

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.73-1838 Filed 1-30-73;8:45 am]

[Docket No. E-7905]

ARIZONA PUBLIC SERVICE CO.

Notice of Proposed Changes in Rates and Charges

JANUARY 24, 1973.

Take notice that Arizona Public Service Co. (Arizona) on June 7, 1972, tendered for filing proposed changes in its PPC Electric Rate Schedule No. 32, Supplement No. 5. The filing consists of the monthly billing adjustments from June 1971, through April 1972, under section VII of Service Schedule E to the Power Coordination Agreement dated December 31, 1962, between Arizona and Tucson Gas & Electric Co. The proposed rate changes would affect Arizona's jurisdictional revenues from a decrease of approximately \$130 to an increase of approximately \$14,126 per month during the period. Arizona requests that § 35.11 of the Commission's regulations be waived for this filing and that the monthly adjustments become effective at the beginning of their respective months.

Further, Arizona requests reconsideration of the Commission's letter order dated June 27, 1969, requiring monthly filing of adjustments under the Supplement.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 14, 1973. 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.73-1847 Filed 1-30-73;8:45 am]

[Dockets Nos. G-8934, G-10008]

EL PASO NATURAL GAS CO.

Notice of Extension of Time

JANUARY 24, 1973.

On January 19, 1973, El Paso Natural Gas Co. filed a motion for extension of time to file evidence and for continuance of hearing date as established by the order issued January 9, 1973, in the above matter. The motion states that the Commission staff counsel has no objection to this motion.

Upon consideration, notice is hereby given that the time is extended to and including February 12, 1973, within which El Paso shall file its evidence. Accordingly, the hearing date is postponed to February 28, 1973, at 10 a.m.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-1849 Filed 1-30-73;8:45 am]

[Docket No. CI73-490]

FOREST OIL CORP.

Notice of Application

JANUARY 23, 1973.

Take notice that on January 18, 1973, Forest Oil Corp. (Applicant), 1300 National Bank of Commerce Building, San Antonio, Tex. 78205, filed in Docket No. CI73-490 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 Columbia Gas Transmission Corp. from the Block 314, Eugene Island Area, South Addition, offshore Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell approximately 150,000 Mcf of gas per month for 1 year at 35 cents per Mcf at 15.025 p.s.i.a. within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70).

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before February 8, 1973, 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 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.73-1788 Filed 1-30-73;8:45 am]

[Docket No. E-7977]

IOWA PUBLIC SERVICE CO.

Notice of Proposed Changes in Rates and Charges

JANUARY 24, 1973.

Take notice that Iowa Public Service Co. (IPS) on January 15, 1973, tendered for filing proposed changes in its FPC Rate Schedule No. 13 in order to add a new service schedule entitled "Replacement Service". The proposed rate schedule supplement is described in the company's transmittal letter as follows:

Energy purchased under the Replacement Service Schedule is energy made available by the Bureau of Reclamation for specified amounts and periods of time as replacement power energy for retirement or temporary shutdown of fuel burning generating units of Iowa Public Service Co. The rate for such replacement service energy is an amount equal to 85 percent of the saving to Iowa Public Service Co. in the cost of fuel due to reduce operations in its generating stations, plus 50 percent of all other savings realized as the result of such purchase. The Bureau of Reclamation has similar schedules in effect with other utilities with whom it is interconnected. Iowa Public Service Co. has no comparable rate schedule.

It is estimated that Iowa Public Service Co. will purchase 3,000 MWH in January 1973; 3,000 in February, 1973; and 2,000 in the remaining months in 1973, under this schedule.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the

Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 9, 1973. 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.73-1846 Filed 1-30-73;8:45 am]

[Dockets Nos. RP71-107 (Phase II),
RP72-127]

NORTHERN NATURAL GAS CO.

Notice of Filing of Proposed Stipulation and Agreement

JANUARY 24, 1973.

Take notice that on January 18, 1973, Northern Natural Gas Co. (Northern) filed a proposed stipulation and agreement in settlement of the proceedings in the above-styled dockets, with certain specific issues to be reserved for decision by the Administrative Law Judge.

On April 26, 1971, Northern filed revised tariff sheets providing increased rates of \$18,323,823 annually to its jurisdictional customers over the then pending Docket No. RP70-43 filed rates. By order issued August 3, 1971, the Commission approved a settlement which resulted in rates below those initially filed by Northern in Docket No. RP70-43. As a result of the August 3, 1971, order in Docket No. RP70-43, Northern filed substitute lower rates in the Docket No. RP71-107 proceeding. The difference in annual revenues between the Commission approved Docket No. RP70-43 settlement rates and the Docket No. RP71-107 substitute rates is \$22,758,944. Such last mentioned rates have been collected, subject to refund, since November 14, 1971. Subsequently, on May 19, 1972, Northern filed in Docket No. RP72-127 revised tariff sheets providing an increase in annual jurisdictional revenues of \$36,003,942 for jurisdictional zone sales above the revenues based on the Docket No. RP71-107 filed rates and additionally providing an increase of \$292,738 over the revenues at the then effective contract rates for jurisdictional field sales. The proposed Stipulation and Agreement provides a total increase of approximately \$38,732,000 in annual jurisdictional revenues, above the revenues based on the RP70-43 approved rates, for zone sales in both Dockets Nos. RP71-107 and RP72-127. No reduction would be made for jurisdictional field sales.

The proposed stipulation and agreement also provides, inter alia, for the inclusion of Alberta, Canada, and Montana gas prepayments and the related carrying charges and certain other gas acquisition projects in Northern's rate base; a provision for an annual rate adjustment to reflect changes in costs of research and development expendi-

tures; an increase in depreciation rates; provision for cost of service treatment for Northern's gas acquisition and exploration efforts in the Hugoton-Anadarko Area; the disposition of the demand charge and group billing issues; and, the reservation of certain interest capitalized issues for decision by the Administrative Law Judge and the Commission.

In addition, the issue raised by Northern's continued use of liberalized depreciation with normalization for accounting and rate purposes with respect to eligible pre-1970 property and post-1969 nonexpansion property is reserved in Docket Nos. RP71-107 (Phase II) and RP72-127 for further determination.

The proposed stipulation and agreement is on file with the Commission and is available for public inspection. Comments with respect to the proposed stipulation and agreement may be filed with the Commission on or before February 7, 1973. Any replies thereto may be filed on or before February 21, 1973.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-1850 Filed 1-30-73;8:45 am]

[Docket No. RP73-63]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Order Establishing Date for Prehearing Conference and Granting Petitions To Intervene

JANUARY 22, 1973.

On September 17, 1972, Natural Gas Pipeline Company of America (Natural) filed in Docket No. RP73-63 for authorization pursuant to the provisions of section 16 of the Natural Gas Act and § 1.7 of the Commission's rules of practice and procedure to (1) price gas produced from leases acquired by Natural prior to October 7, 1969, at the applicable area rate for gas of comparable quality and vintage instead of the cost of service basis, (2) permit and require Natural to expend monies from a revolving exploration fund, and (3) authorize Natural to adjust the base average purchased gas cost under the Purchased Gas Adjustment Clause (PGA) in Natural's FPC Gas Tariff in order to reflect the change to area rates. Natural requests modification of its PGA provision by eliminating the words: "Cost of company-owned pipeline production from leases acquired after October 7, 1969", and substituting therefore: "company-owned production at area rates."

Notice of Natural's application in Docket No. RP73-63 was issued on December 1, 1972, and was published in the FEDERAL REGISTER on December 7, 1972 (37 FR 26059). December 11, 1972, was set as the last date to file protests or petitions to intervene in the proceeding. Timely petitions to intervene were filed by the following parties:

Associated Natural Gas Co.
Central Illinois Light Co.
Northern Illinois Gas Co.
North Shore Gas Co.
The Peoples Gas, Light & Coke Co.

