 44 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

The proposed transactions generally involve the exchange by purchase and sale of certain facilities among the applicants-declarants. It is stated that the transactions are proposed in order to equalize ownership of and responsibilities for interconnection facilities between the parties. It is specifically proposed that the following transactions occur on September 1, 1975 (the "closing date").

Monongahela owns a substation near Weirton, West Virginia ("Weirton substation") which contains some equipment owned by Ohio. It is proposed that Ohio sell Monongahela this equipment for a price equal to the depreciated book value of the equipment on the closing date, which amount is estimated to be \$135,000 as of that date. It is stated that this sale is proposed in order that Monongahela may subsequently upgrade the Weirton substation facilities.

It is also proposed that West Penn transfer and sell to Wheeling a portion of the Fort Martin-Kammer 500 KV line, located in West Virginia, for its depreciated book value as of the closing date. West Penn proposes to transfer such portion of this line as will equal the depreciated book value of the Weirton substation equipment sold by Ohio to Monongahela plus \$35,933.

It is further proposed that Monongahela transfer and sell to West Penn a portion of the Wylie Ridge-Cabot 500 KV line located in West Virginia for its depreciated book value as of the closing date. Monongahela proposes to transfer such portion of this line as will equal the depreciated book value of the Weirton substation equipment sold by Ohio to Monongahela plus \$35,933.

It is stated that the lines being sold and transferred will continue to be used for their present purpose after the consummation of the proposed transactions. The sales of the lines are proposed in order to equalize ownership of and responsibility for interconnection facilities between the AEP and APS systems. The amount of \$35,933 is equal to expenditures previously made by APS in providing interconnection facilities on behalf of AEP.

It is stated that the West Virginia Public Service Commission has jurisdiction over various aspects of the proposed transactions and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred in connection with the proposed transaction are estimated at \$3,500, including legal fees not to exceed \$1,500.

Notice is further given. That any interested person may, not later than August 27, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20892 Filed 8-8-75; 8:45 am]

[Rel. No. 19110, 70-5709]

**JERSEY CENTRAL POWER & LIGHT CO.
ET AL.****Proposed Transfers of Property Interests
in Seven Proposed Sites**

AUGUST 1, 1975.

Notice is hereby given, That Jersey Central Power & Light Company ("Jersey Central"), Metropolitan Edison Company ("Met Ed"), and Pennsylvania Electric Company ("Penelec"), electric utility subsidiary companies of General Public Utilities Corporation ("GPU"), a registered holding company, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9(a), 10, 12(d) and 12(f) of the Act and Rule 43 thereunder as applicable to the proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

Jersey Central, Met Ed and Penelec propose to make the necessary transfer of property interests and to adjust their respective present contractual obligations in order to provide for the ownership, as tenants-in-common, in varying percentage interests of an aggregate of seven proposed sites to be used for generation and related purposes ("Projects"). The respective interests in such sites to be used for generation and related purposes are based on the respective long term load and capacity forecasts of each of the companies and are designed to provide each company with ownership of generation capacity in amounts and types appropriately related to its forecast peak load. Based on expenditures to March 31, 1975, this will result in net payments and receipts by the companies as follows:

Net Payments by Jersey Central	\$7,871,543
Net Payments by Penelec	539,098
Net Receipts by Met Ed	8,410,641

The companies will require certificates of public convenience from the Pennsylvania Public Utility Commission for the limited service rights incident to their interests in the various projects. It is stated that the transfers and related transactions will occur as the necessary regulatory authorizations and releases are obtained. It is expected that all the transfers and payments will be effected not later than December 31, 1976, or earlier if feasible. The payments and receipts tabulated above will be adjusted to reflect expenditures incurred (including allowance for funds used during construction) until the actual transfers occur. Each such transfer and purchase will be made at the transferor's cost to the date of transfer. The application-declaration lists the respective Projects, the respective proposed ownerships therein, the investments in such Projects as of March 31, 1975, and the amounts to be paid and received as of that date.

The transfers will embrace the proportionate interests in all items of property (including engineering studies, environmental studies, leases, contracts,

permits, etc.) which are part of such Projects and will be subject to all liens and encumbrances (other than the lien of the transferor's first mortgage bond indenture) existing at the date of such transfers, and to the extent required by the transferor, reserve unto the transferor easements for transmission and distribution facilities. After the transfers, each of the companies will bear its proportionate share of the payments to be made in carrying the investment of the Projects and in prosecuting such Projects in accordance with the provisions of Memorandum of Agreements.

The fees, commissions, and expenses to be incurred by the companies in connection with the proposed transaction will be supplied by amendment. It is stated that no state commission, other than the Pennsylvania Public Utility Commission, as mentioned above and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given, That any interested person may, not later than August 28, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the General rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 75-20889 Filed 8-8-75; 8:45 am]

[Release No. 19113, 70-5711]

LOUISIANA POWER & LIGHT CO.**Proposal To Issue and Sell First Mortgage
Bonds at Competitive Bidding**

AUGUST 4, 1975.

Notice is hereby given, That Louisiana Power & Light Company ("Louis-

iana"), an electric utility subsidiary of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed an application and an amendment thereto with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50 promulgated thereunder regarding the following proposed transaction. All interested persons are referred to the application, as amended, which is summarized below, for a complete statement of the proposed transaction.

Louisiana proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 promulgated under the Act, \$50,000,000 principal amount of its first mortgage bonds, % Series having a term of not less than 5 nor more than 30 years. The interest rate on the bonds (which will be a multiple of $\frac{1}{8}$ of 1%) and the price, exclusive of accrued interest, to be paid to Louisiana (which will be not less than 100% nor more than 102 $\frac{3}{4}$ % of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under Louisiana's Mortgage and Deed of Trust dated as of April 1, 1944, to The Chase Manhattan Bank of New York, Trustee, as heretofore supplemented and as to be further supplemented by a Twenty-second Supplemental Indenture to be dated as of September 1, 1975, which includes a prohibition, for a period of not more than five years, against refunding the bonds with the proceeds of funds borrowed at a lower effective interest cost.

Louisiana's Mortgage and Deed of Trust ("Indenture") as heretofore amended provides that in the computation of the "two times interest" coverage test for the issuance of additional bonds, the amount of the company's non-operating income (as defined) that may be taken into account shall not exceed 15% of the sum of net operating income plus non-operating income. This provision differs from the analogous provision of the Commission's Statement of Policy in respect of first mortgage bonds ("Policy Statement") adopted February 16, 1956 (HCAR No. 13105), which restricts the inclusion of non-operating income to an amount not exceeding 10% of operating income. Over recent years the Indenture provision has resulted in higher computed interest coverages than would have resulted from the provision prescribed by the Policy Statement.

As a first step toward conforming the Indenture provision with that of the Policy Statement, Louisiana's Twenty-second Supplemental Indenture to be dated as of September 1, 1975, will amend the Indenture provision so as to provide that, effective with the first series of bonds to be issued after December 31, 1975, the amount of includable non-operating income shall not exceed 14% of the sum of net operating income plus non-operating income. It is contemplated that said percentage will be successively reduced further in future supplemental indentures so that the Indenture provision (including, ultimately, the base to which the percentage shall apply) will finally conform in substance with the

analogous provision of the Policy Statement.

Louisiana proposes to utilize the net proceeds from the issuance and sale of the proposed bonds to retire short-term debt outstanding and to finance its construction program (estimated at \$140,500,000 for 1975). Fees and expenses incident to the proposed transaction are estimated at \$152,000, including counsel fees of \$48,000 and accounts' fees of \$10,000. The fee of counsel for the successful bidders is estimated at \$16,500 and is to be paid by the successful bidders. No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given, That any interested person may, not later than August 28, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as amended or as it may be further amended, may be granted as provided in rule 23 of the General rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20890 Filed 8-8-75; 8:45 am]

[Rel. No. 19111, 70-5712]

MISSISSIPPI POWER CO.

Proposal To Amend Articles of Incorporation and Solicit Proxies

AUGUST 1, 1975.

Notice is hereby given, That Mississippi Power Company ("Mississippi"), an electric utility subsidiary of The Southern Company, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"),

designating Sections 6(a) and 7 of the Act and Rule 62 promulgated thereunder as applicable to the proposed transactions. All interested parties are referred to said declaration, which is summarized below, for a complete statement of the proposed transactions.

Mississippi's Articles of Incorporation presently empower the Board of Directors to establish various series of preferred stock, and to fix and determine the relative rights and preferences, as to which there may be variations between different series. Mississippi proposes to authorize, by amendment to the Articles of Incorporation, the Board of Directors to fix and determine the sinking fund provisions, if any, for the redemption or purchase of shares of any series.

Mississippi further proposes that it be authorized by vote of the holders of its preferred stock to issue or assume, until July 1, 1982, securities representing unsecured debt having maturities of less than ten years in excess of 10% of capital, surplus and secured debt, provided that (a) the amount of securities representing unsecured debt having maturities of less than ten years outstanding on January 1, 1983, shall not exceed said 10% limitation, and (b) Mississippi's total indebtedness represented by unsecured securities shall at no time exceed 20% of capital, surplus and secured debt.

In furtherance of these proposals Mississippi proposes to solicit proxies from the holders of its outstanding stock in connection with the special meeting of shareholders to be called to take action upon the proposals. The fees and expenses to be incurred in connection with the proposed transactions are estimated at \$28,000, including fee for solicitation of proxies of \$10,000 and legal fee of \$7,500. It is stated that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given, That any interested person may, not later than August 26, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided

in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20891 Filed 8-8-75; 8:45 am]

[Release No. 34-11561; File No. S7-573]

MUNICIPAL SECURITIES BROKERS AND DEALERS AND SPECIALISTS

Application of Net Capital Requirements

Introduction. The Securities Acts Amendments of 1975 ("the 1975 Amendments") amended section 15(c) (3) of the Securities Exchange Act of 1934 ("the Act") by requiring the Commission to establish minimum financial responsibility requirements for all brokers and dealers. The 1975 Amendments also amended section 23(a) (1) of the Act to authorize the Commission to classify persons for purposes of implementing the provisions of the Act and prescribe greater, lesser or different requirements for different classes.

The Commission is of the view that it may continue to provide appropriate exemptions for brokers and dealers from the provisions of the net capital rule. However, the basic thrust of the legislation requires the establishment of minimum financial responsibility requirements for all brokers and dealers. The Commission has determined to solicit the views of interested persons on the question of the application of the recently adopted uniform net capital rule¹ to municipal securities brokers and dealers and on the question of appropriate net capital requirements to be applied to specialists.

Municipal securities brokers and municipal securities dealers. Prior to the enactment of the 1975 Amendments, municipal securities were included in the definition of exempted securities set forth in section 3(a) (12) of the Act and, therefore, brokers or dealers who effected transactions solely in municipal securities or other exempted securities were not subjected to rules adopted under section 15(c) (3) of the Act respecting financial responsibility and related practices. The 1975 Amendments modified section 3(a) (12) to provide that municipal securities would no longer be exempted securities for purposes of section 15 of the Act. Thus, as of December 1, 1975 (the effective date of the relevant provisions of the 1975 Amendments) municipal securities brokers and dealers other than banks will become subject to appropriate

¹ Securities Exchange Act Release No. 11497, June 26, 1975 [40 FR 29795].

financial responsibility requirements under section 15(c)(3).²

The Commission has determined to seek public comment from interested persons on any special problems which may be unique to such municipal securities brokers and dealers including those whose only customers may be professional securities dealers and banks. Comments are requested so that any problems which may exist may be appropriately resolved before all the provisions of the uniform net capital rule become effective.

Specialists. The net capital rule classifies specialists as a separate class of brokers and dealers and exempts them from its requirements. The separate classification is based on the fact that such specialists deal only with other brokers or dealers and have no public customers and, furthermore, conduct a business which is closely monitored and regulated by the exchanges. Nevertheless, the Commission does not believe that the exemption should be continued indefinitely.

The Commission is soliciting the views of all interested parties as to what types of capital requirements are appropriate for specialists as well as what minimum dollar capital requirements should be applied to all specialists. The alternative net capital concept would appear to be one approach which would be appropriate for specialists. The Commission has already solicited the views of the various self-regulatory organizations as to appropriate uniform financial responsibility requirements for specialists; copies of the views of such organizations are available for public inspection. (File S7-573).

Finally, it is the Commission's view that unique capital requirements appear to be appropriate for market makers, specialists and registered traders in options who do not deal with the public and who are not clearing members of the Options Clearing Corporation. Accordingly, specific comments are sought as to how the capital requirements applicable to such market makers, specialists and registered traders should be incorporated in minimum financial responsibility requirements for all brokers and dealers.

Interested persons are invited to submit their views to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, no later than August 31, 1975. Reference should be made to File No. S7-573. All comments received will be subject to public inspection.

²The terms "municipal securities dealer" and "municipal securities broker" are defined in sections 3(a)(30) and 3(a)(31) of the Act to include in general all persons engaged in buying and selling municipal securities for their account including banks. However, banks as defined in section 3(a)(6) of the Act continue to be excluded from the definitions of "broker" and "dealer" set forth in sections 3(a)(4) and 3(a)(5) of the Act and therefore are not subject to the provisions of section 15(c)(3) of the Act.

This advance notice of proposed rule-making is issued under the authority of section 15(c)(3) of the Securities Exchange Act of 1934 (15 U.S.C. 78a) as amended by the Securities Acts Amendments of 1975 (Pub. L. 94-29).

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

JULY 30, 1975.

[FR Doc.75-20881 Filed 8-8-75;8:45 am]

[File No. 500-1]

WESTGATE CALIFORNIA CORP.

Suspension of Trading

AUGUST 4, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock (class A and B), the cumulative preferred stock (5% and 6%), the 6% subordinated debentures due 1979 and the 6½% convertible subordinated debentures due 1987, and all other securities of Westgate California Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from August 5, 1975 through August 14, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20893 Filed 8-8-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

FARGO DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Fargo District Advisory Council will hold a public meeting at 9 a.m. (C.D.T.), Tuesday, August 26, 1975, in Room 319, Federal Building, Small Business Administration, 653 Second Avenue North, Fargo, North Dakota 58102, to discuss such business as may be presented by members, the staff of the Small Business Administration, and others attending. For further information write E. Maine Schafer, at the above address, or call (701) 237-5131.

Dated: July 31, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy,
Small Business Administration.

[FR Doc.75-20814 Filed 8-8-75;8:45 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

UNFAIR TRADE PRACTICES

Hearings

Notice of public hearings relating to a petition filed by Delta Steamship Lines,

Inc. pursuant to Title III, Sec. 301 of the Trade Act of 1974, alleging certain unfair trade practices by the Government of Guatemala.

TIMETABLE

I. Hearings will be Tuesday, Sept. 16 and Wednesday, Sept. 17, 1975, beginning at 10 a.m. in Room 730, Office of the Special Representative for Trade Negotiations, 1800 G Street, N.W., Washington, D.C. 20506. Hearings may be held on additional days if necessary.

II. Requests to present oral testimony and accompanying briefs must be received on or before Monday, Sept. 8, 1975.

1. *Previous Public Notice.* In the FEDERAL REGISTER of July 10, 1975 (40 FR. 29134) a petition received from Delta Steamship Lines, Inc. was published and views of interested parties were solicited pursuant to the requirements of subsections 301(d)(2) of the Trade Act of 1974.

2. *Subject Matter of Public Hearings.* The terms of reference of the public hearings are set forth in the petition of Delta Steamship Lines, Inc., published in the FEDERAL REGISTER on July 10, 1975 (40 FR 29134). Delta Steamship Lines, Inc. alleges certain unfair trade practices by the Government of Guatemala which are condemned by Sec. 301 of Title III of the Trade Act of 1974.

3. *Submission of Briefs and Requests to Present Oral Testimony.* (a) Requests for oral testimony and submission of written briefs should conform to the rules of the TPSC set forth in 40 FR 18421, sec. 2003.2 and 2003.4.

(b) Requests to present oral testimony should be sent to the Secretary, Trade Policy Staff Committee, Office of the Special Representative for Trade Negotiations, Room 729, 1800 G St., N.W., Washington, D.C. 20506.

(c) Requests to present oral testimony must state briefly the interest of the applicant in the subject matter and the position to be taken by the applicant.

In addition, requests to present oral testimony should include the following information:

The name, address, telephone number, and official position (if applicable) of the party submitting the request.

The subject or subjects to be dealt with in the proposed testimony, listed individually and described with sufficient particularity to identify the law, regulation, or practices to be discussed and the country or countries involved.

The name, address, and telephone number of the person (or persons) who will present oral testimony.

The amount of time requested for the presentation of oral testimony and the reasons therefor.

Each person scheduled to appear will be notified of the date and the amount of time allotted for his presentation. If such time is inconvenient to the person requesting appearance, the Office of the Special Representative for Trade Negotiations will consider rescheduling that person. The Office of the Special Representative for Trade Negotiations reserves the right to restrict the time allotted for oral presentation and to

deny requests when it determines that the proposed testimony is not relevant to the hearings.

(d) Briefs not related to requests to present oral testimony may be submitted at any time, but should be submitted prior to Sept. 17 in order to receive adequate consideration. This date supercedes the date of Aug. 15 noted in 40 FR 29135 (July 10, 1975). Every written brief must present in nonconfidential form a statement of the party's position and supporting arguments sufficient to inform any other party of the arguments he must meet in order to oppose the position taken in the brief.

(e) Briefs should be submitted in 20 copies.

4. *Suggestions on the Preparation of Written Briefs and Oral Testimony.* While there are no formal regulations on the format or content of the material submitted (other than those mentioned in paragraph 3 of this Notice), it is suggested that those preparing testimony or briefs for submission include the following points in their submission:

(a) An introductory summary statement indicating the interest of the witness or person on whose behalf the brief is submitted.

(b) Where applicable, a description of the U.S. or foreign law, regulation, or should be appended to the brief. If this Whenever possible, copies of laws or regulations which are under discussion should be appended to the brief. If this is not possible, the laws and regulations should be identified with the greatest possible particularity, such as by appropriate citations.

(c) Identification of any foreign country or countries the laws or practices of which are discussed in the brief.

(d) A description of how the foreign practice affects the interest of the witness.

While the full presentation of oral testimony is welcomed, it is preferable that such testimony not duplicate material submitted in writing, since both will be reviewed. Instead, oral presentations should emphasize the salient points of the briefs submitted, expand upon their contents when necessary, cover any developments since the briefs were submitted, and emphasize materials not easily susceptible to explanation in writing. Witnesses should be prepared to answer questions.

5. *Rebuttal Briefs.* In order to assure parties the opportunity to contest the information provided by other interested parties, rebuttal briefs may be filed by any party within 15 days after the close of the hearings. Rebuttal briefs must conform, in form and number (except that the requirement that briefs be submitted in 20 copies is hereby waived) to the provisions of this notice applicable to written briefs. Rebuttal briefs should be limited to demonstrating errors of fact or analysis not pointed out in the briefs or hearings, and should be as concise as possible.

6. *Information Exempt from Public*

Inspection. Parties are referred to Sec. 2003.6 of the TPSC regulations, published in the FEDERAL REGISTER of April 28, 1975 (40 FR 18419). Those rules concerning information labelled "Business Confidential" which is exempt from public inspection, apply to information received pursuant to this notice.

Oral testimony should contain no confidential information. Any business confidential information should be attached to briefs and be easily separable. If it is determined that the information supplied cannot be accorded confidential treatment, that material will be returned to the Addressee.

7. *Public Inspection of Written Materials.* All nonconfidential written materials filed with the STR in connection with these hearings will be open to public inspection, by appointment, at the Office of the Trade Policy Staff Committee, Room 729, 1800 G Street, N.W., Washington, D.C. 20506.

8. *Transcripts of the Hearings.* All oral testimony presented at the hearing will be recorded and transcribed. Persons giving testimony may correct errors of form or expression in their testimony, but may not change substance. All corrections must be approved by the Secretary of the TPSC. The cost of making such corrections will be the responsibility of the person requesting the corrections.

Transcripts of the hearings will be available for inspection or purchase.

9. *Attendance at the Hearings.* The hearings will be open to the public. Heavy or disruptive equipment, such as television equipment, will not be admitted to the hearings without the permission of the Chairman.

10. *Communications.* All communications with regard to these hearings should be addressed to: Secretary, Trade Policy Staff Committee, Office of the Special Representative for Trade Negotiations, 1800 G Street, N.W., Room 729, Washington, D.C. 20506. The telephone number of the Secretary of the Committee is (202) 395-3395.

CLAYTON YEUTTER,
Deputy Special Representative
for Trade Negotiations.

[FR Doc. 75-21071 Filed 8-8-75; 8:45 am]

SECTION 301 OF THE TRADE ACT OF 1974

Complaint

On July 17, 1975 the Special Representative for Trade Negotiations received from the United Egg Producers a petition alleging unfair trade practices by Canada against United States commerce in commercial eggs and requesting relief under section 301 of the Trade Act of 1974 (P.L. 93-618; 88 Stat. 1978). On July 21, 1975 the Special Representative received from the American Farm Bureau Federation a petition also alleging unfair trade practices by Canada against United States commerce in commercial eggs and requesting relief under section 301. The texts of the petitions are as follows:

UNITED EGG PRODUCERS,
Washington, D.C., July 17, 1975.

The Honorable CLAYTON YEUTTER,
Deputy Special Representative, Office of the
Special Representative for Trade Negotiations,
1800 G St. NW., Washington, D.C.
20506

DEAR MR. YEUTTER: In compliance with Section 2003.2(e), Rules and Regulations of the Office of the Special Representative for Trade Negotiations, I am enclosing the brief of United Egg Producers on the subject of the Canadian Import Controls on U.S. Commercial Eggs. Previous communications with your office have signalled the problem and have recommended action by the President under Section 301 of the Trade Act of 1975. The enclosed brief outlines in more detail the Canadian quota plan, its history, previous problems, and our recommendations for response by the U.S. government.

At this time, United Egg Producers is not requesting a public hearing as provided in Section 2003.3, but reserves the right to make such a request at a later date as provided in Subsection (a) of Section 2003.3. We are hopeful that the existing problems will be resolved without the necessity of such hearing. Thanking you for your continued concern in behalf of the egg industry, I am

Sincerely,

JAMES F. FLEMING,
Vice President, Governmental Relations.

BRIEF ON CANADIAN IMPORT CONTROLS ON U.S. COMMERCIAL EGGS

On July 4, 1975 the Canadian Minister of Agriculture, Eugene Whelan, announced the imposition of import controls on commercial shell eggs (chicken eggs in the shell) and further processed egg products from the United States. The action took effect at midnight on July 4, effectively closing the border to further U.S. egg imports until a system of import licensing was established and entry permits issued. The licensing system was announced on Monday, July 7, and the first permits were issued shortly thereafter.

Under the import plan, U.S. egg marketers are allocated 0.36 percent (thirty-six one hundredth of one percent) of the annual Canadian commercial market for shell eggs. The formula is derived from five-year Canadian egg production figures which averaged, according to the Canadian government, 475 million dozen eggs annually between 1969-1973. Therefore, the U.S. annual quota for shell eggs will be approximately 54,000 cases (30-dozen per case). For the balance of 1975, some 36,000 cases will be allowed. Monthly quotas will be announced by the Canadian government based on the historical marketing patterns for eggs during the five-year base period. The monthly quota for July was announced at 3,750 cases—less 500 cases which was the average for the first four days of July.

For processed eggs, the Canadians have established a quota system based on case equivalents. Dried eggs allowed into the country will be equivalent to 84,360 cases of shell eggs, and frozen eggs will be allowed equal to 57,060 cases of shell eggs. These annual quotas will be divided

equally into four quarterly quotas, the Canadian government has said.

Unfilled quotas can not be carried over into a new quota period. Shipments must not exceed the allocated permit for such shipment.

The border restrictions are for an indefinite period. Future quotas will be adjusted according to the historical marketing pattern and the demand for shell eggs in Canada. The formula of 0.36 percent (thirty-six one hundredths of one percent) of the Canadian commercial shell egg market can also be adjusted to the prevailing supply and demand factors of that country.

BACKGROUND

For several years, Canadian egg producers have attempted production controls based on historical demand formulas within the individual provinces. Simply, egg producers within the provinces elected to organize egg boards to administer a system of production quotas deemed necessary to keep the supply of eggs in compliance with consumer demand at a profit to producers. The boards set quotas for each egg producer owning 500 or more laying hens, established the minimum price egg processors must pay producers for their quota eggs, and assess producers an amount sufficient to administer the control program. The assessments are used both to finance the board's operations and to purchase eggs from packers that are not needed in the marketplace during any given time period. The "removed" eggs, and the over-quota eggs are pooled by the boards and sold somewhere outside the normal commercial marketing channels of that province. This is done in order to maintain the established price.

The program began with separate government authorized, producer-operated provincial egg marketing boards. Following several inter-provincial disputes, the national government authorized a federation of the provincial boards into a single, national egg board known as the Canadian Egg Marketing Agency (C.E.M.A.). This agency was charged with the responsibility of managing the national supply of eggs to meet the national demand at a price which would return a profit to egg producers.

Under the national plan, provincial boards manage local egg production and marketing. Surpluses of both quota and over-quota eggs are removed by the provincial boards and transferred to C.E.M.A. A portion of the assessments levied against each egg producer is paid to C.E.M.A. for its administration and for the removal of surplus eggs. C.E.M.A. attempts to remove all the surplus eggs from the provinces without disrupting the provincial marketing programs. The surpluses were exported, processed into egg products, and donated to world food organizations through the Canadian government.

In 1974, several million eggs spoiled in storage in Canada under the C.E.M.A. administration, the agency incurred an indebtedness of several million dollars, and all the individual provincial egg

marketing boards withdrew from affiliation with C.E.M.A. During 1974, United Egg Producers charged C.E.M.A. was dumping eggs in the U.S. in violation of the Anti-Dumping Act of 1921. From April, 1974 until September, 1974, the Canadians imposed import restrictions on U.S. shell eggs. During that time the surplus produced was overwhelming. In the Fall of 1974, the individual egg boards again assumed the provincial marketing of eggs for their producers, but in the Spring of 1975, these boards again were unable to control domestic egg supplies within a profitable price structure. One of their problems was the close proximity of U.S. egg production. Whenever Canadian prices rose to a point to attract U.S. eggs, the U.S. producers readily responded. This trade continued during the same time provincial egg marketing boards were removing eggs from their market in order to support the artificially high market prices which the boards had set.

In March of 1975, Minister Whelan promised egg producers that he would close the border to U.S. eggs if Canadian egg producers would adjust their production to meet the domestic needs. A national laying flock size of 19.9 million hens was adopted as the target figure. In May, Canadian egg producers petitioned the Agriculture Minister to impose border restrictions. At that time the Canadian Department of Agriculture was reporting a flock size in excess of 24 million layers. Later the egg producers presented the Minister with an ultimatum—either impose border controls by June 10 or they would dissolve C.E.M.A.

On June 10, Minister Whelan announced he was sending a delegation to Washington, D.C., to outline to U.S. officials his plan for restricting U.S. egg imports. The meeting was held at the U.S. State Department on Wednesday, June 11, with representatives of the State Department, U.S. Department of Agriculture, and a representative from the Office of the Special Representative for Trade Negotiations. According to reports from that meeting, the Canadian spokesmen made it clear their purpose was to advise the U.S. officials of their plans and not to negotiate the terms. They told U.S. officials the plan would be officially announced on June 12.

Because of internal problems with the formal adoption of the national egg marketing plan—which each provincial egg board was required to endorse—the implementation of the plan did not come about until July 4. As far as we can determine, the announcement was made without preliminary notice to any U.S. government agency.

CANADA CLAIMS GATT AUTHORIZATION

Minister Whelan claims the Canadian action is authorized by the General Agreement on Tariffs and Trade (GATT). He cites provisions of GATT which states that a government may impose import controls on products of another country which are imported in competition with domestic products

which are under a government-administered domestic supply control program. Minister Whelan further states that the U.S. would be in violation of GATT if it retaliated by cutting imports.

CANADIAN CLAIM CHALLENGED

In the opinion of United Egg Producers, the Canadian program does not conform to the provisions of GATT, primarily because the current national plan does not balance the supply of eggs with demand within the country. Additionally, we do not believe the official agreement between C.E.M.A. and the provincial egg marketing boards is legally binding upon the provinces or the egg producers within the provinces. Statistical reports from the Canadian Department of Agriculture indicates the laying flock in the nation is approximately five million hens over the national quota, and there are approximately 68 egg producers in Quebec Province who own approximately 1.8 million layers that are not included in the national plan.

U.S. egg producers offer Canadian export statistics as evidence that the supply control program in Canada does not match supply with demand. According to the Poultry Market Report of the Canadian Department of Agriculture, through the week of July 5, 1975 some 136,862 cases of commercial shell eggs had been exported from Canada into the United States. These figures indicate that almost 10,000 cases of this number entered the U.S. from June 1 to July 7.

U.S. egg producers contend that if the Canadians have a true domestic supply program in effect, there would be no surplus eggs to export to the United States, or any other foreign country.

EGG PRODUCERS' RECOMMENDATION

United Egg Producers has a long-standing policy advocating free international trade (see testimony before U.S. International Trade Commission of March 7, 1975 and before Trade Policy Staff, Office of the Special Representative for Trade Negotiations, June 6, 1975). Similarly, our policy advocates strong U.S. action to maintain free trade and failing in that effort, to impose similar or equal economic sanctions against any country which practices trade restrictions. We strongly believe the U.S. should not permit one-way international trade or unfair international trade policies which affect U.S. products.

Therefore, we recommend the following U.S. government response to the arbitrary Canadian egg import controls:

- (1) A strong U.S. statement to the Canadian government requesting restoration of free trade in eggs between the U.S. and Canada;
- (2) A petition to GATT requesting an immediate investigation of the Canadian restrictions on U.S. eggs; and
- (3) Imposition of quotas on Canadian eggs equal to quotas allocated U.S. egg producers until such time as free trade is restored.

The reasons for this position is simply to exert the U.S. government's position

of strength in international trade in support of free trade and to stand strong against the imposition of selective embargoes against any U.S. products. Already the Canadian government practices border controls on beef, turkeys, petroleum, and, now, eggs. Press reports indicate plans are already being made to restrict U.S. sales of fresh and frozen poultry. One by one—unless some counter-measures are taken by the U.S. government—Canada will shut off trade with the U.S. at anytime it is to its advantage while taking advantage of the U.S. market for their products.

Since we do not believe the Canadian plan meets the criteria of GATT, we believe the U.S. could win this international trade question by actively pursuing the matter before GATT. Such an investigation could take months, so we also recommend the imposition of import quotas on Canadian eggs until the question is resolved. The imposition of similar controls on Canadian egg imports should serve as a protection to U.S. egg markets and have no adverse effect on Canadian egg producers since C.E.M.A. is not supposed to have any surplus eggs to ship to the U.S. or any other foreign country. On what basis could the Canadians claim the U.S. violated GATT by such a step, when, if they themselves have not violated GATT, they should have no surplus eggs to export?

CONCLUSION

The question raised by the imposition of import controls on U.S. eggs is not a major economic question in terms of volumes of shell eggs in international trade. It is significant to U.S. egg producers only in terms of possible effect. For instance, the reaction of the Chicago Shell Egg Futures on Monday, July 7, to the Canadian control was an immediate decline in egg futures down 60 points in spot July to 155 points lower in October.

The importation of commercial shell eggs at any given time could have an adverse effect on the U.S. egg market. Depending on the strength of the market at the time, the importation of a single truckload could cause the market to drop 1¢ or cause the market to remain at the current level when it should have risen by a half-cent or one cent. The inelasticity ratio is said to be 1:7—one percent change in supply causes a seven percent change in price. Economists estimate a 1¢ rise in the egg market means approximately \$1.2 million per week to U.S. egg producers. Once the price rise is lost, there is no way to determine if it is ever recovered.

In 1974, U.E.P. estimated the Canadian egg marketing practices had cost U.S. egg producers approximately \$45.6 million. Depending on several economic variables, U.S. egg producers could lose this much, or even more, in 1975 if C.E.M.A. employs export sales practices such as those of last year.

In volume figures alone, it is evident the Canadian egg producers have shipped more eggs to the U.S. than has gone to Canada. In 1974, U.S. shipments of commercial shell eggs to Canada amounted

to 194,409 cases, while imports from Canada amounted to 436,514 cases. These figures are from the Canadian Poultry Market Report and includes only graded, commercial shell eggs.

Obviously, from the import-export figures cited above, the Canadian egg producers have more to gain in a free international market than does the U.S. egg producer. Obviously, U.S. producers are at a serious disadvantage when artificial import controls prevent free international trade. Part of the difference involved in the 1974 figures resulted from the imposition of import quotas on U.S. eggs between April and September, 1974 by the Canadian government.

AMERICAN FARM BUREAU FEDERATION,
Park Ridge, Ill., July 21, 1975.

HON. FREDERICK B. DENT,
Special Representative for Trade Negotiations,
1800 G St., Washington, D.C. 20506

DEAR MR. DENT: The Canadian government has imposed quota restrictions on U.S. shell and processed eggs, which became effective at midnight on July 4. U.S. egg producers will be allocated 0.36 percent of the Canadian domestic market, based on 1969-73 Canadian production, or approximately 54,000 cases of shell eggs in a 12-month period. In 1974, Canada's inspected imports of shell eggs from the United States (excluding eggs for hatching) totaled 195,759 cases.

We consider this action totally unjustified and contrary to the concept of mutually advantageous freer trade which both nations profess to support.

Therefore, we request that you further investigate this matter and that the President exercise his authority under Title III, Section 301, of the Trade Act of 1974, to bring about the elimination of this unreasonable trade restriction.

We specifically request that serious consideration be given to the imposition of counter-quotas on Canadian eggs shipped to the U.S. for as long as Canada restricts the importation of U.S. eggs.

Sincerely,

WILLIAM J. KUMFUS,
President.

The petitioners have not requested a hearing on this complaint.

Interested parties are invited to present their views on this matter to the Secretary, Trade Policy Staff Committee, Office of the Special Representative for Trade Negotiations, Room 729, 1800 G Street NW., Washington, D.C. 20506. It is requested that such views be submitted by September 22, 1975.

MORTON POMERANZ,
Chairman, Section 301 Committee,
Office of the Special Representative for Trade Negotiations.

[FR Doc. 75-21072 Filed 8-8-75; 8:45 am]

LEGAL SERVICES CORPORATION

BY-LAWS

Notice of Establishment

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355, 88 Stat. 378, 42 U.S.C. 2996-2996f, §§ 2971e, 2996b note ("the Act"). Pursuant to Section 1008(e) of the Act, the

Corporation herewith publishes the proposed By-laws of the Legal Services Corporation.

Public comment will be received by the Corporation at its temporary office, Room 413, 1725 K Street, N.W., Washington, D.C. 20006, on or before September 10, 1975. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen at the above offices during business hours, Monday through Friday.

The Board of Directors of the Legal Services Corporation at its meeting of August 5, 1975, adopted the following By-laws as temporary By-laws for the Corporation, with the exception of sections 4.08 and 5.02(c). Sections 4.08 and 5.02(c) are published together with alternative language for those sections. Final By-laws will be issued by the Corporation after the Board of Directors has reviewed and considered public comment received pursuant to this notice.

BY-LAWS OF LEGAL SERVICES CORPORATION

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ARTICLE I—NATURE, POWERS, AND DUTIES OF THE CORPORATION

Section 1.01. *Nature of the Corporation.* Legal Services Corporation (the "Corporation") is the corporation established by Section 1003 of the Legal Services Corporation Act, 42 U.S.C. 2996-2996f (the "Act"), which was added to the Economic Opportunity Act of 1964 as Title X thereof by an Act of Congress cited as the Legal Services Corporation Act of 1974, Public Law 93-355, approved July 25, 1974, 88 Stat. 378. The Act establishes the Corporation in the District of Columbia as a private nonmembership, nonprofit corporation for the purpose of providing financial support for legal assistance in noncriminal proceedings or matters to persons financially unable to afford legal assistance. Except as may be otherwise provided in the Act, the Corporation is not considered a department, agency, or instrumentality of the United States Government.

Sec. 1.02. *Powers and Duties.* The powers and duties of the Corporation are as set forth in the Act. The powers of the Corporation include, to the extent consistent with the Act, the powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, D.C. Code Title 29, Chapter 10, other than the power to cease corporate activities.

ARTICLE II—OFFICES AND AGENTS

Sec. 2.01. *Principal Office.* The Corporation shall maintain its principal office in the District of Columbia.

Sec. 2.02. *Agent.* The Corporation shall maintain in the District of Columbia a designated agent to accept service of process for the Corporation.

Sec. 2.03. *Other Offices and Agents.* The Corporation may also have offices and agents at such other places, either within or without the District of Columbia, as the business of the Corporation may require.

ARTICLE III—BOARD OF DIRECTORS

Sec. 3.01. *General Powers.* The property, affairs, and business of the Corporation shall be under the direction of the Board of Directors (the "Board"), subject to the provisions of the Act.

Sec. 3.02. *Number, Terms of Office, and Qualifications.*

(a) The Board shall consist of eleven voting members and the President of the Corporation ex officio. The voting members shall be appointed by the President of the United States by and with the advice and consent of the Senate. No more than six of the voting members shall be of the same political party. A majority of the voting members shall be members of the bar of the highest court of a state. None of the voting members shall be a full-time employee of the United States.

(b) The term of office of each voting member of the Board shall be three years, except that five of the members first ap-

pointed have been designated by the President of the United States to serve for a term of two years. Each member of the Board shall continue to serve until his successor is elected and qualified. The term of the initial members of the Board shall be computed from July 14, 1975, the date of the first meeting of the Board. The term of each member of the Board other than the initial members shall be computed from the date of termination of the preceding term. Any member of the Board appointed to fill a vacancy occurring prior to the expiration of the term for which such member's predecessor was appointed shall be appointed for the remainder of such term. No member of the Board shall be reappointed to more than two consecutive terms immediately following such member's initial term.

(c) All references in these By-laws to the members of the Board or to the Directors shall mean the voting members appointed by the President of the United States.

Sec. 3.03. *The Chairman of the Board.* The initial Chairman of the Board, during the period July 14, 1975 to July 13, 1978, shall be the member of the Board initially designated as Chairman by the President of the United States or, if he should resign or otherwise vacate office, the member subsequently so designated by the President of the United States. Thereafter, annually or at such other time as there may be a vacancy in this office, the Board shall elect a Chairman of the Board from among its voting members who shall serve in such capacity until his successor has been duly elected and qualified, or until he shall resign or otherwise vacate his office or his Board membership. The Chairman of the Board shall preside at all meetings of the Board, shall carry out all other functions required of him by the Act and these by-laws, and shall perform such other duties as from time to time may be assigned to him by the members of the Board.

Sec. 3.04. *Qualification.* A person shall be deemed to have qualified as a Director, or as the Chairman of the Board, when upon his appointment or selection, as the case may be, he has affirmed or executed a statement, in a form provided by the Board, faithfully to discharge his duties.

Sec. 3.05. *Outside Interests of Directors.*

(a) No member of the Board may participate in any decision, action, or recommendation with respect to any matter which directly benefits such member or pertains specifically to any firm or organization with which such member is then associated or has been associated within a period of two years. For the purposes of this Section, (1) a member of the Board shall be deemed "associated" with a firm or organization if he (A) is serving or has served within the past two years as a director, officer, trustee, employee, or partner thereof, (B) is negotiating or has any arrangement concerning prospective employment therewith, or (C) has or has had within the past two years any financial or ownership interest therein; (2) the President of the Corporation shall be deemed a member of the Board; (3) the term "member of the Board" includes a member of the immediate family of a member of the Board; and (4) the term "member of the immediate family" of a member of the Board means a spouse, child, parent, brother, or sister of such member of the Board, or a spouse or relative of any of the foregoing who has the same home as such member of the Board. If a Director knowingly violates this subsection in connection with any transaction, the validity of the transaction shall not be affected by the violation, but if the transaction was unfair to the Corporation at the time it was entered into, the Director may be liable to the Corporation for any damages resulting from such unfairness.

(b) Pursuant to procedures to be established by the Board from time to time, each member of the Board, upon assuming office and at least annually thereafter, shall file with the Secretary a statement identifying any firm or organization with which he is then or has been within the past two years associated (as hereinabove defined) and the nature of the association. In the event the association is a result of a financial interest, that fact shall be reflected in the statement, but the member need not reveal the degree of financial interest. Such statements shall be available for public inspection.

Sec. 3.06. *Removal.*

(a) A Director may be removed, by a vote of seven members at a meeting of the Board, for persistent neglect of or inability to discharge duties, for malfeasance in office, or for offenses involving moral turpitude, and for no other cause.

(b) When a Director has been absent from three consecutive meetings of the Board or from one-half of the meetings held during a two-year period, the Secretary shall notify him in writing that the agenda for the next meeting of the Board shall include the question whether he should be removed for persistent neglect of or inability to discharge duties.

(c) The Board shall consider whether a Director shall be removed for malfeasance in office or for offenses involving moral turpitude when five or more Directors have stated in writing that they believe there is reasonable cause for such action, giving specific allegations in support of such belief.

(d) A Director may not be removed unless (1) notice of the basis of removal has been given to such Director at least thirty days before a vote is taken concerning his removal and (2) the Director has been afforded the opportunity to contest his removal by making written submissions to the other members of the Board and by appearing in person, with or without counsel present, at the meeting at which the vote concerning removal is taken.

Sec. 3.07. *Resignation.* A Director may resign at any time by giving written notice of his resignation to the President of the United States and to the President of the Corporation. Notice of a resignation shall be posted at the offices of the Corporation in an area to which the general public has access. A resignation shall take effect at the time received unless another time is specified therein. The acceptance of a resignation shall not be necessary to make it effective.

Sec. 3.08. *Compensation.* Directors shall be entitled to receive, at appropriate rates prescribed from time to time by the Board, not in excess of the rates established for consultants to the Federal Government, per diem compensation for their services as members of the Board or of any committee thereof and reimbursement for travel, subsistence, and other expenses necessarily incurred in connection therewith. A Director shall not serve the Corporation in any other capacity or receive compensation for such services, except as authorized by the Board.

ARTICLE IV—MEETINGS OF DIRECTORS

Sec. 4.01. *Regular Meetings.*

(a) Regular meetings of the Board shall be held at least four times a year, on the first Friday of March, June, October, and December if not a legal holiday or, if a legal holiday, then on the next business day following, at 10:00 a.m., or at such other date and time as shall be determined by a majority of the members of the Board. Such regular meetings shall be held in the District of Columbia unless a majority of the members of the Board otherwise determine. Notice of the place of a regular meeting shall be mailed to each Director at least ten days before the date of the meeting or shall be telegraphed

or delivered at least five days before such date.

(b) In the event a majority of the members of the Board agree to postpone a regular meeting, notice of such postponement shall be mailed to each Director at least five days before the scheduled date for such meeting or shall be telegraphed or delivered at least three days before such scheduled date. In the event a majority of the members of the Board agree to reschedule a regular meeting to a date in advance of the scheduled date for such meeting, notice of such rescheduling shall be mailed to each Director at least twenty-one days before the rescheduled date for such meeting or shall be telegraphed or delivered at least fifteen days before such rescheduled date. Every such notice shall specify the place, day, and hour of the rescheduled meeting.

Sec. 4.02. Special Meetings. Special meetings of the Board may be called by the Chairman of the Board or shall be called upon receipt by him of a written request from five or more members of the Board or from the President of the Corporation and four or more members of the Board. Notice of any such meeting shall be mailed to each Director at least seven days before the date on which the meeting is to be held or shall be telegraphed or delivered at least three days before such date. Every such notice shall specify the place, day, and hour of the meeting.

Sec. 4.03. Notice and Waiver of Notice.

(a) Notice of a meeting of the Board when mailed shall be deemed given when deposited in the United States mail, postage paid, addressed to the Director at his address appearing on the books of the Corporation or supplied by him for the purpose of notice. Notice may be delivered at such addresses to a person having apparent authority to accept delivery for such Director. Notice by telegraph shall be sent, charges prepaid, to such address. The term "telegraph" as used in these By-laws includes any means of record communication.

(b) A waiver of notice of a meeting in writing signed by the Director entitled to such notice, whether before or after the time of such meeting, shall be deemed equivalent to the giving of such notice. Attendance of a Director at any meeting shall constitute a waiver by him of notice of such meeting except where he attends for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Sec. 4.04. Agenda. For each regular and special meeting, the Chairman of the Board or the President of the Corporation shall cause to be prepared an agenda of matters to be discussed at the meeting and shall make reasonable effort to mail the agenda to all Directors as far in advance of the meeting as practicable. When feasible, the agenda shall be posted at the offices of the Corporation, in an area to which the public has access, at least three days before the date on which the meeting is to be held. Any matters appearing on the agenda which the Chairman of the Board or the President of the Corporation believes should be discussed in an executive session in accordance with Section 4.08 shall be so noted. Matters not appearing on the agenda may also be discussed and acted upon at the meeting, but the Chairman of the Board or the President of the Corporation shall endeavor to include as many matters on the agenda as can be reasonably anticipated.

Sec. 4.05. General Notice. Promptly upon the giving of notice to the Directors of any meeting of the Board, such notice shall be filed for publication in the Federal Register. Reasonable effort shall be made to communicate such notice, at least three days before

the meeting, to the chairman of each state advisory council appointed pursuant to Section 1004(f) of the Act and to every recipient as defined in Section 1002(6) of the Act. Failure to provide general notice in accordance with this Section shall not affect the validity of Board action at such meeting.

Sec. 4.06. Organization of Directors Meetings. At each meeting of the Board, the Chairman of the Board or, in his absence, a temporary chairman chosen by a majority of the members of the Board present shall preside. The Secretary of the Corporation shall act as secretary at all meetings of the Board. In the absence from any such meeting of the Secretary, the Chairman of the Board shall appoint a person to act as secretary of the meeting.

Sec. 4.07. Quorum, Manner of Acting, and Adjournment.

(a) At each meeting of the Board, the presence of a majority of the Directors shall be necessary to constitute a quorum for the transaction of business. Except as otherwise specifically provided by law or these By-laws, the vote of a majority of the Directors present at the time of the vote, provided that a quorum is present at such time, shall be the act of the Board. If a quorum is present when a meeting is convened at which an action is subsequently voted upon, the action shall be the valid action of the Board unless a Director suggests the absence of a quorum and there is, in fact, no quorum then present. A Director who is present at a meeting of the Board but is required to abstain from participation in the vote upon any matter, whether he remains in the meeting or withdraws therefrom during the vote, may be counted for purposes of determining whether or not a quorum is present and, if a quorum is present, the vote of a majority of the Directors who are eligible to vote with respect to such matter shall be the act of the Board.

(b) A majority of the Directors present at a duly convened meeting, whether or not they shall comprise a quorum, may temporarily adjourn the meeting. Whenever a meeting is temporarily adjourned to a date not more than five business days following such adjournment, it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted thereat otherwise than by an announcement at the meeting at which such adjournment is taken.

(c) Each Director shall be entitled to one vote. Voting rights of Directors may not be exercised by proxy.

Sec. 4.08. Public Meetings; Executive Sessions.

All meetings of the Board shall be open to the public unless two-thirds of the Directors present determine that part or all of the meeting shall be in executive session closed to the public. Executive sessions shall be used sparingly and for good reason. Agenda and non-agenda items shall be appropriate matters for executive session.

[ALTERNATIVE SECTION 4.08. Public Meetings; Executive Sessions.]

(a) All meetings of the Board shall be open to the public unless two-thirds of the members of the Board determine in accordance with the procedures described in this Section that a specific part of the meeting regarding a specific matter shall be closed to the public. That part of a meeting closed to the public shall be known as an executive session.

(b) An executive session may be held only when two-thirds of the members of the Board determine that extraordinary circumstances justify and require an executive session because discussion of the specified matter in public session would clearly prejudice the rights or privacy of an individual or a substantial interest of the Corporation. Such circumstances shall be limited to matters

involving (1) the employment or financial relationship of any employee of the Corporation to the Corporation; (2) matters which may impinge upon the privacy of any employee of the Corporation or any employee or client of a recipient; (3) discussions with independent counsel concerning litigation to which the Corporation is a party; and (4) personnel matters involving employment interviews with prospective officers or employees of the Corporation where non-public examination of a specific matter is required in order to prevent a substantial infringement of the interviewee's right to privacy.

(c) Agenda and non-agenda items may be appropriate matters for executive session. An executive session may be held only for that part of a regular or special meeting for which the required finding has been made and for which the Board has announced the specific matters on which the session will be held.]

Sec. 4.09. Minutes. The minutes of each meeting of the Board, including the holding of an executive session, shall record the names of the Directors present, the actions taken, and the result of any vote. If there is a division on a vote, the minutes shall record the vote of each Director. Minutes shall reflect discussions held in executive session, including as much information as possible about such discussions without compromising the purpose for which such meeting was closed to the public. A copy of the minutes of each meeting shall be supplied to each member of the Board in advance of the next meeting and shall be presented for approval by the Board at such meeting. The minutes of each meeting shall be available for inspection by the public in the form supplied to the Directors and in the form approved by them.

Sec. 4.10. Action by Directors Without a Meeting. Any action which may be taken at a meeting of the Board may be taken without a meeting if a consent in writing, setting forth the action so taken, is signed by all [alternative: two-thirds] of the Directors and general notice of the proposed action is published in the manner prescribed by Section 4.05 on or before the date when such consents are first solicited. Any such action so taken shall be included on the agenda of the next meeting of the Board for discussion, ratification, or such other action as may be indicated by the circumstances.

ARTICLE V—COMMITTEES

Sec. 5.01. Establishment and Appointment of Committees. The Board may by resolution of a majority of the Directors establish (and thereafter dissolve) such executive, regular, standing, or temporary committees as the Board may deem appropriate to perform such functions as it may from time to time designate. The authority of any such committee shall expire at the time specified in such resolution, which shall be no later than two years after its establishment. The Board may appoint Directors to serve on such committees including one to serve as the chairman, or may delegate to the Chairman of the Board the authority to make such appointments. Persons who are not Directors may be appointed to serve as nonvoting members of a committee if the Board so authorizes or directs when the committee is established. A person shall serve as a member of the committee to which he was appointed only at the pleasure of the Board.

Sec. 5.02. Committee Procedures. (a) Except as otherwise provided in these By-laws or in the resolution establishing the committee, a majority of the committee shall constitute a quorum thereof, and the vote of a majority of those present at the time

of the vote, if a quorum is present at such time, shall be the act of the committee. Meetings of each committee shall be called by the chairman of the committee or any two members of the committee, with notice thereof provided to each committee member and to the Chairman of the Board. Agendas shall not be required for committee meetings, but shall be furnished with the notice when feasible.

(b) Notice of a committee meeting shall be provided to members of the committee in the manner required for notice of special meetings of the Board by Sections 4.02 and 4.03. Notice may be waived in the manner described in Section 4.03. When feasible, public notice of a committee meeting shall be given in the manner described in Section 4.05.

(c) All committee meetings shall be open to the public unless two-thirds of the members of the committee determine that part or all of the meeting shall be in executive session closed to the public.

[Alternative subsection (c): All committee meetings shall be open to the public unless two-thirds of the members of the committee determine that part or all of the meeting shall be in executive session closed to the public pursuant to the provisions of Section 4.08.]

(d) Minutes shall be kept of each committee meeting. The minutes of committee meetings shall reflect the discussions held in executive session in the manner described in Section 4.09. The minutes shall be available for inspection by the public.

(e) Any Director and the President of the Corporation shall have access to the records of any committee irrespective of whether he is a member of the committee.

ARTICLE VI—OFFICERS

Sec. 6.01. *Officers.* The officers of the Corporation shall be a President, a Secretary, and a Treasurer, and such other officers as the Board determines to be necessary. The President shall be appointed by a majority of the Board. Other officers shall be appointed by the Board after consultation with the President of the Corporation. The officers shall have such authority and perform such duties, consistent with the Act and these By-laws, as may from time to time be determined by the Board or by the President of the Corporation consistently with any such determination by the Board. The President shall provide supervision and direction to the other officers in the performance of their duties.

Sec. 6.02. *Appointment, Term of Office, and Qualifications.* The officers of the Corporation shall be appointed annually at the October meeting of the Board or whenever a vacancy arises. Each officer shall hold his office until his successor shall have been duly appointed or until he shall resign or shall have been removed in the manner provided in Section 6.03. Any two offices may be held by the same person, except the offices of President of the Corporation and Secretary. All officers shall serve at the pleasure of the Board.

Sec. 6.03. *Removal.* Any officer may be removed by the Board but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

Sec. 6.04. *Resignation.* Any officer may resign at any time by giving written notice of his resignation to the Board. Such resignation shall take effect at the time received, unless another time is specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Sec. 6.05. *Vacancies.* Any vacancy in any office shall be filled as provided in Section 6.01.

Sec. 6.06. *The President.*

(a) The President of the Corporation shall be its Chief Executive Officer and shall have the responsibility and authority, in accordance with the Act and these By-laws, subject to the direction of and policies established by the Board, for (1) the day-to-day administration of the affairs of the Corporation; (2) the appointment of such employees of the Corporation as he determines necessary to carry out the purposes of the Corporation and the removal of such employees; (3) the making of grants and the entering into of contracts; and (4) the exercise of such other powers incident to the office of the President of the Corporation and the performance of such other duties as the Board may from time to time prescribe.

(b) The President of the Corporation shall be a member of the bar of the highest court of a state and shall be a non-voting ex officio member of the Board of Directors.

Sec. 6.07. *The Secretary.* The Secretary shall (1) ensure that all notices are duly given in accordance with the Act and these By-laws; (2) be the custodian of the seal of the Corporation and affix such seal to all documents the execution of which is authorized by the Board or by any officer or employee of the Corporation to whom the power to authorize the affixing of such seal shall have been delegated; (3) keep, or cause to be kept, in books provided for the purpose, minutes of the meetings of the Board and of each committee of the Board; (4) ensure that the books, reports, statements, and all other documents and records required by law are properly kept and filed; (5) sign such instruments as require the signature of the Secretary; and (6) in general, perform all the duties incident to the office of the Secretary and such other duties as from time to time may be assigned to him.

Sec. 6.08. *The Treasurer.* The Treasurer shall (1) have charge and custody of, and be responsible for, all funds and securities of the Corporation and (with the exception of petty cash) deposit all such funds and securities in such banks, trust companies, or other depositories as shall be selected in accordance with the provisions of these By-laws; (2) receive, and give receipts for, moneys due and payable to the Corporation from any source whatsoever; (3) sign such documents as shall require the signature of the Treasurer; (4) keep full and accurate account of the Corporation's receipts and disbursements; (5) render to the Board at each regular meeting and at such other times as the Board may require a report on the financial condition of the Corporation; and (6) in general, perform all the duties as from time to time may be assigned to him. The Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such sureties as the Board shall determine.

Sec. 6.09. *Compensation.* The compensation of the officers shall be fixed from time to time by the Board at rates not in excess of amounts permitted by law. No officer of the Corporation may receive any salary or other compensation for services from any source other than the Corporation during his period of employment by the Corporation except as authorized by the Board.

Sec. 6.10. *Prohibition Against Using Political Test or Qualification.* No political test or political qualification shall be used in selecting, appointing, promoting, or taking any other personnel action with respect to any officer, agent, or employee of the Corporation.

Sec. 6.11. *Outside Interests of Officers and Employees.* The Board may from time to time adopt rules and regulations governing the conduct of officers or employees with respect to matters in which they have any interest

adverse to the interests of the Corporation. Such rules and regulations may forbid an officer or employee from participating personally and substantially in corporate action with respect to any contract, grant, transaction, or other matter in which, to the knowledge of any such officer or employee, he or any member of his immediate family has any interest, financial or otherwise, unless

(a) such officer or employee makes full disclosure of the circumstances to the Board or its delegate and the Board or its delegate determines that the interest is not so substantial as to affect the integrity of the services of such officer or employee, or (b) on the basis of standards to be established in such rules and regulations, the interest is too remote or too inconsequential to affect the integrity of such services. Such rules and regulations may also prohibit or establish appropriate limits upon (1) the ownership by such officer or employee, or member of his immediate family, of securities of any firm, corporation, or other entity doing a substantial volume of business with the Corporation and (2) the present or future association by such officer or employee (or former officer or former employee), or member of his immediate family, with any firm, corporation, or other entity doing a substantial volume of business with the Corporation. As used in this Section, the term "member of his immediate family" has the same meaning as "member of the immediate family" under Section 3.05(a)(4).

ARTICLE VII—DEPOSITS AND ACCOUNTS

Sec. 7.01. All funds of the Corporation, not otherwise employed, shall be deposited from time to time in general or special accounts in such banks, trust companies, or other depositories as the Board may select, or as may be selected by any officer, agent, or employee of the Corporation to whom such power has been delegated by the Board. For the purpose of deposit and for the purpose of collection for the account of the Corporation, checks, drafts, and other orders for the payment of money that are payable to the order of the Corporation may be endorsed, assigned, and delivered by any officer of the Corporation.

ARTICLE VIII—SEAL

Sec. 8.01. The Corporation shall have a corporate seal, which shall include the words "Established by Act of Congress July 25, 1974" and shall be in the form adopted by the Board.

ARTICLE IX—FISCAL YEAR

Sec. 9.01. The fiscal year of the Corporation shall begin on October 1.

ARTICLE X—INDEMNIFICATION

Sec. 10.01. (a) The Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative (other than an action by or in the right of the Corporation), by reason of the fact that he is or was a Director, officer, employee, or agent of the Corporation, against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit, or proceeding if he acted in good faith and in a manner he reasonably believed to be in the best interests of the Corporation and, with respect to any criminal action, suit, or proceeding, had no reasonable cause to believe his conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order settlement, or conviction, or upon a plea of

nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he reasonably believed to be in the best interests of the Corporation and, with respect to any criminal action, or proceeding, had reasonable cause to believe that his conduct was unlawful.

(b) The Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or contemplated action or suit by or in the right of the Corporation to procure a judgment in its favor, by reason of the fact that he is or was a Director, officer, employee, or agent of the Corporation, as against expenses (including attorneys' fees) actually and reasonably incurred by him in connection with the defense or settlement of such action or suit if he acted in good faith and in a manner he reasonably believed to be in the best interests of the Corporation and except that no indemnification shall be made in respect to any claim, issue, or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of his duty to the Corporation unless and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which the court shall deem proper.

(c) To the extent that a Director, officer, employee, or agent of the Corporation has been successful on the merits or otherwise in the defense of any action, suit, or proceeding referred to in subsections (a) and (b), or in the defense of any claim, issue, or matter therein, he shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by him in connection therewith.

(d) Any indemnification under subsections (a) and (b) (unless ordered by a court) shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification of the Director, officer, employee, or agent is proper in the circumstances because he has met the applicable standard of conduct set forth in subsections (a) and (b). Such determination shall be made (1) by the Board by a majority vote of a quorum consisting of Directors eligible to vote who were not parties to such action, suit, or proceeding, or (2) if such quorum is not obtainable or, even if obtainable, a quorum of disinterested Directors so directs, by independent legal counsel in a written opinion.

(e) Expenses incurred in defending a civil or criminal action, suit, or proceeding may be paid by the Corporation in advance of the final disposition of such action, suit, or proceeding as authorized by the Board in any case upon receipt of an undertaking by or on behalf of the Director, officer, employee, or agent to repay such amount unless it shall ultimately be determined that he is entitled to be indemnified by the Corporation as authorized in this Section.

(f) The indemnification provided by this Section shall not be deemed exclusive of any rights to which a person seeking indemnification may be entitled under any By-law, agreement, or vote of disinterested Directors or otherwise, both as to action in his official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a Director, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

ARTICLE XI—AMENDMENTS

SEC. 11.01. These By-laws may be amended by a vote of sixty percent or five of the members of the Board, whichever is greater; provided that (1) such amendment is not inconsistent with the Act, (2) the notice of the meeting at which such action is taken shall have stated the substance of the proposed amendment, (3) the notice of such meeting shall have been mailed, telegraphed, or delivered to each Director at least five days before the date of the meeting, and (4) when feasible, the proposed amendment shall have been published in the Federal Register at least thirty days before the meeting and interested parties shall have been afforded a reasonable opportunity to comment thereon.

LOUIS F. OBERDORFER,
Counsel to the Corporation.

[FR Doc. 75-20977 Filed 8-8-75; 11:42 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

AUTOMOBILES FROM BELGIUM

Antidumping Proceeding Notice

On July 8, 1975, information was received in a proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from Belgium are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors, including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact

or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the Federal Register a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

A summary of price information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices to countries other than the United States.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary
of the Treasury.

[FR Doc. 75-20953 Filed 8-8-75; 8:45 am]

AUTOMOBILES FROM CANADA

Antidumping Proceeding Notice

On July 8, 1975, information was received in a proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from Canada are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors, including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

A summary of price information received for all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-20960 Filed 8-8-75; 8:45 am]

AUTOMOBILES FROM FRANCE

Antidumping Proceeding Notice

On July 8, 1975, information was received in a proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from France are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors, including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present

state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

A summary of price information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption or to countries other than the United States.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-20959 Filed 8-8-75; 8:45 am]

AUTOMOBILES FROM ITALY

Antidumping Proceeding Notice

On July 8, 1975, information was received in a proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from Italy are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors,

including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

A summary of price information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption or to countries other than the United States.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-20958 Filed 8-8-75; 8:45 am]

AUTOMOBILES FROM JAPAN

Antidumping Proceeding Notice

On July 8, 1975, information was received in a proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from Japan are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an in-

dustry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors, including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

A summary of price information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption or to countries other than the United States.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.
[FR Doc.75-20954 Filed - 75:8:45 am]

AUTOMOBILES FROM SWEDEN Antidumping Proceeding Notice

On July 8, 1975, information was received in a proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from Sweden are being, or are likely to be,

sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors, including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

A summary of price information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices to countries other than the United States.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.
[FR Doc.75-20955 Filed 8-8-75; 8:45 am]

AUTOMOBILES FROM THE UNITED KINGDOM

Antidumping Proceeding Notice

On July 8, 1975, information was received in a proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from the United Kingdom are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors, including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.
[FR Doc.75-20956 Filed 8-8-75;8:45 am]

AUTOMOBILES FROM WEST GERMANY **Antidumping Proceeding Notice**

On July 8, 1975, information was received in a proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that automobiles from West Germany are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

For purposes of this notice, the term "automobiles" means new, on-the-highway, four-wheeled passenger automobiles.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available objective data regarding the impact of imports on the domestic industry are inconclusive and subject to conflicting interpretations. While this uncertainty would not normally warrant referral of the matter to the U.S. International Trade Commission, additional factors, including statements before Congressional committees by representatives of the U.S. industry minimizing the effect of imports as well as similar views by certain concerned U.S. Government agencies must be considered. These views create that degree of doubt concerning the impact of imports on the present state of the domestic industry as to require reference of this case to the I.T.C. for appropriate consideration. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is

likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

A summary of price information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption or to countries other than the United States.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: August 6, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.
[FR Doc.75-20957 Filed 8-8-75;8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

NATIONAL ADVISORY COMMITTEE ON CRIMINAL JUSTICE STANDARDS AND GOALS

Meeting

This is to provide notice of meeting of the Disorders and Terrorism Task Force to the National Advisory Committee on Criminal Justice Standards and Goals.

The Task Force will meet on August 25, 1975. The meeting will be held at the American University Law Institute, 3rd Floor Conference Room, 4900 Massachusetts Avenue NW., Washington, D.C. 20016. The meeting will convene at 3 p.m. and will be open to the public. Discussion will focus on the review of the proposed chapter draft.

For further information, contact William T. Archey, Director, Policy Analysis Division, Office of Planning and Management, 633 Indiana Avenue, NW., Washington, D.C.

GERALD H. YAMADA,
Attorney-Advisor,
Office of General Counsel.

[FR Doc.75-20929 Filed 8-8-75;8:45 am]

DEPARTMENT OF THE INTERIOR

National Park Service

CONSULTING COMMITTEE TO THE NATIONAL SURVEY OF HISTORIC SITES AND BUILDINGS

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Consulting

Committee to the National Survey of Historic Sites and Buildings will be held at 9:30 a.m., D.S.T., on September 8 and 9, 1975, in Conference Room 7000 B in the Department of the Interior Building, Washington, D.C.

The purpose of the Consulting Committee is to review and evaluate studies of potential national historic landmarks prepared by the National Survey. The Committee's evaluation is the initial screening of potential historic landmarks. Its recommendations are forwarded to the Secretary of the Interior's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments for a final review.

The members of the Consulting Committee are:

Dr. Richard H. Howland (Chairman), Washington, D.C.
Dr. John O. Brew, Cambridge, Massachusetts.
Mr. Herbert E. Kahler, Alexandria, Virginia.
Dr. Walter L. Creese, Urbana, Illinois.
Professor Frederick D. Nichols, Charlottesville, Virginia.
Dr. Henry A. Millon, New York, New York.
Mr. James Biddle, Washington, D.C.
Mr. Charles E. Lee, Columbia, South Carolina.
Dr. Dorothy B. Porter, Washington, D.C.
Dr. John W. Huston, Annapolis, Maryland.

The subjects that are to be evaluated are:

1. A segment of the subtheme "Architecture"
2. A portion of the subtheme "Science and Invention"
3. Three properties associated with the subject "The Role of Afro-Americans in United States History"

There will also be the following special study: Kalaupapa (Father Damien's Leper Colony) on the Island of Molokai, Hawaii.

The meeting will be open to the public. However, facilities and space for accommodating the public are limited. It is expected that not more than 10 persons will be able to attend the sessions.

Any member of the public may file with the Consulting Committee a written statement on the subjects to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact Dr. A. R. Mortensen, Director, Office of Archeology and Historic Preservation, 202-523-5275. Minutes of the meeting will be available for public inspection six weeks after the meeting at the Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, Washington, D.C.

Dated: July 30, 1975.

A. R. MORTENSEN,
Director, Office of
Archeology and Historic Preservation.
[FR Doc.75-20932 Filed 8-8-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 828]

ASSIGNMENT OF HEARINGS

AUGUST 6, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 730 Sub-364, Pacific Intermountain Express Co., now assigned September 9, 1975, at Los Angeles, Calif., will be held in Room 517, Federal Courthouse, 312 North Spring Street.

MC 61396 Sub-270, Herman Bros. Inc., now assigned September 17, 1975, at Boston, Mass., is canceled and application dismissed.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-20948 Filed 8-8-75;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 6, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

FSA No. 43025—Petroleum Coke, Breeze, Etc., from Points in Colorado and Utah. Filed by Western Trunk Line Committee, Agent, (No. A-2715), for interested rail carriers. Rates on petroleum coke, breeze, and related articles, in carloads, as described in the application, from Craig and Gilsonite, Colorado, also Salt Lake City, Utah, to points in official, southern, and western trunk-line territories.

Grounds for relief—Market competition, modified short-line distance formula and grouping.

Tariffs—Supplements 38 and 7 to Western Trunk Line Committee, Agent, tariffs 134-R and W-200-E, I.C.C. Nos. A-4949 and A-4936, respectively. Rates are published to become effective on September 10, 1975.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-20949 Filed 8-8-75;8:45 am]

[Notice No. 52]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

AUGUST 8, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before August 29, 1975. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75969. By order of August 5, 1975, the Motor Carrier Board approved the transfer to Hasselbring Auto Transport, Inc., Saint Cloud, Minnesota, of Certificate No. MC-136458 issued September 20, 1973, to Norbert G. Hasselbring, Saint Cloud, Minnesota, authorizing the transportation of used automobiles, in truckaway service, between points in Minnesota and Iowa, on the one hand, and, on the other, points in Illinois, Iowa, Nebraska, North Dakota, South Dakota and Wisconsin. Charles E. Nieman, 1110 Northwestern Bank Building, Minneapolis, Minnesota 55402, Attorney for Transferor and Transferee.

No. MC-FC-75989. By order of August 5, 1975, the Motor Carrier Board approved the transfer to M. Levey Transfer Corp., Brooklyn, New York, of Certificates No. MC-95809 and No. MC-95809 (Sub-No. 1), issued July 17, 1941 and November 16, 1950, respectively, to Moe Levey, doing business as M. Levey Trucking Co., Brooklyn, New York, authorizing the transportation of electrical supplies and insulating material, from, to and between points in the states of New York and New Jersey. Paul Cohen, 600 Old Country Road, Garden City, New York 11530, Attorney for Transferor and Transferee.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-20950 Filed 8-8-75;8:45 am]

[Notice No. 88]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 6, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate

Commerce Act provided for under the provisions of 49 CFR § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication on or before August 26, 1975. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

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 I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 52938 (Sub-No. 11TA), filed July 29, 1975. Applicant: MASHKIN FREIGHT LINES, INC., 64 Oakland Ave., East Hartford, Conn. 06108. Applicant's representative: Hugh M. Joseloff, 80 State St., Hartford, Conn. 06103. Authority sought to operate as a common East Hartford, Conn., to points in Maine, carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from New Hampshire, and Vermont, for 180 days. Supporting shipper: H. F. Distributors, Inc., 241 Park Ave., East Hartford, Conn. 06108. Send protests to: J. D. Perry, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 324 U.S. Post Office Bldg., 135 High St., Hartford, Conn. 06101.

No. MC 109533 (Sub-No. 72TA), filed July 29, 1975. Applicant: OVERNITE TRANSPORTATION COMPANY, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: Eugene T. Lilpfer, Suite 1100, 1660 L. St., NW, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Charleston, W. Va., and Cincinnati, Ohio, serving all intermediate points and serving as off-route points, all points within the Cincinnati and Charleston commercial zones, from Charleston, over U.S. Highway 60 to Huntington, W. Va., thence over U.S.

Highway 52 to Portsmouth, Ohio, thence over U.S. Highway 23 to Chillicothe, Ohio, thence over U.S. Highway 35 to junction Interstate Highway 71 at or near Octa, Ohio, thence over Interstate Highway 71 to Cincinnati, Ohio, and return over the same route. Applicant proposes to interline certain of the traffic it would handle pursuant to the authority here applied for at Cincinnati, Ohio, and at Charleston, W. Va., for 180 days. Supporting shippers: There are 21 statements of support attached to the application which may be examined at the Interstate Commerce Commission, in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Paul D. Collins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 10-502 Federal Bldg., 400 North 8th St., Richmond, Va. 23240.

No. MC 110525 (Sub-No. 1126TA), filed July 28, 1975. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Ave., Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paints, stains, and varnishes*, in bulk, in tank vehicles, from Schenectady, N.Y., to Pittsfield, Mass., and Sandy Hook, Conn., for 180 days. Supporting shipper: Schenectady Chemicals, Inc., Congress St., and Tenth Ave., Schenectady, N.Y. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 113678 (Sub-No. 598TA), filed July 24, 1975. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: David L. Metzler, P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Adhesive, carpets, carpeting, or rugs, NOI, soft surface (pile) fabric, power machine tufted, display, advertising, store or window, NOI not KDF (advertises carpeting, rugs, NOI), carpet or rugs made of synthetic fiber, carpet or carpeting unwoven synthetic fiber needle punched through woven synthetic base*, from Marietta, Pa., to Denver, Colo., for 180 days. Supporting shipper: Mountain States Distributing Corporation, 3900 E. 48th Avenue, Denver, Colo. 80216. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 113828 (Sub-No. 228TA), filed July 30, 1975. Applicant: O'BOYLE TANK LINES, INCORPORATED, P.O. Box 30006, Washington, D.C. 20014. Applicant's representative: William P. Sullivan, Federal Bar Bldg., West, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Magnetite*, from Kimballton, Va. to West Virginia,

Virginia, Kentucky, Georgia, and Tennessee, for 180 days. Supporting shipper: Virginia Lime Company, Star Route, Ripplemead, Va. 24150. Send protests to: Interstate Commerce Commission, 12th & Constitution Ave., N.W., Room 317, W. C. Hersman, District Supervisor, Washington, D.C. 20423.

No. MC 113843 (Sub-No. 221TA) (Correction), filed July 7, 1975, published in the FEDERAL REGISTER issue of July 25, 1975, and republished as corrected this issue. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: William J. Boyd, Suite 222, 600 Enterprise Drive, Oak Brook, Ill. 60521.

NOTE.—The purpose of this partial republication is to show the applicant correct sub number as MC 113843 (Sub-No. 221TA), in lieu of MC 113843 (Sub-No. 22TA), which was published in the FEDERAL REGISTER in error. The rest of the application will remain the same.

No. MC 116632 (Sub-No. 17TA), filed July 16, 1975. Applicant: RALPH E. CURTIS & SON, INC., 123 Mt. Hope Ave., Bangor, Maine 04401. Applicant's representative: Frederick T. McGonagle, 36 Main St., Gorham, Maine 04038. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from Sherman and Staceyville, Maine, to Lynchburg, Va.; Shelby and Charlotte, N.C., and Greenville and Spartanburg, S.C., and (2) from Ellsworth, Maine, to points in Delaware, Maryland, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shippers: (1) Green Valley Lumber Co., P.O. Box 310, Bangor, Maine 04401. (2) Sherman Lumber Company, Sherman Station, Maine 04777. (3) Salem Forest Products Ltd., P.O. Box 34, Abington, Pa. 19001. Send protests to: Donald G. Weller, District Supervisor, Room 307, 76 Pearl St., Portland, Maine 04111.

No. MC 133478 (Sub-No. 16TA), filed July 29, 1975. Applicant: HEARIN TRANSPORTATION, INC., 8565 S.W. Beaverton-Hillsdale Highway, Portland, Ore. 97225. Applicant's representative: Nick I. Goyak, 555 Benjamin Franklin Plaza, One Southwest Columbia, Portland, Ore. 97258. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Building materials and fire logs*; (a) between points in Washington, Oregon, and California; (b) from points in Oregon, California, and Washington, to points in and west of the States of Wisconsin, Iowa, Missouri, Arkansas, and Louisiana (except Alaska and Hawaii); (2) *Building materials*, from the facilities of DG Shelter Products Co., at El Paso, Tex., to points in and west of the States of Wisconsin, Iowa, Missouri, Arkansas, and Louisiana (except Alaska, Hawaii, and Texas); (3) *Fire logs*, from the facilities of DG Shelter Products Co., at Austin, Tex., to points in the United States (except Alaska, Hawaii, and Texas); (4) *Aluminum ingots*, from points in Washington and Oregon to the facilities of DG Shelter Products Co., at

City of Industry, Calif.; (5) *Soil conditioners and amendments*, from points in California to points in Oregon and Nevada; (6) *Fertilizer*, in bags, from the facilities of DG Shelter Products Co., at Los Banos, Calif., to points in Oregon and Nevada, under continuing contract with DG Shelter Products Co., for 180 days. Supporting shipper: DG Shelter Products Co., One Maritime Plaza, San Francisco, Calif. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Ore. 97204.

No. MC 153082 (Sub-No. 19TA), filed July 29, 1975. Applicant: BURSCH TRUCKING, INC., doing business as ROADRUNNER TRUCKING, INC., P.O. Box 26748, Albuquerque, N. Mex. 87107. Applicant's representative: D. F. Jones (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Brick and tile*, requiring special equipment for loading and unloading, and *commodities incidental to the installation thereof* (except commodities in bulk), from points in Custer County, Okla.; Denton, Parker, and Wise Counties, Tex.; to points in New Mexico, for 180 days. Supporting shipper: Acme Brick Company, 2821 West Seventh Street, P.O. Box 425, Fort Worth, Tex. 76101, and Summit Pressed Brick and Tile Company, P.O. Box 533, 13th and Erie, Pueblo, Colo. 81002. Send protests to: District Supervisor John H. Kirkemo, Interstate Commerce Commission, Bureau of Operations, 1106 Federal Building, 517 Gold Avenue, SW, Albuquerque, N. Mex. 87101.

No. MC 136032 (Sub-No. 14TA), filed July 24, 1975. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Drugs and medicines, viz: intravenous solutions, nutritional and anticoagulant solutions distilled water* (plain or saline), in glass or plastic containers; *expedient administration sets*; in vehicles equipped with mechanical refrigeration, from Glendale and Irvine, Calif., to points in the United States on and east of U.S. Highway 85, except points in Florida, Georgia on and south of U.S. Highway 80; points in South Carolina, North Carolina, New Jersey; and Danville, Va., and points within five miles thereof; Washington, D.C.; Wilmington, Del.; Baltimore, Md.; Philadelphia, Pa.; New York, N.Y., and points in their Commercial Zone, under a continuing contract, or contracts with Clairrol, Inc., for 180 days. Supporting shipper: McGaw Laboratories, Division of American Hospital Supply Corp., P.O. Box K, Milledgeville, Ga. 31061. Send protests to: District Supervisor H. C. Morrison, Sr., Interstate Commerce Commission, Bureau of Opera-

tions, Rm. 9A27 Federal Building, 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 136375 (Sub-No. TTA), filed July 25, 1975. Applicant: DONCO CARRIERS, INC., 1001 S. Rockwell, P.O. Box 75354, Oklahoma City, Okla. 73101. Applicant's representative: William L. Peterson, Jr., 401 N. Hudson, P.O. Box 917, Oklahoma City, Okla. 73101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Kitchen and bathroom cabinets and parts thereof, and supplies, materials, and equipment used in the manufacture of kitchen and bathroom cabinets.* From Parsons, Kans., to points in the United States (except Alaska, Hawaii, and Kansas), under a continuing contract or contracts with Grandview Products Co. Inc., for 180 days. Supporting shipper(s): Grandview Products Co., Inc., Emil F. Zetmeir, General Manager, P.O. 874, Parsons, Kans. 67357. Send protests to: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 136669 (Sub-No. 8TA), filed July 28, 1975. Applicant: PROCESSED BEEF EXPRESS, INC., P.O. Box 522, Dakota City, Nebr. 68731. Applicant's representative: Eugene D. Anderson, 1224 17th St. N.W., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquors, wines, spirits, and alcoholic beverages,* from Lawrenceburg, Ind.; Frankfort, Ky.; and Schenley, Pa., to points in Chicago, Ill., Fargo, N. Dak.; and the points within the Minneapolis-St. Paul, Minn., commercial zone, under a continuing contract with Schenley Distillers, Inc., for 180 days. Supporting shipper: James Haigwood, Asst. General Traffic Manager, Schenley Distillers, Inc., 36 East 4th St., Cincinnati, Ohio 45202. Send protests to: Carroll Russell, District Supervisor, Suite 620 Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 139305 (Sub-No. 1TA), filed July 28, 1975. Applicant: LONNY RAYE CUMMINGS, doing business as AMERICAN MACHINERY MART, 10438 S.E. 23rd St., Bellevue, Wash. 98004. Applicant's representative: David S. White, 307 Blanchard, Seattle, Wash. 98121. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Conveyor equipment and conveyor components,* between Chico, Calif., and Danville, Ky., under a continuing contract or contracts with Rexnord, Inc., for 180 days.

Note.—Applicant states that with authority presently sought will be joined with authority granted under MC 139305.

Supporting shipper: N. J. Stapleton, Rexnord, Inc., P.O. Box 1249, Chico, Calif. 95926. Send protests to: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 858 Federal Building, 915 Second Avenue, Seattle, Wash. 98174.

No. MC 139460 (Sub-No. 19TA), filed July 29, 1975. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. 12828. Applicant's representative: J. Fred Relyea (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granite slabs,* from Ausable Forks, N.Y., to Radnor, Pa., for 180 days. Supporting shipper: Lake Placid Granite Co., Ausable Forks, N.Y. Send protests to: Robert A. Radler, District Supervisor, 518 Federal Bldg., Albany, N.Y. 12207.

No. MC 139468 (Sub-No. TTA), filed July 22, 1975. Applicant: INTERNATIONAL CONTRACT CARRIERS, INC., 14628 Hempstead Highway, Houston, Tex. 77040. Applicant's representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings, complete, knocked down, and in sections;* (2) *building sections and building panels;* (3) *parts and accessories, used in the manufacture, installation, and completion of the commodities in (1) and (2) above;* (4) *machinery, materials, and supplies used in the manufacturing and storage of the commodities in (1) and (2) above, and;* (5) *prefabricated structural components and panels, and accessories, used in the installation and completion thereof, between the plantsites and storage facilities of National Steel Products Company, Inc., at or near LaGrange, Ga., and Terre Haute, Ind., under a continuing contract with National Steel Products Company, Inc., for 180 days.* Supporting shipper(s): National Steel Products Company, Inc., P.O. Box 40490 (FM 529), 11919 Spencer Road, Houston, Tex. 77040. Send protests to: District Supervisor, John F. Mensing, Interstate Commerce Commission, 8610 Federal Building, 515 Rusk Ave., Houston, Tex. 77002.