Iowa-Illinois Gas & Electric Co., Mississippi River Transmission Corp., Illinois Power Co., and Northern Indiana Public Service Co. filed late petitions to intervene. No protest, objection or petition to intervene in opposition to the proposal was filed by any party.

We find that each of the above-named petitioners, including those who filed late, has sufficient interest in these proceedings to warrant intervention, and we shall grant the same.

Natural's estimated cost of produced gas, based on cost of service, for a period of 12 years is \$9,788,169 or 2.55 cents per Mcf. Natural estimates cost of produced gas at area rates of \$55,797,080, a difference of \$46,008,911 or 11.96 cents per Mcf. (It is noted that Natural's estimated area rates in the Hugoton-Anadarko Area at 14.5 cents per Mcf from July 1, 1973, to June 30, 1985, did not consider the expiration of the moratorium on July 1, 1977.) In estimating cost of service for the period July 1, 1973, to June 30, 1985, Natural used a Federal income tax rate of 48 percent, a 22 percent statutory depletion allowance, and a rate of return of 9.17 percent. Natural states that it will maintain appropriate accounts and file annual reports with the Commission describing the results of its financial transactions in the detail desired.

With respect to the "revolving exploration fund", Natural proposes a 12-year period for two reasons: (a) The ability of the existing wells to produce will be diminished at the close of this period; and (b) a definite termination date for authority in order to demonstrate clear compliance with the investment conditions to be attached to said authority. Natural states that any gas reserves found as a consequence from the revolving exploration fund will be dedicated to service for Natural's customers.

Natural states that separate and apart from the program it proposes herein, it will continue to devote substantial sums to exploratory efforts within and without the continental United States. Since 1968, Natural has made advance payments of approximately \$95 million under existing agreements. Also, Natural is involved in development of synthetic gas supplies calling for an additional \$10 million.¹ However, the gas reserves owned by or dedicated to Natural have declined from 14.9 Tcf as of December 31, 1969, to 12.5 Tcf as of December 31, 1971. Natural has curtailed firm deliveries by approximately 253 Bcf since June 1970.

In the proposal as filed Natural has failed to supply the information that the Commission needs to determine the amount of gas reserves that Natural will dedicate. Natural has expressed its proposed exploration fund in dollar amounts only, and makes no estimate of reserves to be found. Natural's filing does not contain a goal for reserves to be found; therefore, if the situation arises, there would be no basis for Natural to make

¹ Natural does not state the amount of money for exploration and development it is now spending.

refund credits to its purchasers for gas not found as a result of the exploratory effort. Additionally, we note that Natural proposes to add moneys to the revolving fund based on the net income after tax deductions from sales of gas from reserves discovered as a result of the exploration efforts. However, the amount to be added to the revolving fund is not expressed in terms of an amount certain per Mcf or barrel of oil. Natural avers that its proposal would provide a substantial continuing commitment of funds toward greater exploration and a more effective use of these funds than would be obtained through the imposition of a refund condition as we provided for in our Opinion No. 626 where we conditionally approved a proposal made by Panhandle Eastern Pipe Line Co. (Docket No. CP71-237, et al., 9/20/72).

We do not believe that Natural's proposal as filed can be approved, but that the issues herein should be set for formal hearing and a prehearing conference should be held in connection therewith. This order will so provide.

The Commission finds:

(1) It is necessary and in the public interest that the proceeding be set for hearing, and that a prehearing conference be held in connection with the issues presented herein.

(2) It is desirable and in the public interest to allow the above-named petitioners to intervene in this proceeding in order that they may establish the facts and the law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, and 16 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act, a public hearing shall be held concerning the issues presented herein.

(B) In order to resolve the questions involved in this proceeding and to expedite the hearing provided for in ordering paragraph A, supra, a prehearing conference shall be held in accordance with § 1.18(c) of the rules of practice and procedure, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington DC 20426, commencing February 8, 1973, at 10 a.m., e.s.t.

(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 convene the prehearing conference in this proceeding.

(D) After convening the prehearing conference provided for herein, the Presiding Administrative Law Judge may recess the same to provide the parties an opportunity for the submission and consideration of facts, or stipulation of facts, at issue in this proceeding.

(E) The Administrative Law Judge may in his discretion grant recesses from time to time if he deems submission of the issues upon stipulated facts to be possible. If no stipulation can be reached

by the parties hereto, after reasonable time and provision has been made for the same, the procedural dates for service of prepared testimony and exhibits, and for hearings on the issues herein shall be fixed by the Administrative Law Judge.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-1851 Filed 1-30-73; 8:45 am]

[Docket No. E-7964]

NORTHERN STATES POWER CO.

Notice of Filing Initial Rate Schedule

JANUARY 24, 1973.

Take notice that Northern States Power Co. (Northern) on April 10, 1972, tendered for filing a proposed Participation Power Agreement between Northern and Minnesota Power & Light Co. (Minnesota). The proposed rate is described in the company's transmittal letter as follows:

Northern States Power Co. agrees to sell to Minnesota Power & Light Co. 15 mw. of power for the period May 1, 1972, through April 30, 1973, and 58 mw. of power for the period June 1, 1972, through May 31, 1973.

The transactions contained in the Agreement are dependent upon the Participation Power Agreement, dated February 23, 1972, by which Northern States agrees to purchase 115 mw. of Participation Power from Union Electric Co. for the period June 1, 1972, through April 30, 1973, filed with the Commission by Union Electric on March 10, 1972, and the Power Agreement, dated December 14, 1971, by which Northern States agrees to purchase 130 mw. of power from Union Electric Co. for the period June 1, 1972, through May 31, 1973, filed with the Commission by Union Electric on March 2, 1972.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 31, 1973. 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.73-1845 Filed 1-30-73; 8:45 am]

[Docket No. RP71-119]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Petition of Missouri Public Service Co. for Extraordinary Relief

JANUARY 26, 1973.

Take notice that on January 17, 1973, Missouri Public Service Co. (M.P.S.) filed a petition with the Commission seeking extraordinary relief in the form of an

order temporarily modifying Panhandle Eastern Pipe Line Co.'s (Panhandle) operating provisions as specified in the interim curtailment plan heretofore approved by the Commission.¹

M.P.S. is a public utility company which purchases natural gas from Panhandle for resale in order to provide natural gas service to a number of communities in Missouri. The City of Marceline, Mo., is a community to which it sells gas on an interruptible basis for use in Marceline's small electric generating plant. M.P.S. provides Marceline's entire electric requirements. M.P.S. completely interrupted service to Marceline on November 14, 1972, and will not resume service until such time as sufficient gas supplies are available from Panhandle.

M.P.S. in its petition alleges that Marceline is a community of about 2,800 people and that its electric generating plant is isolated and that it has no interconnection with any other utility.

M.P.S. further alleges that the Marceline's electric power plant was basically constructed to utilize natural gas as a prime fuel; however, it has this winter due to the interruption of natural gas service utilized only fuel oil. The plant consumes approximately 3,500 gallons of fuel oil a day and Marceline is experiencing difficulty obtaining adequate fuel oil supplies to keep it in operation.²

Marceline has an allocation from its prime supplier of 200,000 gallons for that annual period between November 1, 1972, to October 31, 1973. By January 2, 1973, Marceline had already taken delivery of 140,000 of the aforementioned gallons, and expects to fully utilize the entire allocation from its principal supplier by January 25, 1973, including an allowance of 10 percent overrun. Marceline has further hopes of obtaining a small supplemental supply of approximately 30,000 gallons from other sources. However, Marceline will be forced to shut down in February unless it is able to acquire additional fuel oil or natural gas from other sources to serve its power plant.