No. MC 139858 (Sub-No. 3TA), filed July 24, 1975. Applicant: AMSTAN TRUCKING, INC., 1255 Corwin Avenue, Hamilton, Ohio 45015. Applicant's representatives: Chandler L. Van Orman, 704 Southern Building, Washington, D.C. 20005, and James P. Nelligan, P.O. Box 2003, New Brunswick, N.J. 08903. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Folding or rolling doors or partitions, fabric covered wall panels, and wall cloth and related equipment and supplies and* (2) *Materials, equipment, supplies, and accessories used in the manufacture and distribution of the above-mentioned commodities (except commodities in bulk and those which because of size or weight, require the use of special equipment),* (1) from the plant site and warehouse facilities of Modernfold Co. (an American Standard Company) at New Castle, Ind., and North Manchester, Ind., to points in Alabama, Colorado, Connecticut, Florida, Georgia, Illinois, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New

Jersey, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Virginia, and Wisconsin, and between the plant sites of Modernfold Co. (an American Standard Co.) at Dyersville, Iowa, and New Castle, Ind., and American Standard's Corporate Distribution Center at Hamilton, Ohio, and (2) from points in (a) California and Minnesota, to North Manchester, Ind.; (b) Illinois, Indiana, and Pennsylvania to Dyersville, Iowa; and (c) New Jersey, New York, Ohio, Pennsylvania, and South Carolina, to New Castle, Ind., under a continuing contract, or contracts with American Standard Inc., for 180 days. Supporting shipper: Modernfold (an American Standard Company), American Standard, Inc., P.O. Box 2003, New Brunswick, N.J. 08903. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 5514-B, Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 139913 (Sub-No. 1TA) (Correction), filed July 10, 1975, published in the FEDERAL REGISTER issue of July 25, 1975, and republished as corrected this issue. Applicant: FOSTER'S FREIGHT, INC., 174 Passaic St., Garfield, N.J. 07026. Applicant's representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, N.J. 08904. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as dealt in by wholesale, retail, and chain grocery food business houses, building supply houses, and chain retail department stores, and in connection therewith, such equipment, materials, and supplies used in the conduct of such businesses (except commodities in bulk, foodstuffs, and meats),* between Vornado, Inc. facilities in Carlstadt, East Brunswick, East Hanover, Edison, Fairfield, Garfield, North Brunswick, and South Plainfield, N.J., and Gunderland Center, N.Y., on the one hand, and, on the other, points in the United States (except Alabama, Alaska, Florida, Georgia, Hawaii, Kentucky, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia), under a continuing contract with Vornado, Inc., for 180 days. Supporting shipper: Vornado, Inc., 174 Passaic St., Garfield, N.J. 07026. Send protests to: Joel Morris, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102. The purpose of this republication is to correct the territorial description.

No. MC 141055 (Sub-No. 1TA), filed July 28, 1975. Applicant: JOHN SAWYERS, 7301 Lucille Drive, Louisville, Ky. 40258. Applicant's representative: John Sawyer (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printing cylinders, and reproduction artwork, proofs, and samples, when transported with printing cylinders, between Louisville, Ky., on the one hand, and, on the other, Georgia, Michigan, Ohio, Indiana, Illinois, Missouri, Wisconsin, Pennsylvania, Virginia, North Carolina, and South Carolina,* under a continuing contract with South-

ern Gravure Service, Inc., for 180 days. Supporting shipper(s): Mr. Thomas L. Shaney, President, Southern Gravure Service, Inc., 2823 So. Floyd St., Louisville, Ky. 40213. Send protests to: Elbert Brown, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 141098 TA (Amendment), filed July 3, 1975, published in the FEDERAL REGISTER issue of July 18, 1975, and republished as amended this issue. Applicant: ALFORD CORPORATION, doing business ALCO DELIVERY SERVICE, 6006 Harvey Wilson, Houston, Tex. 77020. Applicant's representative: Hugh L. McCulley, 3000 One Shell Plaza, Houston, Tex. 77002. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: General commodities, restricted against the transportation of any commodities in bulk, to consist of the products of Avon Products, Inc., (a) between points in that part of Texas on and east of a line beginning at Waco and extending along Interstate Highway 35 to its junction with Texas Highway 95, thence along Texas Highway 95 to its junction with Texas Highway 71, thence along Texas Highway 71 to its junction with Texas Highway 21, thence along Texas Highway 21 to its junction with Texas Highway 123, thence along Texas Highway 123 to its junction with U.S. Highway 181, thence along U.S. Highway 181 to Portland; (b) between points in that part of Texas on and north of a line beginning at Portland and extending along U.S. Highway 181 to its junction with Texas Highway 35, thence along Highway 35 to Aransas Pass, thence along the Gulf of Mexico to Sabine Pass; (c) between points in that part of Texas on and west of a line beginning at Sabine Pass and extending along the Sabine River to its junction with Texas Highway 149, thence along Texas Highway 149 to its junction with Interstate Highway 20; (d) between points in that part of Texas on and south of a line beginning at the intersection of Texas Highway 149 and Interstate Highway 20 and extending along Interstate 20 to its intersection with U.S. Highway 259, thence along U.S. Highway 259 to its intersection with Texas Highway 31, thence along Texas Highway 31 to its intersection with Interstate Highway 35, under continuing contract with Avon Products, Inc., for 180 days. Supporting shipper: Avon Products, Inc., 83rd & College, Kansas City, Mo. 64141. Send protests to: District Supervisor, Mensing, Interstate Commerce Commission, Room 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002. The purpose of this republication is to indicate the commodity description as being "Restricted against the transportation of any commodities in bulk".

No. MC 141122 (Sub-No. 1TA), filed July 25, 1975. Applicant: SENTRY TRUCKING CO., INC., P.O. Box 901, Union, N.J. 07083. Applicant's representative: Paul J. Keeler, P.O. Box 253,

South Plainfield, N.J. 07080. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Alumina oxide platinum catalyst* (except in bulk, in tank vehicles), in barrels, boxes, or packages. From: Newark, N.J. To: Delaware City, Del., and (2) *Platinum chemical solution* (except in bulk, in tank vehicles), in barrels, boxes, or packages, and Alumina, calcined (except in bulk, in tank vehicles), in 2800-pound capacity plastic bags, in straight or mixed shipments. From: Newark, N.J. To: Huntsville, Ala., under a continuing contract with Engelhard Industries Division, Engelhard Minerals & Chemicals Corp., for 180 days. Supporting shipper(s): Engelhard Industries Division, Engelhard Minerals & Chemicals Corp., 429 Delancy Street, Newark, N.J. 07105. Robert C. Featherstone, Traffic Manager. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 9 Clincton St., Newark, N.J. 07102.

No. MC 141137 (Sub-No. 1TA), filed July 28, 1975. Applicant: R&R TRUCKING COMPANY, INC., P.O. Box 292, Grandville, Mich. 49418. Applicant's representative: Peter W. Steketee, 950 Union Bank Building, Grand Rapids, Mich. 49502. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is marketed by home products distributors, including return of empty containers, pallets, similar shipping devices, and damaged, rejected, or returned goods, from Ada, Mich., on the one hand, and, on the other, points in Santa Ana, Los Angeles, Buena Park, and Torrance, Calif., and Portland, Oreg., under continuing contract or contracts with Amway Corporation, Ada, Mich., for 180 days. Supporting shipper: Amway Corporation, 7575 East Fulton Road, Ada, Mich. 49301. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 141141 (Sub-No. 1TA), filed July 24, 1975. Applicant: NAVAJO LINE, INC., Route 1, Moncure, N.C. 27559. Applicant's representative: L. T. Dark, Jr., Drawer L, Siler City, N.C. 27344. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Clay products, including brick, ceramic tile, floor tile, wall tile, (1) from points in Chatham County, N.C., to points in North Carolina, South Carolina, and Virginia; (2) from points in New Hanover County, N.C., to points in North Carolina, South Carolina, and Virginia; and (3) from points in Richland County, S.C., to points in South Carolina, North Carolina, and Virginia, under a continuing contract, or contracts with Cherokee Brick Company of North Carolina, for 180 days. Supporting shipper: Cherokee Brick Company of North Carolina, 4027 Beryl Road, Raleigh, N.C. 27606. Send protests to: Archie W. Andrews, District Supervisor, Interstate

Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 141154 (Sub-No. 1TA), filed July 28, 1975. Applicant: DARRELL D. MADDEN, doing business as DARRELL D. MADDEN TRUCKING, R.R. #1, Boone, Iowa 50036. Applicant's representative: Darrell D. Madden (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Component homes and associated items on shipper owned trailer from Boone, Iowa, to points in Illinois, Wisconsin, Minnesota, South Dakota, Kansas, Nebraska, and Missouri, under a continuing contract with Sandler Prebuilt Homes and buyers of the homes, for 180 days. Supporting shipper(s): Sandlerbilt Homes, Inc., General Manager, Components Division, P.O. Box 184, Boone, Iowa 50036. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 141157 (Sub-No. 1TA), filed July 25, 1975. Applicant: B & E CO., INC., 225 South Second Street, Sheffield, Iowa 50475. Applicant's representative: James Gilbert Blood (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Plastic farm drain tile in a special trailer built to haul only plastic tile, from Hayfield, Minn., to Sheffield, Iowa, under a continuing contract or contracts with Sheffield Brick & Tile Co., for 180 days. Supporting shipper(s): Sheffield Brick & Tile Co., P.O. Box 6, Sheffield, Iowa 50475. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 141182 (Sub-No. 1TA), filed July 24, 1975. Applicant: FREDERICK H. TATE, JR., doing business as TATE TRUCK LINE, Box 432, Frazee, Minn. 56544. Applicant's representative: F. H. Kroeger, 1745 University Avenue, St. Paul, Minn. 55104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Cheese, in bulk, in tank vehicles, from Perham, Minn., to Green Bay, Hilbert, Marshfield, Mosinee, and Spencer, Wis., under a continuing contract with Land-O-Lakes, Inc., for 180 days. Supporting shipper(s): Land-O-Lakes, Inc., P.O. Box 115, Spencer, Wis. 54479. Send protests to: J. H. Amb, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 141184 (Sub-No. 1TA), filed July 24, 1975. Applicant: GIBSON TRUCKING COMPANY, 709 Poplar Avenue, Youngstown, Ohio 44515. Applicant's representative: Ernest D. Gibson (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes,

transporting: *Machinery and iron and steel rod and wire*, between points in Mahoning County, Ohio, on the one hand, and, on the other, points in Beaver, Bucks, Butler, and Cambria Counties, Pa., and Baltimore County, Md., under a continuing contract with International Staple & Machine Co., for 180 days. Supporting shipper(s): International Staple & Machine Co., P.O. Box 629, Butler, Pa. 16001. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 141185 (Sub-No. 1TA), filed July 23, 1975. Applicant: BRUCE M. PULCINI, doing business as PULCINI TRUCKING, 21322 Sand Dollar Lane, Huntington Beach, Calif. 92646. Applicant's representative: William J. Monheim, P.O. Box 1756, 15942 Whittier Blvd., Whittier, Calif. 90609. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Compressed Helium Gas*, in shipper-owned trailers, between Glendale, Calif., and Phoenix, Ariz., under a continuing contract with Gardner Croyogenics division of Carpenter Technology Corp., for 180 days. Supporting shipper(s): Gardner Croyogenics division of Carpenter Technology Corp., 5605 San Fernando Road, Glendale, Calif. 91201. Send protests to: Transportation Assistant Mildred I. Price, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 141189 (Sub-No. 1TA), filed July 25, 1975. Applicant: L & L TRANSPORT CO., INC., 209 West Main Street, Greenfield, Ind. 46140. Applicant's representative: Hugh Leary, R.R. #5, Greenfield, Ind. 46140. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Propane gas*, (1) from Tuscola, Ill., to Greenfield, Ind., and Shelbyville, Ind.; (2) from Kankakee, Ill., to Greenfield, Ind., and Shelbyville, Ind.; and (3) from Todhunter, Ohio, to Greenfield, Ind., and Shelbyville, Ind., under a continuing contract or contracts with Leary's Bottle Gas Co., Inc. and Shelby Bottled Gas Corp., for 180 days. Supporting shippers: Leary's Bottle Gas Co., Inc., 209 W. Main St., Greenfield, Ind. 46140, and Shelby Bottled Gas Corp., R.R. #3, Box 14, Shelbyville, Ind. 46176. Send protests to: Frances Sterling, Trans. Assistant, Interstate Commerce Commission, Bureau of Operations, Federal Bldg. & U.S. Courthouse, 46 East Ohio Street, Room 429, Indianapolis, Ind. 46204.

No. MC 141194 TA, filed July 28, 1975. Applicant: THE DEMPSEY BROTHERS CARTAGE AND WAREHOUSING CORPORATION, 1034 Avenue M, Grand Prairie, Tex. 75050. Applicant's representative: Charles E. Dempsey, P.O. Box 3287, Irving, Tex. 75061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, except in bulk, in tank vehicles, and *advertising*

materials related thereto, in vehicles equipped with mechanical refrigeration, from the plantsites and/or warehouse facilities of Pangburn Co., Inc., in Dallas and Fort Worth, Tex., and Atlanta, Ga., and Selma, Ala., and Alexandria, La., to points in Florida, for 180 days. Restriction: Service from Selma, Ala., Atlanta, Ga., and Alexandria, La., are restricted to the transportation of shipments moving in vehicles that are transporting shipments from Dallas and/or Fort Worth, Tex. Supporting shipper: Pangburn Co., Inc., P.O. Box 65, Fort Worth, Tex. 76101. Send protests to: District Supervisor Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Federal Building, Dallas, Tex. 75202.

No. MC 141196 TA, filed July 29, 1975. Applicant: NELSON LENTZ, INC., 24 Dorothea St., Commack, N.Y. 11725. Applicant's representative: William J. Augello, 120 Main St., P.O. Box Z, Huntington, N.Y. 11743. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New and used replacement and repair parts* for household appliances; interoffice mail (including parts requisition orders, etc.), between warehouse and services facilities in the counties of Nassau, Suffolk, Westchester, and New York City, N.Y., and North Caldwell, N.J., and Bridgeport, Conn., under continuing contract with General Electric Company, for 180 days. Supporting shipper: General Electric Company, 336 S. Service Rd., Melville, N.Y. 11746. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 141197 TA, filed July 29, 1975. Applicant: FLEMING-BABCOCK, INC., P.O. Box 170, Platte City, Mo. 64079. Applicant's representative: Lucy Kennard Bell, 101 West Eleventh Street, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Craig County, Okla., to points in the Kansas City, Mo.-Kansas Commercial Zone, for 180 days. Supporting shippers: (1) Lone Star Industries, P.O. Box 297, Bonner Springs, Kans. 66012; (2) Higgins Mining Co., Inc., P.O. Box 12512, Oklahoma City, Okla. 73112; and (3) Associated Producers Company, 1700 N. Western, Oklahoma City, Okla. 73106. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 141199 TA, filed July 31, 1975. Applicant: A. D. MEDLIN, doing business as MEDLIN AUTO BUYING SERVICE, 2901 S. Grant St. Arlington, Va. 22202. Applicant's representative: A. D. Medlin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used autos*, from Washington, D.C. commercial zone, Portsmouth, Va., commercial zone, and The Used Auto Auction lot at Fredericksburg, Va., to and from the counties of

Dad, Broward, and Palm Beach, Fla., for 180 days. Supporting shippers: There are approximately 19 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Interstate Commerce Commission, 12th & Constitution Ave., NW., Room 317, W. C. Hersman, District Supervisor, Washington, D.C. 20423.

APPLICATION OF PASSENGERS

No. MC 141120 TA (Correction), filed July 8, 1975, published in the FEDERAL REGISTER issue of July 25, 1975, and republished as corrected this issue. Applicant: WALTER W. BELL, doing business as TWIN BELL'S LIMOUSINE & SIGHTSEEING COMPANY, 207 Beloit Street, Delavan, Wis. 53115. Applicant's representative: Richard C. Alexander, 710 N. Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *Passengers and their baggage* in the same vehicle with passengers, Between Elkhorn, Wis., and O'Hare International Airport, Cook County, Ill., serving all intermediate points in Wisconsin, and the off-route point of the Playboy Club-Hotel, near Lake Geneva, Wis.; From Elkhorn, Wis., over Wisconsin Highway 67 to junction Wisconsin Highway 50, thence over Wisconsin Highway 50 to junction U.S. Highway 12, thence over U.S. Highway 12 to junction Illinois Highway 68, thence over Illinois Highway 68 to junction Illinois Highway 53, thence over Illinois Highway 53 to junction Illinois Highway 194, thence over Illinois Highway 194 to junction Interstate I-594 to O'Hare International Airport, and return over the same route. Between Elkhorn, Wis., and junction U.S. Highway 12 and Wisconsin Highway 50, serving all intermediate points: From Elkhorn, Wis., over East Geneva St., to junction U.S. Highway 12, thence over U.S. Highway 12 to junction U.S. Highway 12 and Wisconsin Highway 50, and return over the same route. Between Fontana, Wis., and junction Wisconsin Highway 67 and Wisconsin Highway 50, serving all intermediate points: From Fontana, Wis., over Wisconsin Highway 67 to junction Wisconsin Highway 50, and return over the same route. Between Delavan, Wis., and junction Wisconsin Highway 50 and Wisconsin Highway 67, serving all intermediate points: From Delavan, Wis., over Wisconsin Highway 50 to junction Wisconsin Highway 50 and Wisconsin Highway 67, and return over the same route. Between junction Wisconsin Highway 50 and Walworth County (Wis.) Highway F and junction Walworth County Highway F and Wisconsin Highway 67, serving all intermediate points: From junction Wisconsin Highway 50 and Walworth County Highway F, thence over Walworth County Highway F to junction Walworth County Highway F and Wisconsin Highway 67, and return over the same route. (2)

Passengers and their baggage in the same vehicle with passengers in round-trip charter operations, beginning and ending at points in Walworth County, Wis., and extending to points in the United States, for 180 days. Supporting shippers: There are approximately 6 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203. The purpose of this republication is to correct the spelling of applicant's trade name.

WATER CARRIER APPLICATION

No. WC 1296 (Sub-No. 1TA), filed July 29, 1975. Applicant: ALLIED CONTAINER SERVICE, INC., P.O. Box 717, Norfolk, Va. 23501. Applicant's representative: Gordon P. MacDougall, 1100 17th St., NW., Washington, D.C. 20036. Authority sought to operate as a contract carrier, by water as follows: General Towing of non-self-propelled lighter aboard-ship (LASH) barges, between ports and points along the Atlantic Coast, Atlantic Intracoastal Waterway, and Inland Tributary Waterways, from Trenton, N.J., to Cape Canaveral, Fla., inclusive, under a continuing contract, with Central Gulf Lines, Inc., for 180 days. Supporting shipper: C. S. Larsen, Jr., Assistant Vice President, Lash Operations, Central Gulf Lines, Inc., Two Canal St., New Orleans, La. 70130. Send protests to: Paul D. Collins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 10-502, Federal Bldg., 400 N. 8th St., Richmond, Va. 23240.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-20951 Filed 8-8-75; 8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY ELIMINATION OF GATEWAY APPLICATIONS

AUGUST 6, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of *verified statements* in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in *Gateway Elimination*, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon

applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 63417 (Sub-No. 64G), filed June 4, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, 1814 Hollins Road N.E., P.O. Box 2888, Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt, 1030 15th Street N.W., Suite 420, Washington, D.C. 20005. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *New furniture*, (1) from Mullins, Nichols, and Sumter, S.C., to points in North Carolina. The purpose of this filing is to eliminate the gateways of Stanleytown (Henry County), Va. and points in Virginia. (2) from Mullins and Sumter, S.C., to points in Tennessee. The purpose of this filing is to eliminate the gateway of Stanleytown, Va. (3) from Nichols, S.C., to points in Virginia. The purpose of this filing is to eliminate the gateway of Stanleytown, Va. (4) from Selma, Ala., to points in Illinois, Indiana, Kentucky, Michigan, Ohio, Tennessee, and Virginia. The purpose of this filing is to eliminate the gateway of Stanleytown, Va. (5) from Johnson City, Tenn., to points in Arkansas and Mississippi. The purpose of this filing is to eliminate the gateway of Macon, Ga.

(6) from Johnson City, Tenn., to points in Florida. The purpose of this filing is to eliminate the gateway of Sumter, S.C. (7) from points in New York, Pennsylvania, and points in West Virginia on, east and north of a line beginning at the Pennsylvania-West Virginia state line and extending along U.S. Highway 19 to junction West Virginia Highway 39, thence along West Virginia Highway 39 to the West Virginia-Virginia state line, to points in Arkansas and Oklahoma. The purpose of this filing is to eliminate the gateways of Rocky Mount, Va. and Macon, Ga. (8) from points in North Carolina on and east of U.S. Highway 21, to points in Georgia, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of Stanleytown (Henry County), Va., points in Virginia. (9) from points in North Carolina on and east of U.S. Highway 21, to points in Arkansas, Louisiana, Mississippi, Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of Stanleytown (Henry County), Va., points in Virginia, and Macon, Ga. (10) from points in North Carolina on and east of U.S. Highway 21, to points in Florida. The purpose of this filing is to eliminate the gateways of Stanleytown (Henry County), Va., points in Virginia and Sumter, S.C. (11) from points in North Carolina on and east of U.S. Highway 21, to points in Virginia. The purpose of this filing is to eliminate the gateway of Stanleytown, Va. (12) from Danville, Va., to points in North Carolina. The purpose of this filing is to eliminate the gateway of Rocky Mount, Va.

(13) from Christiansburg, Va., to points in Kentucky, North Carolina, Ohio, Tennessee. The purpose of this filing is to eliminate the gateway of Rocky Mount, Va. (14) from Roanoke, Rocky Mount, and Galax, Va., to points in Arkansas and Mississippi. The purpose of this filing is to eliminate the gateway of Macon, Ga. (15) from Marion, Va., to points in Alabama, Arkansas, Mississippi, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateway of Macon, Ga. (16) from Christiansburg, Appomattox, Winchester, and Danville, Va., to points in Arkansas, Mississippi, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateways of Rocky Mount, Va. and Macon, Ga. (17) from Altavista, Va., to points in Maryland, New Jersey, New York, North Carolina, Pennsylvania, Virginia, Delaware, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Roanoke, Va. (18) from Bedford, Va., to points in Virginia and the District of Columbia. The purpose of this filing is to eliminate the gateway of Roanoke, Va. (19) from Kenbridge, Va., to points in Delaware, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Roanoke, Va.

(20) from Altavista, Bedford, and Kenbridge, Va., to points in Arkansas and Mississippi. The purpose of this filing is to eliminate the gateways of Roanoke, Va. and Macon, Ga. (21) from Richmond, Va., to points in Delaware, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Roanoke, Va. (22) from points in Pulaski County, Va., to points in Georgia, Indiana, Kentucky, Ohio, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of Roanoke, Va. (23) from Strasburg, Va., to points in Illinois, Indiana, Kentucky, Michigan, Ohio, North Carolina, Virginia, West Virginia, Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Roanoke, Va. (24) from Staunton and Waynesboro, Va., to points in Delaware, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Roanoke, Va. (25) from Richmond, Strasburg, Staunton, and Waynesboro, Va., to points in Arkansas, Mississippi, and Oklahoma. The purpose of this filing is to eliminate the gateways of Roanoke, Va. and Macon, Ga. (26) from points in Pulaski County, Va., to points in Arkansas, Oklahoma, Mississippi, and Texas. The purpose of this filing is to eliminate the gateways of Roanoke, Va. and Macon, Ga.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission within 10 days from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 107012 (Sub-No. E123), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*; (1) from points in Alfalfa, Beckham, Blaine, Caddo, Comanche, Cotton, Custer, Dewey, Ellis, Greer, Harmon, Harper, Jackson, Kiowa, Major, Roger Mill, Tillman, Washita, Woodward, and Woods Counties, Okla., to points in Fairfax, Fauquier, King George, Orange, Spotsylvania, Prince William, Stafford, Westmoreland, Alexandria, Fairfax, Fredericksburg, Falls Church, Arlington, Caroline, Essex, Culpeper, Clarke, Page, Harrisonburg, Frederick, Rappahannock, Winchester, Greene, Rockingham, Loudoun, Shenandoah, Madison, and Warren Counties, Va.; (2) from points in Beaver, Cimarron, and Texas Counties, Okla., to points in Per Quiman, Wilson, Gates, Nash, Camden, Pitt, Pasquotank, Halifax, Northampton, Tyrrell, Currituck, Hertford, Pamlico, Chowan, Dare, Hyde, Beaufort, Washington, Edgecombe, Martin, and Bertie Counties, N.C.; Orange, Fredericksburg, Falls Church, Culpeper, Fairfax, Spotsylvania, Westmoreland, Fauquier, Stafford, Essex, King George, Arlington, Prince William, Alexandria, Caroline, Madison, Warren, Frederick, Rockingham, Harrisonburg, Greene, Shenandoah, Rappahannock, Loudoun, Winchester, Page, Clarke, Waynesboro, Mecklenburg, Colonial Heights, Prince Edward, Henrico, New Kent, Richmond, Chesterfield, Prince George, Dinwiddie, Hanover, Albemarle, Petersburg, King William, King & Queen, Louisa, Nottoway, Amelia, Hopewell, Charlottesville, James City, Chas City, Goochland, Brunswick, Lunenburg, Cumberland, Powhatan, Buckingham, Fluvanna, Nansemond, Northampton, Mathews, Franklin, Middlesex, Lancaster, Emporia, Surry, Newport News, Wight of Isle, Norfolk, Sussex, Hampton, North-

umberland, Williamsburg, Suffolk, Accomack, Richmond, Virginia Beach, York, Gloucester, Southampton, Portsmouth, Chesapeake, and Greensville Counties, Va.; (3) from points in Adair, McIntosh, Ottawa, Washington, Cherokee, Muskogee, Rogers, Craig, Nowata, Sequoyah, Delaware, Okmulgee, Tulsa, Mayes, Osage, and Wagoner Counties, Okla., to points in Arlington, King George, Spotsylvania, Stafford, Fredericksburg, Fairfax, Prince William, Falls Church, Essex, Orange, Fairfax, Culpeper, Alexandria, Fauquier, Caroline, and Westmoreland Counties, Va. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E124), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*; (1) from points in Clatsop, Linn, Washington, Clackamas, Marion, Yamhill, Columbia, Multnomah, Lane, Polk, Benton, Lincoln, and Tillamook Counties, Oreg., to points in Prairie, Lee, Phillips, Garland, Pulaski, Jefferson, Cleburne, Grant, Saline, Lonoke, Arkansas, White, Monroe, Conway, Hot Springs, Perry, Faulkner, Randolph, Baxter, Independence, Poinsett, St. Francis, Clay, Izard, Cross, Sharp, Craighead, Lawrence, Fulton, Stone, Greene, Jackson, Woodruff, Crittendon, and Mississippi Counties, Ark.; Lee, Van Buren, Jackson, Cedar, Dubuque, Linn, Wapello, Jefferson, Benton, Louisa, Washington, Johnson, Clinton, Muscatine, Henry, Jones, Davis, Scott, Iowa, Keokuk, and Des Moines Counties, Iowa; St. Charles, St. Mary, W. Baton Rouge, Iberia, Ascension, St. Helena, St. Tammany, W. Feliciana, Iberville, Orleans, St. James, Tangipahoa, Assumption, Lafourche, Plaquemine, St. John The Baptist, Terrebonne, E. Baton Rouge, Jefferson, Pointe Coupee, St. Martin, Washington, E. Feliciana, Livingston, and St. Bernard Counties, La.; and points in Mississippi; (2) from points in Douglas, Jackson, Josephine, Coos, and Curry Counties, Oreg., to points in Cross, Lawrence, Sharp, Craighead, Fulton, Izard, Stone, Greene, Poinsett, Jackson, Woodruff, Crittendon, Randolph, St. Francis, Baxter, Mississippi, Independence, and Clay Counties, Ark.; Wright, Howard, Franklin, Allamakee, Worth, Cerro Gordo, Delaware, Black Hawk, Winnebago, Chickasaw, Fayette, Bremer, Winneshiek, Clayton, Floyd, Buchanan, Mitchell, Hancock, Butler, Henry, Johnson, Jones, Louisa, Des Moines, Linn, Washington, Scott, Benton, Keokuk, Wapello, Muscatine, Cedar, Lee, Jefferson, Iowa, Clinton, Dubuque, Van Buren, Jackson, and Davis Counties, Iowa; Issaquena, Leflore, Talahatchi, Holmes, Humphreys, Warren, Bolivar, Sharkey, Washington, Carroll, Quitman, Yazoo, Coahoma, Montgomery, Sunflower, Grenada, Tiptah, Yalobusha, Lowndes, Pontotoc, Calhoun, Tishomingo, Clay, Marshall, Prentiss, Chickasaw, Tunila,

DeSoto, Monroe, Tate, Choctaw, Union, Itawamba, Oktibbeha, Lafayette, Alcorn, Webster, Lee, Panola, Benton, Harrison, Jones, Perry, Lamar, Stone, Pearl River, Wayne, Forrest, Jackson, George, Greene, Hancock, and Covington Counties, Miss.;

(3) From points in Crook, Sherman, DeSchutes, Wasco, Gilliam, Wheeler, Hood River, and Jefferson Counties, Oreg., to points in Poinsett, Stone, Baxter, Cross, Randolph, Jackson, Clay, Fulton, St. Francis, Woodruff, Craighead, Independence, Izard, Lawrence, Greene, Sharp, Mississippi, and Crittendon Counties, Ark.; Howard, Delaware, Hancock, Clayton, Mitchell, Fayette, Buchanan, Allamakee, Winnebago, Wright, Butler, Black Hawk, Winneshiek, Floyd, Cerro Gordo, Bremer, Worth, Franklin, Chickasaw, Washington, Scott, Muscatine, Benton, Cedar, Jefferson, Wapello, Jackson, Des Moines, Lee, Keokuk, Linn, Dubuque, Van Buren, Jones, Clinton, Henry, Louisa, Johnson, Davis, and Iowa Counties, Iowa; and points in Mississippi; (4) from points in Klamath, Lake, Malheur, and Harney Counties, Oreg., to points in Poinsett, Woodruff, Izard, Greene, Randolph, Cross, Jackson, Baxter, St. Francis, Fulton, Lawrence, Clay, Sharp, Independence, Crittendon, Stone, Mississippi, and Craighead Counties, Ark.; Butler, Fayette, Mitchell, Buchanan, Cerro Gordo, Floyd, Winnebago, Bremer, Chickasaw, Franklin, Winneshiek, Black Hawk, Clayton, Hancock, Worth, Allamakee, Delaware, Howard, Wright, Keokuk, Iowa, Washington, Van Buren, Benton, Lee, Jackson, Linn, Scott, Des Moines, Jefferson, Wapello, Davis, Dubuque, Johnson, Louisa, Clinton, Henry, Jones, Muscatine, and Cedar Counties, Iowa; Issaquena, Warren, Sunflower, Grenada, Humphreys, Washington, Sharkey, Montgomery, Yazoo, Coahoma, Quitman, Talahatchi, Carroll, Leflore, Holmes, Bolivar, Tiptah, Webster, DeSoto, Marshall, Chickasaw, Tishomingo, Pontotoc, Itawamba, Tate, Calhoun, Tunila, Yalobusha, Lafayette, Monroe, Benton, Union, Choctaw, Lee, Oktibbeha, Alcorn, Prentiss, Clay, Lowndes, Panola, Kemper, Lauderdale, Noxubee, Clarke, Jasper, Leake, Rankin, Claiborne, Hinds, Madison, Scott, Attala, Smith, Neshoba, Simpson, Winston, Newton, Copiah, Jackson, Stone, George, Lamar, Wayne, Forrest, Pearl River, Jones, Covington, Hancock, Harrison, Perry, and Greene Counties, Miss.;

(5) From points in Umatilla, Union, Baker, Wallawa, Grant, and Morrow Counties, Oreg., to points in Fulton, Stone, St. Francis, Crittendon, Independence, Stone, Izard, Greene, Woodruff, Poinsett, Craighead, Baxter, Jackson, Randolph, Clay, Mississippi, Lawrence, and Cross Counties, Ark.; Jefferson, Muscatine, Washington, Dubuque, Benton, Keokuk, Scott, Iowa, Des Moines, Lee, Van Buren, Jackson, Davis, Linn, Wapello, Henry, Clinton, Louisa, Johnson, Jones, and Cedar Counties, Iowa; St. Charles, St. Martin, Tangipahoa, Jefferson, Assumption, St. Helena, St. Mary, Terrebonne, Lafourche, Iberville, St. James, Pointe Coupee, Washington, Liv-

ington, Iberia, Plaquemine, St. Bernard, W. Baton Rouge, Orleans, E. Feliciana, St. John The Baptist, St. Tammany, W. Feliciana, E. Baton Rouge, and Ascension Counties, La.; and points in Mississippi. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E125), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos and organs*, uncrated; (1) from points in Fayette, Washington, Allegheny, Greene, Westmoreland, Armstrong, Indiana, Bear, Lawrence, Butler, and Somerset Counties, Pa., to points in Washington, Perry, Conecuh, Lawndes, Sumter, Baldwin, Dallas, Marengo, Wilcox, Butler, Escambia, Mobile, Choctaw, Greene, Monroe, Clarke, and Hale Counties, Ala.; Holmes, Washington, Bay, Jackson, Calhoun, Okaloosa, Escambia, Santa Rosa, Gulf, and Walton Counties, Fla.; (2) from points in Crawford, McKean, Elk, Mercer, Erie, Potter, Cameron, Forest, Venango, Clarion, Jefferson, and Warren Counties, Pa., to points in Talladega, Jefferson, Elmore, Chambers, Tallapoosa, Lee, Autauga, Cherokee, St. Clair, Randolph, Bibb, Chilton, Shelby, Coosa, Blount, Clay, Etowah, Cullman, Calhoun, Cleburne, Wilcox, Conecuh, Clarke, Monroe, Mobile, Dallas, Sumter, Baldwin, Escambia, Perry, Butler, Greene, Washington, Choctaw, Hale, Lawndes, and Marengo Counties, Ala.; Holmes, Washington, Bay, Jackson, Calhoun, Okaloosa, Escambia, Santa Rosa, Gulf, and Walton Counties, Fla.; (3) from points in Adams, Clearfield, Fulton, Montour, Union, Bedford, Clinton, Huntingdon, Northumberland, Blair, Cumberland, Juniata, Perry, Cambria, Dauphin, Lycoming, Snyder, Centre, Franklin, Mifflin, and Tioga Counties, Pa., to points in Choctaw, Mobile, Escambia, Clarke, Monroe, Hale, Dallas, Sumter, Baldwin, Lawndes, Greene, Washington, Butler, Perry, Marengo, Wilcox, and Conecuh Counties, Ala.; Escambia, Santa Rosa, Gulf, Walton, Holmes, Washington, Bay, Jackson, Calhoun, and Okaloosa Counties, Fla.;

(4) from points in Bradford, Monroe, Wyoming, Carbon, Pike, Columbia, Susquehanna, Lackawanna, Sullivan, Luzerne, and Wayne Counties, Pa., to points in Franklin, Tuscaloosa, Lamar, Fayette, Pickens, Colbert, Lawrence, Winston, Marion, Walker, Lauderdale, Sumter, Perry, Lawndes, Conecuh, Washington, Choctaw, Hale, Clarke, Wilcox, Butler, Greene, Mobile, Baldwin, Dallas, Monroe, Marengo, and Escambia Counties, Ala.; Gulf, Walton, Calhoun, Escambia, Santa Rosa, Bay, Jackson, Okaloosa, Washington, and Holmes Counties, Fla.; and (5) from points in Berks, Lebanon, Schuylkill, Bucks, Lehigh, York, Chester, Montgomery, Delaware, Northampton, Lancaster, and Philadelphia Counties, Pa., to points in Walker, Tuscaloosa, Lauderdale, Frank-

lin, Winston, Lamar, Fayette, Pickens, Colbert, Marion, Lawrence, Washington, Choctaw, Lawndes, Conecuh, Monroe, Butler, Hale, Clarke, Perry, Baldwin, Greene, Wilcox, Mobile, Escambia, Sumter, Marengo, and Dallas Counties, Ala.; Escambia, Washington, Holmes, Calhoun, Walton, Gulf, Bay, Santa Rosa, Okaloosa, and Jackson Counties, Fla. The purpose of this filing is to eliminate the gateway of Corinth, Miss.

No. MC 107012 (Sub-No. E126), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos and organs*, uncrated; (1) from points in Bristol, Newport, and Washington Counties, R.I., to points in Lauderdale, Tuscaloosa, Colbert, Lawrence, Walker, Marion, Winston, Pickens, Franklin, Lamar, Fayette, Hale, Greene, Clarke, Baldwin, Lawndes, Dallas, Sumter, Choctaw, Mobile, Wilcox, Perry, Marengo, Escambia, Monroe, Washington, Conecuh, and Butler Counties, Ala.; Washington, Santa Rosa, Jackson, Gulf, Walton, Escambia, Holmes, Calhoun, Okaloosa, and Bay Counties, Fla.; (2) from points in Kent and Providence, R.I., to points in Lauderdale, Walker, Colbert, Lawrence, Winston, Marion, Lamar, Pickens, Franklin, Tuscaloosa, Fayette, Washington, Wilcox, Mobile, Monroe, Lawndes, Perry, Conecuh, Butler, Sumter, Dallas, Baldwin, Marengo, Escambia, Choctaw, Greene, Clarke, and Hale Counties, Ala.; Gulf, Walton, Holmes, Washington, Jackson, Escambia, Okaloosa, Bay, Santa Rosa, and Calhoun Counties, Fla. The purpose of this filing is to eliminate the gateway of Corinth, Miss.