M.P.S. in its petition notes that in addition to the obvious direct impact that such an electric shutdown will have on residential customers such other human needs customers as a local hospital, rest homes, public housing developments for senior citizens, schools and a number of businesses would be deprived of essential electric service. It also contends that without electric power, it would not be able to operate its water and sewage systems.

M.P.S. further contends that Marceline has contacted every local fuel oil distributor and several dealers in other States in an effort to obtain fuel oil to meet its requirements. Other than the 30,000 gallons of fuel oil previously noted herein its efforts have proven unsuccessful. Marceline has also contacted the Office of Emergency Preparedness and

¹ Order approving Panhandle's interim curtailment plan in this proceeding was issued on June 20, 1972.

² It has storage capacity for 34,000 gallons of fuel oil.

other Government agencies in order to seek help in its efforts to obtain additional supplies; however, these attempts have not as yet proven successful.

M.P.S. alleges that Marceline has undertaken reasonable steps to reduce fuel oil consumption, including the turning off of street lights and requesting that its citizens reduce the usage of electricity whenever possible. M.P.S. contends that even after taking such measures to conserve its fuel oil Marceline will be required to terminate electric service to its citizens unless additional fuel oil or natural gas can be obtained.

Marceline has requested M.P.S. to supply it with the natural gas needed to run its electric plant from the allotment of gas that it receives from Panhandle. M.P.S. in its petition pointed out that it is unable to accede to this request unless additional supplies of natural gas are made available to it by Panhandle. It contends that if it were to undertake to deliver the volumes of gas required by Marceline to operate its powerplant from its existing allotment from Panhandle, it would be required to reduce service to its firm customers, including high priority residential and small commercial consumers.

M.P.S., in order to meet Marceline's requirements, would require an average of 400 Mcf per day of natural gas from Panhandle over and above the allocation to it under the interim curtailment plan. Marceline evidently will seek an intertie with another electric utility which hopefully would make any similar requests unnecessary in the future. In the light of the aforementioned facts M.P.S. requests that the Commission issue an order requiring Panhandle to deliver to M.P.S., without penalty, an additional 400 Mcf per day over and above the curtailment volume allotted to it by Panhandle in order to deliver the needed volumes to the city of Marceline. It requests that such volumes be made available to meet Marceline's powerplant requirements until that city is either able to obtain sufficient fuel oil supplies or can interconnect its electric system with another power company which can assure it firm and reliable electric service.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 2, 1973, 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 5, 15, and 16 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 or if the Commission on its own review of the matter finds that a grant of the request 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-1836 Filed 1-30-73;8:45 am]

[Docket No. E-7968]

PUBLIC SERVICE COMPANY OF INDIANA

Notice of Cancellation and Replacement of Service Agreement

JANUARY 24, 1973.

Take notice that Public Service Company of Indiana (PSI) on October 26, 1971, tendered for filing copies of a service agreement dated May 17, 1971, between the town of Rockville, Ind., and PSI. PSI stated that this new agreement is to cancel and to replace the service agreement between the town of Rockville and PSI, dated June 4, 1968; such agreement was filed with and approved by the Federal Power Commission under Public Service Company of Indiana, Inc., FPC Electric Tariff—Original Volume No. 1. PSI stated that above-described agreement provides, as shown on Revised Exhibit A, that the town of Rockville will be served and metered at two delivery points, the second delivery point being the substation location at which the company serves Parke County Rural Electric Membership Corp.

PSI requested that the Commission waive compliance with the notice requirements of § 35.3 of the Commission's regulations and permit this filing to become effective on September 2, 1971, the date on which service commenced under the above-described agreement.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 5, 1973. Protests will be considered by the Commission in determin-

ing 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.73-1848 Filed 1-30-73;8:45 am]

[Dockets Nos. RI73-191, RI73-193]

GRAMPIAN CO., LTD., ET AL.

Order Providing for Hearing and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

JANUARY 23, 1973.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in appendix A below.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

¹ Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI73-191..	Gramplan Co., Ltd.....	4	12	Transcontinental Gas Pipe Line Corp. (La Gloria Area, Jim Wells and Brooks Counties, Tex. R.R. District No. 4).	\$5,830	12-29-72		1-30-73	19.0	24.0	
RI73-592..	Ruth Phillips Bisker.....	4	11	do.	17,715	12-29-72		1-30-73	19.0	24.0	

Not used.

*The pressure base is 14.55 p.s.i.a.

* Increase to "new" gas rate.

The question presented here with respect to Gramplan Co., Ltd., and Ruth Phillips Bisker's unilateral increases filed after the expiration of their contracts is whether the subject gas is entitled to the flowing gas rate of 19 cents or the new gas rate of 24 cents established in Opinion No. 595, Docket Nos. AR64-2, et al., issued May 6, 1971.

Gramplan and Bisker contend that the gas being delivered to Transco is that portion of reserves in excess of that which the were required to maintain by the expired contracts and should therefore be considered "new" gas within the terms of Opinion No. 595. The proposed increases should be suspended for 1 day from the expiration of the statutory notice period, pending determination as to whether the gas involved herein is entitled to the new or old gas price.

The producers' proposed increased rates and charges may exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[FR Doc.73-1720 Filed 1-30-73;8:45 am]

[Docket Nos. RI73-185, etc.]

SKELLY OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

JANUARY 18, 1973.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in appendix A below.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regula-

¹ Does not consolidate for hearing or dispose of the several matters herein.

tions pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI73-185..	Skelly Oil Co.....	136	10	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex.).	\$467	12-21-72		6-21-73	21.33	22.0	RI73-12.
RI73-186..	Cities Service Oil Co.....	382	5	El Paso Natural Gas Co. (Washington Ranch Field, Eddy County, N. Mex.) (Permian Basin).	10,500	12-29-72		2-21-73 4-8-73	30.03	30.65	RI73-49. RI73-76.
do.	do.			do.		12-29-72		5-26-73	30.03	30.65	RI73-49. RI73-76.
RI73-187..	Atlantic Richfield Co.....	508	7	El Paso Natural Gas Co. (Vinegarone Field, Val Verde County, Tex., R.R. District No. 1).		12-29-72	1-29-73	Accepted			
do.	do.		8	do.	33,938	12-29-72		3-1-73	15.5581	21.0	
RI73-188..	Union Texas Petroleum a division of Allied Chemical Corp.	49	15	El Paso Natural Gas Co. (Crosby Deep Field, Lea County, N. Mex.) (Permian Basin).	34,418	12-26-72		6-26-73	27.0	31.7149	
RI73-189..	Phillips Petroleum Co.....	509	1	El Paso Natural Gas Co. (South Carlsbad Field, Eddy County, N. Mex.) (Permian Basin).	425,040	12-29-72		6-29-73	27.0	35.0	
RI73-190..	Suburban Propane Gas Corp.	25	10	Northern Natural Gas Co. (Ozona Field, Crockett County Tex.) (Permian Basin).	4,266	12-27-72		2-27-73	16.5619	17.5636	

¹ Increase from a fractured rate to the contractually authorized rate.
² Effective date for acreage covered by Supplement No. 7 which was dated subsequent to Oct. 1, 1968.
³ Includes quality adjustment.
⁴ Applicable to all production except that covered under Supplement No. 3.
⁵ Applicable to production covered under Supplement No. 3. (5 months from date last filed rate becomes ESR.)
⁶ Applicable to production from Number 1 Crosby Deep Well only (Fusselman Formation) pursuant to Supplements No. 16.

⁷ Applicable only to production under Supplement Nos. 2 and 5.
⁸ ESR in Docket No. RI70-1779 insofar as it pertains to production under Supplement No. 5.
⁹ Redetermines rate provisions.
¹⁰ Accepted for filing to be effective on the date shown in the "Effective Date" column.
¹¹ The pressure base is 15.025 p.s.i.a.
¹² Unless otherwise stated, the pressure base is 14.55 p.s.i.a.