No. MC 107012 (Sub-No. E127), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos*, uncrated; (1) from points in Aiken, Keeshaw, Richland, Calhoun, Lancaster, Sumter, Chesterfield, Lee, Darlington, Lexington, Fairfield, and Marlboro Counties, S.C., to points in Kings, Tulare, Inyo, Fresno, Solano, Sutter, San Mateo, Santa Cruz, Marin, Alpine, San Joaquin, Tuolumne, Placer, Colusa, Mariposa, Amador, Sonoma, San Francisco, San Benito, Contra Costa, Merced, Calaveras, Stanislaus, Sacramento, Santa Clara, Eldorado, Mono, Napa, Yolo, Monterey, Madera, Alameda, Glenn, Trinity, Humboldt, Lake, Mendocino, Tehama, Butte, Shasta, Lassen, Sierra, Modoc, Yuba, Nevada, Siskiyou, and Plumas Counties, Calif.; Grand, Park, Fremont, Denver, Adams, Jackson, Summit, Elbert, Chaffee, Lake, Teller, Eagle, Boulder, Larimer, Gilpin, Douglas, Arapahoe, Weld, Logan, Washington, Kit Carson, Sedgwick, Phillips,

Yuma, Morgan, Rio Grande, Montrose, Gunnison, Alamosa, San Juan, Montezuma, Delta, San Miguel, Mineral, Dolores, Saguache, LaPlata, Conejos, Ouray, Hinsdale, Archuleta, Mesa, Garfield, Routt, Rio Blanco, and Moffatt Counties, Colo.; Storey, Marion, Tama, Hamilton, Clarke, Warren, Poweshiek, Madison, Grundy, Boone, Polk, Monroe, Lucas, Greene, Appanoose, Marshall, Webster, Jasper, Decatur, Mahaska, Wayne, Hardin, Dallas, Osceola, Plymouth, Kossuth, Crawford, Buena Vista, Sac, O'Brien, Ida, Cherokee, Sioux, Monona, Humboldt, Clay, Woodbury, Palo Alto, Emmet, Carroll, Pocahontas, Lyon, Dickinson, Calhoun, Union, Audubon, Montgomery, Shelby, Cass, Mills, Taylor, Fremont, Page, Adair, Guthrie, Pottawattaw, Adams, Harrison, Ringgold, Hancock, Worth, Howard, Wright, Mitchell, Delaware, Winnebago, Fayette, Winneshiek, Floyd, Franklin, Butler, Allamakee, Cerro Gordo, Black Hawk, Chickasaw, Bremer, Clayton, and Buchanan Counties, Iowa; Esmeralda, Eureka, Lander, Nye, Washoe, Douglas, Pershing, Humboldt, Storey, Mineral, Lyon, Churchill, Ormsby, Elko, and Whitepine Counties, Nev.;

(2) from points in Chester, McCormick, York, Cherokee, Newberry, Edgefield, Saluda, Greenwood, Spartanburg, Lamens, and Union Counties, S.C., to points in Los Angeles, Ventura, Kern, Orange, San Luis Obispo, Santa Barbara, Fresno, Inyo, Kings, Tulare, Yolo, Santa Cruz, Sacramento, Napa, Amador, Madera, Solano, Santa Clara, San Benito, Monterey, Calaveras, Marin, Sonoma, San Mateo, Tuolumne, Merced, Colusa, Mariposa, Mono, San Francisco, Sutter, Alameda, Contra Costa, Stanislaus, San Joaquin, Placer, Alpine, Eldorado, Glenn, Tehama, Trinity, Humboldt, Lake, Mendocino, Butte, Plumas, Shasta, Lassen, Sierra, Modoc, Siskiyou, Nevada, and Yuba Counties, Calif.; Gilpin, Larimer, Chaffee, Denver, Fremont, Grand, Jackson, Adams, Douglas, Lake, Summit, Arapahoe, Eagle, Jefferson, Teller, Boulder, Elbert, Park, Pitkin, Cedar Creek, El Paso, Kit Carson, Sedgwick, Washington, Logan, Weld, Morgan, Yuma, Phillips, San Miguel, Alamosa, Dolores, Montezuma, Rio Grande, Montrose, Gunnison, Saguache, Archuleta, Hinsdale, Ouray, Conejos, LaPlata, San Juan, Delta, Mineral, Garfield, Mesa, Moffat, Rio Blanco, and Routt Counties, Colo.; Storey, Mahaska, Monroe, Dallas, Hardin, Poweshiek, Madison, Polk, Decatur, Jasper, Webster, Marion, Appanoose, Greene, Lucas, Wayne, Tama, Boone, Grundy, Warren, Marshall, Clarke, Hamilton, Pocahontas, Osceola, Buena Vista, Crawford, Kossuth, Palo Alto, Plymouth, Calhoun, Dickinson, Sac, Monona, Carroll, Emmet, Sioux, Lyon, Cherokee, Humboldt, O'Brien, Woodbury, Clay, Ida, Union, Adams, Harrison, Taylor, Audubon, Mills, Shelby, Cass, Montgomery, Ringgold, Fremont, Page, Adair, Guthrie, Pottawattaw, Worth, Hancock, Bremer, Clayton, Wright, Howard, Buchanan, Delaware, Winneshiek, Mitchell, Butler, Fayette, Franklin, Allamakee, Cerro Gordo, Floyd, Winnebago,

Black Hawk, and Chickasaw Counties, Iowa; points in Nevada; and McKinley, Rio Arriba, and San Juan Counties, N. Mex.;

(3) from points in Allendale, Charleston, Orangeburg, Bamberg, Colleton, Barnwell, Dorchester, Beaufort, Hampton, Berkeley, and Jasper Counties, S.C., to points in Inyo, Fresno, Tulare, Kings, San Mateo, Stanislaus, San Benito, Sacramento, Yolo, San Francisco, Sutter, Santa Cruz, Placer, Sonoma, Solano, Napa, Tuolumne, Santa Clara, Monterey, San Joaquin, Madera, Calaveras, Mono, Marin, Amador, Alameda, Eldorado, Alpine, Mariposa, Contra Costa, Merced, Colusa, Glenn, Humboldt, Trinity, Tehama, Mendocino, Lake, Butte, Sierra, Lassen, Shasta, Plumas, Yuba, Nevada, Siskiyou, and Modoc Counties, Calif.; Teller, Jefferson, Adams, Douglas, Arapahoe, Lake, Pitkin, El Paso, Denver, Summit, Gilpin, Fremont, Chaffee, Larimer, Grand, Eagle, Cedar Creek, Park, Jackson, Elbert, Boulder, Kit Carson, Weld, Logan, Washington, Sedgwick, Yuma, Phillips, Morgan, Garfield, Mesa, Routt, Rio Blanco, and Moffat Counties, Colo.; Wayne, Warren, Monroe, Hardin, Dallas, Webster, Poweshiek, Mahaska, Hamilton, Clarke, Madison, Story, Appanoose, Grundy, Boone, Marion, Tama, Lucas, Greene, Marshall, Polk, Jasper, Decatur, Plymouth, Osceola, Buena Vista, Dickinson, Calhoun, Sac, Woodbury, Kosuth, Crawford, Sioux, Monona, Ida, Clay, Pocahontas, O'Brien, Humboldt, Cherokee, Palo Alto, Lyon, Emmet, Carroll, Shelby, Page, Guthrie, Union, Pottawattawamie, Fremont, Ringgold, Montgomery, Cass, Taylor, Mills, Audubon, Adair, Harrison, Adams, Winneshiek, Hancock, Fayette, Butler, Howard, Franklin, Delaware, Buchanan, Winnebago, Worth, Clayton, Bremer, Wright, Allamakee, Chickasaw, Black Hawk, Mitchell, Floyd, and Cerro Gordo Counties, Iowa; Esmeralda, Eureka, Nye, Lander, Douglas, Pershing, Churchill, Ormsby, Mineral, Washoe, Lyon, Storey, Humboldt, Elko, and Whitepine Counties, Nev.;

(4) from points in Clarendon, Marion, Dillon, Williamsburg, Florence, Georgetown, and Horry Counties, S. C., to points in Los Angeles, Ventura, Kern, Santa Barbara, San Luis Obispo, Orange, Fresno, Inyo, Tulare, Kings, Tuolumne, Solano, San Mateo, Napa, San Francisco, Amador, Yolo, Stanislaus, Santa Clara, Mariposa, Eldorado, Alpine, Mono, Sonoma, Monterey, Placer, Contra Costa, Alameda, Sutter, Merced, Madera, San Benito, Colusa, Santa Cruz, San Joaquin, Marin, Sacramento, Calaveras, Mendocino, Trinity, Lake, Tehama, Humboldt, Glenn, Siskiyou, Butte, Yuba, Shasta, Sierra, Plumas, Modoc, Nevada, and Lassen Counties, Calif.; Teller, Jackson, Jefferson, Cedar Creek, Arapahoe, Summit, Eagle, Fremont, Boulder, Park, Elbert, Gilpin, Adams, Pitkin, Larimer, Lake, Douglas, Grand, El Paso, Chaffee, Denver, Yuma, Morgan, Weld, Logan, Washington, Kit Carson, Sedgwick, Phillips, Montezuma, Saguache, Hinsdale, Archuleta, San Miguel, Montrose, Gunnison, San Juan, Rio Grande, Dolores, Mineral, Ouray, Delta, LaPlata, Alamosa, Conejos,

Garfield, Moffat, Mesa, Routt, and Rio Blanco Counties, Colo.; points in Iowa and Nevada; Rio Arriba, McKinley, and San Juan Counties, N. Mex.;

(5) from points in Abbeville, Anderson, Greenville, Oconee, and Pickens Counties, S.C., to points in Inyo, Fresno, Kings, Tulare, Tuolumne, Mono, Santa Clara, Eldorado, Stanislaus, Alameda, Yolo, Merced, Santa Cruz, Madera, Sonoma, Alpine, Placer, San Francisco, Sacramento, Marin, Solano, Amador, Napa, San Joaquin, San Benito, Mariposa, Calaveras, Monterey, Contra Costa, San Mateo, Sutter, Colusa, Trinity, Glenn, Humboldt, Lake, Mendocino, Tehama, Siskiyou, Modoc, Yuba, Nevada, Shasta, Plumas, Sierra, Lassen, and Butte Counties, Calif.; El Paso, Park, Gilpin, Larimer, Adams, Elbert, Pitkin, Denver, Arapahoe, Eagle, Grand, Douglas, Boulder, Teller, Jackson, Jefferson, Cedar Creek, Summit, Fremont, Lake, Chaffee, Yuma, Morgan, Weld, Phillips, Washington, Sedgwick, Kit Carson, Logan, San Miguel, Ouray, Mineral, Alamosa, Hinsdale, Montrose, Archuleta, San Juan, LaPlata, Conejos, Saguache, Montezuma, Delta, Rio Grande, Gunnison, Dolores, Mesa, Moffat, Rio Blanco, Routt, and Garfield Counties, Colo.; Jasper, Polk, Poweshiek, Mahaska, Boone, Greene, Lucas, Story, Madison, Appanoose, Marion, Webster, Marshall, Grundy, Dallas, Monroe, Hamilton, Tama, Decatur, Hardin, Wayne, Warren, Clarke, Lyon, Plymouth, Dickinson, Ida, Clay, Monona, Pocahontas, Humboldt, Cherokee, O'Brien, Sac, Emmet, Carroll, Osceola, Sioux, Woodbury, Calhoun, Palo Alto, Crawford, Kosuth, Buena Vista, Pottawattawamie, Harrison, Ringgold, Mills, Guthrie, Page, Fremont, Union, Cass, Taylor, Audubon, Shelby, Adams, Montgomery, Adair, Winnebago, Cerro Gordo, Chickasaw, Butler, Delaware, Howard, Floyd, Buchanan, Worth, Winneshiek, Wright, Bremer, Mitchell, Hancock, Clayton, Black Hawk, Fayette, Franklin, and Allamakee Counties, Iowa; Lander, Nye, Esmeralda, Eureka, Storey, Douglas, Ormsby, Humboldt, Washoe, Lyon, Pershing, Mineral, Churchill, Elko, and Whitepine Counties, Nev. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E128), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*, (1) from points in Aurora, Bon Homme, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Minnehaha, Miner, Moody, Sanborn, Turner, Union, Yankton Counties, S. Dak., to points in Tunica, Union, Webster, Yalobusha, Marshall, Lowndes, Lee, Lafayette, Itawamba, DeSoto, Clay, Choctaw, Chickasaw, Calhoun, Benton, Alcorn, Tishomingo, Tate, Tippah, Prentiss, Pontotoc, Panola, Oktibbeha, Monroe, Perry, Pearl River, Lamar, Jones, Jackson, Harrison, Hancock, Greene, George, Forrest, Covington, Wayne,

Stone Counties, Miss., Putnam, Pickett, Overton, Montgomery Macon, Jackson, Dickson, DeKalb, Davidson, Clay, Cheatham, Cannon, Williamson, Wilson, Trousdale, Sumner, Smith, Rutherford, Robertson, Roane, Sequatchie, Van Buren, Warren, White, Meigs, Marshall, Marion, McMinn, Grundy, Franklin, Fentress, Cumberland, Coffee, Bradley, Bledsoe, Bedford, Rhea, Morgan, Polk, Moore, Monroe, Loudon, Lincoln, Hamilton, Washington, Campbell, Blount, Anderson, Union, Unicoi, Sullivan, Sevier, Scott, Knox, Johnson, Jefferson, Hawkins, Hamblen, Hancock, Greene, Grainger, Cocke, Claiborne, Carter, Weakley, Benton, Carroll, Decatur, Giles, Hardin, Henderson, Henry, Hickman, Houston, Humphreys, Lawrence, Lewis, Maury, Perry, Stewart, Wayne Counties, Tenn.; (2) from points in Beadle, Brown, Brookings, Clark, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Marshall, Roberts, Spink Counties, S. Dak., to points in West Baton Rouge, St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, West Feliciana, Terrebonne, Washington, Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, LaFourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard Counties, La., and points in Mississippi and Tennessee;

(3) from points in Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd, Tripp Counties, S. Dak., to points in St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Bernard, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, Livingston, LaFourche, Jefferson, Iberville, Iberia, East Feliciana, East Baton Rouge, Assumption, Ascension, Pointe Coupee, Plaquemine, Orleans Counties, La., and points in Mississippi and Tennessee; (4) from points in Campbell, Corson, Dewey, Edmunds, Faulk, Harding, McPherson, Perkins, Potter, Walworth Counties, S. Dak., to points in Poinsett, Lawrence, Randolph, St. Francis, Sharp, Mississippi, Stone, Woodruff, Greene, Craighead, Clay, Baxter, Jackson, Izard, Independence, Fulton, Cross, Crittendon Counties, Ark., St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, St. Bernard, Pointe Coupee, Plaquemine, Iberville, Iberia, East Feliciana, East Baton Rouge, Assumption, Ascension, Orleans, Livingston, LaFourche, Jefferson, Winn, West Carroll, Union, Madison, Lincoln, Jackson, Franklin, East Carroll, Caldwell, Tensas, Richland, Quachita, Morehouse Counties, La., and points in Mississippi and Tennessee; (5) from points in Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washbaugh, Ziebach Counties, S. Dak., to points in Mississippi and Wilson, Williamson, Sumner, Trousdale, Smith, Rutherford, Robertson, DeKalb, Dickson, Jackson, Macon, Montgomery, Overton, Pickett, Putnam, Cannon, Cheatham,

Clay, Davidson, Marshall, Meigs, Monroe, Moore, Morgan, Polk, Rhea, Marion, Roane, Sequatchie, Van Buren, Warren, White, Franklin, Grundy, Hamilton, Lincoln, Loudon, McMinn, Bedford, Bledsoe, Bradley, Coffee, Cumberland, Fentress, Johnson, Union, Washington, Unicoi, Knox, Sevier, Scott, Sullivan, Grainger, Hancock, Hawkins, Jefferson, Anderson, Blount, Campbell, Carter, Claiborne, Cocke, Greene, Hamblen, Perry, Maury, Stewart, Wayne, Weakley, Houston, Humphreys, Lawrence, Lewis, Benton, Carroll, Decatur, Giles, Hardin, Henderson, Henry, Hickman Counties, Tenn. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E129), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*, (1) from points in Cannon, Cheatham, Clay, Davidson, DeKalb, Dickson, Jackson, Macon, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, Williamson, Wilson Counties, Tenn., to points in Santa Clara, Tuolumne, Yolo, Santa Cruz, Solano, San Mateo, Sonoma, Stanislaus, Sutter, Marin, Mariposa, Merced, Mono, Monterey, Napa, Placer, San Benito, Sacramento, San Francisco, San Joaquin, Alameda, Alpine, Amador, Calaveras, Colusa, Contra Costa, Eldorado, Madera, Lake, Mendocino, Tehama, Glenn, Humboldt, Trinity, Yuba, Butte, Lassen, Modoc, Nevada, Plumas, Shasta, Siskiyou, Sierra Counties, Calif., Garfield, Mesa, Moffat, Rio Blanco, Routt Counties, Colo., Woodbury, Sioux, Kossuth, Ida, Humboldt, Emmet, Dickinson, Crawford, Clay, Cherokee, Carroll, Calhoun, Buena Vista, Sac, Pocahontas, Plymouth, Palo Alto, Osceola, O'Brien, Monona, Lyon, Floyd, Fayette, Delaware, Clayton, Chickasaw, Cerro Gord, Butler, Buchanan, Bremer, Black Hawk, Allamakee, Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Franklin, Hancock Counties, Iowa, Wayne, Washington, Dixon, Dodge, Knox, Madison, Merrick, Pierce, Platte, Polk, Stanton, Thurston, Vance, Antelope, Boone, Burt, Butler, Cedar, Colfax, Dakota, Cuming, Valley, Rock, Wheeler, Thomas, Sherman, Grant, Greeley, Hall, Holt, Hooker, Howard, Keyapana, Lawson, Logan, Loup, McPherson, Arthur, Blaine, Boyd, Brown, Buffalo, Cherry, Custer, Garfield, Box Butte, Dawes, Sheridan, Sioux, Banner, Cheyenne, Deuel, Garden, Kimball, Morrill, Scott Bluff Counties, Nebr., Esmeralda, Eureka, Lander, Nye, Washoe, Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey, Elko, Whitepine Counties, Nev., and points in South Dakota, Utah, Wyoming, and Idaho;

(2) from points in Bedford, Bledsoe, Bradley, Coffee, Cumberland, Fentress, Franklin, Grundy, Hamilton, Lincoln, Loudon, Marion, Marshall, McMinn, Meigs, Monroe, Moore, Morgan, Polk,

Rhea, Roane, Sequatchie, Van Buren, Warren, White Counties, Tenn.; to points in Tulare, Kings, Fresno, Inyo, Tuolumne, Yolo, Sutter, Eldorado, Madera, Marin, Mariposa, Merced, Mono, Monterey, Napa, Placer, San Benito, Sacramento, San Mateo, San Joaquin, San Francisco, Santa Clara, Santa Cruz, Sonoma, Solano, Stanislaus, Alameda, Alpine, Amador, Calaveras, Colusa, Contra Costa, Humboldt, Lake, Mendocino, Tehama, Glenn, Trinity, Sierra, Siskiyou, Yuba, Butte, Lassen, Modoc, Nevada, Plumas, Shasta Counties, Calif., Routt, Moffat, Rio Blanco, Mesa, Garfield Counties, Colo., Story, Poweshiek, Polk, Monroe, Marshall, Marion, Mahaska, Madison, Lucas, Jasper, Hardin, Greene, Grundy, Hamilton, Decatur, Boone, Clarke, Dallas, Appanoose, Webster, Wayne, Warren, Tama, Sac, Pocahontas, Plymouth, Palo Alto, Osceola, O'Brien, Monona, Lyon, Kossuth, Ida, Humboldt, Dickinson, Crawford, Emmet, Clay, Calhoun, Carroll, Cherokee, Buena Vista, Woodbury, Sioux, Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Hancock, Franklin, Floyd, Fayette, Delaware, Cerro Gord, Chickasaw, Clayton, Butler, Buchanan, Black Hawk, Bremer, Allamakee Counties, Iowa, Vance, Thurston, Stanton, Polk, Platte, Pierce, Merrick, Madison, Knox, Dodge, Dixon, Cuming, Colfax, Dakota, Cedar, Butler, Burt, Boone, Antelope, Wayne, Washington, McPherson, Loup, Logan, Lawson, Keyapana, Howard, Hooker, Holt, Hall, Greeley, Grant, Cherry, Custer, Garfield, Buffalo, Blaine, Brown, Boyd, Arthur, Wheeler, Valley, Thomas, Sherman, Rock, Dawes, Sheridan, Sioux, Box Butte, Morrill, Scott Bluff, Kimball, Deuel, Garden, Cheyenne, Banner Counties, Nebr., Nye, Lancer, Eureka, Esmeralda, Washoe, Ormsby, Pershing, Storey, Mineral, Lyon, Humboldt, Douglas, Churchill, Whitepine, Elko Counties, Nev., and points in Idaho, South Dakota, Utah and Wyoming;

(3) from points in Anderson, Blount, Carter, Campbell, Claiborne, Cocke, Greene, Grainger, Hancock, Hamblen, Hawkins, Jefferson, Johnson, Knox, Scott, Sevier, Sullivan, Union, Unicoi, Washington Counties, Tenn., to points in California, Yuma County, Ariz., Teller, Cedar Creek, Boulder, Arapahoe, Adams, Summit, Pitkin, Park, Larimer, Jackson, Jefferson, Lake, Grand, Gilpin, Fremont, El Paso, Elbert, Eagle, Denver, Douglas, Chaffee, Weld, Sedgwick, Logan, Morgan, Yuma, Phillips, Washington, Kit Carson, Delta, Conejos, Alamosa, Archuleta, San Juan, Saguache, San Miguel, Rio Grande, Quay, Montrose, Montezuma, Mineral, La Plata, Hinsdale, Gunnison, Dolores, Rio Blanco, Moffat, Mesa, Garfield, Routt Counties, Colo., Warren, Wayne, Webster, Dallas, Clarke, Appanoose, Boone, Tama, Story, Polk, Poweshiek, Monroe, Marion, Marshall, Mahaska, Madison, Lucas, Jasper, Hardin, Hamilton, Grundy, Greene, Decatur, Woodbury, Cherokee, Carroll, Calhoun, Buena Vista, Sioux, Sac, Pocahontas, Plymouth, O'Brien, Osceola, Palo Alto, Monona, Lyon, Kossuth, Ida, Humboldt, Emmet, Dickinson, Crawford, Clay, Cass, Audu-

bon, Adams, Adair, Taylor, Union, Shelby, Ringgold, Pottawattamie, Page, Montgomery, Mills, Guthrie, Harrison, Fremont, Buchanan, Bremer, Allamakee, Black Hawk, Wright, Worth, Winneshiek, Mitchell, Howard, Winnebago, Hancock, Franklin, Floyd, Fayette, Delaware, Clayton, Cerro Gord, Chickasaw, Butler Counties, Iowa, and points in Idaho, Nebraska, Nevada, South Dakota, Utah, and Wyoming; (4) from points in Chester, Crockett, Dyer, Fayette, Gibson, Haywood, Hardeman, Lauderdale, Lake, Madison, McNairy, Obion, Shelby, Tipton Counties, Tenn., to points in Humboldt, Lake, Mendocino, Tehama, Trinity, Glenn, Butte, Lassen, Nevada, Shasta, Sierra, Siskiyou, Yuba, Modoc, Plumas Counties, Calif., Washington, Boise, Camas, Canyon, Custer, Elmore, Gooding, Gem, Owyhee Lemhi, Twin Falls, Payette, Valley, Ada, Adams, Bounding, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone, Benewah, Bonner Counties, Idaho, Mitchell, Winnebago, Winneshiek, Worth, Wright, Bremer, Buchanan, Butler, Cerro Gord, Chickasaw, Clayton, Delaware, Floyd, Fayette, Hancock, Franklin, Howard, Allamakee, Black Hawk Counties, Iowa, Brookings, Brown, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Marshall, Spink, Roberts, Beadle, Clark, Brule, Buffalo, Hand, Hughes, Hyde, Stanley, Mellette, Sully, Todd, Tripp, Jones, Lyman, Dewey, Edmunds, Faulk, Harding, McPherson, Potter, Perkins, Walworth, Campbell, Corson Counties, S. Dak., Crook, Johnson, Sheridan, Washakie, Weston, Big Horn, Campbell Counties, Wyo.;

(5) from points in Benton, Carroll, Decatur, Giles, Hardin, Henry, Henderson, Hickman, Houston, Humphreys, Lawrence, Lewis, Maury, Perry, Stewart, Wayne, Weakley Counties, Tenn., to points in Inyo, Fresno, Kings, Tulare, Tuolumne, Yolo, Sonoma, Solano, Santa Cruz, Santa Clara, San Joaquin, San Mateo, San Francisco, Stanislaus, Sutter, Mariposa, Merced, Mono, Monterey, Napa, San Benito, Placer, Sacramento, Alameda, Alpine, Amador, Calaveras, Colusa, Contra Costa, Eldorado, Madera, Marin, Lake, Mendocino, Tehama, Glenn, Humboldt, Trinity, Butte, Lassen, Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Yuba Counties, Calif., Sac, Woodbury, Sioux, Pocahontas, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Worth, Wright, Buchanan, Butler, Cerro Gord, Chickasaw, Howard, Mitchell, Winnebago, Winneshiek, Allamakee, Black Hawk, Bremer, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock Counties, Iowa, Washington, Thurston, Vance, Wayne, Dakota, Dixon, Dodge, Knox, Pierce, Platte, Polk, Stanton, Antelope, Boone, Burt, Butler, Cedar, Colfax, Cuming, Madison, Merrick, Box Butte, Dawes, Sheridan, Sioux Counties, Nebr., Esmeralda, Eureka, Lander, Nye, Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey, Washoe, Elko, Whitepine Counties, Nev., Rich, Salt Lake, Summit,

Tooele, Utah, Wasatch, Box Elder, Cache, Davis, Morgan, Weber, Beaver, Iron, Washington Counties, Utah, Park, Teton, Yellowstone National Park, Fremont, Hot Spring, Natrona, Big Horn, Campbell, Crook, Johnson, Sheridan, Washakie, Weston, Lincoln, Sublette, Sweetwater, Uinta Counties, Wyo.; and points in South Dakota and Idaho. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E130), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*; (1) from points in Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Freestone, Franklin, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Panola, Rains, Red River, Rockwall, Rusk, Sabine, Shelby, Smith, San Augustine, Titus, Upshur, Van Zandt, Wood Counties, Tex., to points in Butler, Cerro Gord, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Mitchell, Winneshiek, Winnebago, Worth, Wright, Allamakee, Black Hawk, Bremer, Buchanan Counties, Iowa, Tasca, St. Louis, Aitkin, Carlton, Cook, Lake, Lake Woods, Mahanomen, Marshall, Pennington, Norman, Polk, Red Lake, Roseau, Beltrami, Clearwater, Kittson, Koochichin Counties, Minn.; (2) from points in Austin, Bastrop, Bell, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, De Witt, Fayette, Falls, Fort Bend, Galveston, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Milan, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Trinity, Travis, Tyler, Victoria, Walker, Washington, Waller, Wharton, Williamson Counties, Tex., to points in Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Hancock, Franklin, Floyd, Fayette, Delaware, Clayton, Chickasaw, Butler, Cerro Gord, Buchanan, Bremer, Black Hawk, Allamakee Counties, Iowa and Lake, St. Louis, Tasca, Aitkin, Carlton, Cook, Chisago, Dakota, Dodge, Faribault, Fillmore, Freeborn, Hennepin, Goodhue, Houston, Isanti, Kanabec, Le Sueur, McLeod, Mille Lacs, Mower, Nicollet, Olmstead, Pine, Ramsey, Rice, Scott, Sherburne, Sibley, Steele, Wabasha, Wasela, Washington, Winona, Wright, Anoka, Blue Earth, Carver, Koochichin, Lake Woods, Mahanomen, Norman, Marshall, Pennington, Red Lake, Polk, Roseau, Beltrami, Clearwater, Kittson Counties, Minn.;

(3) from points in Arkansas, Atascosa, Bandera, Bee, Bexar, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Kleberg, La Salle, Live Oak, Maverick, McMullen, Medina, Nueces, Refugio, Real, San Patricio, Starr, Uvalde, Webb, Wilson, Willacy, Zavala, Zapata

Counties, Tex., to points in Franklin, Floyd, Fayette, Delaware, Clayton, Chickasaw, Cerro Gord, Butler, Wright, Winneshiek, Worth, Winnebago, Mitchell, Howard, Hancock, Bremer, Buchanan, Allamakee, Black Hawk Counties, Iowa, Tasca, St. Louis, Lake, Cook, Carlton, Aitkin, Fillmore, Faribault, Dodge, Chisago, Dakota, Carver, Blue Earth, Anoka, Wright, Winona, Wasela, Washington, Wabasha, Steele, Sibley, Sherburne, Scott, Rice, Pine, Ramsey, Olmstead, Nicollet, Mower, Mille Lacs, McLeod, LeSueur, Kanabec, Isanti, Hennepin, Houston, Freeborn, Goodhue, Marshall, Mahanomen, Koochichin, Lake Woods, Kittson, Clearwater, Beltrami, Roseau, Red Lake, Polk, Norman, Pennington Counties, Minn.; (4) from points in Armstrong, Bailey, Briscoe, Castro, Carson, Childress, Cottle, Cochran, Collingsworth, Dallam, Deaf Smith, Donley, Floyd, Foard, Gray, Hartley, Hardeman, Hansford, Hall, Hale, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Motley, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita, Wilbarger Counties, Tex., to points in Falls Church, Fairfax, Alexandria, Stafford, Westmoreland, Spotsylvania, King George, Prince Williams, Orange, Fauquier, Fairfax, Essex, Culpepper, Carolina, Arlington, Fredericksburg, Greene, Madison, Loudoun, Clarke, Frederick, Page, Rapahannock, Rockingham, Shenandoah, Warren, Winchester, Harrisonburg, Charlottesville, Colonial Heights, Hopewell, Petersburg, Richmond, Waynesboro, Albemarle, Amelia, Brunswick, Charles City, Buckingham, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Henrico, Hanover, James City, King Queen, King Williams, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince George, Prince Edward, Virginia Beach, Williamsburg, Accomack, Lancaster, Wight Isle, Greensville, Gloucester, Mathews, Middlesex, Hansemond, Northampton, Northumberland, Richmond, Southampton, Surry, Sussex, York, Chesapeake, Emporia, Franklin, Hampton, Newport News, Norfolk, Suffolk Portsmouth Counties, Va.;

(5) from points in Andrews, Archer, Baylor, Blanco, Bosque, Borden, Brown, Burnet, Carza, Callahan, Clay, Coryell, Comanche, Coleman, Concho, Cooke, Coke, Crane, Crosby, Crockett, Dawson, Denton, Dickens, Eastland, Ector, Edwards, Erath, Fisher, Gaines, Gillespie, Glasscock, Haskell, Hamilton, Hill, Howard, Hood, Irion, Jack, Jones, Johnson, Kent, Kerr, Kendall, King, Kimble, Knox, Lampasas, Llano, Lubbock, Lynn, Mason, Martin, McLennan, McCulloch, Menard, Mills, Midland, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runnels, San Saba, Scurry, Schleicher, Shackelford, Somervell, Stephens, Sterling, Stonewall, Sutton, Tarrant, Taylor, Terry, Throckmorton, Tom Green, Upton, Val Verde, Wise, Young, Yoakum Counties, Tex., to points in Tasca, Aitkin, Carlton, Cook, St. Louis, Lake Counties, Minn.; (6) from points in Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler Counties, Tex., to points

in Winneshiek, Mitchell, Worth, Winnebago, Hancock, Howard, Wright, Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gord, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin Counties, Iowa, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Rowan, Lewis, Magoffin, Martin, Mason, Menifee, Robertson, Scott, Wolfe, Powell, Pendleton, Montgomery, Morgan, Nicholas, Owen, Bath, Boone, Bourbon, Boyd, Bracken, Campbell, Carroll, Carter, Clark, Elliott, Fleming, Franklin Counties, Ky., Aitkin, Carlton, Cook, Lake, St. Louis, Tasca Counties, Minn., Northampton, Nash, Wilson, Washington, Tyrrell, Pasquotank, Per Quiman, Pitt, Pamlico, Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin Counties, N.C., Alexandria, Fairfax, Falls Church, Fredericksburg, Arlington, Caroline, Culpepper, Essex, Fairfax, Fauquier, King George, Orange, Prince Williams, Spotsylvania, Stafford, Westmoreland, Clarke, Frederick, Greene, Loudoun, Madison, Page, Rapahannock, Rockingham, Shenandoah, Warren, Harrisonburg, Winchester, King and Queen, King Williams, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Powhatan, Prince Edward, Prince George, Charlottesville, Colonial Heights, Hopewell, James City, Petersburg, Richmond, Waynesboro, Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, York, Chesapeake, Emporia, Surry, Sussex, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, Williamsburg, Accomack, Gloucester, Greensville, Wight Isle, Lancaster, Mathews, Middlesex, Nansemond, Northampton, Northumberland, Richmond, Southampton Counties, Va. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E131), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Ft. Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*; (1) from points in Box Elder, Salt Lake, Weber, Cache, Summit, Davis, Tooele, Morgan, Utah, Rich, and Wasatch Counties, Utah, to points in Tippah, Marshall, Pontotoc, Lee, Choctaw, Tishomingo, Yalobusha, Prentiss, Lafayette, Chickasaw, Tunica, Monroe, Tate, Itawamba, Benton, Union, Oktibeha, Calhoun, Desoto, Alcorn, Webster, Panola, Lowndes, and Clay Counties, Miss.; Putnam, Trousdale, Overton, DeKalb, Robertson, Williamson, Montgomery, Davidson, Rutherford, Wilson, Macon, Clay, Smith, Cannon, Jackson, Cheatham, Sumner, Pickett, Dickson, Marshall, Polk, Van Buren, Loudon, Fentress, Meigs, Rhea, Warren, Lincoln, Cumberland, Monroe, Roane, White, Hamilton, Coffee, Moore, Sequatchie, McMinn, Grundy, Bradley, Morgan, Marion, Bedford, Franklin, Bledsoe, Union, Johnson, Hawkins, Cocke, Wash-

ington, Sullivan, Hancock, Claiborne, Unicoi, Sevier, Hamblen, Carter, Scott, Knox, Greene, Campbell, Jefferson, Anderson, Grainger, Blount, Stewart, Lewis, Hickman, Decatur, Perry, Benton, Henry, Carroll, Weakley, Lawrence, Henderson, Wayne, Humphreys, Hardin, Maury, Houston, and Giles Counties, Tenn.; and points in Alabama, Florida, Georgia, and Kentucky;

(2) from points in Carbon, San Juan, Daggett, Uintah, Duchesne, Emery, and Grand Counties, Utah, to points in Putnam, Clay, Baker, St. Johns, Duval, Bradford, Marion, Flagler, Nassau, Levy, Union, Alachua, Volusia, Polk, Orange, Pasco, Pinellas, Brevard, Osceola, Hillsboro, Citrus, Sumter, Indian River, Hernando, Seminole, Lake, Collier, Dade, Monroe, Martin, Palm Beach, St. Lucie, Broward, Sarasota, Highlands, Manatee, Lee, Okeechobee, Charlotte, Hardee, DeSoto, Hendry, and Glades Counties, Fla.; points in Georgia; Woodford, Madison, Garrard, Marion, Green, Mercer, Jessamine, Metcalfe, Lincoln, Monroe, Pulaski, Wayne, Adair, Rockcastle, Casey, Anderson, Russell, Clinton, Boyle, Taylor, Cumberland, Washington, Fayette, Pike, Lee, Perry, Bell, Whitley, Leslie, Estill, Breathitt, Knott, Letcher, Floyd, Clay, Knox, McCreary, Harlan, Laurel, Owsley, Jackson, Wolfe, Franklin, Johnson, Martin, Nicholas, Rowan, Carroll, Carter, Gallatin, Kenton, Mason, Owen, Scott, Bath, Clark, Grant, Lawrence, Menifee, Pendleton, Boyd, Boone, Elliott, Greenup, Lewis, Montgomery, Powell, Bracken, Bourbon, Fleming, Harrison, Magoffin, Morgan, Robertson, Campbell, Grayson, LaRue, Simpson, Ohio, Christian, Hart, Logan, Hardin, Warren, Edmonson, Shelby, Meade, Muhlenberg, Todd, Allen, Henry, Trimble, Nelson, Bullitt, Barren, Jefferson, Oldham, Spencer, Butler, and Breckenridge Counties, Ky.; Macon, Trousdale, Smith, Jackson, Wilson, Pickett, Sumner, Cannon, Montgomery, Putnam, Davidson, Cheatham, Overton, Robertson, DeKalb, Clay, Williamson, Rutherford, Dickson, Marshall, Polk, Warren, Grundy, Fentress, Meigs, Rhea, White, Lincoln, Franklin, Monroe, Roane, Loudon, Hamilton, Bedford, Moore, Sequatchie, McMinn, Bledsoe, Bradley, Morgan, Van Buren, Marion, Cumberland, Coffee, Union, Unicoi, Knox, Cocke, Washington, Hancock, Scott, Grainger, Greene, Hawkins, Sevier, Anderson, Hamblen, Jefferson, Campbell, Blount, Sullivan, Johnson, Carter, and Claiborne Counties, Tenn.;

(3) from points in Garfield, Sanpete, Juab, Sevier, Kane, Wayne, Millard, and Piute Counties, Utah, to points in DeKalb, Morgan, Jackson, Limestone, Madison, and Marshall Counties, Ala.; Union, Baker, Levy, St. Johns, Bradford, Marion, Putnam, Clay, Nassau, Duval, Alachua, Flagler, Madison, Wakulla, Gilchrist, Suwannee, Columbia, Hamilton, Taylor, Dixie, Jefferson, Leon, Franklin, Lafayette, Liberty, Gadsden, Sumter, Pinellas, Indian River, Seminole, Brevard, Lake, Volusia, Citrus, Orange, Polk, Hernando, Osceola, Pasco, Hillsboro, Broward, Palm Beach, Collier, St. Lucie, Dade, Martin,

Monroe, Okeechobee, Hardee, Sarasota, Hendry, Charlotte, Highlands, DeSoto, Lee, Glades, and Manatee Counties, Fla.; Pulaski, Wayne, Marion, Adair, Cumberland, Rockcastle, Green, Mercer, Anderson, Fayette, Russell, Jessamine, Metcalfe, Boyle, Gerrard, Taylor, Lincoln, Monroe, Casey, Washington, Madison, Woodford, Clinton, Laurel, Owsley, Bell, Harlan, Lee, Perry, Breathitt, Jackson, Leslie, Pike, Clay, Knott, Letcher, Whitley, Estill, McCreary, Knox, Floyd, Wolfe, Franklin, Harrison, Magoffin, Morgan, Robertson, Bracken, Scott, Rowan, Johnson, Martin, Nicholas, Bath, Campbell, Clark, Gallatin, Kenton, Mason, Owen, Boone, Carroll, Elliott, Grant, Lawrence, Menifee, Pendleton, Bourbon, Carter, Fleming, Greenup, Lewis, Montgomery, Powell, Boyd, Hart, Trimble, Muhlenberg, Simpson, Bullitt, Henry, Todd, Nelson, Spencer, Butler, Jefferson, Logan, Ohio, Allen, Christian, LaRue, Meade, Oldham, Barren, Edmonson, Warren, Hardin, Shelby, Breckenridge, and Grayson Counties, Ky.; Montgomery, Rutherford, Wilson, DeKalb, Overton, Smith, Cannon, Dickson, Pickett, Sumner, Cheatham, Jackson, Putnam, Trousdale, Clay, Macon, Robertson, Williamson, Davidson, Coffee, Cumberland, Fentress, Franklin, Grundy, Jefferson, Sullivan, Hawkins, Carter, Johnson, Unicoi, Anderson, Cocke, Scott, Washington, Blount, Grainger, Sevier, Hancock, Campbell, Greene, Marion, Monroe, Roane, Lincoln, McMinn, Moore, Sequatchie, Hamilton, Marshall, Morgan, Van Buren, Bedford, Loudon, Polk, Warren, Bledsoe, Meigs, Rhea, White, and Bradley Counties, Tenn.; and points in Georgia;

(4) from point in Beaver, Iron, and Washington Counties, Utah, to points in Nassau, Clay, Bradford, Levy, Putnam, Baker, Marion, Union, Flagler, St. Johns, Duval, Alachua, Martin, Dade, Monroe, Broward, St. Lucie, Palm Beach, and Collier Counties, Fla.; Whitfield, Murray, Dade, Walker, Heard, Douglas, Catoosa, Haralson, Chattooga, Polk, Floyd, Bartow, Paulding, Gordon, Carroll, Lumpkin, Pickens, Towns, Cherokee, Jasper, Hart, Fannin, Banks, Madison, Rabun, Union, Clarke, Gwinnett, Henry, Fayette, Barrow, Morgan, Rockdale, Walton, Clayton, Jackson, Dawson, Forsyth, Butts, Newton, Spaulding, White, Cobb, Gilmer, DeKalb, Franklin, Oconee, Stephens, Habersham, Coweta, Hall, Elbert, Fulton, Emanuel, Treutlen, McDuffie, Jefferson, Burke, Wilkinson, Richmond, Lincoln, Hancock, Columbia, Wilkes, Taliaferro, Laurens, Glascock, Washington, Putnam, Johnson, Greene, Warren, Oglethorpe, Jenkins, Baldwin, Evans, Bryan, Chatham, Bullock, Screven, Candler, Effingham, Liberty, Wayne, Wheeler, Long, Bacon, Tattnall, Camden, McIntosh, Brantley, Toombs, Charlton, Montgomery, ToWare, Glynn, Pierce, Ware, Jefferson Davis, and Appling Counties, Ga.; points in Kentucky; Trousdale, Davidson, Overton, Rutherford, Williamson, Macon, Smith, Cheatham, DeKalb, Sumner, Pickett, Clay, Dickson, Montgomery, Putnam, Cannon, Jackson, Wilson, Robertson, Rhea, Roane, Morgan, Franklin, Marion, Polk, Meigs, Sequatchie, Grun-

dy, McMinn, Van Buren, Warren, Coffee, Hamilton, Bledsoe, White, Monroe, Cumberland, Lincoln, Bradley, Marshall, Moore, Fentress, Loudon, Bedford, Union, Claiborne, Hancock, Scott, Washington, Cocke, Hawkins, Sevier, Unicoi, Grainger, Jefferson, Blount, Sullivan, Greene, Johnson, Campbell, Carter, Hamblen, Knox, Anderson, Weakley, Humphreys, Giles, Decatur, Lawrence, Lewis, Wayne, Carroll, Henry, Maury, Perry, Hickman, Henderson, Hardin, Houston, Stewart, and Benton Counties, Tenn. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E132), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos and organs, uncrated*, (1) from points in Bennington, Rutland, Windham, Windsor Counties, Vt., to points in Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, Colbert, Fayette, Franklin, Lamar, Washington, Escambia, Greene, Dallas, Conecuh, Hale, Lawndes, Marengo, Mobile, Monroe, Wilcox, Perry, Sumter, Baldwin, Butler, Choctaw, Clarke Counties, Ala., Holmes, Jackson, Okaloosa, Washington, Walton, Santa Rosa, Bay, Calhoun, Escambia, Gulf Counties, Fla.; (2) from points in Chittenden, Franklin, Grand Isle, Lamoille Counties, Vt., to points in Talladega, Tallapoosa, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Shelby, St. Clair, Lee, Randolph, Autauga, Bibb, Blount, Calhoun, Lauderdale, Lawrence, Marion, Pickens, Tuscaloosa, Walker, Winston, Colbert, Fayette, Franklin, Lamar, Wilcox, Escambia, Washington, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Dallas, Sumter, Conecuh, Baldwin, Butler, Choctaw, Clarke, Counties, Ala., Jackson, Holmes, Okaloosa, Santa Rosa, Washington, Walton, Bay, Calhoun, Escambia, Gulf Counties, Fla.; (3) from points in Addison, Orange, and Washington Counties, Vt., to points in Talladega, Tallapoosa, Calhoun, Shelby, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Jefferson, Lee, Randolph, St. Clair, Autauga, Bibb, Blount, Lauderdale, Walker, Lamar, Marion, Winston, Lawrence, Pickens, Tuscaloosa, Colbert, Fayette, Franklin, Marengo, Lawndes, Monroe, Hale, Perry, Mobile, Sumter, Washington, Clarke, Conecuh, Wilcox, Dallas, Escambia, Greene, Baldwin, Butler, Choctaw Counties, Ala., Gulf, Holmes, Washington, Walton, Santa Rosa, Okaloosa, Jackson, Escambia, Bay, Calhoun Counties, Fla.; (4) from points in Caledonia, Essex, and Orleans Counties, Vt., to points in Talladega, Tallapoosa, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Cullman, Elmore, Etowah, Lee, St. Clair, Coosa, Cullman, Randolph, Shelby, Elmore, Etowah, Jefferson, Blount, Autauga, Bibb, Lauderdale, Lawrence, Lamar, Tuscaloosa, Winston, Walker, Marion, Pickens, Colbert,

Fayette, Franklin, Marengo, Clarke, Lawndes, Hale, Conecuh, Washington, Wilcox, Sumter, Perry, Monroe, Mobile, Dallas, Escambia, Greene, Butler, Choc-taw, Baldwin Counties, Ala., Walton, Washington, Okaloosa, Gulf, Santa Rosa, Holmes, Jackson, Calhoun, Escam-bia, Bay Counties, Fla. The purpose of this filing is to eliminate the gateway of Corinth, Miss.