The proposed increases of Skelly Oil Co. (insofar as it pertains to production from acreage dedicated prior to October 1, 1968), Union Texas Petroleum, a Division of Allied Chemical Corp., Cities Service Oil Co., and Phillips Petroleum Co., exceed the rate limit for a 1-day suspension and, therefore, are suspended for 5 months.

The other proposed rates involved do not exceed the corresponding rate filing limitation imposed in Southern Louisiana and therefore are suspended for 1 day from the expiration of 60 days' notice or from the proposed effective date, whichever is later.

The producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[FR Doc.73-1721 Filed 1-30-73; 8:45 am]

FEDERAL RESERVE SYSTEM

CENTRAL MORTGAGE CO., INC.

Acquisition of Banks and Merger of a Bank Holding Company

Central Mortgage Co., Inc., Springfield, Mo., 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 50 percent or more of the voting shares of (1) Farmers State Bank of Stover, Stover, Mo., and (2) Jackson County State Bank, Kansas City, Mo. Applicant has also applied for the Board's approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge with Harmon Oil Co., Inc., Warrensburg, Mo., a registered one-bank holding company, and thereby to acquire 50.225 percent of the voting shares of Barton County State Bank, Lamar, Mo., and 4.9 percent of the voting shares of Jackson County State Bank, Kansas City, Mo. Applicant presently owns 4.9 percent of the voting shares of Jackson County State Bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Central Mortgage Co., Inc., is also engaged in the following nonbank activities: (1) Mortgage company operations; (2) insurance agency activities in conjunction with the mortgage company operations; and (3) certain farming activities. In addition to the factors considered under section 3 of the Act (banking factors), the Board will consider the proposal in the light of the company's nonbank activities and the provisions and prohibitions in section 4 of the Act (12 U.S.C. 1843).

In its applications, Central Mortgage Co., Inc., states its intention to separately incorporate its farming activities referred to above and to spin off the shares of the farming enterprise to its present shareholders prior to the proposed section 3(a)(3) acquisitions. In connection with its stated intention, applicant has requested a determination under section 2(g)(3) of the Bank Holding Company Act (12 U.S.C. 1841(g)(3)) that it will not in fact be capable of controlling the farming corporation by virtue of applicant and that corporation having a common director. A separate notice with respect to the requested section 2(g)(3) determination will be published.

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the applications should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 19, 1973.

Board of Governors of the Federal Reserve System, January 22, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-1873 Filed 1-30-73; 8:45 am]

FIRST FLORIDA BANCORPORATION

Order Approving Acquisition of Bank

First Florida Bancorporation, Tampa, Fla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 90 percent or more of the voting shares of Ormond Beach First National Bank, Ormond Beach, Fla. (Bank).

Notice of the application affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the seventh largest banking organization and bank holding company in Florida on the basis of commercial bank deposits, controls 25 banks with aggregate deposits of \$514 million, representing 3.2 percent of total deposits held by all banks in the State. (All banking data are as of December 31, 1971, adjusted to reflect bank holding company formations and acquisitions approved by the Board through November 30, 1972.) Approval of this proposal to acquire Bank (\$39.4 million in deposits) would increase applicant's control of commercial bank deposits in Florida by 0.2 percentage point, and applicant's rank as the State's seventh largest banking organization would not change.

Bank is the third largest of 13 banks operating in the Daytona Beach banking market, which includes the coastal area of Volusia County extending from Ormond Beach southward to New Smyrna Beach and westward to encompass all of Daytona Beach, and controls 15.5 percent of the market's total deposits. As of December 31, 1969, Bank controlled 17.7 percent of market deposits. Also competing with Bank are banking subsidiaries of the second, third, fourth, and fifth largest bank holding companies in the State, which control about 64.3 percent of market deposits. Consummation of this proposal would represent applicant's initial entry into the market and would result in increased competition in the area since it would eliminate the present affiliation between Bank and Volusia County National Bank, a potential competing bank. In addition, Bank under

applicant's control would be in a better position to compete with the banking offices of the four bank holding companies in the market. Applicant's closest subsidiary banking office is located 55 miles southwest of Bank, and no significant existing competition would be eliminated by consummation of the proposal, nor does it appear that meaningful potential competition would be foreclosed because of Florida's restrictive branching laws and the distances involved. Furthermore, it does not appear likely that applicant will enter the market de novo as the Daytona Beach market appears to be well served with population and deposits per bank substantially less than the State averages. On the basis of the record before it, the Board concludes that consummation of the proposed acquisition would not adversely affect competition in any relevant area.

The financial and managerial resources of applicant are generally satisfactory and prospects for the group appear favorable. Applicant proposes to improve the present financial and managerial conditions of Bank by providing additional capital to Bank and by furnishing such managerial assistance as Bank requires. Accordingly, banking factors lend weight to approval of the application. Major banking needs of the relevant area are presently being served, and no new services are proposed by applicant. However, applicant proposes to strengthen Bank's competitive position by enabling Bank to improve its existing services. Considerations relating to the convenience and needs of the area to be served are therefore consistent with approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before February 22, 1973 or (b) later than April 23, 1973, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,¹ effective January 23, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-1875 Filed 1-30-73; 8:45 am]

FIRST RAILROAD & BANKING COMPANY OF GEORGIA

Determination Regarding "Grandfather" Privileges

Section 4 of the Bank Holding Company Act (12 U.S.C. 1843) provides certain privileges ("grandfather" privileges) with respect to nonbanking activities of a company that, by virtue of the 1970

¹ Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, Sheehan, and Bucher.

amendments to the Bank Holding Company Act, became subject to the Bank Holding Company Act. Pursuant to section 4(a)(2) of the Act, a "company covered in 1970" may continue to engage, either directly or through a subsidiary, in nonbanking activities that such a company was lawfully engaged in on June 30, 1968 (or on a date subsequent to June 30, 1968, in the case of activities carried on as a result of the acquisition by such company or subsidiary, pursuant to a binding written contract entered into on or before June 30, 1968, of another company engaged in such activities at the time of the acquisition), and has been continuously engaged in since June 30, 1968 (or such subsequent date).

Section 4(a)(2) of the Act provides, inter alia, that the Board of Governors of the Federal Reserve System may terminate such grandfather privileges if, having due regard to the purposes of the Act, the Board determines that such action is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. With respect to a company that controls a bank with assets in excess of \$60 million on or after December 31, 1970, the Board is required to make such a determination within a 2-year period.

Notice of the Board's proposed review of the grandfather privileges of First Railroad & Banking Company of Georgia, Augusta, Ga., and an opportunity for interested persons to submit comments and views or request a hearing, has been given (37 FR 22414 and 25204). The time for filing comments, views, and requests has expired, and all those received have been considered by the Board in light of the factors set forth in section 4(a)(2) of the Act.

On the evidence before it, the Board makes the following findings. First Railroad & Banking Company of Georgia, Augusta, Ga. (Registrant), became a bank holding company on December 31, 1970, as a result of the 1970 amendments to the Act, by virtue of Registrant's ownership of more than 99 percent of the outstanding voting shares of Georgia Railroad Bank & Trust Company, Augusta, Ga. (Bank) (assets of \$192 million, as of December 31, 1970). Registrant was organized in 1953 to acquire Georgia Railroad & Banking Company, Augusta, Ga. (Georgia Railroad) and, upon acquisition of Georgia Railroad in 1954, gained control of Bank, almost all of whose shares were owned by Georgia Railroad. Bank had total deposits of about \$186 million (as of June 30, 1972), representing about 2 percent of total deposits in commercial banks in Georgia. Based on deposits within the Augusta market as of June 30, 1972, Bank is the largest banking institution in the market with about 44 percent of deposits there. Bank's management, financial condition, and prospects appear to be satisfactory and the Board has found no evidence of any unsound banking practices.