No. MC 107012 (Sub-No. E133), filed June 3, 1974. Applicant: NORTH AMER-ICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*, (1) from points in Alexandria, Arlington, Caroline, Cul-pepper, Essex, Fauquier, Fairfax, Falls Church, Fredericksburg, King George, Orange, Prince Williams, Spotsylvania, Stafford, Westmoreland Counties, Va., to points in Wyandotte, Douglas, Wabaun-see, Shawnee, Pottawatom, Osage, Doni-phan, Miami, Nemaha, Brown, Atkinson, Marshall, Leavenworth, Johnson, Jef-ferson, Jackson, Franklin, Osborne, Morris, Washington, Smith, Stafford, Sumner, Ottawa, Pratt, Saline, Sedg-wick, Russell, Riley, Rice, Republic, Reno, Clay, Mitchell, McPherson, Marion, Lin-coln, Chase, Kingman, Jewell, Barton, Barber, Harvey, Harper, Geary, Ells-worth, Dickinson, Cloud, Wichita, Sher-man, Wallace, Trego, Thomas, Graham, Sheridan, Scott, Rush, Rooks, Rawlins, Ellis, Phillips, Decatur, Cheyenne, Nor-ton, Ness, Logan, Lane, Gove, Greeley, Stevens, Stanton, Ford, Gray, Kearny, Morton, Seward, Clark, Kiowa, Grant, Hamilton, Haskell, Meade, Pawnee, Co-manche, Edwards, Finney, Hodgeman Counties, Kans., Guadalupe, Sandoval, Torrance, Bernalillo, Los Alamos, San Miguel, Santa Fe, Valencia, San Juan, Rio Arriba, McKinley, Colfax, Harding, Mora, Taos, Union, Catron, Dona Ana, Grant, Hidalgo, Luna, Otero, Sierra, Socorro Counties, N. Mex., Tillman, Washita, Woods, Woodward, Caddo, Roger Mill, Major, Kiowa, Jackson, Har-mon, Harper, Blaine, Beckham, Alfalfa, Greer, Ellis, Dewey, Custer, Cotton, Co-manche, Texas, Cimarron, Beaver, Dela-ware, Washington, Wagoner, Tulsa, Se-qoyah, Ottawa, Rogers, Craig, Cherokee, Adair, Osage, Okmulgee, Nowata, Mus-kogee, Mayes, McIntosh Counties, Okla., Cottle, Donley, Hardeman, Bailey, Briscoe, Carson, Hemphill, Hockley, Hartley, Hutchinson, Castro, Childress, Cochran, Collingsworth, Dallam, Deaf Smith, Floyd, Foard, Gray, Hale, Hall, Hansford, Wheeler, Lamb, Lipscomb, Moore, Mot-ley, Wichita, Oldham, Ochiltree, Wil-barger, Armstrong, Farmer, Potter, Ran-dall, Roberts, Sherman, Swisher, Brew-ster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler Counties, Tex.; and points in Iowa;

(2) from points in Clarke, Frederick, Greene, Harrisonburg, Loudoun, Madison, Page, Rapahannock, Rockingham, Shenandoah, Warren, Winchester Counties, Va., to points in Shawnee, Pottawatom,

Osage, Wyandotte, Wabaunsee, Nemaha, Miami, Marshall, Brown, Leavenworth, Johnson, Jefferson, Jackson, Franklin, Douglas, Doniphan, Atchison, Riley, Russell, Mitchell, Saline, Washington, Morris, McPherson, Osborne, Sumner, Ottawa, Pratt, Reno, Stafford, Lincoln, Marion, Smith, Republic, Rice, Sedgwick, Kingman, Jewell, Harvey, Barton, Har-per, Geary, Ellsworth, Dickinson, Cloud, Clay, Chase, Barber, Scott, Wallace, Trego, Wichita, Sheridan, Rush, Sher-man, Thomas, Rooks, Rawlins, Phillips, Norton, Decatur, Ness, Logan, Lane, Gove, Greeley, Graham, Ellis, Cheyenne, Seward, Meade, Morton, Pawnee, Stan-ton, Stevens, Hamilton, Gray, Grant, Hodgeman, Ford, Finney, Edwards, Co-manche, Clark, Kiowa, Kearny, Haskell Counties, Kans., Washita, Woodward, Major, Roger Mill, Tillman, Woods, Kiowa, Jackson, Caddo, Blaine, Beck-ham, Cotton, Alfalfa, Harper, Harmon, Greer, Ellis, Dewey, Custer, Comanche, Texas, Beaver, Cimarron Counties, Okla., Hemphill, Wheeler, Gray, Wichita, Wil-barger, Armstrong, Donley, Bailey, Deaf Smith, Dallam, Briscoe, Carson, Castro, Hardeman, Childress, Hutchinson, Hart-ley, Hansford, Cochran, Collingsworth, Hall, Hale, Hockley, Cottle, Floyd, Foard, Swisher, Moore, Lipscomb, Ochiltree, Lamb, Sherman, Roberts, Randall, Pot-ter, Farmer, Oldham, Motley, Hudspeth, El Paso, Culberson, Loving, Brewster, Winkler, Ward, Terrell, Reeves, Presidio, Pecos, Jeff Davis Counties, Tex., and points in Iowa and New Mexico;

(3) from points in Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Charlottesville, Colonial Heights, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, Hopewell, James City, King Queen, King Williams, Louisa, Lunenburg, Mecklen-burg, New Kent, Nottoway, Petersburg, Powhatan, Prince Edward, Prince George, Richmond, Waynesboro Coun-ties, Va., to points in Brown, Doniphan, Douglas, Franklin, Jefferson, Jackson, Johnson, Leavenworth, Marshall, Miami, Nemaha, Osage, Pottawatom, Shawnee, Wabaunsee, Wyandotte, Atchison, Wash-ington, Sumner, Barton, Chase, Clay, Cloud, Ellsworth, Dickinson, Russell, Saline, Geary, Harper, Harvey, Jewell, Kingman, Lincoln, Sedgwick, Marion, McPherson, Mitchell, Morris, Osborne, Ottawa, Pratt, Reno, Smith, Republic, Rice, Riley, Stafford, Barber, Decatur, Ellis, Graham, Greeley, Lane, Gove, Logan, Ness, Norton, Phillips, Rawlins, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Chey-enne, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodge-man, Kearny, Kiowa, Meade, Morton, Seward, Pawnee, Stanton, Stevens, Clark Counties, Kans., Guadalupe, Los Alamos, Sandoval, San Miguel, Santa Fe, Tor-rance, Valencia, Bernalillo, McKinley, Rio Arriba, San Juan, Harding, Mora, Taos, Union, Colfax, Catron, Dona Ana, Hidalgo, Luna, Otero, Sierra, Socorro, Grant Counties, N. Mex., Cimarron, Texas, Beaver Counties, Okla., Hall, Hale, Gray, Hutchinson, Hansford, Hockley, Hemphill, Hartley, Hardeman, Wichita,

Wilbarger, Armstrong, Bailey, Carson, Briscoe, Potter, Randall, Castro, Chil-dress, Cochran, Collingsworth, Cottle, Dallam, Roberts, Deaf Smith, Floyd, Donley, Foard, Lamb, Lipscomb, Moore, Motley, Sherman, Ochiltree, Oldham, Farmer, Swisher, Wheeler, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler, Brewster Counties, Tex., and points in Iowa;

(4) from points in Accomack, Chesa-peake, Emporia, Franklin, Gloucester, Greensville, Hampton, Lancaster Math-ews, Middlesex, Northumberland, Nanse-mond, Newport News, Norfolk, North-ampton, Portsmouth, Richmond, South-ampton, Suffolk, Sussex, Surry, Virginia Beach, Wight Isle, Williamsburg, York Counties, Va., to points in Douglas, Doni-phan, Brown, Atchison, Shawnee, Potta-watom, Osage, Marshall, Nemaha, Miami, Leavenworth, Johnson, Jefferson, Jack-son, Wyandotte, Wabaunsee, Franklin, Sedgwick, Smith, Stafford, Sumner, Washington, Saline, Ottawa, Clay, Chase, Barton, Osborne, Morris, Barber, McPherson, Marion, Lincoln, Harvey, King-man, Russell, Riley, Jewell, Rice, Harper, Geary, Ellsworth, Republic, Dickinson, Reno, Mitchell, Pratt, Cloud, Trego, Graham, Ellis, Decatur, Thomas, Sher-man, Cheyenne, Scott, Rush, Rooks, Nor-ton, Rawlins, Phillips, Ness, Logan, Gove, Lane, Wichita, Wallace, Sheridan, Gree-ley, Finney, Edwards, Comanche, Ste-vens, Stanton, Clark, Pawnee, Morton, Meade, Hodgeman, Kiowa, Kearny, Has-kell, Hamilton, Gray, Grant, Seward, Ford Counties, Kans., Sandoval, Los Ala-mos, Guadalupe, Valencia, Santa Fe, Torrance, San Miguel, San Juan, Rio Ar-riba, McKinley, Taos, Mora, Harding, Colfax, Union, Hidalgo, Grant, Dona Ana, Catron, Socorro, Sierra, Otero, Luna Counties, N. Mex., Texas, Cimarron, Beaver Counties, Okla., Deaf Smith, Don-ley, Floyd, Foard, Gray, Hale, Hall, Hans-ford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Carson, Motley, Moore, Lipscomb, Briscoe, Bailey, Lamb, Wilbarger, Wichita, Wheeler, Roberts, Swisher, Dallam, Cottle, Sherman, Col-lingsworth, Randall, Potter, Cochran, Oldham, Farmer, Childress, Castro, Arm-strong, Ochiltree, Hudspeth, El Paso, Cul-berson, Brewster, Terrell, Winkler, Ward, Reeves, Presidio, Pecos, Loving, Jeff Davis Counties, Tex., and points in Iowa;

(5) from points in Allegheny, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Bristol, Buena Vista, Buchanan, Carroll, Campbell, Charlotte, Cliff Forge, Covington, Craig, Danville, Dickenson, Floyd, Franklin, Galax, Giles, Grayson, Halifax, Henry, Highland, Lee, Lexington, Lynchburg, Martinsville, Montgomery, Nelson, Norton, Patrick, Pittsylvania, Pulaski, Radford, Roanoke, Rockbridge, Russell, Salem, Scott, Smyth, South Boston, Staunton, Tazewell, Wash-ington, Wise, Wythe Counties, Va., to points in Dallas, Clarke, Boone, Appa-noose, Webster, Wayne, Warren, Tama, Story, Poweshiek, Polk, Monroe, Mar-shall, Marion, Madison, Mahaska, Lucas, Jasper, Hardin, Hamilton, Grundy, Greene, Decatur, Cherokee, Carroll, Cal-

houn, Buena Vista, Woodbury, Sioux, Sac, Pocahontas, Plymouth, Palo Alto, Osceola, O'Brien, Lyon, Monona, Kossuth, Ida, Humboldt, Emmet, Dickinson, Crawford, Clay, Cass, Audubon, Adams, Adair, Union, Taylor, Shelby, Ringgold, Pottawattamie, Page, Montgomery, Mills, Harrison, Guthrie, Fremont, Buchanan, Bremer, Black Hawk, Allamakee, Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Hancock, Franklin, Floyd, Fayette, Delaware, Clayton, Chickasaw, Cerro, Gordon, Butler Counties, Iowa, Graham, Ellis, Decatur, Cheyenne, Wichita, Wallace, Trego, Thomas, Sherman, Sheridan, Scott, Rush, Rooks, Rawlins, Phillips, Norton, Ness, Logan, Lane, Gove, Greeley Counties, Kans., McKinley, Rio Arriba, San Juan, Colfax, Harding, Mora, Union, and Taos Counties, N. Mex. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E134), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*, (1) from points in Clallam, Grays Harbor, Jefferson, Kitsap, Mason, San Juan Counties, Wash., to points in Dallas, Quachita, Desha, Drew, Union, Lincoln, Columbia, Cleveland, Chicot, Calhoun, Bradley, Ashley, Phillips, Pulaski, Perry, Saline, Hot Springs, Jefferson, Lee, Lonoke, Monroe, Prairie, White, Grant, Garland, Faulkner, Conway, Cleburne, Arkansas, Mississippi, Poinsett, Randolph, Lawrence, St. Francis, Independence, Sharp, Stone, Woodruff, Fulton, Jackson, Izard, Cross, Crittendon, Greene, Craighead, Clay, Baxter Counties, Ark., Muscatine, Scott, Van Buren, Wapello, Washington, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Louisa, Keokuk, Lee, Linn, Dubuque, Des Moines, Davis, Clinton, Cedar, Benton Counties, Iowa, St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, St. Bernard, Jefferson, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, Iberville, Iberia, East Feliciana, East Baton Rouge, Assumption, Ascension, Morehouse, Quachita, Winn, West Carroll, Richland, Union, Tensas, Madison, Lincoln, Jackson, Franklin, East Carroll, Caldwell, Vernon, Rapids, St. Landry, LaSalle, Grant, Evangeline, Concordia, Catahoula, Avoyelles Counties, La.; (2) from points in Clark, Cowlitz, Klickitat, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima Counties, Wash., to points in Prairie, Perry, White, Pulaski, Monroe, Phillips, Saline, Jefferson, Hot Springs, Grant, Garland, Faulkner, Conway, Cleburne, Arkansas, Lonoke, Lee, Poinsett, Randolph, St. Francis, Sharp, Stone, Lawrence, Mississippi, Woodruff, Fulton, Greene, Craighead, Clay, Jackson, Izard, Independence, Cross, Crittendon, Baxter Counties, Ark., Linn, Johnson, Jones, Keokuk, Lee, Washington, Wapello, Van Buren, Scott, Muscatine,

Louisa, Jefferson, Jackson, Iowa, Henry, Cedar, Benton, Dubuque, Des Moines, Davis, Clinton Counties, Iowa, St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, Plaquemine, St. Bernard, Pointe Coupee, Assumption, Ascension, Orleans, Livingston, Lafourche, Jefferson, Iberville, Iberia, East Feliciana, East Baton Rouge Counties, La.;

(3) from points in Chelan, Douglas, Grant, Island, King, Kittitas, Skagit, Snohomish, Whatcom Counties, Wash., to points in Union, Lincoln, Quachita, Dallas, Columbia, Cleveland, Bradley, Ashley, Drew, Desha, Chicot, Calhoun, Pulaski, Saline, Prairie, Phillips, Lonoke, Monroe, Perry, White, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lee, Arkansas, Cleburne, Conway, Jackson, Poinsett, Randolph, St. Francis, Sharp, Mississippi, Stone, Woodruff, Lawrence, Greene, Crittendon, Cross, Fulton, Independence, Izard, Baxter, Clay, Craighead Counties, Ark., Johnson, Louisa, Jefferson, Linn, Lee, Jones, Keokuk, Washington, Wapello, Van Buren, Scott, Muscatine, Iowa, Henry, Dubuque, Des Moines, Cedar, Clinton, Benton, Jackson, Davis Counties, Iowa, St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Pointe Coupee, Plaquemine, Orleans, Washington, West Baton Rouge, West Feliciana, St. Bernard, Jefferson, Iberville, Iberia, East Feliciana, Assumption, East Baton Rouge, Ascension, Livingston, Lafourche, Union, Winn, Tensas, West Carroll, Morehouse, Madison, Lincoln, Jackson, East Carroll, Franklin, Caldwell, Richland, Quachita, Rapids, LaSalle, Grant, Evangeline, Concordia, Catahoula, Avoyelles, Vernon, St. Landry Counties, La.; (4) from points in Ferry, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens Counties, Wash., to points in Union, Quachita, Drew, Desha, Dallas, Lincoln, Calhoun, Chicot, Cleveland, Columbia, Ashley, Bradley, Perry, Lonoke, Phillips, Prairie, Pulaski, Monroe, Saline, White, Hot Springs, Jefferson, Lee, Arkansas, Cleburne, Conway, Faulkner, Garland, Grant, Mississippi, Poinsett, Randolph, St. Francis, Sharp, Stone, Woodruff, Independence, Izard, Jackson, Fulton, Lawrence, Cross, Baxter, Clay, Craighead, Greene, Crittendon Counties, Ark., Washington, Keokuk, Lee, Wapello, Johnson, Van Buren, Scott, Henry, Iowa, Muscatine, Jackson, Jefferson, Linn, Louisa, Jones, Dubuque, Davis, Clinton, Cedar, Benton, Des Moines Counties, Iowa, St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, Plaquemine, Livingston, Pointe Coupee, St. Bernard, Lafourche, Orleans, Jefferson, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Ascension, Quachita, Richland, Morehouse, Tensas, Union, West Carroll, Winn, Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Rapids, St. Landry, Vernon, Grant, LaSalle, Avoyelles, Catahoula, Concordia, Evangeline Counties, La.;

(5) from points in Adams, Asotin, Benton, Columbia, Franklin, Garfield, Walla Walla, Whitman Counties, Wash., to points in Monroe, Phillips, Lonoke, Saline, Prairie, Pulaski, Perry, White, Lee, Garland, Grant, Hot Springs, Jefferson, Arkansas, Cleburne, Conway, Faulkner, Poinsett, Randolph, St. Francis, Sharp, Stone, Woodruff, Lawrence, Mississippi, Izard, Jackson, Clay, Craighead, Cross, Fulton, Baxter, Greene, Crittendon, Independence Counties, Ark., Keokuk, Lee, Louisa, Jones, Muscatine, Scott, Van Buren, Wapello, Washington, Johnson, Linn, Jackson, Jefferson, Henry, Iowa, Benton, Cedar, Clinton, Davis, Des Moines, Dubuque Counties, Iowa, St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Feliciana, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, Assumption, Jefferson, Ascension, East Baton Rouge, East Feliciana, Iberia, Iberville, Lafourche Counties, La. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 107012 (Sub-No. E135), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos and organs, uncrated*, (1) from points in Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, Wyoming Counties, W. Va., to points in Marengo, Mobile, Monroe, Perry, Sumter, Washington, Wilcox, Lawndes, Hale, Greene, Escambia, Dallas, Conecuh, Clarke, Choctaw, Butler, Baldwin Counties, Ala.; (2) from points in Braxton, Clay, Fayette, Kanawha, Nicholas, Webster Counties, W. Va., to points in Escambia, Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Wilcox, Sumter, Washington, Dallas, Conecuh, Clarke, Choctaw, Butler, Baldwin Counties, Ala., Okaloosa, Santa Rosa, Walton, Washington, Gulf, Escambia, Calhoun, Bay, Jackson, Holmes Counties, Fla.; (3) from points in Boone, Cabell, Lincoln, Logan, Mingo, Putnam, Wayne Counties, W. Va., to points in Greene, Hale, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Washington, Wilcox, Clarke, Choctaw, Butler, Baldwin, Escambia, Dallas, Conecuh Counties, Ala.; (4) from points in Brooke, Hancock, Marshall, Ohio Counties, W. Va., to Washington, Bay, Calhoun, Escambia, Greene, Sumter, Washington, Perry, Monroe, Mobile, Marengo, Lawndes, Hale, Wilcox, Baldwin, Butler, Choctaw, Clarke, Counties, Ala., and Jackson, Okaloosa, Holmes, Santa Rosa, Walton, Washington, Bay, Calhoun, Escambia, Gulf Counties, Fla.; (5) from points in Calhoun, Gilmer, Jackson, Mason, Pleasants, Ritchie, Roane, Wirt, Wood Counties, W. Va., Washington, Lawndes, Marengo, Mobile, Monroe, Perry, Sumter, Wilcox, Baldwin, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale Counties, Ala., Washing-

ton, Gulf, Holmes, Jackson, Okaloosa, Bay, Calhoun, Santa Rosa, Walton, Escambia Counties, Fla.; (6) from points in Barbour, Berkeley, Doddridge, Grant, Hardy, Harrison, Hampshire, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Taylor, Tucker, Tyler, Upshur, Wetzel Counties, W. Va., to points in Mobile, Monroe, Perry, Washington, Baldwin, Butler, Chocktaw, Clarke, Escambia, Greene, Hale, Lawndes, Marengo, Conecuh, Dallas, Sumter, Wilcox Counties, Ala.; Bay, Calhoun, Gulf, Holmes, Escambia, Jackson, Okaloosa, Walton, Washington, and Santa Rosa Counties, Fla. The purpose of this filing is to eliminate the gateway of Corinth, Miss.

No. 107012 (Sub-No. E136), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New pianos, uncrated*; (1) from points in Converse, Goshen, Laramie, Albany, Niobrara, Carbon, and Platte Counties, Wyo., to points in Talladega, Etowah, St. Clair, Bibb, Tallapoosa, Elmore, Shelby, Autauga, Randolph, Cullman, Clay, Chilton, Lee, Coosa, Calhoun, Cherokee, Jefferson, Cleburne, Blount, Chambers, DeKalb, Morgan, Madison, Marshall, Limestone, Jackson, Houston, Montgomery, Coffee, Henry, Barbour, Bullock, Macon, Dale, Geneva, Russell, Crenshaw, Pike, and Covington Counties, Ala.; St. Johns, Alachua, Bradford, Putnam, Levy, Baker, Nassau, Flagler, Union, Duval, Marion, Clay, Lafayette, Madison, Jefferson, Leon, Suwannee, Hamilton, Wakulla, Franklin, Gilchrist, Liberty, Dixie, Gadsden, Taylor, Columbia, Polk, Volusia, Orange, Pinellas, Seminole, Hillsboro, Sumter, Lake, Hernando, Pasco, Indian River, Citrus, Osceola, Brevard, Monroe, St. Lucie, Martin, Palm Beach, Dade, Collier, Broward, Sarasota, Charlotte, Okeechobee, Highlands, Manatee, Hendry, Lee, Glades, Hardee, and DeSoto Counties, Fla.; Woodford, Rockcastle, Lincoln, Green, Adair, Wayne, Monroe, Madison, Clinton, Fayette, Washington, Pulaski, Marion, Casey, Cumberland, Taylor, Metcalfe, Jessamine, Boyle, Russell, Mercer, Gerrard, Anderson, Knox, McCreary, Laurel, Clay, Whitley, Letcher, Jackson, Breathitt, Pike, Knott, Harlan, Bell, Owsley, Leslie, Floyd, Perry, Lee, Estill, Robertson, Clark, Grant, Lawrence, Martin, Nicholas, Boyd, Rowan, Elliott, Greenup, Lewis, Mason, Owen, Bourbon, Scott, Fleming, Harrison, Pendleton, Menifee, Carroll, Boone, Wolfe, Franklin, Johnson, Powell, Montgomery, Campbell, Bath, Carter, Gallatin, Kenton, Magoffin, Morgan, Bracken, Trimble, Grayson, Jefferson, Shelby, Edmonson, Todd, LaRue, Henry, Oldham, Christian, Logan, Nelson, Hart, Ohio, Butler, Hardin, Muhlenberg, Warren, Barren, Bullitt, Meade, Spencer, Simpson, Allen, and Breckenridge Counties, Ky.; Macon, Robertson, Williamson, Davidson, Montgomery, Rutherford, Wilson, Clay, Overton,

Smith, Dickson, Cheatham, Pickett, Sumner, DeKalb, Cannon, Putnam, Trousdale, Jackson, Lincoln, Marion, Morgan, Van Buren, Bledsoe, Hamilton, Marshall, Polk, Warren, Bedford, Loudon, Meigs, Rhea, White, Franklin, Grundy, Monroe, Roane, Coffee, Fentress, McMinn, Moore, Sequatchie, Bradley, Cumberland, Union, Greene, Unicoi, Hamblen, Sullivan, Hancock, Washington, Hawkins, Sevier, Jefferson, Johnson, Campbell, Knox, Blount, Scott, Anderson, Claiborne, Grainger, Carter, and Cooke Counties, Tenn.;

(2) From points in Yellowstone National Park, Park and Teton Counties, Wyo., to points in Alabama, Florida, and Kentucky; Holmes, Quitman, Washington, Bolivar, Sunflower, Sharkey, Grenada, Issaquena, Talahatchi, Yazoo, LeFlore, Warren, Coahoma, Montgomery, Humphreys, Carroll, Tippah, Yalobusha, Prentiss, Lowndes, Pontotoc, Tishomingo, Chickasaw, Desoto, Marshall, Calhoun, Tunica, Choctaw, Itawamba, Monroe, Benton, Union, Clay, Lafayette, Oktibbeha, Alcorn, Webster, Tate, Lee, Panola, Hinds, Leake, Scott, Clarke, Jasper, Madison, Simpson, Claiborne, Kemper, Copiah, Neshda, Attala, Noxubee, Winston, Newton, Lauderdale, Smith, Rankin, Jackson, Stone, Jones, Wayne, Lamar, Hancock, Pearl River, Greene, Perry, Harrison, George, Forrest, and Covington Counties, Miss.; Ickett, Williamson, Wilson, Davidson, Overton, Macon, Putnam, Clay, Sumner, Smith, Jackson, Cheatham, Montgomery, Robertson, Dickson, Cannon, Trousdale, Rutherford, DeKalb, Marshall, Polk, Warren, Fentress, Marion, Meigs, Rhea, White, Cumberland, Coffee, Monroe, Roane, Grundy, Lincoln, Bradley, Moore, Sequatchie, Hamilton, Loudon, Bledsoe, Morgan, Van Buren, Franklin, McMinn, Bedford, Union, Sevier, Cocke, Hamblen, Washington, Scott, Johnson, Greene, Unicoi, Knox, Hawkins, Blount, Grainger, Jefferson, Claiborne, Anderson, Sullivan, Carter, Hancock, Campbell, Weakley, Hardin, Humphreys, Carroll, Giles, Henderson, Lawrence, Benton, Stewart, Henry, Maury, Wayne, Hickman, Lewis, Perry, Houston, and Decatur Counties, Tenn.;

(3) from points in Hot Springs, Natrona, and Fremont Counties, Wyo., to points in Tippah, Yalobusha, Prentiss, Itawamba, Monroe, Tishomingo, Tate, Chickasaw, Lafayette, Benton, Tunica, Oktibbeha, Choctaw, Lee, Alcorn, Union, Panola, Clay, Lowndes, Calhoun, Webster, Pontotoc, Desoto, Marshall, Perry, Greene, George, Stone, Harrison, Forrest, Hancock, Jackson, Covington, Pearl River, Jones, Wayne, and Lamar Counties, Miss.; Sumner, Montgomery, DeKalb, Trousdale, Rutherford, Overton, Smith, Clay, Dickson, Pickett, Davidson, Cheatham, Jackson, Robertson, Putnam, Cannon, Macon, Wilson, Williamson, Cumberland, Monroe, Roane, Coffee, Hamilton, Fentress, Moore, Sequatchie, Marion, Franklin, Marshall, Morgan, Van Buren, McMinn, Bradley, Grundy, Polk, Warren, Loudon, Bledsoe, Meigs, Rhea, White, Lincoln, Bedford, Hancock, Johnson, Carter, Greene, Union, Knox,

Claiborne, Hamblen, Washington, Scott, Cocke, Campbell, Hawkins, Sevier, Sullivan, Blount, Jefferson, Grainger, Unicoi, Anderson, Weakley, Hardin, Houston, Benton, Maury, Henderson, Humphreys, Carroll, Giles, Wayne, Lawrence, Perry, Henry, Lewis, Stewart, Hickman, and Decatur Counties, Tenn.; and points in Alabama, Florida, and Kentucky;

(4) from points in Big Horn, Washakie, Campbell, Weston, Crook, Johnson, and Sheridan Counties, Wyo., to points in Alabama, Florida, Kentucky, Mississippi, and Tennessee; (5) from points in Lincoln, Sublette, Sweetwater, and Uinta Counties, W. Va., to points in Tippah, Pontotoc, Union, Lee, Calhoun, Yalobusha, Panola, Clay, Lowndes, Chickasaw, Webster, Choctaw, Desoto, Marshall, Alcorn, Tate, Tishomingo, Itawamba, Monroe, Benton, Prentiss, Tunica, Lafayette, and Oktibbeha Counties, Miss.; Wilson, Sumner, Montgomery, Cannon, Williamson, Smith, Overton, Cheatham, Trousdale, Dickson, Pickett, Clay, Rutherford, Jackson, Putnam, Davidson, DeKalb, Macon, Robertson, Marshall, Polk, Sequatchie, Marion, Fentress, Meigs, Loudon, Van Buren, Grundy, Coffee, Monroe, Franklin, Warren, Hamilton, Bedford, Moore, Rhea, McMinn, Lincoln, Bledsoe, Morgan, Roane, White, Cumberland, Bradley, Union, Sevier, Hawkins, Grainger, Green, Scott, Hancock, Anderson, Washington, Knox, Hamblen, Blount, Unicoi, Johnson, Claiborne, Campbell, Sullivan, Jefferson, Cocke, Carter, Weakley, Humphreys, Hardin, Wayne, Lawrence, Henderson, Perry, Lewis, Henry, Stewart, Houston, Benton, Hickman, Maury, and Carroll Counties, Tenn.; and points in Alabama, Florida, and Kentucky. The purpose of this filing is to eliminate the gateway of DeKalb, Ill.

No. MC 108119 (Sub-No. E7), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof (except the stringing or picking up of pipe in connection with main or trunk pipelines), and machinery and machinery parts not included above, which are embraced within such commodities as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, and machinery, materials, supplies, and equipment used or useful in road construction, mining, logging, and sawmill operations, and which because of*

size and weight require special handling or the use of special equipment; and (2) *Such self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, which are embraced within machinery, equipment, materials, and supplies used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products and within machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, serving, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main or trunk pipelines, and machinery and machinery parts not included above; restricted to commodities which are transported on trailers;*

(a) between points in Idaho in and north of Clearwater and Lewis Counties, and in and west of U.S. Highway 95 in Idaho County, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (Lower Peninsula only), Missouri, and Ohio; (b) between points in Idaho within Custer, Lemhi, and Valley Counties and points in Idaho County east of U.S. Highway 95, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (Lower Peninsula), Missouri, and Ohio; (c) between points in Idaho within Adams, Washington, Payette, Gem, Canyon, and Ada Counties, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (Lower Peninsula), Missouri, and Ohio; (d) between points in Idaho within Boise, Elmore, Camas, Owyhee, Gooding, and Twin Falls Counties, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (Lower Peninsula), that part of Missouri on and east of a line beginning at the Missouri-Iowa State line and extending along Missouri Highway 13 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Missouri-Arkansas State line, and Ohio; (e) between points in Idaho within Blaine, Butte, Lincoln, Jerome, Power, Minidoka, and Cassia Counties, on the one hand, and, on the other, points in Illinois on and east of U.S. Highway 67, Indiana, Michigan (Lower Peninsula), that part of Missouri on and east of U.S. Highway 67, and Ohio; and (f) between points in Idaho within Clark, Fremont, Jefferson, Madison, Teton, Bingham, Bonneville, Bannock, Caribou, Oneida, Franklin, and Bear Lake Counties, on the one hand, and, on the other, points in Illinois on, north, and east of a line beginning at the Illinois-Iowa State line and extending along Interstate Highway 80 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Illinois Highway 116, thence along Illinois Highway 116 to junction Illinois

Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 150, thence along U.S. Highway 150 to the Indiana-Illinois State line, that part of Indiana on and east of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 150 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Indiana-Kentucky State line, Michigan (Lower Peninsula), and Ohio.

The purpose of this filing is to eliminate the gateways of that part of Montana west of a line extending from the United States - Canada International Boundary line along U.S. Highway 89 to Livingston, Mont., thence east along U.S. Highway 10 to Laurel, Mont., thence along U.S. Highway 310 to the Montana-Wyoming State line, and that part of Minnesota on and west of U.S. Highway 71.

No. MC 108119 (Sub-No. E18), filed May 19, 1974. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, which, because of size or weight, require special handling or the use of special equipment, (2) *Related parts, materials, and supplies* (not requiring special handling or the use of special equipment), when the transportation of such items is incidental to the transportation by carrier of commodities which, by reason of size or weight, require special handling or the use of special equipment, and (3) *Self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, restricted to commodities which are transported on trailers, and restricted in (1), (2), and (3) against the transportation of farm machinery to, or from, Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wyoming;* (a) between all points in Montana on, north, and east of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 12 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 191, thence along U.S. Highway 191 to the Montana-Idaho State line, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, that part of Kansas on and east of U.S. Highway 77, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, (Upper Peninsula), Mississippi, that part of Nebraska on and east of U.S. Highway 77, New Hampshire, New Jersey, New York, North Carolina, that part of Oklahoma, on and east of

Interstate Highway 35, Pennsylvania, Rhode Island, South Carolina, Tennessee, that part of Texas on and east of Interstate Highway 35, Vermont, Virginia, West Virginia, and Wisconsin; and

(b) Between all points in Montana south and west of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 121 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 191, thence along U.S. Highway 191 to the Montana-Idaho State line, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of U.S. Highway 75, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula), Mississippi, that part of Nebraska on and east of U.S. Highway 77, New Hampshire, New Jersey, New York, North Carolina, that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line and extending along U.S. Highway 75 to McAlester, Okla., thence along Indian Nation Turnpike to Hugo, Okla., thence along U.S. Highway 271 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line near Spring Hill, Tex., thence along U.S. Highway 259 to Lufkin, Tex., thence along U.S. Highway 59 to Houston, Tex., thence along U.S. Highway 75 to Galveston, Tex., Vermont, Virginia, West Virginia, and Wisconsin. The purpose of this filing is to eliminate the gateway of Minnesota.

No. MC 109397 (Sub-No. E72) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER June 26, 1975. Applicant: TRI-STATE MOTOR TRANSPORT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel bar joists and long spans*, requiring special handling or rigging, from Congaree, S.C., to Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. The purpose of this filing is to eliminate the gateway of points in West Virginia. The purpose of this correction is to correct a typographical error.

No. MC 109397 (Sub-No. E83) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER July 1, 1975. Applicant: TRI-STATE MOTOR TRANSPORT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heavy machinery and articles* which require specialized handling or rigging because of their size or weight, and self-propelled articles which are transported on trailers, and related machinery, tools, parts, and supplies moving in connection therewith, between points in that part of the Lower Peninsula of Michigan on and east of a line

beginning at Mackinaw City, Mich., and extending along U.S. Highway 27 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateway of points in Lucas County, Ohio. The purpose of this correction is to correct a highway description.

No. MC 111823 (Sub-No. E105), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Naval Air Station, New Orleans, La., on the one hand, and, on the other, Ent Air Force & Peterson Field, Colorado Springs, Colo.; Fitzsimons General Hospital, Denver, Colo.; Fort Carson, Colorado Springs, Colo.; Lowry Air Force Base, Denver, Colo.; U.S. Air Force Academy, Colorado Springs, Colo.; Naval Submarine Base New London Groton, Conn.; Pentagon, Arlington Hall Station, Henderson Hall, and Navy Security Station, D.C.; Andrews Air Force Base, Camp Springs, Md.; Bolling Air Force Base, D.C.; Fort Myer, Arlington, Va.; Fort McNair, D.C.; Cameron Station, Alexandria, Va.; Walter Reed Army Medical Center, Bethesda, Md.; Naval Station, D.C.; Chantute Air Force Base, Rantoul, Ill.; Fort Sheridan, Highland Park, Ill.; Joliet Army Ammunition Depot, Joliet, Ill.; Savanna Army Depot, Savanna, Ill.; Naval Air Station, Glenview, Ill.; Naval Training Center, Great Lakes, Ill.; Scott Air Force Base, Belleville, Ill.; Grissom Air Force Base, Peru, Ind.; Fort Benjamin Harrison, Indianapolis, Ind.; Naval Ammunition Depot, Crane, Ind.; Forbes Air Force Base, Topeka, Kans.; Fort Leavenworth, Leavenworth, Kans.; Fort Riley, Junction City, Kans.; Fort Knox, Fort Knox, Ky.; Aberdeen Proving Ground, Aberdeen, Md.; Edgewood Arsenal, Edgewood Arsenal, Md.; Fort Detrick, Frederick, Md.; Fort Holabird, Baltimore, Md.; Fort George Meade, Laurel, Md.; Fort Ritchie, Cascade, Md.; Naval Air Station Patuxent, Patuxent River, Md.; Naval Academy, Annapolis, Md.; Naval Training Center, Bainbridge, Md.; Fort Devens, Ayer, Mass.; Naval Air Station, South Weymouth, Mass.; L. G. Hanscom Field, Bedford, Mass.; Otis Air Force Base, Falmouth (Cape Cod), Mass.; Westover Air Force Base, Springfield, Mass.; Kincheloe Air Force Base, Sault Ste. Marie, Mich.; K. I. Sawyer Air Force Base, Mount Clemens, Mich.