Registrant (consolidated assets of about \$217 million as of December 31,

1971) engages directly in acquiring, and holding for development, property contiguous to its railroad yards in Augusta and has been engaged in this activity continuously since before June 30, 1968. In addition, Registrant has three nonbanking subsidiaries, which are engaged in nonbanking activities that appear eligible for grandfather benefits, namely, Georgia Railroad, First Georgia Development Corporation, Atlanta, Ga. (Development Corporation), and First Georgia Building Corporation, Augusta, Ga. (Building Corporation).

Georgia Railroad (incorporated in 1833) conducted both a banking and railroad business until 1881 when the railroad properties, together with controlling stock interests in two railroads, were leased. Thereupon, Georgia Railroad became a nonoperating carrier with a banking division which in 1892 was incorporated as Bank. Continuously since 1881, Georgia Railroad has been a nonoperating carrier and lessor of the properties and securities which it owns. Development Corporation (80 percent of voting shares of which are held by Registrant) was formed in 1964 to develop the real property of Georgia Railroad that was no longer required for railroad purposes. The real estate activities of Registrant and its subsidiaries have been confined to acquiring and holding for development property contiguous to its railroad yards in Augusta, to owning and leasing railroad property, and to promoting development (as distinguished from engaging in development) of its property no longer required for railroad purposes. Building Corporation (a wholly owned subsidiary of Registrant formed in 1966) provides service personnel for Bank's buildings. The activities of Building Corporation appear to be exempt under the provisions of section 4(c)(1) of the Bank Holding Company Act and, on that basis, no grandfather privileges under the proviso in section 4(a)(2) of the Act are needed to enable Registrant to continue such activities.

In addition, Registrant has minority interests entitled to grandfather benefits in three other corporations: CSRA Capital Corp., Augusta, Ga. (acquired in 1962); Strawberry Hill, Inc., Augusta, Ga. (acquired in May 1968); and State Real Estate Investment Trust, Greenwood, S.C. (acquired in 1964). CSRA Corp. is a small business investment company (11.9 percent of whose shares are owned by Bank) and Registrant's investment appears to be exempt under the provisions of section 4(c)(5) of the Act and § 225.4(c) of Regulation Y, and, on that basis, no grandfather privileges are needed to enable Registrant to continue such investment. Strawberry Hill, Inc. (about 14 percent of which was acquired by Registrant in May 1968), was formed as a community project to develop a tract of land adjacent to Fort Gordon, Ga., to provide adequate housing for military personnel. When the project is completed, Strawberry Hill Corp. is expected to be dissolved. Finally, through Georgia Railroad, Registrant holds about 13 per-

cent of shares of State Real Estate Investment Trust, a small, closely held real estate investment trust. Neither Georgia Railroad nor Registrant has any role in the management of the Trust and the shares are held solely as an investment. There appears to be no reason to require Registrant to terminate its investments in Strawberry Hill or in State Real Estate Investment Trust.

On the basis of the foregoing and all the facts before the Board, it appears that the volume, scope, and nature of the activities of Registrant and its subsidiaries, do not demonstrate an undue concentration of resources, decreased or unfair competition, conflicts of interest, nor unsound banking practices.

There appears to be no reason to require Registrant to terminate its grandfathered interests. It is the Board's judgment that, at this time, termination of the grandfather privileges of Registrant is not necessary in order to prevent an undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. However, this determination is not authority to enter into any activity that was not engaged in on June 30, 1968, and continuously thereafter, or any activity that is not the subject of this determination. Nor is this determination authority for Registrant to engage in land development, or to engage in the general real estate business, or to acquire additional shares of any company if the Registrant's holdings in said company will exceed 5 percent of the outstanding voting shares of such company.

A significant alteration in the nature or extension of Registrant's activities or a change in location thereof (significantly different from any described in this determination) will be cause for a reevaluation by the Board of Registrant's activities under the provisions of section 4(a)(2) of the Act, that is, whenever the alteration or change is such that the Board finds that a termination of the grandfather privileges is necessary to prevent an undue concentration of resources or any of the other evils designated in the Act. No merger, consolidation, acquisition of assets other than in the ordinary course of business, nor acquisition of any interest in a going concern, to which the Registrant or any nonbank subsidiary thereof is a party may be consummated without prior approval of the Board. Further, the provision of any credit, properly, or service by the Registrant or any subsidiary thereof shall not be subject to any condition which, if imposed by a bank, would constitute an unlawful tie-in arrangement under section 106 of the Bank Holding Company Act Amendments of 1970.

The determination herein does not preclude a later review by the Board of Registrant's nonbank activities and a future determination by the Board in favor of termination of grandfather benefits of Registrant. The determination herein is subject to the Board's authority to require modification or termination of the activities of Registrant or any

of its nonbanking subsidiaries or of Registrant's grandfathered investments as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasions thereof.

By determination of the Board of Governors,¹ effective January 22, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.
[FR Doc.73-1787 Filed 1-30-73;8:45 am]

MEMPHIS TRUST CO.

Determination Regarding "Grandfather" Privileges Under Bank Holding Company Act

Section 4 of the Bank Holding Company Act (12 U.S.C. 1843) provides certain privileges ("grandfather" privileges) with respect to nonbanking activities of a company that, by virtue of the 1970 Amendments to the Bank Holding Company Act, became subject to the Bank Holding Company Act. Pursuant to section 4(a)(2) of the Act, a "company covered in 1970" may continue to engage, either directly or through a subsidiary, in nonbanking activities that such a company was lawfully engaged in on June 30, 1968 (or on a date subsequent to June 30, 1968, in the case of activities carried on as a result of the acquisition by such company or subsidiary, pursuant to a binding written contract entered into on or before June 30, 1968, of another company engaged in such activities at the time of the acquisition), and has been continuously engaged in since June 30, 1968 (or such subsequent date).

Section 4(a)(2) of the Act provides, inter alia, that the Board of Governors of the Federal Reserve System may terminate such grandfather privileges if, having due regard to the purposes of the Act, the Board determines that such action is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. With respect to a company that controls a bank with assets in excess of \$60 million on or after December 31, 1970, the Board is required to make such a determination within a 2-year period.

Notice of the Board's proposed review of the grandfather privileges of Memphis Trust Co., Memphis, Tenn., and an opportunity for interested persons to submit comments and views or request a hearing, has been given (37 FR 22414 and 25204). The time for filing comments, views, and requests has expired, and all those received have been considered by the Board in light of the factors set forth in section 4(a)(2) of the Act.

On the evidence before it, the Board makes the following findings. Memphis Trust Co., Memphis, Tenn. (Registrant) became a bank holding company on De-

cember 31, 1970, as a result of the 1970 Amendments to the Act, by virtue of Registrant's ownership of 100 percent of the outstanding voting shares of Memphis Bank & Trust Co., Memphis, Tenn. (Bank) (assets of approximately \$62 million, as of Dec. 31, 1970). Registrant's total consolidated assets amounted to less than \$85 million on December 31, 1971. Registrant also owns 22 percent of the voting shares of Farmers and Merchants Bank, Bruce, Miss. and 24.8 percent of the First National Bank, Southaven, Miss.² Bank, control of which was acquired by Registrant in February 1952. had total deposits of approximately \$68 million as of December 31, 1971, representing about 3 percent of the total deposits in the seven commercial banks in Memphis. Each of five of said seven banks is affiliated with a bank holding company. Bank ranks fourth among the 14 banking organizations in the Memphis banking market. Bank's management, financial condition, and prospects are regarded as generally satisfactory.