Wurtsmith Air Force Base, Oscoda, Mich.; Duluth International Airport, Duluth, Minn.; Fort Leonard Wood, Waynesville, Mo.; Richards-Gebaur Air Force Base, Kansas City, Mo.; Whiteman Air Force Base, Knob Noster, Mo.; Offutt Air Force Base, Omaha, Nebr.; Pease Air Force Base, Portsmouth, N.H.; Fort Dix,

Wrightstown, N.J.; Fort Monmouth, Oceanport, N.J.; McGuire Air Force Base, Wrightstown, N.J.; Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, N.Y.; Fort Hamilton, Brooklyn, N.Y.; Fort Wadsworth, Staten Island, N.Y.; U.S. Coast Guard base, Governor's Island (New York City), N.Y.; Griffis Air Force Base, Rome, N.Y.; Hancock Field, Syracuse, N.Y.; Plattsburg Air Force Base, Plattsburgh, N.Y.; Naval Hospital, Saint Albans, N.Y.; Seneca Army Depot, Romulus, N.Y.; Stewart Field, Newburgh, N.Y.; U.S. Military Academy, West Point, N.Y.; Grand Forks Air Force Base, Emerado, N. Dak.; Minot Air Force Base, Minot, N. Dak.; Lockbourne Air Force Base, Columbus, Ohio; Wright-Patterson Air Force Base, Dayton, Ohio; Army War College, Carlisle Barracks, Pa.; Letterkenny Army Depot, Chambersburg, Pa.; Naval Base, Philadelphia, Pa.; New Cumberland Army Depot, New Cumberland, Pa.; Tobyhanna Army Depot, Tobyhanna, Pa.; Defense Activities, Mechanicsburg, Pa.; Valley Forge General Hospital, Phoenixville, Pa.; Ellsworth Air Force Base, Rapid City, S. Dak.; Fort Belvoir, Alexandria, Va.; Marine Corps School, Quantico, Va.; Naval Weapons Laboratory, Dahlgren, Va.; Defense General Supply Center, Richmond, Va.; Vint Hill Farms Station, Warrenton, Va.; Fort Lee, Petersburg, Va.; and Camp McCoy, Sparta, Wis. The purpose of this filing is to eliminate the gateways of St. Louis, Mo., or Louisville, Ky., or that part of Ohio, Indiana, and Illinois, on and north of a line beginning at the Pennsylvania-Ohio State line, and extending along U.S. Highway 422 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 40, thence along U.S. Highway 40 to Springfield, Ohio, thence along Ohio Highway 440 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Missouri State line.

No. MC 113843 (Sub-No. E505), filed May 19, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Shells (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *frozen fruits and berries and frozen fruit and berry concentrates* (1) from those points in Pennsylvania on and west of U.S. Highway 15, and on, North, and east of a line beginning at the Susquehanna River and extending along U.S. Highway 322 to junction Pennsylvania Highway 144 thence along Pennsylvania Highway 144 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 249, thence along Pennsylvania Highway 249 to the Pennsylvania-New York State line, to those points in Iowa on and west of U.S. Highway 169; (2) from those points in Pennsylvania on and west of U.S. Highway 15, and on, north, and east of a line beginning at the Susquehanna River and extending along U.S. Highway 322 to

junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction Pennsylvania Highway 45, thence along Pennsylvania Highway 45 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 249, thence along Pennsylvania Highway 249 to the Pennsylvania-New York State line, to those points in Iowa on and west of a line beginning at the Iowa-Missouri State line and extending along U.S. Highway 71 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Iowa Highway 37, thence along Iowa Highway 37 to junction Iowa Highway 183, thence along Iowa Highway 183 to junction Iowa Highway 141, thence along Iowa Highway 141 to junction Iowa Highway 31, thence along Iowa Highway 31 to junction Iowa Highway 3, thence along Iowa Highway 3 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa Highway 15, thence along Iowa Highway 15 to the Iowa-Minnesota State line; (3) from those points in Adams County, Pennsylvania on and west of U.S. Highway 15 to Sioux City, Iowa; and (4) from points in Tioga County, Pa., to points in Iowa. The purpose of this filing is to eliminate the gateway of Penn Yan, N.Y.

No. MC 113843 (Sub-No. E548), filed May 17, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Shells (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *frozen foods* (1) from points in Tioga County, Pa., to points in Arkansas; (2) from those points in Pennsylvania on and west of U.S. Highway 15 and on, east, and north of a line beginning at U.S. Highway 15 and extending along Pennsylvania Highway 35 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 249, thence along Pennsylvania Highway 249 to the Pennsylvania-New York State line, to Texarkana, Ark., and from those points in Pennsylvania on and west of U.S. Highway 15, and on, east, and north of a line beginning at U.S. Highway 15 and extending along U.S. Highway 220 to Lock Haven, thence along Pennsylvania Highway 664 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 249, thence along Pennsylvania Highway 249

to the Pennsylvania-New York State line, to points in Arkansas. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC 113843 (Sub-No. E549), filed May 17, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above).

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: frozen foods (1) between North Adams and Williamstown, Mass., on the one hand, and, on the other, points in Franklin County, Pa.; (2) between those points in Massachusetts on and north of a line beginning at the Massachusetts-Vermont State line and extending along U.S. Highway 5 to Greenfield, thence along Massachusetts Highway 2 to junction Massachusetts Highway 13, thence along Massachusetts Highway 13 to junction Massachusetts Highway 2A, thence along Massachusetts Highway 2A to junction Massachusetts Highway 225, thence along Massachusetts Highway 225 to junction Massachusetts Highway 40, thence along Massachusetts Highway 40 to junction Interstate Highway 495, thence along Interstate Highway 495 to junction Interstate Highway 95, thence along Interstate Highway 95 to the Massachusetts-New Hampshire State line, on the one hand, and, on the other, those points in Pennsylvania west of U.S. Highway 15, and on, west, and north of a line beginning at the Susquehanna River and extending along Pennsylvania Highway 34 to junction U.S. Highway 322, thence along U.S. Highway 322 to Lewistown, thence along U.S. Highway 22 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line,

(3) Between those points in Pennsylvania west of U.S. Highway 15 and on, west, and north of a line beginning at Lewisburg, and extending along Pennsylvania Highway 45 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line, on the one hand, and, on the other those points in Massachusetts on and north of a line beginning at the Massachusetts-New York State line and extending along Massachusetts Highway 9 to junction Massachusetts Highway 128, thence along Massachusetts Highway 128 to junction Massachusetts Highway 3, thence along Massachusetts Highway 123 to junction Massachusetts Highway 123, thence along Massachusetts Highway 123 to junction unnumbered highway, thence along unnumbered highway to the Atlantic Ocean, (4) between those points in Pennsylvania on, west and north of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 120

thence along Pennsylvania Highway 120 to junction Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line, on the one hand, and, on the other those points in Massachusetts on, east and north of a line beginning at the Massachusetts-Rhode Island State line and extending along Massachusetts Highway 121 to junction Massachusetts Highway 106, thence along Massachusetts Highway 106 to junction Massachusetts Highway 140, thence along Massachusetts Highway 140 to Apponagansett Bay; and (5) between those points in Pennsylvania on, and west of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 219 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 350, thence along Pennsylvania Highway 350 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line, on the one hand, and, on the other, points in Massachusetts. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E557), filed May 17, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: frozen foods (1) from points in Dauphin County, Pa., to those points in Wisconsin on, north, and west of a line beginning at the Wisconsin-Illinois State line and extending along Interstate Highway 90 to junction U.S. Highway 18, thence along U.S. Highway 18 to Lake Michigan; (2) from points in Clinton County, Pa., to points in Wisconsin; (3) from points in Mifflin County, Pa., to those points in Wisconsin on, and north of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 18 to junction Wisconsin Highway 60, thence along Wisconsin Highway 60 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Wisconsin Highway 131, thence along Wisconsin Highway 131 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction Wisconsin Highway 173, thence along Wisconsin Highway 173 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 54, thence along Wisconsin Highway 54 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 22, thence along Wisconsin Highway 22 to Lake Michigan;

(4) from points in Centre County, Pa., to those points in Wisconsin, on, north, and west of a line beginning at the Wisconsin-Michigan State line and extending along U.S. Highway 45 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction Wisconsin Highway 27, thence along Wisconsin Highway 27 to junction Wisconsin Highway 178, thence along Wisconsin Highway 178 to junction U.S. Highway 53, thence along U.S. Highway 53 to junction Interstate Highway 94, thence along Interstate Highway 94 to the Wisconsin-Minnesota State line; (5) from points in Adams County, Pa., to those points in Wisconsin on, north and west of a line beginning at the Wisconsin-Michigan State line and extending along Wisconsin Highway 77 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Interstate Highway 94, thence along Interstate Highway 94 to the Wisconsin-Minnesota State line; (6) from points in Tioga Lycoming and Union Counties, Pa., to points in Wisconsin; (7) from Millersburg, Pa. to points in Wisconsin; (8) from Johnstown, Pa., to Superior, Wisc. and those points in Wisconsin on and north of a line beginning at Lake Superior and extending along U.S. Highway 2 to the Wisconsin-Michigan State line; (9) from points in Erie County, Pa., to Superior, Wisc. and those points in Wisconsin on and north of a line beginning at Lake Superior, and extending along U.S. Highway 2 to the Wisconsin-Michigan State line; (10) from points in Franklin County, Pa., to Superior, Wis. and those points in Wisconsin on and north of a line beginning at Lake Superior and extending along U.S. Highway 2 to the Wisconsin-Michigan State line; and (11) from points in Blair County, Pa., to Superior, Wisc. and those points in Wisconsin on and north of a line beginning at Lake Superior and extending along U.S. Highway 2 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC 114211 (Sub-No. E522) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER February 4, 1975. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Farm machinery and parts thereof, restricted against the transportation of any of the described commodities which because of size or weight require the use of special equipment, from points in Oklahoma on and northeast of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 177 to junction Oklahoma Highway 51, thence along Oklahoma Highway 51 to junction Muskogee Turnpike. The purpose of this filing is to eliminate the gateway of Tulsa, Okla. The purpose of this partial correction is to reflect the origin

point of Oklahoma. The remainder of the letter-notice remains as previously published.

No. MC 114552 (Sub-No. E11), filed May 4, 1974. Applicant: SEEN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St., N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer): (1) From points in Maryland to points in Tennessee; (2) from points in Maryland to points in Alabama; (3) from points in Maryland on and east of U.S. Highway 11 to points in Arkansas; (4) from points in Maryland to points in Florida; (5) from points in Maryland on and east of U.S. Highway 11, to points in Oklahoma, on and west of a line beginning at the Oklahoma-Arkansas State line, thence extending along Interstate Highway 40 to its junction with the Muscogee Turnpike, thence along the Muscogee Turnpike to its junction with U.S. Highway 64, thence along U.S. Highway 64 to its junction with Interstate Highway 35, thence along Interstate Highway 35 to the Oklahoma-Kansas State line; (6) from points in Maryland to points in Texas; (7) from points in Maryland on and east of a line beginning at the Maryland-Pennsylvania State line, thence extending along Interstate Highway 83 to its junction with Interstate Highway 695, thence along Interstate Highway 695 to its junction with Interstate Highway 95, thence along Interstate Highway 95 to its junction with Interstate Highway 495, thence westerly along Interstate Highway 495 to the Maryland-Virginia State line, to points in Kansas on and south of a line beginning at the Kansas-Oklahoma State line, thence extending along Kansas Highway 1 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with U.S. Highway 154, thence along U.S. Highway 154 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Colorado State line;

(8) from points in Michigan to points in Alabama; (9) from points in Michigan to points in Virginia on and east of U.S. Highway 21, and on and south of a line beginning at the West Virginia State line, and extending along U.S. Highway 60 to Richmond, thence along Virginia Highway 33 to the Chesapeake Bay; (10) from points in Mississippi to points in Maine, Vermont and New Hampshire; (11) from points in New Jersey to points in Arkansas, Florida, Oklahoma and Texas; (12) from points in New Jersey to points in Alabama; (13) from Camden County, N.J., to points in Ohio; (14) from points in New York, on and south of a line beginning at the New York-Vermont State line, thence extending along New York Highway 7 to its junction with New York Highway 79, thence along New York Highway 79 to the New York-Pennsylvania State line, to points in Oklahoma, on, south and west of a line beginning at the Arkansas-Oklahoma State line, thence extending along U.S.

Highway 62 to its junction with U.S. Highway 270, thence along U.S. Highway 270 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to the Oklahoma-Kansas State line; (15) from points in New York, on and south of a line beginning at the New York-Vermont State line, thence extending along New York Highway 7 to its junction with Interstate Highway 87, thence along Interstate Highway 87 to its junction with U.S. Highway 209, thence along U.S. Highway 209 to the New York-New Jersey State line, to points in Arkansas and Texas; (16) from points in New York to points in Florida; and (17) from points in Ohio to points in Alabama. The purpose of this filing is to eliminate the following gateways: Ashe Co., N.C. in (1); North Carolina, (except points in Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, and Union Counties, N.C.) in (2), (4), (12) and (16); Greenwood Co., S.C., in (3), (5), (6), (7), (10), (11), (14) and (15); Tennessee in (8) and (17); Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, and Union Counties, N.C.; and West Virginia in (13).

No. MC 115840 (Sub-No. E73), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pipe, fittings, iron castings, accessories, sand hoppers, conveyors, dust collectors, and meter boxes which are used in the agricultural, water treatment, food processing, and institutional supply industries*, (1) from points in North Carolina on and east of Interstate Highway 85, to points in California, Washington, Oregon, New Mexico, Arizona, Colorado, Utah, Nevada, Idaho, Montana, Texas, Oklahoma, and Louisiana; and (2) from points in South Carolina to points in California, Oregon, Washington, New Mexico, Arizona, Colorado, Utah, Nevada, Idaho, Montana, Texas, Oklahoma, Nebraska, Louisiana, to that part of Kansas on and south of a line beginning at the Kansas-Missouri State line extending along Interstate Highway 70 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateways of Birmingham or Montgomery, Anniston and Holt, Ala.

No. MC 115840 (Sub-No. E82), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Such iron and steel articles, and hoppers, conveyors, dust collectors, and meter boxes as are embraced in pipe, fittings, iron castings, and accessories as*

are also embraced in fittings, components, parts and accessories (except in bulk), from Anniston, Ala., to points in California, Oregon, Washington, Idaho, Nevada, Arizona, Montana, Utah, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Michigan, Indiana, Kentucky on and west of Interstate Highway 65, Florida on and south of Florida Highway 60 from the Atlantic Ocean to the Gulf of Mexico, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Mississippi on and south of Interstate Highway 20. The purpose of this filing is to eliminate the gateway of Anniston and Holt, Ala.

No. MC 115840 (Sub-No. E100), filed May 2, 1975. Applicant: COLONIAL FAST FREIGHT, INC., 1215 Bankhead Highway, W., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Non-ferrous scrap metals* (except in dump vehicles), which because of size or weight require the use of special equipment; (1) between Steele, Ala., on the one hand, and, on the other, points in Florida, Georgia, Mississippi, Louisiana east of the Mississippi River, and points in that portion of Tennessee on and west of Interstate Highway 65 (including Davidson County, Tenn.), and that portion of Tennessee on and north of Interstate Highway 40; and (2) between Attalla, Ala., on the one hand, and, on the other, points in Mississippi, Louisiana east of the Mississippi River, Florida, Georgia, and points in that portion of Tennessee on and west of Interstate Highway 65, and points in that portion of Tennessee on and north of Interstate Highway 40 (including Davidson County, Tenn.). The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub-E23), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. N.W., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) edible meats, edible meat products, and edible meat by-products, as defined by the Commission (except in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, (1) from Hernando, Miss., to points in (a) Washington, points in Oregon on and west of U.S. Highway 97, and points in California on and west of a line beginning at the California-Oregon State line and extending along U.S. Highway 395, to junction U.S. Highway 15, thence southwest to junction U.S. Highway 5 to the United States-Mexico International Boundary line (Birmingham, Ala.); (b) points in Michigan (points in Tennessee except Memphis and points within the Commercial zone thereof); (c)

points in Virginia and West Virginia (Chattanooga, Tenn.)*. (2) From West Point, Miss., to (a) points in California, Oregon, Washington, Connecticut, Massachusetts, Michigan, New Jersey, Delaware, Maryland, Virginia, New York, Ohio, Pennsylvania, Rhode Island, and the District of Columbia (Birmingham, Ala.)*; (b) points in West Virginia (Chattanooga, Tenn.)*. (B) *Edible meats, edible meat products, and edible meat by-products*, as defined by the Commission, frozen (except in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Bonneville, Miss., to (1) points in Washington, points in Oregon on and west of U.S. Highway 97, and points in California on and west of a line beginning at the California-Oregon State line and extending along U.S. Highway 395, to junction U.S. Highway 15, to junction U.S. Highway 5, to the United States-Mexico International Boundary line (Nashville, Tenn. and Birmingham, Ala.)*. (2) Points in Michigan, points in Tennessee (except Memphis and points within the Commercial zone thereof)*. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 115841 (Sub-No. E26), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Edible bakery materials* (except in bulk), in vehicles equipped with mechanical refrigeration, from Knoxville, Tenn., to points in Mississippi on and south of U.S. Highway 82; points in Florida on, south, and west of a line beginning at the Florida-Georgia State line extending along U.S. Highway 75 to junction Florida Highway 20, thence along Florida Highway 20 to the Atlantic Ocean; points in Arkansas on and west of U.S. Highway 49 which are on and south of U.S. Highway 40; and points in Louisiana, Washington, Oregon, and California. (B) *Bakery materials*, restricted to dairy products (except in bulk), in vehicles equipped with mechanical refrigeration, from Knoxville, Tenn., to points in Texas, South Dakota, Oklahoma, Nebraska, and points in Kansas on and west of U.S. Highway 75. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub-No. E29), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared beef, lamb, and veal cuts* (except liquid commodities, in bulk, in tank vehicles, and except canned meats), in vehicles equipped with mechanical refrigeration, (A) from New York, N.Y., Union City and Jersey City, N.J., and Philadelphia, to points in Arkansas and

points in Georgia on and west of U.S. Highway 75 (Chattanooga, Tenn.)*; (B) from New York, Union City, and Jersey City, and Philadelphia, to points in Texas and Oklahoma (Birmingham, Ala.)*; (C) from New York, Union City and Jersey City, and Philadelphia, to points in California and points in Oregon and Washington on and west of U.S. Highway 5 (Birmingham, Ala.)*; (D) from New York, Union City and Jersey City, and Philadelphia, to points in Arkansas (except Little Rock) (Nashville, Tenn.)*; (E) from New York, N.Y., Union City and Jersey City, to points in Oklahoma and Texas, and from Philadelphia, Pa., to points in Texas (points in Tennessee on and west of the Tennessee River)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E40), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Foodstuffs*, in vehicles equipped with mechanical refrigeration, (1) from points in New York on and west of U.S. Highway 11, to points in California on and south of a line beginning at the California-Nevada State line and extending along the Mono-Inyo County line to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 120, thence along California Highway 120 to junction California Highway 140, thence along California Highway 140 to junction California Highway 99, thence along California Highway 99 to junction California Highway 12, thence along California Highway 12 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Pacific Ocean, points in Arkansas on and south of U.S. Highway 82, and points in Georgia on and west of U.S. Highway 27; (2) from North East, Pa., to points in California on and west of a line beginning at San Francisco, and extending along California Highway 1 to the United States-Mexico International Boundary line, points in Arkansas on and south of U.S. Highway 82, and points in Georgia on and west of Interstate Highway 75 (Birmingham, Ala.)*; (B) *foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from North East, Pa., and points in New York on and west of U.S. Highway 11, to Little Rock and Blytheville, Ark., and Little Rock Air Force Base at Jacksonville, Ark. (Nashville, Tenn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E47), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: (A) *Confectionary*, which are embraces in foodstuffs, in vehicles with mechanical refrigeration, from Boston, Mass., to points in California, Oregon, and points in Washington on and west of U.S. Highway 97 (Birmingham, Ala.)*; (B) *candy*, in vehicles with mechanical refrigeration, from Boston, Mass., to points in Georgia on and west of U.S. Highway 75 (but including Cobb, DeKalb, Henry, Gwinnett, and Clayton Counties, and Atlanta, Ga.), (Chattanooga, Tenn.)*; and (C) *unfrozen confectionary products*, in vehicles with mechanical refrigeration, from Boston, Mass., to points in Oklahoma, Texas, Kansas, points in Missouri on and south of a line beginning at the Missouri-Illinois State line and extending along U.S. Highway 60 to junction U.S. Highway 44, thence along U.S. Highway 44 to the Missouri-Oklahoma State line (including Joplin), and points in Nebraska on and south of a line beginning at the Nebraska-Missouri State line and extending along U.S. Highway 136 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Nebraska-Wyoming State line (Chattanooga, Tenn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E48), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Chocolate, chocolate confectionery, and ingredients thereof*, in vehicles with mechanical refrigeration, from Philadelphia, Pa., to points in Georgia on and west of U.S. Highway 27 and U.S. Alternate Highway 27, points in Washington on and west of U.S. Highway 97, and points in Arkansas, California, and Oregon (Birmingham, Ala.)*; and (B) *unfrozen chocolate confectionery products*, in vehicles with mechanical refrigeration, from Philadelphia, Pa., to points in Oklahoma, Texas, and points in Kansas on, south, and west of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 40 to junction Kansas Highway 63, thence along Kansas Highway 63 to the Kansas-Nebraska State line (Chattanooga, Tenn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E122), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INCORPORATED, PO Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and frozen fruits, vegetables, and berries*, when moving in mixed loads therewith, (1) from points in Michigan on and east of a line beginning at the

Michigan-Indiana State line extending along U.S. Highway 27 to junction U.S. Highway 75, thence along U.S. Highway 75 to Lake Huron, to points in Arkansas, Louisiana, Texas, and points in Oklahoma on, south, and west of a line beginning at the Oklahoma-Arkansas State line extending along U.S. Highway 40 to junction Muskogee Turnpike, thence along Muskogee Turnpike to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 35, thence along U.S. Highway 35 to the Oklahoma-Kansas State line; (2) from points in Michigan on and west of a line beginning at the Michigan-Indiana State line extending along U.S. Highway 27 to junction U.S. Highway 75, thence along U.S. Highway 75 to Lake Huron, to points in Louisiana, points in Texas on and south of U.S. Highway 40, points in Oklahoma on and south of U.S. Highway 40, and points in Arkansas on, south, and east of a line beginning at the Arkansas-Missouri State line extending along U.S. Highway 67 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Arkansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of points in Tennessee west of the Tennessee River.

No. MC 115841 (Sub-E127), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, CORP., P.O. Box 10327, Birmingham, Alabama 35202. Applicant's representative: E. Stephen Heasley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Port Chester, N.Y., (A) to points in Arkansas, Oklahoma, Texas, and points in Kansas on and east of U.S. Highway 75 (points in Tennessee west of the Tennessee River)*, (B) to points in California, Oregon, and points in Washington, on and west of U.S. Highway 97 (Chattanooga, Tenn., and Birmingham, Ala.)*, (2) *Frozen foods*, except frozen fruits, berries, and vegetables, from Port Chester, N.Y., to points in Kansas on and east of U.S. Highway 81 (Nashville, Tenn.)*. The purpose of this filing is to eliminate the gateway indicated by asterisks above.

No. MC 115841 (Sub-No. E246), filed May 22, 1975. Applicant: COLONIAL REFRIGERATION TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible pizza pie ingredients*, in vehicles equipped with mechanical refrigeration, from Nashville, Tenn., to Atlanta, Ga. The purpose of this filing is to eliminate the gateways of points in Alabama on and east of U.S. Highway 31 (except Montgomery).

No. MC 115841 (Sub-No. E247), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's repre-

sentative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible meats and frozen edible cheese and cheese products* (except liquid commodities, in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from the plant site facilities of DAK Foods, Inc., at East Brunswick, N.J., to points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 84 to junction U.S. Highway 31, thence along U.S. Highway 31 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa., Chattanooga, Tenn., and Atlanta, Ga.

No. MC 11581 (Sub-No. E248), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from North East, Pa.; (1) to points in Alabama on, south, and east of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 278 to junction U.S. Highway 31, thence along U.S. Highway 31 to the Gulf of Mexico (except Montgomery), and points in Florida (North Carolina and Atlanta, Ga.)*; and (2) Atlanta, Ga. (North Carolina)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E249), filed May 22, 1975. Applicant: COLONIAL REFRIGERATION TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh and frozen poultry, fresh and frozen seafood, and frozen fruits and vegetables*, and frozen foods when moving in mixed loads with fresh and frozen poultry, fresh and frozen seafood, frozen fruits and vegetables, in vehicles equipped with mechanical refrigeration; (1) from points in Delaware south of the Chesapeake and Delaware Canal, and points in Maryland east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal, to points in Alabama on and east of U.S. Highway 231 (except Montgomery); and (2) from points in Virginia east of the Chesapeake Bay to points in Alabama on and east of U.S. Highway 31 (except Montgomery and Dothan). The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., and Atlanta, Ga.

No. MC 115841 (Sub-No. E250), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes,

transporting: *Frozen foods* (except frozen fruits, vegetables, and berries), in vehicles equipped with mechanical refrigeration, from Atlanta, Ga., to Parkersburg, W. Va., points in Iowa, and those points in Kansas and Nebraska which are on and east of U.S. Highway 81. The purpose of this filing is to eliminate the gateways of Chattanooga and Nashville, Tenn.

No. MC 115841 (Sub-No. E301), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible dairy products*, as defined by the Commission, in vehicles equipped with mechanical refrigeration; (1) from Adams, N.Y., to points in Alabama on and bounded by a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Georgia State line to points of beginning (except Montgomery); (2) from Chateaugay, N.Y., to points in Florida on and west of U.S. Highway 75, and points in Alabama on and east of U.S. Highway 31 and north of U.S. Highway 80 (except Montgomery); (3) from Carthage, N.Y., to points in Florida on and west of U.S. Highway 231 and points in Alabama on and east of U.S. Highway 31 and north of U.S. Highway 80 (except Montgomery); and (4) from Cuba, N.Y., to points in Florida on and west of U.S. Highway 231, and points in Alabama on and bounded by a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 59 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Georgia State line to point of beginning. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC 115841 (Sub-No. E302), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible dairy products*, as defined by the Commission, in vehicles equipped with mechanical refrigeration; (1) from Adams, N.Y., to points in Mississippi on and south of U.S. Highway 82, points in Louisiana, and points in Arkansas on and south of Interstate Highway 40; (2) from Carthage and Chateaugay, N.Y., to points in Mississippi, Louisiana, and points in Arkansas on and south of U.S. Highway 40; and (3) from Cuba, N.Y., to points in Louisiana, points in Mississippi on and south of Interstate Highway 20, and Texarkana, Ark. The purpose of this filing is to eliminate the gateway of Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-No. E303), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen dairy products*, as defined by the Commission; (1) from Adams, N.Y., to points in Texas on and south of a line beginning at the Texas-Louisiana State line and extending along U.S. Highway 80 to junction Texas Highway 118, thence along Texas Highway 118 to the United States-Mexico International Boundary line; (2) from Chateaugay and Carthage, N.Y., to points in Texas on and south of U.S. Highway 20; and (3) from Cuba, N.Y., to points in Texas on and south of a line beginning at the Texas-Louisiana State line and extending along U.S. Highway 10 to junction U.S. Highway 59, thence along U.S. Highway 59 to the United States-Mexico International Boundary line. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., Birmingham, Ala., and points in Tennessee on and west of the Tennessee River.

No. MC 115841 (Sub-No. E304), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen edible dairy products*, as defined by the Commission, in vehicles equipped with mechanical refrigeration; (1) from Chateaugay, Adams, and Carthage, N.Y., to points in California on and south of California Highway 78; and (2) from Cuba, N.Y., to points in California on and south of U.S. Highways 80 and Interstate Highway 8. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-No. E305), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Elmira, N.Y., to points in California on, south, and west of a line beginning at the California-Arizona State line and extending along U.S. Highway 10 to junction U.S. Highway 101, thence along U.S. Highway 101 to the California-Oregon State line. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-No. E306), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Nashville, Tenn., to points in Oregon and Washington on and west of U.S. Highway 5, and points in California. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-E330), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen berries* (except in bulk), in vehicles equipped with mechanical refrigeration, from Ranson, W. Va., (A) to points in Mississippi on and west of U.S. Highway 55, points in Louisiana, and points in Arkansas on and south of U.S. Highway 40 (Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.); (B) to points in Alabama on and north of U.S. Highway 80 (Chattanooga, Tenn., Atlanta, Ga., and points in Alabama on and east of U.S. Highway 31 and north of U.S. Highway 80)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-E332), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen berries*, when moving in mixed loads with frozen foods, in vehicles equipped with mechanical refrigeration, from Ranson, W. Va., to points in Texas on and south of U.S. Highways 30 and 20, and points in Oklahoma on and south of U.S. Highway 70. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., Birmingham, Ala., and points in Tennessee west of the Tennessee River.

No. MC 115841 (Sub-E333), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen berries*, in vehicles equipped with mechanical refrigeration, from Ranson, W. Va., to points in California and points in Oregon on and west of U.S. Highway 395. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-E334), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's rep-

resentative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen berries* (except in bulk), in vehicles equipped with mechanical refrigeration, from Hamonton and Glassboro, N.J., to points in Alabama on and bounded by a line beginning at the Georgia-Alabama State line and extending along U.S. Highway 78 to junction U.S. Highway 31, to junction U.S. Highway 80 to the Alabama-Georgia State line to point of beginning, restricted to traffic originating at Hamonton or Glassboro, N.J.

No. MC 115841 (Sub-E335), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen berries*, in vehicles, equipped with mechanical refrigeration, from Hamonton and Glassboro, N.J., to points in Mississippi, Louisiana, and points in Arkansas on and south of U.S. Highway 40, restricted to traffic originating at Hamonton or Glassboro, N.J. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-E336), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen berries*, when moving in mixed loads with frozen foods, in vehicles equipped with mechanical refrigeration, from Hamonton and Glassboro, N.J., to points in Texas on and south of U.S. Highway 20, and points in Oklahoma on and south of U.S. Highway 70, restricted to traffic originating at Hamonton or Glassboro, N.J. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., Birmingham, Ala., and points in Tennessee west of the Tennessee River.

No. MC 115841 (Sub-No. E339), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen edible meats*, *frozen edible meat products*, and *frozen edible meat by-products*, as defined by the Commission (except in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Bellefontaine, Ohio, to points in Louisiana on and south of Interstate Highway 10 and points in Mississippi on and south of U.S. Highway 84. The purpose of this filing is to eliminate the gateways of

Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-No. E340), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible meats, frozen edible meat products, frozen edible meat by-products, frozen edible dairy products, frozen edible articles distributed by meat packinghouses, frozen edible agricultural commodities (not including manufactured products thereof),* as defined by the Commission, when moving in mixed loads with the aforementioned commodities and frozen foods, in vehicles equipped with mechanical refrigeration, from points in Knox County, Tenn., to points in California, Oregon, and Washington. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-No. E341), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, in vehicles equipped with mechanical refrigeration, from points in Erie and Chautauqua Counties, N.Y., to points in California on and south of California Highway 78.* The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.

No. MC 121470 (Sub-E21), filed May 30, 1974. Applicant: TANKSLEY TRANSFER CO., 901 Harrison Street, Nashville, Tenn. 37203. Applicant's representative: Roy L. Tanksley (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pre-stressed and precast concrete products, which because of size or weight require special handling or equipment, from points in that part of Tennessee on, west, and south of a line along Tennessee Highway 20 from the Missouri-Tennessee line to Dyersburg, thence Tennessee Highway 104 to junction U.S. Highway 45W, thence along U.S. Highway 45W to Jackson, thence U.S. Highway 70 to Nashville, thence south along Interstate 65 to the Alabama-Tennessee line to points in that part of Kentucky on and east of Interstate 65.* The purpose of this filing is to eliminate the gateway of Nashville, Tennessee.

No. MC 115841 (Sub-No. E344), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible meats, from*

Roanoke, Va., to points in Texas and Oklahoma. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., Birmingham, Ala., and points in Tennessee west of the Tennessee River.

No. MC 115841 (Sub-No. E345), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible meats, in vehicles equipped with mechanical refrigeration, from Roanoke, Va., to points in California, Oregon, and Washington.* The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., and Birmingham, Ala.

No. MC 115841 (Sub-No. E346), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible prepared bakery goods, in vehicles equipped with mechanical refrigeration, from Elizabeth, N.J., to points in Texas on and south of Interstate Highway 30 and Interstate Highway 40.* The purpose of this filing is to eliminate the gateways of Union City or Jersey City, N.J., Chattanooga, Tenn., Atlanta, Ga., Birmingham, Ala., and points in Tennessee west of the Tennessee River.

No. MC 118831 (Sub-No. E18), filed May 31, 1974. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 5044, High Point, N.C. 27262. Applicant's representative: Richard E. Shaw (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals (except petrochemicals, fertilizer, and fertilizer materials, and anhydrous ammonia, and except caustic soda from Acme, N.C.), in bulk, (1) from those points in North Carolina on, south, and east of a line beginning at the Atlantic Ocean and extending along North Carolina Highway 24 to junction North Carolina Highway 41, thence along North Carolina Highway 41 to junction unnumbered highway near Harrells, thence along unnumbered highway to junction North Carolina Highway 210, thence along North Carolina Highway 210 to junction North Carolina Highway 53, thence along North Carolina Highway 53 to junction unnumbered highway near Kelley, thence along unnumbered highway to junction North Carolina Highway 211, thence along North Carolina Highway 211 to junction U.S. Highway 701, thence along U.S. Highway 701 to junction unnumbered highway, thence along unnumbered highway to junction U.S. Highway 74, thence along U.S. Highway 74 to junction North Carolina Highway 130, thence along North Carolina Highway 130 to junction Interstate Highway 95, thence along Interstate*

Highway 95 to the North Carolina-South Carolina State line, to those points in North Carolina on and west of a line beginning at the South Carolina-North Carolina State line extending along U.S. Highway 501 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 52, thence along U.S. Highway 52 to the North Carolina-Virginia State line;

(2) From points in New Hanover and Brunswick Counties, N.C., to those points in North Carolina on and west of a line beginning at the North Carolina-South Carolina State line extending along U.S. Highway 701 to junction North Carolina Highway 904, thence along North Carolina Highway 904 to junction U.S. Highway 501, thence along U.S. Highway 501 to junction unnumbered highway at Carthage, thence along unnumbered highway to junction North Carolina Highway 87, thence along North Carolina Highway 87 to junction North Carolina Highway 49, thence along North Carolina Highway 49 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction North Carolina Highway 871, thence along North Carolina Highway 871 to junction North Carolina Highway 14, thence along North Carolina Highway 14 to the North Carolina-South Carolina State line; (3) from Charlotte, N.C., to those points in North Carolina on and east of a line beginning at the North Carolina-South Carolina State line extending along North Carolina Highway 109 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction unnumbered highway at Ellerbee, thence along unnumbered highway to junction U.S. Highway 1, thence along U.S. Highway 1 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction North Carolina Highway 87, thence along North Carolina Highway 87 to junction North Carolina Highway 704, thence along North Carolina Highway 704 to junction North Carolina Highway 8, thence along North Carolina Highway 8 to the Virginia-North Carolina State line, and those points in North Carolina on and west of a line beginning at the North Carolina-Virginia State line extending along U.S. Highway 221 to junction North Carolina Highway 181, thence along North Carolina Highway 181 to junction North Carolina Highway 18, thence along North Carolina Highway 18 to junction North Carolina Highway 226, thence along North Carolina Highway 226 to the North Carolina-South Carolina State line; and

(4) From Greensboro and High Point, N.C., to those points in North Carolina on, east, and south of a line beginning at the North Carolina-South Carolina State line extending along North Carolina Highway 177 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction Interstate Highway 95, thence along Interstate Highway 95 to junction North Carolina Highway 211, thence along North Carolina Highway 211 to junction

U.S. Highway 74, and those points in North Carolina on, south, and west of a line beginning at the North Carolina-South Carolina State line extending along North Carolina Highway 200 to junction North Carolina Highway 16, thence along North Carolina Highway 16 to junction Interstate Highway 85, thence along Interstate Highway 85 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction U.S. Highway 25, thence along U.S. Highway 25 to the North Carolina-Tennessee State line. The purpose of this filing is to eliminate the gateway of points in South Carolina.

No. MC 119777 (Sub-No. E56), filed April 23, 1974. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Ronald E. Butler (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fabricated metal stampings, and shipping devices, steel containers, and storage racks* used in the erection and completion of fabricated metal stampings, restricted to such commodities as requires special handling because of size or weight (except machinery, materials, and supplies and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, and incidental to, or used in connection with (a) the discovery, development, production, and preservation of natural gas and petroleum, (b) the construction, operation, repair, servicing, dismantling, and maintenance of pipelines and facilities for the storage of natural gas, gasoline, and petroleum, and (c) the dismantling and maintenance of plants and facilities for refining, recycling, processing, repressuring, and blending gasolines natural gas and petroleum); from the plant sites of Car-Rack Corporation at Macedonia, Ohio, to points in Louisville, Ky., commercial zone, and that part of Indiana on and south of a line beginning at the Illinois-Indiana State line on U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Indiana Highway 44, thence along Indiana Highway 44 to the Indiana-Ohio State line, restricted to the transportation of traffic originating at the said plant site. The purpose of this filing is to eliminate the gateway of Kentucky (except Louisville).

No. MC 119777 (Sub-No. E124), filed May 15, 1974. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Ronald E. Butler (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plywood*; (1) (A) from Savannah, Ga., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Utah, Washington, and Wyoming; (B) (1) from Savannah, Ga., to Arthur City,

Tex., and points in Texas on, north, and west of a line beginning at the United States-Mexico International Boundary line extending along Texas Highway 118 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction Texas Highway 208, thence along Texas Highway 208 to junction Texas Highway 70, thence along Texas Highway 70 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Oklahoma-Texas State line; (2) (A) from Savannah, Ga., to points in Michigan (except points in the Detroit commercial zone), and Wisconsin; (B) (1) from Savannah, Ga., to points in Illinois on and north of a line beginning at the Indiana-Illinois State line extending along U.S. Highway 30 to Joliet, Ill., thence along U.S. Highway 52 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Iowa State line; (B) (2) from Savannah, Ga., to points in Indiana on, north, and east of a line beginning at the Indiana-Illinois State line extending along U.S. Highway 30 to junction Indiana Highway 5, thence along Indiana Highway 5 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Indiana-Ohio State line; (B) (3) from Savannah, Ga., to Pittsburgh, N.H.;

(B) (4) From Savannah, Ga., to points in New York on and northwest of a line beginning at the Pennsylvania-New York State line extending along New York Highway 19 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 14A, thence along New York Highway 14A to junction New York Highway 5, thence along New York Highway 5 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 28, thence along New York Highway 28 to the junction of New York Highway 30, thence along New York Highway 30 to junction New York Highway 3, thence along New York Highway 3 to a terminus at Plattsburg, N.Y.; (B) (5) from Savannah, Ga., to points in Pennsylvania on, north, and west of a line beginning at the New York-Pennsylvania State line extending along U.S. Highway 219 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Pennsylvania Highway 36, thence along Pennsylvania Highway 36 to junction Pennsylvania Highway 28, thence along Pennsylvania Highway 28 to junction U.S. Highway 422, thence along U.S. Highway 422 to junction Pennsylvania Highway 68, thence along Pennsylvania Highway 68 to the Ohio-Pennsylvania State line; (B) (6) from Savannah, Ga., to North Troy, and Canaan, Vt., and points in Vermont on and west of a line beginning at Burlington, Vt., thence along U.S. Highway 7 to

the United States-Canada International Boundary line; (3) (A) from Savannah, Ga., to points in Ohio on, north, and west of a line beginning at the Ohio-West Virginia State line extending along U.S. Highway 33, thence along U.S. Highway 33 to Athens, Ohio, thence along U.S. Highway 50A to junction Ohio Highway 377, thence along Ohio Highway 377 to junction Ohio Highway 78, thence along Ohio Highway 78 to junction Ohio Highway 513, thence along Ohio Highway 513 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Ohio-West Virginia State line; (B) from Savannah, Ga., to Ewing and Gibson Station, Va.; (C) from Savannah, Ga., to Chester and Huntington, W. Va.;

(4) (A) From Savannah, Ga., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin; (B) (1) from Savannah, Ga., to points in Arkansas on and north of a line beginning at the Arkansas-Texas State line extending along U.S. Highway 67 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 49, thence along U.S. Highway 49 to the Arkansas-Mississippi State line; (B) (2) from Savannah, Ga., to points in Kentucky on, north, and west of a line beginning at the Tennessee-Kentucky State line extending along Kentucky Highway 63 to junction Kentucky Highway 163, thence along Kentucky Highway 163 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction Kentucky Highway 55, thence along Kentucky Highway 55 to junction Blue Grass Parkway, thence along Blue Grass Parkway to junction U.S. Highway 127, thence along U.S. Highway 127 to junction Interstate Highway 71, thence along Interstate Highway 71 to the Ohio-Kentucky State line; (B) (3) from Savannah, Ga., to Walls, Miss.; (B) (4) from Savannah, Ga., to Jackson, Tenn., and points in Tennessee on, north, and west of a line beginning at Memphis, Tenn., thence along Interstate Highway 40 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Kentucky-Tennessee State line; (B) (5) from Savannah, Ga., to points in Texas on, north, and west of a line beginning at the Arkansas-Texas State line extending along U.S. Highway 67 to junction Interstate Highway 30, thence along Interstate Highway 30 to Dallas, Tex., thence along Interstate Highway 35E to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction U.S. Highway 377, thence along U.S. Highway 377 to junction U.S. Highway 277, thence along U.S. Highway 277 to the United States-Mexico International Boundary line at Eagle Pass, Tex.; and (5) from Savannah, Ga., to points in Maine. The purpose of this filing is to eliminate the gateways of: in (1), Karnak, Ill.; in (2), the plant site of Hinchcliff Products Company, Inc., located at or near Strongsville, Ohio; in (3), the plant sites of Kentucky Mills

Lumber & Manufacturing Co., at or near Williamsburg, Ky.; in (4), Logan Co., Ky.; and in (5), Tucker Co., W. Va.

No. MC 124947 (Sub-No. E3), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in that part of Illinois on and west of a line beginning at the Illinois-Wisconsin State line and junction Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 104 at Jacksonville, thence along Illinois Highway 104 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 51 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois-Kentucky State line (except points in Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac Counties), on the one hand, and, on the other, points in that part of Kentucky on and south of a line beginning at the Kentucky-West Virginia State line to junction Kentucky Highway 40, thence along Kentucky Highway 40 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateways of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E4), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in Missouri, on the one hand, and, on the other, points in Wabash, Edwards, White, Hamilton, Gallatin, and Hardin Counties, Ill. The purpose of this filing is to eliminate the gateways of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E5), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in Ohio, on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at the junction Illinois-Missouri State line and Illinois Highway 140, thence along Illinois Highway 140 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction Illinois Highway 15, thence along Illinois Highway 15 to junction Illinois Highway 142, thence along Illinois Highway 142 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois-Indiana State line. The purpose of this filing is to eliminate the gateway of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E6), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in Vanderburgh and Posey Counties, Ind., on the one hand, and, on the other, points in that part of Illinois on and west of a line beginning at the junction of Illinois-Wisconsin State line and U.S. Highway 51, thence along U.S. Highway 51 (including Rockford and LaSalle) to junction Illinois Highway 18, thence along Illinois Highway 18 to junction Illinois Highway 29, thence along Illinois Highway 29 (including Peoria and Springfield) to junction U.S. Highway 51, thence along U.S. Highway 51 (including Centralia) to junction Illinois Highway 14, thence along Illinois Highway 14 to junction Illinois Highway 34, thence along Illinois Highway 34 to junction Illinois Highway 146, thence along Illinois Highway 146 to Golconda and junction with Illinois-Kentucky State line. The purpose of this filing is to eliminate the gateways of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E7), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in that part of Indiana on, east, and south of a line beginning at the junction of the Indiana-Michigan State line and U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction Interstate Highway 69, thence along Interstate Highway 69 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction Indiana Highway 46, thence along Indiana Highway 46 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 64, thence along Indiana Highway 64 to junction with the Illinois-Indiana State line, on the one hand, and, on the other, points in St. Clair, Washington, Jefferson, Monroe, Randolph, Perry, Jackson, Union, Johnson, Alexander, and Pulaski Counties, Ill. The purpose of this filing is to eliminate the gateways of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E8), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in Floyd, Harrison, Crawford, Perry, Dubois, Spencer, Pike, Warrick, Gibson, Vanderburgh, and Posey Counties, Ind., on the one hand, and, on the other, points in that part of Illinois on and west of a line beginning at the junction of the Wisconsin-Illinois State line and Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 88, thence along Illinois Highway 88 to Peoria, thence along Illinois Highway 29 to Springfield, thence along Illinois Highway 4 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 34, thence along Illinois Highway 34 to junction Illinois Highway 146, thence along Illinois Highway 146 to Golconda and junction Illinois-Kentucky State line. The purpose of this filing is to eliminate the gateways of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E9), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266,

Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in that part of Ohio on and beginning at Cleveland, Ohio, thence along U.S. Highway 42 to junction Ohio Highway 3, thence along Ohio Highway 3 to junction with the Ohio-Kentucky State line at Cincinnati, on the one hand, and, on the other, points in that part of Illinois on, south and west of a line beginning at the junction of the Illinois-Missouri State line and U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 106, thence along Illinois Highway 106 to junction Illinois Highway 267, thence along Illinois Highway 267 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 34, thence along Illinois Highway 34 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction Illinois-Kentucky State line at Golconda. The purpose of this filing is to eliminate the gateways of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E10), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in that part of Missouri on and south of a line beginning at the junction of the Kansas-Missouri State line and U.S. Highway 160, thence along U.S. Highway 160 to junction Interstate Highway 44 (U.S. Highway 66), thence along Interstate Highway 44 (U.S. Highway 66) to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction with the Missouri-Illinois State line, on the one hand, and, on the other, points in that part of Illinois on and east of a line be-

ginning at the Illinois-Wisconsin State line to junction with U.S. Highway 14, thence along U.S. Highway 14 to junction Illinois Highway 23, thence along Illinois Highway 23 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Interstate Highway 72, thence along Interstate Highway 72 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois-Kentucky State line. The purpose of this filing is to eliminate the gateways of any point in Williamson, Franklin, or Saline Counties, Ill.

No. MC 124947 (Sub-No. E11), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire and wire products, fencing materials and accessories, nails, staples, rods, joists, angles, and bars*, the transportation of which because of size or weight requires the use of special equipment from points in that part of Arkansas on or east of U.S. Highway 67 to points in that part of Wisconsin on and east of a line beginning at the junction Illinois-Wisconsin State line and Interstate Highway 90, thence along Interstate Highway 90 to junction Wisconsin Highway 78, thence along Wisconsin Highway 78 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateways of any points in Williamson, Franklin, or Saline Counties, Ill., and the plant site of Keystone Steel and Wire Company at Bartonville, Ill.

No. MC 124947 (Sub-No. E12), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire and wire products, fencing materials and accessories, nails, staples, rods, joists, angles, and bars*, the transportation of which because of size or weight requires the use of special equipment, from points in Cape Girardeau, Scott, Mississippi, Stoddard, New Madrid, Pemiscot, and Dunklin Counties, Mo., to points in that part of Wisconsin on and east of a line beginning at the junction of Illinois-Wisconsin State line and Interstate Highway 90, thence along Interstate Highway 90 to junction Wisconsin Highway 78, thence along Wisconsin Highway 78 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateways of any points

in Williamson, Franklin, or Saline Counties, Ill., and the plant site of Keystone Steel and Wire Company at Bartonville, Ill.

No. MC 124947 (Sub-No. E13), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire and wire products, fencing materials and accessories, nails, staples, rods, joists, angles, and bars*, the transportation of which because of size or weight requires the use of special equipment, from points in that part of Missouri on and south of a line beginning at the junction of the Missouri-Oklahoma State line and Interstate Highway 44, thence along Interstate Highway 44 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 32, thence along Missouri Highway 32 to junction Interstate Highway 55, thence along Interstate Highway 55 to junction Missouri Highway 51, thence along Missouri Highway 51 to junction with the Missouri-Illinois State line to points in that part of Wisconsin on, north and east of a line beginning at the junction of the Wisconsin-Michigan State line and U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Wisconsin Highway 33, thence along Wisconsin Highway 33 to Port Washington and junction Lake Michigan. The purpose of this filing is to eliminate the gateways of any points in Williamson, Franklin, or Saline Counties, Ill., and the plant site of Keystone Steel and Wire Company at Bartonville, Ill.

No. MC 124947 (Sub-No. E14), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Seining Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire and wire products, fencing materials and accessories, nails, staples, rods, joists, angles, and bars*, the transportation of which requires the use of special equipment; from points in that part of Illinois on and south of a line beginning at the junction of the Missouri-Illinois State line and U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Illinois Highway 142, thence along Illinois Highway

142 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois-Kentucky State line to points in Wisconsin. The purpose of this filing is to eliminate the gateway of the plant site of Keystone Steel and Wire Company at Bartonville, Ill.

No. MC 124947 (Sub-No. E15), filed September 8, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 266, Stroud, Okla. 74079. Applicant's repre-

sentative: T. M. Brown, 600 Seininger Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Commodities, the transportation of which because of size or weight require the use of special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or

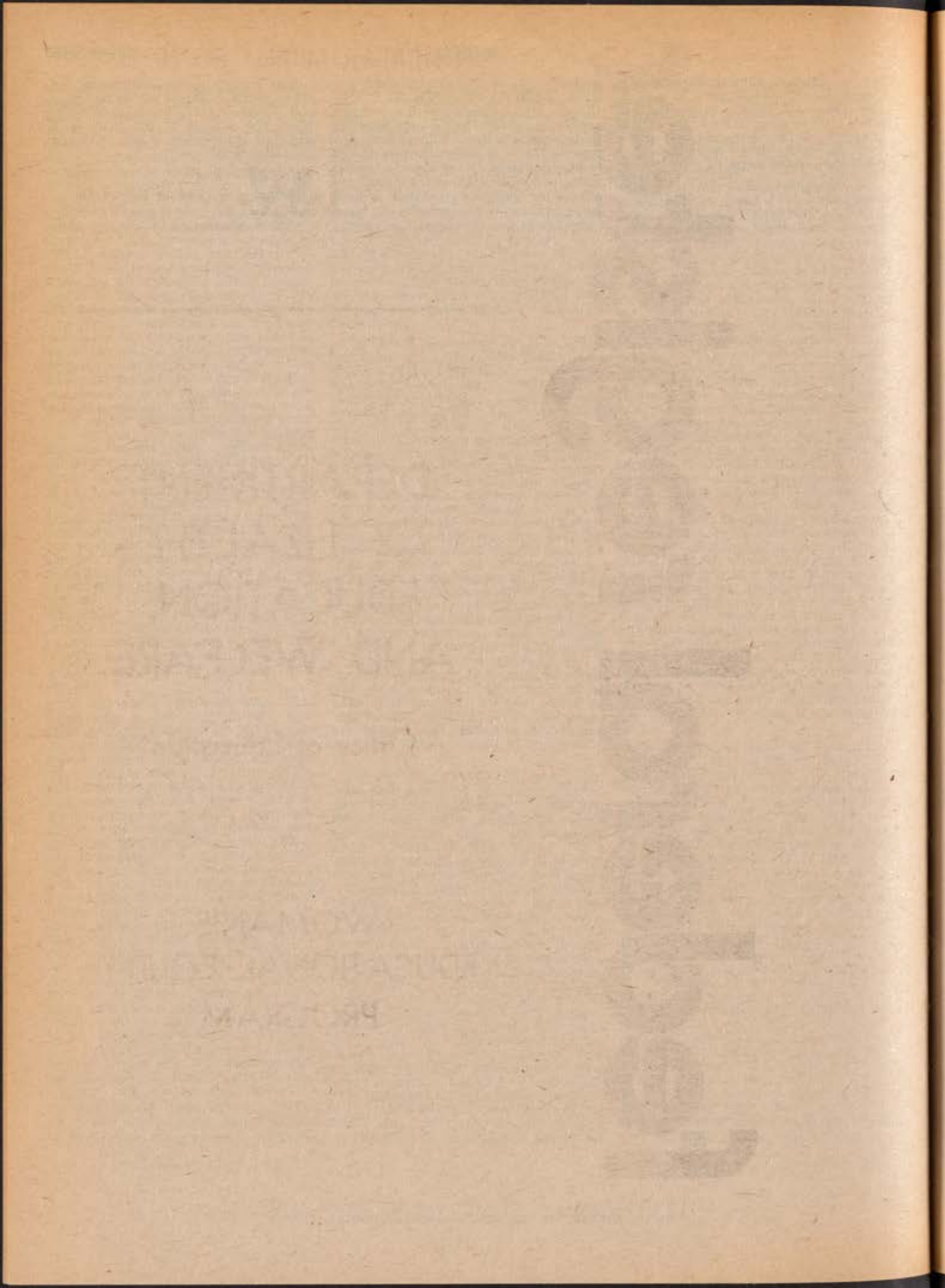
weight require special equipment, between points in Illinois, on the one hand, and, on the other, Beloit and Turtle, Wisc. The purpose of this filing is to eliminate the gateway of any in Winnebago County, Ill.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-20952 Filed 8-8-75; 8:45 am]



federal register

MONDAY, AUGUST 11, 1975



PART II:

DEPARTMENT
OF HEALTH,
EDUCATION,
AND WELFARE

Office of Education



WOMAN'S
EDUCATIONAL EQUITY
PROGRAM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 160f]

WOMEN'S EDUCATIONAL EQUITY PROGRAM

Proposed Rules and Criteria Governing Awards of Grants and Contracts

Pursuant to the authority contained in section 408 of Pub. L. 93-380 (20 U.S.C. 1866), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45 of the Code of Federal Regulations by adding a new Part 160f to read as set forth below.

The proposed regulations would set forth rules and criteria for governing the award of grants and contracts under the authority of section 408 of Pub. L. 93-380 (the Women's Educational Equity Act of 1974) in order to provide focused Federal support for programmatic efforts to achieve educational equity for women.

A. SUMMARY OF PROPOSED REGULATIONS

1. *Nature of program.* Section 160f.3 of the proposed regulations describes the nature of the program as the elimination of discrimination on the basis of sex and of those components of sex role stereotyping and sex role socialization which prevent the full and fair participation of women in educational programs and in American society generally, and the achievement of responsiveness of educational institutions, programs, curricula, policy makers, administrators, instructors and other personnel to the special educational needs, interests, and concerns of women arising from inequitable educational policies and practices.

Although Title IX of the Education Amendments of 1972 does not require the elimination of sex stereotyping in textbooks and curricular materials, the Women's Educational Equity Act of 1974 specifically includes provisions for the support of activities in this area. Projects funded under the Act for the development, evaluation, and dissemination of curricula, textbooks, and other educational materials, as provided for in subsection (d)(1)(A) of the Act, and other projects related to curricula and textbooks will not involve Federal censorship or exclusive endorsement of textbooks and curricula. Any such materials developed and disseminated by applicants will be for use by local and State agencies, public and private postsecondary institutions at their option for the purpose of eliminating stereotyping by sex.

Section 160f.3(b) would require all projects to effect capacity building in women's educational equity by developing and disseminating approaches and products which would have a national impact. Such projects would be directed toward attainment of women's educational equity through one of the following ways (§ 160f.3(c)):

(a) Systemic change by eliminating those components of sex role stereotyp-

ing and sex role socialization which separately, and more importantly, together and over time limit the aspirations, experiences, and options of women;

(b) Institutional change through assistance in the elimination of discriminatory practices and policies in educational agencies, organizations, and programs which may be contrary to Federal statutes, executive orders, and regulations; and

(c) Remediation for individuals through special educational opportunities and training in order to overcome limitations resulting from past discriminatory practices.

2. *Funding areas.* Section 160f.4(b) indicates the areas in which the Commissioner intends to make project awards, including three areas which will be accorded priority in the review of grant applications. It has been deemed necessary to establish these funding areas because of the extremely wide range of authorized activities in the statute and the limited funds which are expected to be available to carry out the Act. As indicated in § 160f.4(c), each of the funding areas (which are more fully explained in §§ 160f.12, 160f.13, and 160f.14) cuts across a number of the types of activities authorized by the Act. At the same time, the funding areas, in carrying out the various types of authorized activities in the statute, focus on specific types of projects which are believed to have the greatest potential for furthering the purpose of women's educational equity on a national scale.

3. *Grant priorities.* In the grant area, § 160f.4(b), while not excluding worthwhile projects under any of the authorized activities identified in § 160f.4(a), proposes that priority be given grant applications in three areas. The parameters of these areas are set forth in § 160f.12 in broad terms, leaving discretion to applicants to devise a wide range of projects in these areas. The priority areas are:

(a) Development, validation, and/or initial utilization of training modules to provide preservice and inservice training for teachers, administrators, and other educational personnel which create an awareness of the extent of sex role stereotyping and sex role socialization in educational institutions, programs, curricula, and personnel, and/or which provide skills and understanding which can help to eliminate them (§ 160f.12(a));

(b) Support of exemplary educational leadership programs whose purpose is both to increase the number of women who assume leadership role in the fields of educational administration, vocational education, career education, physical education, guidance and counseling, or adult education, and to restructure the content of training in these fields to reflect issues in the provision of educational equity for women (§ 160f.12(b)); and

(c) Development of programs to broaden the career options for women, and to assist their entry into occupational fields. Projects in this area are expected to develop and test a program

as well as to produce the program design for dissemination (§ 160f.12(c)).

4. *Small grants.* The Act and the proposed regulation also provide for a program of small grants of up to \$15,000. These grants are expected to support the development and carrying out of innovative approaches to the attainment of educational equity for women.

5. *Contracts.* Procurement contracts would be awarded in two areas under the proposed regulation. One area would be the development of technical assistance instruments to assist educational agencies to comply with Title IX of the Education Amendments of 1972 and the conduct of national and regional workshops for dissemination of such instruments. The other area would be the development and maintenance of an active communications network to serve educational practitioners, researchers, and persons in the field (§ 160f.14).

6. *Requirements and criteria.* Application requirements for all applications are set forth in proposed § 160f.8, and general evaluation criteria are contained in proposed § 160f.10.

B. CITATIONS OF LEGAL AUTHORITY

As required by section 431(a) of the General Education Provisions Act, a citation of statutory or other legal authority for each section of the regulations has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case, the citation applies to all that appears in that section between the citation and the immediately preceding citation. When the citation appears only at the end of the section, it applies to the entire section.

C. OTHER APPLICABLE REGULATIONS

The proposed regulations do not contain provisions relating to general fiscal and administrative matters. Requirements of this nature are covered by the Office of Education General Provisions Regulations (45 CFR Part 100a) and the Appendices thereto, which include rules on direct and indirect costs.

In addition, a number of rules common to all of the programs funded pursuant to the Special Projects Act, including the Women's Educational Equity Act Program, are being prepared for publication as Part 160 of Title 45 of the Code of Federal Regulations. These would include definitions of terms used in this proposed regulation and in other regulations related to the Special Projects Act.

D. NOTICE TO PROSPECTIVE APPLICANTS

This first publication is not the final regulation. It is followed by a forty-five day period which allows interested members of the public to submit comments and recommendations. Each comment will be given careful consideration, and will be responded to in substance in the preamble to the final regulations. Following this review, the regulation will be published in final form, with any appropriate changes, in the FEDERAL REGISTER.

As more fully explained below, no money is available at the present time for awards under the program, and no applications are being accepted. Application forms are not available.

The publication of proposed regulations is only a beginning step in a series of formal procedures and actions required before funds can be awarded to recipients. For Fiscal Year 1975, no funds were appropriated for grants or contracts authorized under the program. Following an enactment of an appropriation for the program for Fiscal Year 1976, further administrative steps would have to take place before the award of grants or contracts. With respect to grants, these steps would include the preparation for distribution of appropriate application forms, the publication in the *FEDERAL REGISTER* of a notice of closing date informing applicants of the period within which applications must be filed and where application forms may be obtained and allowing the applicants sufficient time for the preparation of applications, and the receipt, processing, evaluation, and selection of applications for funding. Finally, the terms of the actual award documents must be negotiated with those applicants whose applications have been accepted.

E. SUBMISSION OF COMMENTS

All interested parties are invited to submit written comments and recommendations concerning the proposed regulations to Dr. Joan Duval, Women's Educational Equity Act Program, Room 3121, FOB-6, 400 Maryland Ave., SW., Washington, D.C. 20202. Such comments and recommendations will be available for public inspection on Mondays through Fridays between 8 a.m. and 4:30 p.m. at the above office.

All relevant material received on or before September 25, 1975, will be considered.

(Catalog of Federal Domestic Assistance No. 13.565; Women's Educational Equity Act Program)

Dated: June 27, 1975.

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

Approved: August 5, 1975.

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

PART 160f—WOMEN'S EDUCATIONAL EQUITY ACT PROGRAM

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AUTHORITY: Sec. 408, Pub. L. 93-380 (20 U.S.C. 1866).

§ 160f.1 Scope and purpose.

(a) *Scope.* The regulations in this part govern projects awarded with funds appropriated pursuant to the Women's Educational Equity Act of 1974, section 408 of Pub. L. 93-380, or with funds made available for expenditure under the Women's Educational Equity Act pursuant to the Special Projects Act, as enacted by section 402 of Pub. L. 93-380.

(20 U.S.C. 1866 and 1861)

(b) *Purpose.* The purpose of the program carried out pursuant to this part is to provide, through grants and contracts, educational equity for women in the United States.

(20 U.S.C. 1866(b))

(c) *Other pertinent regulations.*—(1) *Grant awards.* Grant awards under this part, including awards to individuals, are subject to applicable provisions contained in: (i) Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters, 45 CFR Parts 100, 100a et seq.); and (ii) Part 160 of this chapter relating to the Special Projects Act.

(2) *Contract awards.* Contract awards under this part, including awards to individuals, are subject to applicable provisions contained in: (i) 41 CFR Chapters 1 and 3, and (ii) Part 160 of this chapter relating to the Special Projects Act.

(20 U.S.C. 1866 and 1861)

(d) *Participation by men.* Nothing in this part shall be construed as prohibiting men from participating in any programs or activities assisted under this part.

(20 U.S.C. 1866(d)(4))

(e) Nothing in this part shall be interpreted as requiring or prohibiting or abridging in any way the use of particular textbooks or curricular materials.

(20 U.S.C. 1866(d)(1)(A); 20 U.S.C. 1232a)

§ 160f.2 Definitions.

As used in this part:

"Act" means the Women's Educational Equity Act of 1974, section 408 of Pub. L. 93-380.

(20 U.S.C. 1866)

"Council" means the Advisory Council on Women's Educational Programs established pursuant to subsection (f) of the Act.

(20 U.S.C. 1866(b))

"Career education" means an education process designed: (a) To increase the relationship between schools and society as a whole; (b) to provide opportunities for counseling, guidance and career development for all children; (c) to relate the subject matter of the curricula of schools to the needs of persons to function in society; (d) to extend the concept of the education process beyond

the school into the area of employment and community; (e) to foster flexibility in attitudes, skills, and knowledge in order to enable persons to cope with accelerating change and obsolescence; (f) to make education more relevant to employment and functioning in society; and (g) to eliminate any distinction between education for vocational purposes and general or academic education.

(20 U.S.C. 1865(d))

"Man" or "men" may include, as appropriate, boys.

"Sexism" means the collection of attitudes, beliefs, and behaviors which result from the assumption that one sex is superior. In the context of schools, the term refers to the collection of structures, policies, practices, and activities that overtly or covertly prescribe the development of girls and boys and prepare them for traditional sex roles.

"Sex Role Socialization" refers to the differential processes and experiences used to prepare males and females for the roles that society defines as being appropriate for their sex.

"Sex Role Stereotypes" are stereotypes based upon the assumption that because a number of individuals share one attribute—e.g. race or sex—they are similar in many others. Stereotypes arise from a natural need to organize the world around us. They may also result in oversimplified beliefs, attitudes or uncritical judgments. A sex role stereotype may be defined as the assumption that all females or all males, because they share a common gender, also share common abilities, interests, values, and roles.

"Socialization" is the process by which children and adults are prepared to occupy various roles. It is achieved through the provision and accumulation of life experiences that transmit knowledge, attitudes, and skills to perform functions necessary for these roles. Socialization for young children is often deliberate and readily observable as children are being prepared to carry out a complex collection of economic, social, physical, political, and psychological roles as adults. Much of adult socialization is subtle and unnoticed because it consists of continued reinforcement for already learned roles. In situations where the learning of new roles or skills is necessary, adult socialization may become extremely focused and explicit.

"Woman" or "women" may include, as appropriate, girls.

(20 U.S.C. 1866)

"Underemployed" means being employed part-time when full-time employment is desired or being employed part-time or full-time in a job which does not utilize the knowledge and skills which have been acquired for employment.

(20 U.S.C. 1866(d)(1)(E))

§ 160f.3 Nature of projects to provide educational equity for women.

(a) *General.* (1) Educational equity for women, as used in this part, means (i) the elimination of discrimination on the basis of sex and of those components

of sex role stereotyping and sex role socialization in educational institutions, programs, and curricula which prevent full and fair participation by women in educational programs and in American society generally, and (ii) the achievement of responsiveness of educational institutions, programs, curricula, policy makers, administrators, instructors, and other personnel to the special educational needs, interests, and concerns of women arising from inequitable educational policies and practices.

(2) Educational equity for women, as used in this part, involves the elimination of stereotyping by sex, so that both men and women can choose freely among and benefit from opportunities in educational institutions and programs with limitations determined only by each individual's interests, aptitudes, and abilities. Educational equity for women does not imply the development of new stereotypes for men and women.

(b) *Capacity building.* (1) Projects supported under this part must contribute to capacity building in the area of educational equity for women by producing exemplary results and/or products to be used by organizations, agencies, and individuals other than the award recipient, and thereby to have a substantial national impact in furthering the purpose of providing educational equity for women.

(ii) Projects will not be supported which are designed to benefit only particular organizations, agencies, or individuals.

(2) An application or proposal for a grant or contract under this part must reflect compliance with the requirements of subparagraph (1) of this paragraph (i) in the stated objectives and outcomes, (ii) by the attention to planning, quality controls, and evaluation, and (iii) by the emphasis on dissemination and utilization procedures.

(3) The cost to organizations, agencies, and individuals other than the award recipient of obtaining and using products developed by projects supported under this part may not be on a scale which would inhibit extensive utilization and replication of the products.

(20 U.S.C. 1866 (b) and (d) (2) (B))

(c) *Approaches to educational equity for women.* (1) Each project award under this part must be designed to promote educational equity for women in one of the following ways:

(i) *Focus on systemic change.* The elimination of those components of sex role stereotyping and sex role socialization in educational institutions and agencies which separately, and, more importantly, together and over time limit the aspirations, experiences, and options of women and men for full participation in American society;

(ii) *Focus on institutional change.* Assistance in the process of eliminating discriminatory policies and practices in educational agencies, organizations, and programs which may be contrary to Federal statutes, executive orders, or regulations; or

(iii) *Focus on remediation for individuals.* The provision of special educational and training activities designed to limitations on the opportunities for remedy limitations on the opportunities of women resulting from past and/or continuing discrimination, sex role, stereotyping, and/or sex role socialization.

(2) Specific types of projects to carry out the approaches described in subparagraph (1) of this paragraph are set forth in § 160f.4.

(20 U.S.C. 1866; Committee on Education and Labor, Hearing on H.R. 208 July 25, 1973, pp. 4-6; S. Rept. No. 763, 93rd Cong. 2d Sess. 78-79 (1974))

(d) *Cultural diversity.* Projects funded under this part may, but are not required to, specifically focus on an approach to the provision of educational equity for women relating to one or more specific racial, ethnic, religious, socioeconomic, or regional groups or on the differing approaches to the provision of educational equity for women among various such groups. In any case, each application or proposal as a whole must reflect an appropriate understanding that such differing approaches exist.

(20 U.S.C. 1866)

§ 160f.4 Types of projects.

(a) The Act authorizes the Commissioner to award grants and contracts for activities at all levels of education designed to carry out the purpose of providing educational equity for women, including the following activities related to educational equity:

(1) The development, evaluation, and dissemination of curricula, textbooks, and other educational materials;

(2) Preservice and inservice training for educational personnel, including guidance and counseling personnel;

(3) Research, development, and other educational activities;

(4) Guidance and counseling activities, including the development of tests which are nondiscriminatory on the basis of sex;

(5) Educational activities to increase opportunities for adult women, including continuing educational activities for underemployed and unemployed women;

(6) The expansion and improvement of educational programs and activities for women in vocational education, career education, physical education, and educational administration; and

(7) A program of small grants for innovative projects.

(20 U.S.C. 1866 (d) (1) and (e))

(b) In implementing the activities authorized by the Act and described in paragraph (a) of this section, the Commissioner will:

(1) Make small grants not to exceed \$15,000 each, to support innovative approaches to the provision of educational equity for women, as described in § 160f.13;

(2) Solicit proposals for and make awards of

(i) Procurement contracts (A) to develop technical assistance instruments for use in eliminating discrimination in educational institutions as required by Title IX of Pub. L. 92-318, and (B) to conduct national and regional workshops for the dissemination of such instruments, as described in § 160f.14(b) (1), and

(ii) A procurement contract to establish a communications network to advance educational equity for women, as described in § 160f.14(b) (2);

(3) Make grant awards, with priority given to applications

(i) To develop, validate, and/or initially use training modules related to educational equity, as described in § 160f.12(a);

(ii) To support exemplary educational leadership programs which prepare women for leadership, administrative, and instructional positions in the fields of educational administration, vocational education, career education, physical education, guidance and counseling, and adult education, as described in § 160f.12(b); and

(iii) To develop special programs to broaden career options for women and to assist their entry into occupational fields, as described in § 160f.12(c).

(20 U.S.C. 1866 (d) (1) and (e); S. Rept. No. 763, 93rd Cong. 2d Sess. 78 (1974))

(c) The funding areas described in paragraph (b) of this section are not parallel to the description of authorized activities in paragraph (a) of this section, but they do collectively relate to each of the subparagraphs in paragraph (a) of this section. For example:

(1) The development, validation, and initial utilization of training modules under paragraph (b) (3) (i) of this section will necessarily involve the development of the educational materials which constitute the module (paragraph (a) (1) of this section), educational activities designed to advance women's educational equity (paragraph (a) (3) of this section), and the development of a product designed to provide training for educational personnel (paragraph (a) (2) of this section) and may also involve the evaluation of textbooks and curricula (paragraph (a) (1) of this section), the development of supplementary instructional materials (paragraph (a) (1) of this section), analysis of teacher behavior (paragraph (a) (3) of this section), and the elimination of sex role stereotyping or sex role socialization in the areas of guidance, counseling, and testing (paragraph (a) (4) of this section).

(2) Exemplary educational leadership programs for women under paragraph (b) (3) (ii) of this section would most directly involve the activities of training for educational personnel (paragraph (a) (2) of this section) and the improvement of educational programs for women in specified educational fields (paragraph (a) (6) of this section) and could also involve the development of educational materials incidental to the carrying out of these programs (paragraph (a) (1) of this section).

(3) Programs to broaden career options for women under paragraph (b) (3)(iii) of this section would most directly involve educational activities to increase opportunities for adult women (paragraph (a) (5) of this section), guidance and counseling activities (paragraph (a) (4) of this section), and the development of necessary materials (paragraph (a) (1) of this section).

(4) The communications network under paragraph (b) (2)(ii) of this section is designed to provide information about work already completed or in progress with respect to all activities described in paragraph (a) of this section.

(20 U.S.C. 1866(d)(1))

(d) It is expected that the funding areas described in paragraph (b) of this section will be modified from time to time by appropriate amendments to this part, based upon advice and criteria provided by the Council pursuant to subsection (f) (3) of the Act, to reflect changing needs and priorities in the provision of educational equity for women.

(20 U.S.C. 1866(f)(3)).

§ 160f.5 Duration of projects.

(a) While grant applications may be filed proposing multi-year projects, it is expected that a substantial proportion of projects funded by the Commissioner in any fiscal year will have a project duration of only one year.

(b) Applications proposing multi-year projects must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year.

(c) If the application demonstrates to the Commissioner's satisfaction that multi-year support is needed to carry out the proposed project, the Commissioner may, in the initial notification of grant award for the project, indicate an intention to assist the project on an appropriate multi-year basis through continuation grants.

(d) Continuation awards may be made to projects described in paragraph (c) of this section, subject to the availability of funds and to the following provisions:

(1) Continuation applications will not be competitive with applications for new grant awards, but will be competitive with other applications for continuation awards; and

(2) Applications for continuation awards will be reviewed to determine (i) if the grantee has complied with the grant terms and conditions, the Act, and any applicable regulations, (ii) the project's effectiveness to date, (iii) the extent to which the project is meeting the applicable priorities, and (iv) the extent to which continuation of Federal assistance to the project is in the best interests of the Government.

(20 U.S.C. 1221e-3(a)(1), 1866)

§ 160f.6 Eligible applicants.

The Commissioner may make grants to, or enter into contracts with, public

agencies, private nonprofit organizations, or individuals to carry out projects under this part.

(20 U.S.C. 1866(d)(1) and (e))

§ 160f.7 Preapplications.

(a) The Commissioner may require applicants for grants under this part to submit preapplications in accordance with § 100a.41 of this chapter by publishing a closing date for preapplications in the *FEDERAL REGISTER*.

(b) In the event that the Commissioner does require preapplications pursuant to paragraph (a) of this section:

(1) As part of the program narrative statement required in preapplication forms provided for by § 100a.41 of this chapter, which may not exceed ten double-spaced typewritten pages, applicants for grants must provide information on the objectives and activities proposed which is responsive to criteria set forth in §§ 160f.10, 160f.12 (a) (4), (b) (5), or (c) (4), as applicable;

(2) If the applicant proposes a project with a duration in excess of one year, the program narrative statement must include an explanation of the need for multi-year support, and the budget forms must be completed for the first budget period of one year and for the balance of the proposed project;

(3) Preapplications will be evaluated by the Commissioner on the basis of the proposed project's prospects for meeting pertinent requirements in this part and for competing successfully with similar applications from other applicants in terms of the funding criteria set forth in §§ 160f.10, and 160f.12 (a) (4), (b) (5), and (c) (4), as applicable;

(4) Applicants submitting the most highly rated preapplications will be invited to submit applications for review.

(20 U.S.C. 1221, 1866(d)(2) and (e))

§ 160f.8 Application and proposal requirements.

(a) *Introduction.* A grant or a contract under this part will be awarded only upon a grant application (in accordance with § 100a.40 of this chapter) or a contract proposal submitted to the Commissioner.

(b) *General.* (1) Unsolicited applications or proposals will not be accepted under this part. Grant applications will be accepted for review only if they are filed in response to a notice of closing date published in the *FEDERAL REGISTER* in accordance with 45 CFR 100a.15, concerning application submissions to the Commissioner.

(2) An eligible applicant must file a single and separate application or proposal with respect to each of the subparagraphs of § 160f.4(b) under which it seeks an award.

(3) Lengthy appendices or exhibits attached to the application or proposal will not be reviewed by the Commissioner.

(c) *Requirements.* An application or proposal under this part must:

(1) *Nature and purpose.* Provide information sufficient to satisfy the Commissioner that the proposed project holds

promise of making a substantial contribution toward attaining educational equity for women and will comply with the provisions of § 160f.3;

(2) *Applicant qualifications.* Contain sufficient information about the applicant to enable the Commissioner to determine its qualifications for receiving an award and its commitment to the provision of educational equity for women, including information about (i) the applicant's experience in the area of educational equity for women, as well as in the area of programmatic focus of the proposed project, (ii) the proposed staff, including their education, training, awards, publications, and experience in the areas of educational equity for women and in the programmatic focus of the proposed project, and existing or planned commitments to other projects, and (iii) available facilities and other resources for the project;

(3) *Need and impact.* (i) Identify the need to be addressed by the proposed project and supply relevant documentation of that need, and where a general area of need has been set forth in this part or in contract specifications, go beyond a general exposition of need to identify and document specific areas of need which the proposed project would address; (ii) Specify the nature of the output, product, or final results of the proposed project; (iii) Document how the project will contribute to capacity building in the area of women's educational equity as described in § 160f.3(b), including a description of likely users of the results, processes, and products of the project, and rough projections of the financial cost to others of implementing or using the products; and (iv) Describe validation, dissemination, and utilization procedures to be used in the proposed project;

(4) *Plan of operation.* (i) Describe (A) project objectives which state specific outcomes for the project; (B) a project evaluation design which includes both product and process analysis to measure the extent to which the objectives are accomplished by the project; (C) a management design which includes objectives, operational activities, schedules, resources, products, and references to the evaluation design, and (D) a budget;

(ii) The evaluation and management designs need not be capable of being implemented instantly, but must be sufficiently described to indicate the approach, status of planning, methodology, extent of experience in the development and use of such designs, and need for procuring outside expertise;

(5) *Additional information.* Applications or proposals must include other information responsive to applicable criteria and other provisions set forth in §§ 160f.10, 160f.12, and 160f.13 or to the specific criteria and other provisions contained in specifications for contract proposals pursuant to § 160f.14; and

(6) *Relationship to other activities.* As described in § 160f.3(d), projects must reflect an understanding that differing approaches to the achievement of women's educational equity exist among

various racial, ethnic, religious, socioeconomic, and regional groups. If the applicant is carrying out other activities concerned with issues of discrimination, counseling, stereotyping, socialization or the cultural values and heritage of social, ethnic, regional, or socioeconomic groups, the application or proposal must explain the specific relationship of the proposed project to such other activities.

(20 U.S.C. 1866(d) (2))

(d) *Small grants.* Applications for small grants under § 160f.13 are subject to the applicable requirements in this section, with appropriate consideration to the scope and amount of the proposed award.

(20 U.S.C. 1866(e))

(e) *Evaluation.* Project awards under this part will be subject to the condition that the award recipient collect and make available such information as may be required by the Commissioner or by the Council, in accordance with such time constraints as the Commissioner or Council may designate for purposes of carrying out program evaluation, including that provided for under subsection (f) of the Act.

(20 U.S.C. 1866)

§ 160f.9 Award decisions.

Decisions on whether or not to make awards under this part will be made by the Commissioner based upon: (a) Applicable criteria set forth in § 160f.10 and § 160f.12 (a), (b), or (c); (b) the geographical distribution requirement of § 160f.11; and (c) the need to support a variety of projects which collectively represent to the extent possible the diversity of needs and concerns in educational equity for women.

(20 U.S.C. 1866 (b), (d), (e), (f) (3))

§ 160f.10 General evaluation criteria for awards.

(a) *General criteria.* Applications for grants and proposals for contracts which meet the requirements in § 160f.8 will be evaluated on the basis of the following criteria, weighted according to the indicated points (maximum of 150 points):

(1) *Applicant qualifications.* (45 points) (i) The extent to which the qualifications of the project director and staff include demonstrated relevant experience of high quality in the area of educational equity for women and in the programmatic focus of the project as evidenced in the application (10 points);

(ii) The extent and quality of the applicant's relevant experience in the area of educational equity for women and in the programmatic focus of the project as evidenced in the application (10 points);

(iii) The extent to which the staffing pattern of the project and of the applicant agency or organization as summarized in the application reflects evidence of commitment to educational equity for women, including women from minority groups (15 points);

(iv) The extent to which the applicant has the capability to conduct the pro-

posed project, including necessary facilities and resources as evidenced in the application (10 points);

(2) *Need and impact.* (50 points) (i) The degree to which the proposed project is likely to make a substantial qualitative contribution toward attaining the provision of educational equity for women, and to this end clearly identifies the need to be addressed and specifies the substantive nature of the output, product, or final results of the proposed project (20 points);

(ii) The quality of the application or proposal as a whole over and above the minimum requirement in § 160f.3(d) in reflecting an understanding that differing approaches to the provision of educational equity for women exist among various racial, ethnic, religious, socioeconomic, or regional groups and in taking account of such differing approaches as appropriate in relationship to the proposed project (10 points);

(iii) The extent to which the intended results of the proposed project can be used by others and thus the extent to which the application specifies well-designed validation, dissemination, and utilization procedures (20 points); and

(3) *Plan of operation.* (55 points) (i) The extent to which the application sharply defines and clearly states objectives for the proposed project which are capable of being achieved by the proposed procedures and capable of being assessed upon attainment (15 points);

(ii) The extent to which the application ensures adequate evaluation of the activities through the description of a project evaluation design which would include both process and product analysis and would describe an eventual evaluation report to include sufficient data, information, and direction to permit and encourage replication (15 points);

(iii) The quality of the proposed management design that includes objectives, operational activities, schedules (including the amount of time to be spent on the project by the named proposed staff members), resources, products, and references to the project evaluation design (15 points); and

(iv) The extent to which the application presents a budget that is reasonable in relation to anticipated results and reflects the management design (10 points).