Registrant was engaged on June 30, 1968, and has been engaged continuously thereafter, in the following activities: the acquisition and leasing of real property for use by the holding company and its subsidiaries, the sale of commercial paper to finance holding company operations, the investment of 5 percent or less in the shares of various corporations, the operation of an industrial loan company, the financing of dealer inventories, buying installment notes from businesses, extending short-term credit to businesses, making first and second mortgage real estate loans, and leasing personal property. Income from all these sources amounts to about 7 percent of Registrant's total operating income. In addition, Registrant has four nonbanking subsidiaries,³ namely, Memphis Trust Insurance Agency, Memphis, Tenn. (assets of \$100,000),⁴ acquired in 1960, Memphis Bank Building Corp., Memphis, Tenn. (assets of about \$2 million), acquired in 1960, Central Guardian Life Insurance

¹ An interlock of directors between this bank and Registrant as well as an interlock of directors between Registrant and Financial Development Co., a registered bank holding company owning more than 50 percent of the shares of the Southaven Bank, is being reviewed by the Board. Registrant contends that it owns no shares of Financial Development Co. and that the company is in no way subject to control or a controlling influence by Registrant. Registrant disclaims control of each of the banks in which Registrant owns a minority interest.

² During 1971, two of Registrant's nonbanking subsidiaries, namely, Alabama Industrial Bank, Birmingham, Ala. (acquired in 1967), and Guardian Discount Co., Columbus, Ga. (acquired in 1957), were merged with a third nonbanking subsidiary, Trust Company of Tennessee, Memphis, Tenn., which company in turn merged with Memphis Trust Co. As a result of these transactions, a substantial portion of the consumer loan and finance business previously conducted by the merged companies was liquidated and the remaining activities are direct activities of Registrant.

³ Asset figures for Registrant's subsidiaries are as of Dec. 31, 1971.

Co., Memphis, Tenn. (assets of less than \$2 million), acquired in 1960, and Guardian Data Service & Supply Co., Memphis, Tenn. (assets of \$200,000), acquired in 1966. Through its subsidiaries, Registrant engages in writing all forms of life insurance, operation of a general insurance agency and brokerage business, providing bookkeeping and accounting services, selling, leasing, and distributing office furniture and equipment, providing data processing and printing services, holding real estate for present and future banking locations, and providing maintenance and construction services for the Registrant and its subsidiaries.

To the extent that Registrant engages in activities to serve the holding company or its subsidiaries such as the purchase of property for use by the Registrant or its subsidiaries or the selling of commercial paper to provide financing for the holding company system, such activities appear to warrant an exemption under section 4(c)(1)(C) of the Act.⁴ Bank wholly owns Memphis Bank Building Corp., which holds real estate and provides maintenance and construction services for the holding company. This activity appears to be entitled to a section 4(c)(1)(C) exemption. The investment in shares of a company to a level of 5 percent or less is also exempt under the Act.⁵

The remaining direct nonbanking activities of Registrant appear to be limited in scope. As indicated earlier, Registrant's income from all its direct activities accounts for about 7 percent of Registrant's total income which, for the year 1971, was reported to be \$814,000.

Applicant claims that the major portion of insurance written and placed by its subsidiaries engaged in insurance activities is through, or in connection with, the other activities of the holding company or its subsidiaries. Approximately 250 insurance companies and 150 insurance agencies have offices in the Memphis area. Registrant's subsidiary that is engaged in selling and leasing office supplies and furniture and providing data processing and printing services competes with more than 40 data processing firms, 50 office supply and equipment companies and 125 printing firms serving the Memphis area.

On the basis of the foregoing and all the facts before the Board, it appears that the volume, scope, and nature of the activities of Registrant and its subsidiaries do not demonstrate an undue concentration of resources, decreased or unfair competition, conflicts of interest nor unsound banking practices.

⁴ Section 4(c)(1)(C) of the Act enables a holding company to acquire (without Board approval) "(1) shares of any company engaged * * * solely in * * * (C) furnishing services to or performing services for such bank holding company or its banking subsidiaries; * * *".

⁵ Section 4(c)(6) enables a holding company to acquire (without Board approval) "shares of any company which do not include more than 5 percent of the outstanding voting shares of any company."

There appears to be no reason to require Registrant to terminate its grandfathered interests. It is the Board's judgment that, at this time, termination of the grandfather privileges of Registrant is not necessary in order to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. However, this determination is not authority to enter into any activity that was not engaged in on June 30, 1968, and continuously thereafter, or any activity that is not the subject of this determination. Nor is this determination authority for Registrant to acquire additional shares in any company if the Registrant's holdings in said company will exceed 5 percent of the outstanding shares of such company.

A significant alteration in the nature or extension of Registrant's activities or a change in location thereof (significantly different from any described in this determination) will be cause for a reevaluation by the Board of Registrant's activities under the provisions of section 4(a)(2) of the Act, that is, whenever the alteration or change is such that the Board finds that a termination of the grandfather privileges is necessary to prevent an undue concentration of resources or any of the other evils designated in the Act. No merger, consolidation, acquisition of assets other than in the ordinary course of business, nor acquisition of any interest in a going concern, to which the Registrant or any nonbank subsidiary thereof is a party, may be consummated without prior approval of the Board. Further, the provision of any credit, property, or service, by the Registrant or any subsidiary thereof shall not be subject to any condition which, if imposed by a bank, would constitute an unlawful tie-in arrangement under section 106 of the Bank Holding Company Act Amendments of 1970.

The determination herein does not preclude a later review by the Board of Registrant's nonbank activities and a future determination by the Board in favor of termination of grandfather benefits of Registrant. The determination herein is subject to the Board's authority to require modification or termination of the activities of Registrant or any of its nonbanking subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasions thereof.

By determination of the Board of Governors,* effective January 23, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-1874 Filed 1-30-73;8:45 am]

*Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, and Bucher. Absent and not voting: Governor Sheehan.

PAN AMERICAN BANCSHARES, INC.

Proposed Acquisition of Atico Financial Corp.

Pan American Bancshares, Inc., Miami, Fla., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Atico Financial Corp., Miami, Fla. Notice of the application was published on November 15, 1972, in the Miami Review and Daily Record, a newspaper circulated in Miami, Fla.

In addition to foreign activities which are subject to Board approval under section 4(c)(13) of the Bank Holding Company Act (12 U.S.C. 1843(c)(13)) in accordance with the procedures set forth in § 225.4(f) of Regulation Y, applicant states that the proposed subsidiary and its subsidiaries would engage in the activity of acting as investment adviser to Atico Mortgage Investments, a publicly owned real estate investment trust. Such activity has been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b). In addition, applicant states that the proposed subsidiary and its subsidiaries would engage in the activity of inspecting the progress of real estate construction projects and disbursing progress payments principally in connection with loans originated or serviced by bank or nonbank subsidiaries of applicant. Such activity may be permissible for bank holding companies pursuant to section 4(c)(1)(C) of the Bank Holding Company Act (12 U.S.C. 18(c)(1)(C)) or § 225.4(a) of Regulation Y, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Applicant further states that the proposed subsidiary and its subsidiaries would engage in the activity of acting as insurance agent as permissible under § 225.4(a)(9)(i), (ii) of Regulation Y. Among the types of insurance the proposed subsidiary would sell are (a) insurance for applicant and its subsidiaries, and (b) the issuance of homeowner's coverage in connection with real estate mortgage loans made through Atico Mortgage Corp., a mortgage banking company wholly owned by a subsidiary of applicant. Under certain circumstances specified in the Board's interpretation (12 CFR 225.128) of § 225.4(a)(9) of Regulation Y, such activities may be permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competi-

tion, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 19, 1973.

Board of Governors of the Federal Reserve System, January 22, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-1786 Filed 1-30-73;8:45 am]

PATAGONIA CORP.