(b) *General provisions criteria.* Evaluation criteria set forth in § 100a.26(b) of this chapter will not apply to applications or proposals submitted under this part.

(c) *Small grants.* Applications for small grants will be evaluated in accordance with the criteria specified in paragraph (a) of this section with appropriate consideration given to the scope and amount of the proposed award.

(20 U.S.C. 1866 (d) and (e))

§ 160f.11 Geographical distribution of awards.

In accordance with relevant recommendations of the Council, the Commissioner will make an appropriate geo-

graphical distribution of projects throughout the Nation.

(20 U.S.C. 1866(f) (3) (C))

§ 160f.12 General grant awards.

In awarding grants under this part (except with respect to small grants described in § 160f.13), the Commissioner will give priority to applications within the following areas:

(a) *Training modules on sexism in education—(1) General.* Grants under this paragraph will be for the development, validation, and initial use of training modules for nationwide use in providing preservice and inservice training for teachers, administrators, and other educational personnel. Depending on the scope of the proposed activities and the degree of progress which the applicant may already have made, a grant award may be made for development funds only, or for development and validation and/or initial use of training modules;

(2) *Purpose.* Training modules supported by grants under this paragraph must be designed to create an awareness of the extent and consequences of those components of sex role stereotyping and sex role socialization in educational institutions, programs, curricula, and personnel, which over time limit the aspirations, experiences, and options of women and men for full participation in American society, and/or to provide skills and understanding which can help to eliminate them;

(3) *Nature of modules.* Training modules supported by grants under this paragraph:

(i) Must be designed to be available for use by potential users at relatively low cost and without substantial dependence on consultative assistance;

(ii) (A) May be designed as a comprehensive approach to training in many areas where sex role stereotyping or sex role socialization occur (such as in curriculum, textbooks, counseling, institutional policies and practices, teacher expectations, rewards and punishments, non-verbal behavior of peers and instructors), or in one or more specific areas;

(B) Which are related to such areas as curriculum and textbooks must be designed to give educational personnel the capacity and skills (1) to plan curriculum and select textbooks and other instructional materials which are nondiscriminatory on the basis of sex and (2) to identify and combat sex role stereotyping in textbooks and other instructional materials presently available. The training modules may also include the development of supplementary instructional materials designed to promote educational equity for women;

(iii) May concern sex role stereotyping and sex role socialization as they occur at many levels of education or in many educational contexts (such as preschool programs, elementary schools, secondary schools, institutions of higher education, State departments of education, vocational education, and adult education) or may focus on one such level or context;

(iv) May be designed for use in training one, or several, kinds of educational personnel, such as educational administrators, teachers, professors, counselors curriculum specialists, and school board members.

(4) *Evaluation criteria.* Applications for grants under this paragraph will be evaluated on the basis of criteria set forth in § 160f.10 and the following criteria (50 points):

(i) The soundness of the training strategies proposed (10 points);

(ii) The extent to which the module is adaptable for use in a wide range of institutional preservice and inservice training programs (10 points);

(iii) The quality of the plan for validation, dissemination, and utilization, including the applicant's access to existing networks of potential users, as well as access to a delivery system which is not dependent on external funding and would consequently operate after the expiration of assistance pursuant to this part (5 points);

(iv) The degree of involvement of both theoreticians and practitioners in the development of modules (10 points);

(v) The extent to which the trainees for whom modules are developed hold or will hold positions of influence in educational institutions and agencies (10 points); and

(vi) Although, as provided in subparagraph (3) (iii) of this paragraph, training modules supported under this paragraph may focus on one or more of a number of educational levels, priority will be given to projects to support training modules which focus on the pre-school, elementary, and/or secondary school levels and which are designed to train educational personnel serving or preparing to serve at any of those levels (5 points).

(20 U.S.C. 1866(d)(1) (A), (B), (C), (D); S. Rept. No. 763, 93d Cong. 2d Sess. 78 (1974))

(b) *Programs for educational leadership—(1) Purpose.* The purpose of grants under this paragraph will be to develop, validate, and demonstrate model programs for training and retraining in educational administration, vocational education, career education, physical education, guidance and counseling, and adult education.

(2) *Nature of projects.* (i) Applications for grants under this paragraph must have the dual goals of: (A) Increasing the number of women who can assume leadership, administrative, and instructional positions in the fields described in subparagraph (1) of this paragraph; and (B) restructuring the content of training in these fields to reflect issues in the provision of educational equity for women as appropriate in each field and thereby to generate continuing reform in these fields.

(ii) Projects must result in the development of a program design or other program products which can be used by other institutions or agencies in planning and/or reforming training programs in the fields described in subparagraph (1) of this paragraph.

(iii) Applications must contain a commitment by the applicant and reasonable timetables to implement the program design and products developed under the project in all training which the applicant provides in the field of the project.

(3) *Levels of training.* Model training programs supported under this paragraph may include programs at the pre-baccalaureate level, but priority will be given to, and it is expected that most grants will be made to support, graduate level model programs or program components (including either short or long term training) in the fields described in subparagraph (1) of this paragraph.

(4) *Scope of grants.* Subject to the provisions in § 160f.15 on allowable costs, funds granted pursuant to this paragraph will not be generally available to pay the total costs to the applicant of conducting an overall training program in one of the fields described in subparagraph (1) of this paragraph, but will be available for payment of the incremental costs of planning, developing, testing, validating, and disseminating directly related to the purpose of providing educational equity for women, including the incremental costs of (i) reforming such program to further the purpose of educational equity for women in the specific field in which training is provided, (ii) recruiting women for the training program, and (iii) where justified, providing stipends and other support for participants in accordance with § 160f.15(b).

(5) *Criteria for evaluation of applications.* Applications for grants under this paragraph will be evaluated in accordance with the general criteria set out in § 160f.10 and the following criteria (maximum 50 points):

(i) With respect to applicants which conduct training programs in the field of the project, the quality of the applicant's commitment and plans for implementation of program designs developed under the project in all training which the applicant provides in the field of the project (25 points); and

(ii) The extent to which the program to be developed under the project will be developed in cooperation with representative groups, such as practitioners in the field (both at the policy and the implementation levels), theoreticians, and clients (25 points).

(20 U.S.C. 1866(d)(1) (A), (B), (C), (D), (E), (F); S. Rept. No. 763, 93d Cong. 2d Sess. 78 (1974))

(c) *Program development related to career options for women—(1) Purpose.* Grants will be awarded under this paragraph to develop special programs to broaden career options for women and to assist their entry into occupational fields. The purpose is to design programs to serve those women who have particular needs for remedial efforts to overcome previous discriminatory practices, sex role stereotyping, and sex role socialization.

(2) *Nature of projects.* (i) Projects supported under this paragraph will develop, validate, and demonstrate programs to broaden the career options of women and to make it possible for women to enter and succeed in occupations, especially those where they have been underrepresented. Projects will develop and test a program as well as produce the program design for dissemination. The term program is used broadly here to include as various components initial information, education or training (including remedial work where necessary to meet the requirements of training), counseling, placement, and a range of other supportive services for women who are entering, reentering, or continuing education or employment.

(ii) Programs must be developed on the basis of existing research about needs, problems, trends, and strategies concerning career options; or such research may be included as necessary as a first phase of the project.

(iii) Programs will be developed for use at the secondary or postsecondary level and may be designed to serve both young girls and adult women entering at these levels. The focus of programs may range from narrow, specific issues to comprehensive ones. For example, a program might include remedial courses in industrial arts for students who have been excluded from such courses, explicitly or through counseling, and thus prevented from entering secondary level vocational education courses now technically open to them. At the other end of the spectrum, a program may focus on a wide range of occupational options and the complex educational needs of adult women to be able to enter those occupations.

(3) *Scope of grants.* Subject to the provisions in § 160f.15 on allowable costs, funds supplied under grants awarded pursuant to this paragraph will not be generally available to pay the total costs of a program in occupational education, but will be available only for the incremental costs directly related to the activities of planning, development of remedial training materials, counseling, placement, transitional supportive services, and development of the program design for use by others which are directly related to the provision of educational equity for women.

(4) *Evaluation criteria.* Applications for grants under this paragraph will be evaluated on the basis of general criteria set forth in § 160f.10 and the following additional criteria (maximum 50 points):

(i) The degree to which the application reflects an understanding of the special needs of the target group and of the barriers and problems which exist for it in education and employment (15 points);

(ii) The extent to which the program will be planned and assessed jointly by representatives of the client target group and of professional staff from the project (10 points);

(iii) The soundness of the training strategies proposed (10 points); and

(iv) The quality of proposed supportive services (including information and counseling) before, during, and after training and placement (15 points).

(20 U.S.C. 1866(d) (1) (D), (E))

(d) *Number and size of general grant awards.* (1) Contingent upon the availability of funds, it is expected that 25 to 40 grants will be awarded per fiscal year under this section.

(2) It is anticipated that the size of grant awards will range from about \$50,000 to \$200,000, depending on the scope of the proposed project. Nothing in this paragraph shall be construed as a limitation on the amount of funds which may be made available to a particular grantee.

(20 U.S.C. 1866(d))

§ 160f.13 Small grant awards.

(a) Grants under this section will support the development and implementation of innovative approaches to the attainment of equity in education for women. The innovative approaches need not be original but may include practices (1) that are similar to present practices but are not widely known or used, (2) that expand on present practices, or (3) that are new to a specific target population.

(b) (1) Applications for grants under this section may focus on any of the six programmatic areas outlined in § 160f.4(a) or other areas of need in the provision of educational equity for women.

(2) Priority will be given to applications under this section which are designed to meet needs in furthering the purposes of providing educational equity for women which are not expressly addressed in § 160f.4(b) (3).

(c) Projects supported under this section must be designed to contribute to capacity building in the area of educational equity for women as provided in § 160f.3(b), with appropriate consideration to the scope and amount of the grant award.

(d) Contingent upon the availability of funds, it is expected that fifteen to twenty grants will be made under this section for amounts not to exceed \$15,000 each.

(20 U.S.C. 1866(e))

§ 160f.14 Contract activities.

(a) *General.* Contingent upon the availability of funds, contracts will be awarded on the basis of separate solicitations setting forth appropriate specifications in the areas described in paragraph (b) of this section.

(b) *Funding areas.* Contracts will be awarded in the following areas:

(1) *Materials development.* (1) Developing technical assistance instruments designed to assist educational agencies and institutions in complying with Title IX of the Education Amendments of 1972 (Pub. L. 92-318). The technical assistance instruments may include, but are not limited to, position papers, management processes and strategies, training materials, assessment inventories,

community involvement plans, and intervention strategies, in print and/or multi-media form.

(ii) Conducting national and regional workshops to disseminate such technical assistance instruments.

(iii) The purpose of both the technical assistance instruments and the workshops is to render a service to educational institutions and agencies by addressing problems in eliminating discrimination on the basis of sex which are most common to them.

(S. Rept. No. 783, 93d Cong. 2d Sess. 79 (1974))

(2) *Information services.* Developing and maintaining a communications network in the field of educational equity for women for the purposes of providing information usable by educational practitioners and researchers, surveying the area of women's educational equity, and creating an active network responsive to individuals in the field by surfacing issues which require research and program development in the area through:

(i) Identifying existing programs, projects, and research (completed and in progress), specialized clearinghouses, newsletters, publications, and other resources and activities concerned with educational equity for women;

(ii) Classifying, cross-referencing, and organizing the data;

(iii) Synthesizing and developing summary statements on data by appropriate areas;

(iv) Analyzing and assessing the areas in order to identify new areas, topics, or problems that need to be pursued; and

(v) Establishing a two-way communication system to receive and answer requests from interested persons, agencies, and institutions for specific information which can be readily usable by practitioners and to request continuing information from the field, to be reported back in general terms by periodic newsletters.

(20 U.S.C. 1866(d) (1))

§ 160f.15 Allowable costs.

(a) *General.* (1) Allowable costs under projects to which funds are awarded pursuant to this part shall be determined in accordance with cost principles set forth in: (i) Appendix B of subchapter A of this chapter with respect to grants to public agencies; (ii) Appendix C of subchapter A of this chapter with respect to grants to nonprofit educational institutions; (iii) Appendix D of subchapter A of this chapter with respect to grants to other nonprofit institutions and individuals; and (iv) 41 CFR Parts 1-15 with respect to contracts.

(2) The costs of nonexpendable personal property with an acquisition cost of \$1000 or more per unit, depreciation or use allowances, automatic data processing, memberships, subscriptions, and professional activities will be allowable if they have been specifically authorized by the Commissioner in the notification of grant award.

(3) Facilities, capital assets, and repairs which materially increase the value or useful life of capital assets generally shall be unallowable under this part, and will be allowed only where specially justified by the applicant and specifically authorized by the Commissioner.

(b) *Long term training projects.* (1) Grants for training projects designed to provide individual participants with full-time post-baccalaureate training with a duration of at least one academic year may include provision for the payment to (i) grantees of tuition and fees and (ii) participants of stipends, dependency allowances, and travel allowances as the Commissioner may determine to be consistent with prevailing practices under comparable Federal programs.

(2) Provision for payments described in subparagraph (1) of this paragraph will be included in grant award documents at the discretion of the Commissioner and only when the applicant requests such payments and provides sufficient information and justification in the application to satisfy the Commissioner that such payments would contribute substantially to the realization of the project objective to develop, test, and disseminate a successful model training program.

(3) If provisions for the payment of tuition and fees are included in a grant pursuant to this paragraph, the grantee may not charge participants in the training program for tuition and fees.

(c) *Costs of short term training components.* (1) Projects designed to provide training for individual participants with a duration of less than an academic year, including projects where training is a necessary component of validation or dissemination, may include in the grant or contract a provision for payments to such participants, including administrators, counselors, and other educational personnel who receive such training and who are not otherwise compensated for their time while receiving training.

(2) (i) Except as provided under subdivision (ii) of this subparagraph, payments under this paragraph would be at the rate of \$30 for each full day of training, up to \$150 per week. If a day of training involves less than five hours, the payments for attendance would be at the rate of \$6 per hour, subject to the weekly limit of \$150.

(ii) Where educational personnel participating in the training are ordinarily paid for their work at a salary scale determined by a collective bargaining agreement in which the minimum hourly rate for any such individual is more than \$6 per hour, such individual would be compensated at the minimum hourly rate provided for under the collective bargaining agreement.

(3) Where a local educational agency or other educational agency or institution compensates teachers or other educational personnel whom it employs for their time in receiving training under this paragraph and must also hire a substitute for a participant in the training

during the time of such participation, reimbursement may be made under the grant or contract which includes the training component to the local educational agency or other educational agency or institution for the costs of hiring the substitute.

(4) No travel or dependency allowances will be paid for participation in any training component under this paragraph.

(d) *Indirect costs.* (1) Except as provided in subparagraph (2) of this paragraph, indirect costs will be allowed under projects funded under this part in accordance with the indirect cost rate allowances set out in Appendices B through D of Subchapter A of this chapter.

(2) Indirect costs for training grants made to educational institutions under § 160f.12(b) will be allowed at the lesser

of: (i) The level of indirect costs, determined under subparagraph (1) of this paragraph, or (ii) in grants where the Commissioner approves payments for stipends and dependency allowances under paragraph (b) (1) (ii) of this section, eight percent of the total direct costs, including stipends and dependency allowances.

(20 U.S.C. 1231c(b), 1232c(b) (2))

[FR Doc.75-20921 Filed 8-8-75;8:45 am]

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federal register

MONDAY, AUGUST 11, 1975



PART III:

NATIONAL TRANSPORTATION SAFETY BOARD



PRIVACY ACT OF 1974

Notice of Systems of Records

NATIONAL TRANSPORTATION SAFETY BOARD

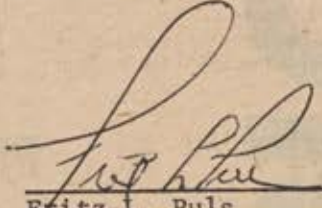
IMPLEMENTATION OF PRIVACY ACT OF 1974

Systems of Records and Notice of Proposed Routine Uses Thereof

The systems of records of the National Transportation Safety Board, listed below, are hereby noticed in accordance with requirements of 5 U.S.C. 552a(e) (4) (Privacy Act of 1974, Pub. L. 93-579, 88 Stat. 1896) (Act):

1. Claimants under Federal Tort Claims Act
2. Personnel Nonpermanent Records
3. Security Records
4. Travel Records of NTSB Employees

Pursuant to 5 U.S.C. 552a(e) (11) (Act), the routine uses of each of these named systems of records are hereby set out for public comment. Interested persons are invited to submit written data, views, or arguments with respect to these routine uses. Comments should be submitted on or before September 2, 1975, to the General Counsel, National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594.


Fritz L. Puls
General Counsel

JULY 25, 1975.

NTSB-1

System name: Claimants under Federal Tort Claims Act—NTSB

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: Persons with claims against the Government for damage to or loss of property, or personal injury or death, caused by the negligent or wrongful act or omission of any NTSB employee acting within the scope of his employment (provided that any award, compromise or settlement in excess of

25,000 may be effected only with the prior written approval of the Attorney General or his designee).

Categories of records in the system: Contains claim, subrogations, legal opinion as to liability of the Government with respect to the claim, final determination, and supporting receipts.

Authority for maintenance of the system: Tort Claims Procedure, 28 U.S.C. 2671.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to establish liability and the amount of such liability. Routine use includes, but is not limited to, referral to law enforcement agencies of violations of the law and for discovery purposes ordered by a court, referral to potential employers and for security clearance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is maintained on an 8 1/2 inch by 10 1/2 inch form.

Retrievability: Indexed by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are manually kept and are retained for one year after disposition of the claim and then sent to the Federal Records Center, NARS, where they are retained for at least six years.

System manager(s) and address:

Comptroller
Office of the General Manager
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to System Manager.

Record access procedures: Procedures are detailed in NTSB proposed regulations: Part 802, Chapter VIII, Title 49, Code of Federal Regulations (40 FR 30130).

Contesting record procedures: Same as the above.

Record source categories: Claimant and employee or employees of the Government involved in the claim and witnesses to the incident or accident.

NTSB-2

System name: Personnel Nonpermanent Records—NTSB

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: Employees of NTSB.

Categories of records in the system: Personnel nonpermanent records not required to be kept by CSC, usually of a personal nature.

Authority for maintenance of the system: 5 U.S.C. 301 et seq., implemented by 5 CFR Part 293.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to carry out authorized personnel programs, such as promotions. Routine use includes, but is not limited to, referral to law enforcement agencies of violations of the law and for discovery purposes ordered by a court, referral to potential employers, and for security clearance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained in SF 66, on left-hand side of folder.

Retrievability: Indexed by name.

Safeguards: Records are kept in locked cabinets.

Retention and disposal: Records are manually kept and are retained as long as the individual is employed by NTSB. They are then destroyed.

System manager(s) and address:

Director of Administration
Office of the General Manager
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to System Manager.

Record access procedures: Procedures are detailed in NTSB proposed regulation: Part 802, Chapter VIII, Title 49, Code of Federal Regulations (40 FR 30130).

Contesting record procedures: Same as the above.

Record source categories: Working papers developed during course of employment, e.g., from supervisors, including evaluations, letters of commendation, and documents which are not permanently retained.

NTSB-3

System name: Security Records—NTSB

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: Employees, prospective employees, and potential contractors

Categories of records in the system: Matters pertaining to loyalty qualifications of the individuals—loyalty checks, character evaluations, crimes, past employment records, military service—investigated by NTSB and other agencies such as FBI, DOD, or CSC.

Authority for maintenance of the system: Executive Order 10450

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used to determine qualification of an individual for employment by NTSB, or as a contractor with NTSB.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is stored in 9 by 12 file folders.

Retrievability: Information is indexed by name.

Safeguards: Records are maintained in locked cabinets or safes.

Retention and disposal: Records are kept manually and are retained by NTSB while the individual is employed by NTSB or is under contract with NTSB. Thereafter, that portion of the records representing information originating from NTSB investigation is destroyed. Investigation reports of other agencies are returned to the originating agency.

System manager(s) and address:

Director of Administration
Office of the General Manager
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to System Manager.

Record access procedures: Procedures are detailed in NTSB proposed regulation: Part 802, Chapter VIII, Title 49, Code of Federal Regulations (40 FR 30130).

Contesting record procedures: Same as the above.

Record source categories: Loyalty checks, inquiries, NTSB field investigation reports, and other reports of NTSB and other Government agencies.

Systems exempted from certain provisions of the act: Security Record. System is partially exempt from the Privacy Act of 1974 (5 U.S.C. 552a(k)) and NTSB regulation proposed thereunder: Part 802, Chapter VIII, Title 49, Code of Federal Regulations (40 FR 30130).

NTSB-4

System name: Travel Records of Employees—NTSB

System location: National Transportation Safety Board

800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: Employees who have traveled pursuant to authorized official business of NTSB.

Categories of records in the system: Travel vouchers, which include, e.g., hotel bills, commercial car rentals, meals, telephones, mileage allowances, and training.

Authority for maintenance of the system: Travel Expense Amendments Act of 1975 (Pub. L. 94-22).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Vouchers are used to determine amounts to be paid to an employee for authorized and official travel for NTSB. Routine use includes, but is not limited to, referral to law enforcement agencies of violations of the law and for discovery purposes ordered by a court, referral to potential employers, and for security clearance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is maintained on an 8 1/2 inch by 10 1/2 inch form.

Retrievability: Indexed by name.

Safeguards: Records are maintained in files with locks.

Retention and disposal: Records are manually kept and are maintained by NTSB for one year after payment of allowable travel expenses to employee. Thereafter, they are sent to the Federal Records Center, NARS, where they are retained for at least six years.

System manager(s) and address:

Comptroller
Office of the General Manager
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to System Manager

Record access procedures: Procedures are detailed in NTSB proposed regulation: Part 802, Chapter VIII, Title 49, Code of Federal Regulations (40 FR 30130).

Contesting record procedures: Same as the above.

Record source categories: Employee submitting vouchers.

[FR Doc.75-19891; Filed 8-7-75; 8:45 am]

federal register

MONDAY, AUGUST 11, 1975



PART IV:

FEDERAL ELECTION COMMISSION



MAINTENANCE OF RECORDS BY CANDIDATES

Interim Guidelines

PART IV

FEDERAL
ELECTION
COMMISSION

RECORDS BY CANDIDATES
OF

Title 11—Federal Elections
CHAPTER 1—FEDERAL ELECTION COMMISSION

[Notice 1975-22]

RECORDS TO BE MAINTAINED BY CANDIDATES AND SUBMITTED TO THE COMMISSION FOR CERTIFICATION FOR PRIMARY MATCHING FUNDS

Interim Guideline

1. To be eligible for Presidential Primary Matching Funds, 26 U.S.C. 9031, *et seq.*, a candidate seeking nomination for election to the Office of President of the United States shall submit or otherwise make available the following information to the Federal Election Commission to enable the Commission to certify the candidate's eligibility for such funds:

(a) An accounting of qualified campaign expenses in each state in which the candidate certifies that he or she has raised a minimum of \$5,000 in contributions which do not aggregate more than \$250 from any individual; and

(b) An accounting of all contributions and other receipts and transfers in each state in which the candidate certifies he or she has raised a minimum of \$5,000 in contributions which do not aggregate

more than \$250 from any individual—including a photocopy of each check or other written instrument for each contribution which the candidate submits, or intends to submit, in order to receive primary matching funds.

(c) The foregoing information is in addition to the agreements and certifications required to be filed for eligibility under section 9033.

(2) To satisfy the requirements for primary matching funds, contributions shall be made by "written instrument". See 26 U.S.C. 9034. "Written instrument" may include receipts for cash contributions, if the receipt is signed in ink by the contributor, and contains the contributor's full name and full residential address, and the amount and date of the contribution. Cash contributions of a person to one candidate may not exceed \$100. See 18 U.S.C. 615.

(3) Those candidates who cannot provide photocopies of checks or other "written instruments" as of the date this Interim Guideline is published in the FEDERAL REGISTER, but who believe they have received contributions in full or partial satisfaction of the requirement in 26 U.S.C. 9033 to raise \$5,000 in contributions not aggregating more than \$250

per individual donor in at least 20 states, shall submit a written statement to the Commission indicating that they are unable to provide photocopies of checks or other written instruments and the reasons therefor.

(4) Upon receipt of the foregoing statement, the Commission shall review the accounts and records of contributions, and such other information as the Commission deems necessary, to determine if such accounts and records and other information justify Commission certification for matching funds.

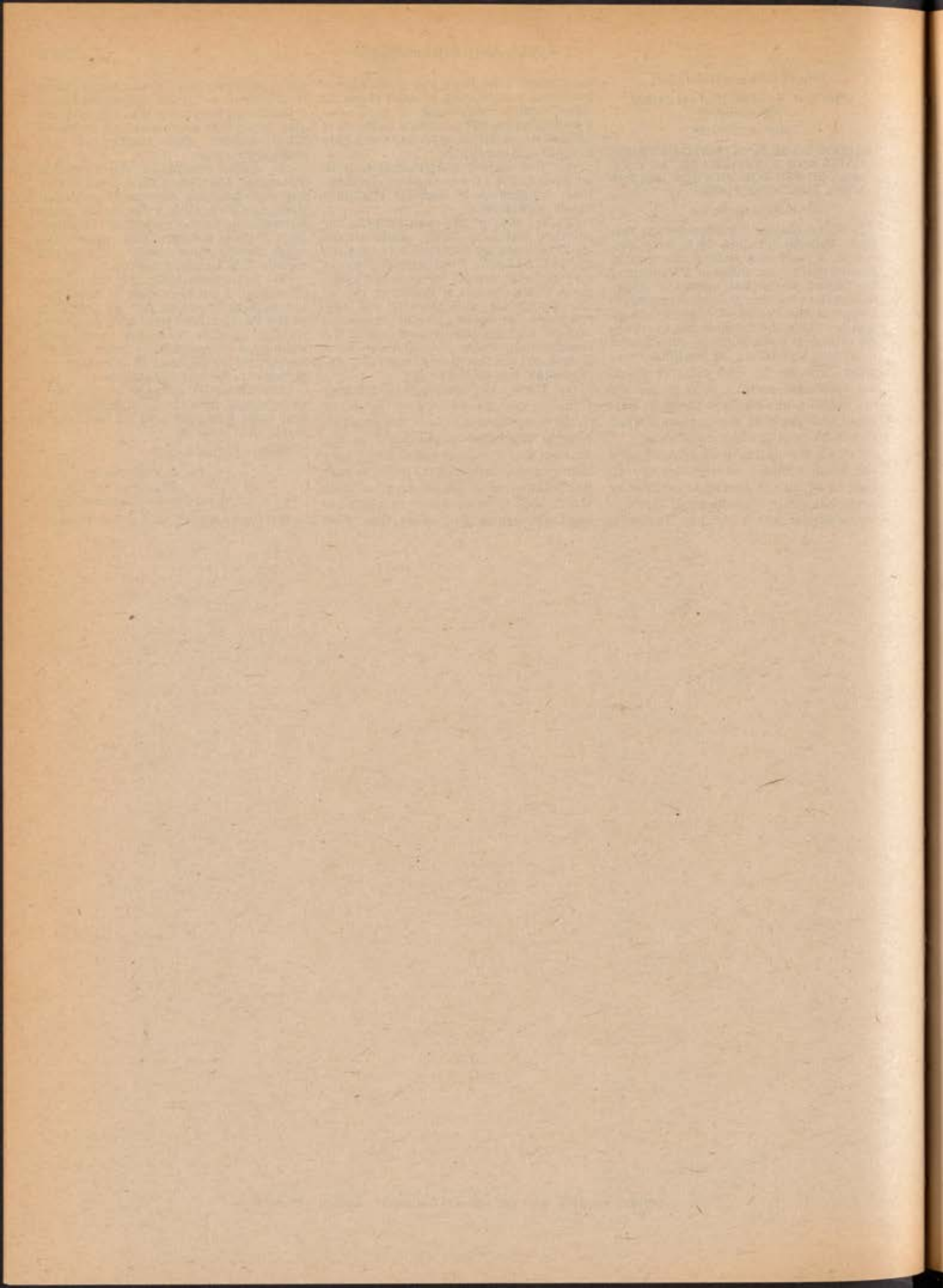
(5) Notwithstanding the above and commencing not later than 10 days after the publication of this Interim Guideline in the FEDERAL REGISTER, each candidate seeking to raise matching funds shall photocopy each check or other written instrument to be used to meet the requirements for matching funds.

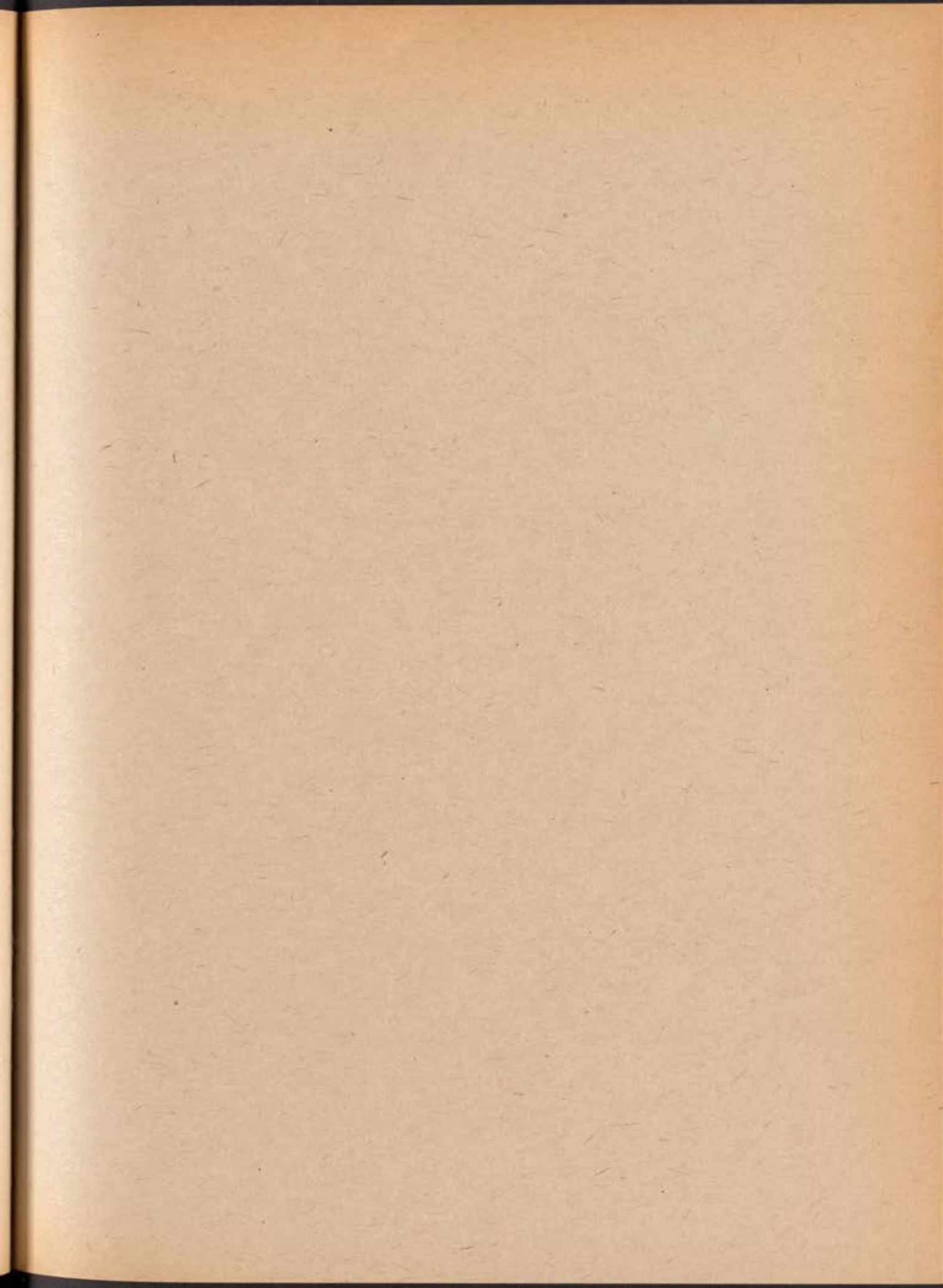
(6) Candidates affected by the foregoing should note the Commission's general audit authority and duties under 2 U.S.C. 437d and 438.

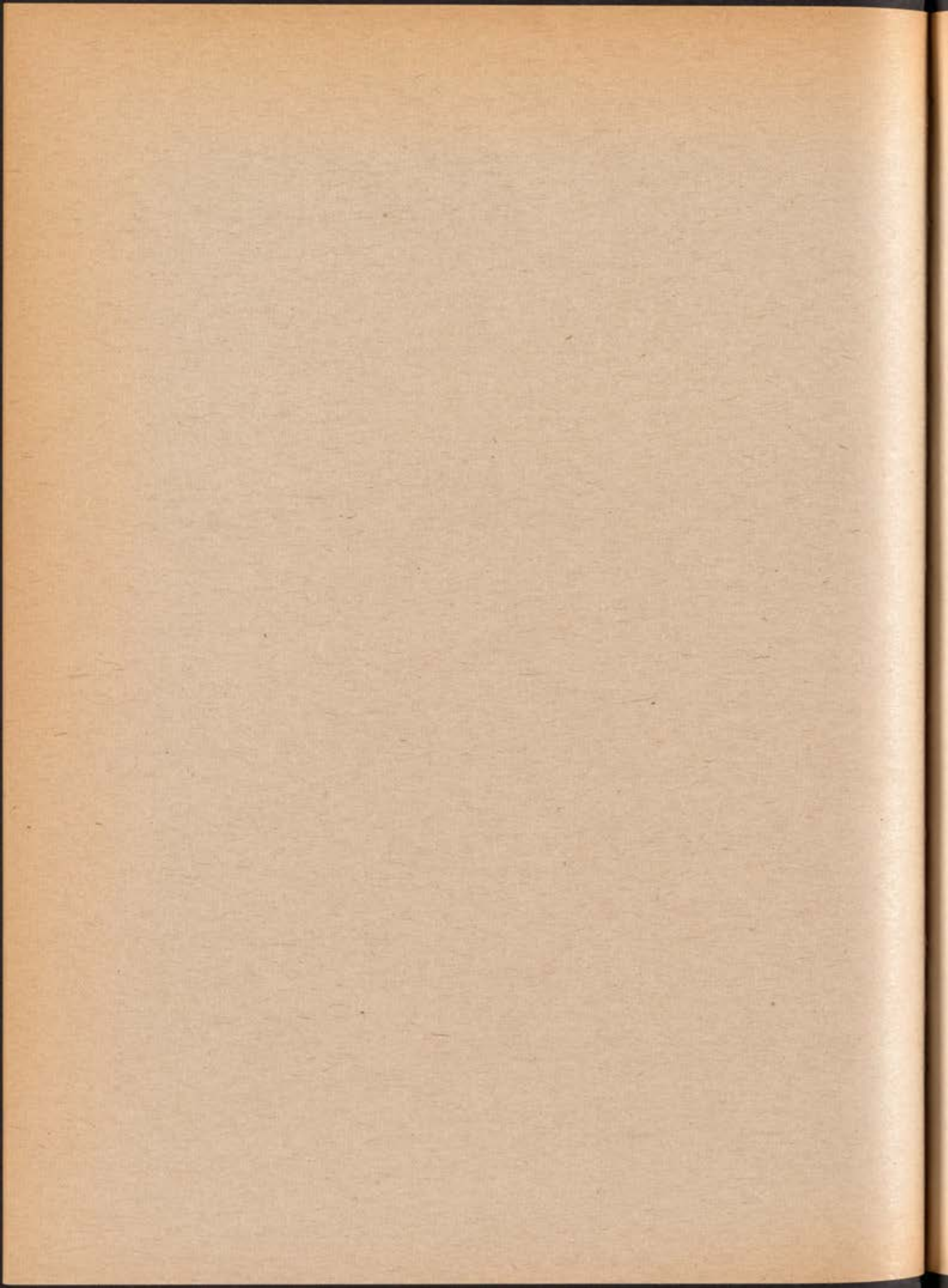
Dated: August 8, 1975.

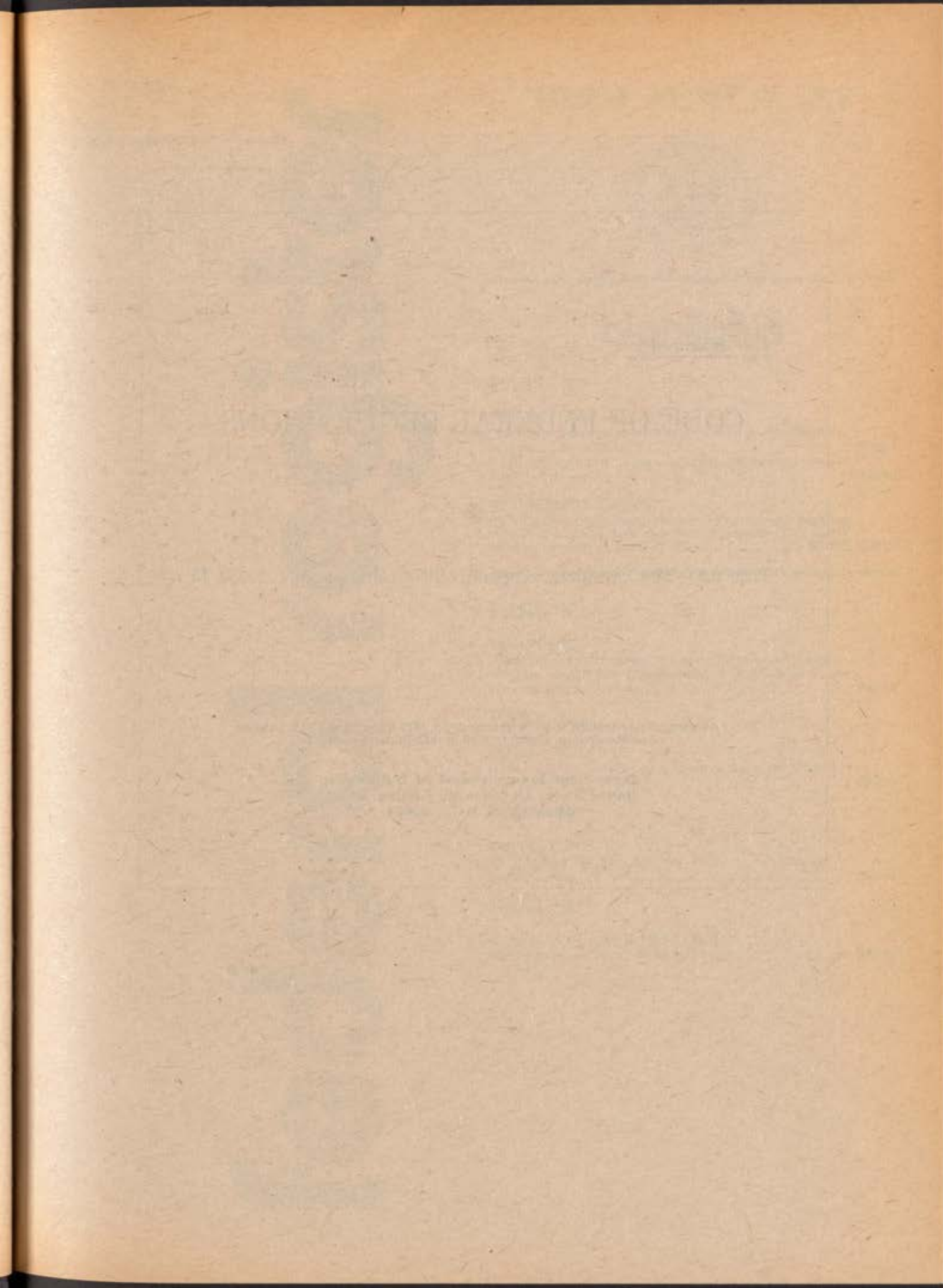
THOMAS B. CURTIS,
Chairman for the
Federal Election Commission.

[FR Doc. 75-20938 Filed 8-8-75; 8:45 am]









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CODE OF FEDERAL REGULATIONS

Title 3A—The President, Appendix 1974 Compilation----- \$2.75

*[A Cumulative checklist of CFR issuances for 1975 appears in the first issue
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