Proposed Acquisition of Western American Mortgage Co. and Western American Insurance Agency

Patagonia Corp., Tucson, Ariz., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire all of the voting shares of Western American Mortgage Co. and Western American Insurance Agency, both in Phoenix, Ariz. Notice of the applications was published on November 18, 1972, in The Arizona Republic and The Tucson Daily Citizen, newspapers circulated, respectively, in Phoenix and Tucson, Ariz.

Applicant states that the proposed subsidiaries would engage in the following activities: Western American Mortgage Co. would engage in originating residential mortgages and mortgages on commercial real estate for sale to permanent investors; servicing of mortgages for permanent investors; and interim lending for land development and construction financing where the loan will be sold to a permanent investor. Western American Insurance Agency would engage in the sale of fire and casualty insurance on the improvements covered by loans originated by Western American Mortgage Co. and of credit life and health and accident insurance to those mortgagors to the extent of the balance of the credit extended; sale of insurance to Western American Mortgage Co., its subsidiaries and employees; and sale of insurance sold as a matter of convenience to the purchaser. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the

public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 19, 1973.

Board of Governors of the Federal Reserve System, January 22, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-1785 Filed 1-30-73;8:45 am]

REDWOOD BANCORP

Order Approving Acquisition of National Mortgage Co.

Redwood Bancorp, San Rafael, Calif., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of National Mortgage Co., Salt Lake City, Utah, a company that engages in the activity of mortgage banking and acting as agent for the sale of credit life, accident and health insurance and property insurance directly related to extensions of credit. Such activities have been determined by the Board to be closely related to the business of banking (12 CFR 225.4(a)(1) and (9)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (37 FR 25257). The time for filing comments and views has expired and none has been timely received.

Applicant was incorporated in 1972 for the purpose of acquiring Redwood Bank (deposits of \$48.6 million)¹, San Rafael, Calif. Applicant now owns all the outstanding shares of Redwood Bank (Bank), with the exception of the directors' qualifying shares. Bank operates five offices in the San Francisco Bay area and ranks fifth among the 10 banks serving Marin County, its principal market, where it holds 7.6 percent of the total commercial deposits. Its share of State-wide deposits amounts to but 0.1 percent. Bank is engaged in mortgage lending throughout the nine counties of the San Francisco Bay area, where it competes with a large number of lenders. In the

first 9 months of 1972, Bank originated approximately \$11.7 million in mortgage loans, or 0.2 percent of the total mortgage recordings in the bay area counties. As of September 29, 1972, Bank's outstanding mortgage loans approximated \$9.7 million, of which \$722,000 were held for resale to institutional investors.

National Mortgage Co. (Company) is a small family-owned business engaged in the origination and servicing of mortgage loans through offices located in Salt Lake City, Utah; Tucson, Ariz.; and Idaho Falls, Idaho. During its most recent fiscal year, Company's Tucson office originated \$10.1 million in mortgage loans, while its Salt Lake office originated \$2.1 million. Company's Idaho Falls office services mortgage loans but has not originated any new loans in the past 3 years. Company is not a major competitor in any of the mortgage loan markets in which it competes. It ranks twentieth among mortgage lenders in both the Salt Lake City and Pima County, Ariz., markets.

Since Applicant and Company do not compete in the same mortgage loan markets, the proposed acquisition would eliminate no direct competition. Moreover, the two institutions are not likely to compete in the future due to their small size and the intervening distances. The Board therefore concludes that consummation of the proposed acquisition would have no adverse effects on mortgage lending in any of the local markets. Due to the limited nature of its insurance activities, it does not appear that Company's engagement in such activities would have any significant effect on either existing or potential competition.

It is anticipated that the proposed acquisition would enable Applicant to provide capital and managerial skill to Company which would expand Company's range of services and also permit it to compete for significantly larger mortgage loans. The Board concludes that these public benefits are a positive factor in terms of public needs and convenience.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(a) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,² effective January 18, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-1876 Filed 1-30-73;8:45 am]

² Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, Sheehan, and Bucher.

SOUTHEASTERN BANCORP, INC.

Formation of One-Bank Holding Company

Southeastern Bancorp, Inc., New Bedford, Mass., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares of Southeastern Bank and Trust Co., New Bedford, Mass. 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 Boston. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than February 12, 1973.

Board of Governors of the Federal Reserve System, January 23, 1973.

TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-1877 Filed 1-30-73;8:45 am]

FEDERAL TRADE COMMISSION

[Doc. F 3-71]

CHILDREN'S SLEEPWEAR

Policy and Interpretation Relative to Items in Inventory or as to Recordkeeping Requirements

The Standard for the Flammability of Children's Sleepwear [Doc FF 3-71] was published in the FEDERAL REGISTER on July 29, 1971, at 36 FR 14062 et seq. The Notice of Standard provided at 36 FR 14063 that "Items in inventory or with the trade on the effective date of the Standard are exempt. All concerned parties shall be required to maintain records that these items offered for sale after the effective date of the Standard are eligible for the exemption."

The Children's Sleepwear Standard was amended on July 21, 1972, at 37 FR 14624 et seq. to incorporate a sleepwear sampling plan therein and to make certain nonsubstantive technical corrections as to the test equipment. The effective date remained the same. In issuance of such amendment the Notice of Amendment specified at 37 FR 14625 that "It is emphasized that the only substantive change made to the standard involves the amendment necessary to include the sampling plan."

The Notice of Amendment did not repeat the language in the original 1971 Notice of Standard relative to items in inventory or as to recordkeeping requirements.

Questions have arisen under this standard as to the application of the standard to goods manufactured outside the United States prior to the effective date of the standard on July 29, 1972, as to whether a person claiming the exemption specified in the standard must maintain records showing eligibility for exemption from the standard.

In the Commission's view, the provisions of the July 29, 1971, Notice of Standard as to exemption of items of

¹ Deposit data are as of June 30, 1970.

children's sleepwear in inventory or with the trade on the effective date of the standard and as to the necessity of maintenance of records to show eligibility for such exemption are in full force and effect.

By direction of the Commission dated January 24, 1973.

[SEAL] CHARLES A. TOBIN,
Secretary.
[FR Doc.73-1830 Filed 1-30-73;8:45 am]

FOREIGN-TRADE ZONES BOARD

[Order 92]

TOLEDO, OHIO

Notice of Contiguous Expansion of Trade Zone

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. sections 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) has adopted the following order:

Whereas, the Toledo-Lucas County Port Authority Grantee of Foreign-Trade Zone No. 8, was issued a grant for the establishment, operation, and maintenance of Foreign-Trade Zone No. 8, Toledo, Ohio, on October 11, 1960 (Board Order No. 51);

Whereas, said Grantee filed with the Board on October 6, 1972, an application requesting authority to contiguously expand the area of Foreign-Trade Zone No. 8 to include a warehouse building which covers approximately 69,900 square feet;

Whereas, notice of said application was published in the FEDERAL REGISTER on October 14, 1972 (37 FR 21878) and opportunity has been afforded all interested parties to submit their views;

Whereas, an Examiners Committee has investigated the application in accordance with the Regulations and recommends approval thereof;

Whereas, the requested expansion of the zone area is necessary to accommodate new and existing zone users and for more efficient operation of the zone; and

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the Regulations are satisfied and that approval of the application is in the public interest;

Now, therefore, the Foreign-Trade Zones Board hereby orders:

That the Grantee is authorized to contiguously expand the boundary of Foreign-Trade Zone No. 8, Toledo, Ohio, in conformity with Exhibits 1-13 of the application filed with the Board on October 6, 1972. The authority given in this order is subject to local approval of the District Director of Customs and the District Army Engineer regarding compliance with their requirements relating to foreign-trade zones. The Grantee shall prenotify the Board's Executive Secretary for clearance concerning any proposal to use the expanded zone area for manufacturing operations prior to their commencement.

Signed at Washington, D.C., this 22d day of January 1973.

PETER G. PETERSON,
Secretary of Commerce, Chairman and Executive Officer,
Foreign-Trade Zones Board.

Attest: JOHN J. DaPONTE, Jr.,
Executive Secretary.

[FR Doc.73-1809 Filed 1-30-73;8:45 am]

NATIONAL SCIENCE FOUNDATION COMMITTEE MANAGEMENT

Notice of Determination

The National Science Foundation, established by Public Law 81-507 as an independent agency of the Federal Government, utilizes advice and recommendations of advisory committees in carrying out its functions and activities.

The Federal Advisory Committee Act, Public Law 92-463, which became effective January 5, 1973, sets forth standards and procedures for the formation, use, conduct, management, and accessibility to the public of committees established to advise and assist the Federal Government. Section 10 of the Act specifies that each advisory committee meeting shall be open to the public, except any advisory committee meeting which the President, or the head of the agency to which the committee reports, determines is concerned with matters listed in the Freedom of Information Act, section 552(b) of title 5, United States Code.

It is established Foundation policy in administering the Freedom of Information Act to make fullest possible disclosure of records to the public, limited only by obligations of confidentiality and administrative necessity. Consistent with this policy the Foundation will open to the public as many advisory committee meetings as possible.

However, Foundation advisory committees, while engaged in the review, discussion, and evaluation of grant or contract proposals and projects, or in the evaluation of grantee and contractor performance should not be required to hold open meetings. The Foundation has historically assured the privacy of certain types of information submitted in confidence to the Foundation by prospective grantees and contractors in support of proposals and projects. This information may include such matters as details relating to the type or design of work to be performed, adequacy of the applicant's facilities, competence of the proposed grantee's or contractor's staff, proposed budget, commercial or financial information and other material which would not otherwise be disclosed. Such information is furnished to the Foundation with reliance that it will be treated on a privileged or confidential basis and not disclosed to the public. Opening to the public the deliberations of committees reviewing and evaluating these proposals and projects as part of the selection process for awards would obviously involve disclosure of this information.

Moreover, to operate most effectively, the review and evaluation process requires that members of committees considering such matters be free to engage in full and frank discussion and to provide unhampered advice and recommendations regarding the merits of specific scientific proposals and projects. If the process were not to continue on a confidential basis, potential grantees and contractors would not furnish information in such detail as is essential for complete and effective review. In addition, if the proceedings of these committees were open to public participation, the Foundation would be unable to secure open and candid advice as to the awarding of grants, contracts, fellowships and other arrangements.

Pending grant and contract proposals, and detailed records of deliberations of the committees reviewing them are presently exempt from mandatory disclosure under the Freedom of Information Act (5 U.S.C. 552).

In the interest of meeting the Foundation's obligations of confidentiality of matters submitted as part of grant and contract proposals and encouraging candid expression of opinion concerning the merits of grant and contract proposals and the evaluation of grantee and contractor performance, so essential to the review process:

It is hereby determined in accordance with the provisions of section 10(d) of the Federal Advisory Committee Act:

(1) Advisory committee meetings devoted to consideration of grant and contract proposals and projects are concerned with matters listed in section 552(b) of title 5, United States Code; and

(2) The public interest requires that such matters not be disclosed so that the Foundation may continue to receive information and advice necessary to appropriate decisions with respect to grant and contract matters.

Therefore, until December 31, 1973, meetings or portions thereof of all Foundation advisory committees devoted solely to review, discussion, and evaluation of grant or contract proposals, and projects or performance by grantees and contractors shall not be open to the public.

Each such committee shall issue a report at least annually setting forth a summary of its activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5, United States Code. The Foundation official having cognizance for each respective committee shall be responsible for the preparation of the committee report.

All other advisory committee meetings shall be open to the public unless the Director or his designee determines otherwise in accordance with section 10(d) of the Act.

Dated: January 15, 1973.

H. GUYFORD STEVER,
Director.

[FR Doc.73-1781 Filed 1-30-73;8:45 am]

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

ADVISORY BOARD

Notice of Meeting

Notice is hereby given pursuant to the Federal Advisory Committee Act, section 10(a)(2), dated October 6, 1972, that a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation will be held in Department of Transportation Conference Rooms A, B, C, 8th Floor, Federal Building, 800 Independence Avenue, Washington, DC on February 28, 1973.

Established under Public Law 358 (68 Stat. 92), approved on May 13, 1954, the Advisory Board consists of five members who advise the Administrator regarding Corporation programs and policies as they relate to the overall effective operation and development of the St. Lawrence Seaway.

The meeting will be open to the public from 9 a.m. to 12 noon with the following agenda:

- (1) Opening remarks by the Administrator;
- (2) Review of Seaway Operations—1972 Season;
- (3) Vessel Traffic Control Program;
- (4) Development Programs:
 - (a) winter navigation
 - (b) icebreaker deployment
 - (c) Great Lakes shipping matters.

The meeting will be closed to the public from 2 p.m. to 6 p.m. in accordance with the Administrator's determination dated January 22, 1973.

The agenda items are as follows:

- (1) Review of the Tariff of Tolls;
- (2) International matters;
- (3) Legal and legislative review.

Because of limited space, attendance at the open session is set at 60 persons. Reservations and further information may be obtained from Mr. Robert Kraft, Special Assistant to the Administrator, Office of the Administrator, Saint Lawrence Seaway Development Corporation, Room 812, Building 10-A, 800 Independence Avenue, Washington, DC 20590 or by calling 202-426-3574.

Issued on January 24, 1973.

[SEAL] D. W. OBERLIN,
Administrator.

[FR Doc.73-1890 Filed 1-30-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

ACCURATE CALCULATOR CORP.

Order Suspending Trading

JANUARY 24, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.01 par value, and all other securities of Accurate Calculator Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from January 25, 1973 through February 3, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-1882 Filed 1-30-73;8:45 am]

[70-5301]

CONSOLIDATED NATURAL GAS CO.

Proposal by Holding Company To Act as Surety

JANUARY 24, 1973.

Notice is hereby given that Consolidated Natural Gas Co. (Consolidated), 30 Rockefeller Plaza, New York, N.Y. 10020, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating section 12(b) of the Act and Rule 45 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

On September 22, 1972, Hope Natural Gas Co., a Division of Consolidated's wholly owned public-utility subsidiary company, Consolidated Gas Supply Corp. (Supply Corporation) filed revisions in its rate schedules with the Public Service Commission of West Virginia providing for increased rates and charges approximating \$7,200,000 per year for furnishing natural gas service in the State of West Virginia. By action of the State commission, the effectiveness of the new rates was suspended until February 19, 1973. The new rates may now become effective upon the filing by Supply Corporation of a bond in the amount of \$7,200,000 with satisfactory surety, for the due and proper payment of any refunds to customers which the State commission may order. The State commission has indicated that Consolidated may act as surety on such bond. Consolidated proposes, without fee or other consideration, to act as surety on the bond of Supply Corporation to save the cost of securing an outside corporate surety.

The fees and expenses incurred by Supply Corporation in connection with the proposed transaction are estimated at \$2,250, including charges of \$200 for the services of Consolidated Natural Gas Service Co., Inc., Consolidated's wholly owned service company. The declaration states 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 February 14, 1973, 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, DC 20549. A copy of such request should be served personally or by mail (airmail 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 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 notice of further developments 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] RONALD F. HUNT,
Secretary.

[FR Doc.73-1883 Filed 1-30-73;8:45 am]

[File No. 500-1]

FIRST LEISURE CORP.

Order Suspending Trading

JANUARY 24, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.10 par value and all other securities of First Leisure Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from January 26, 1973 through February 4, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-1884 Filed 1-30-73;8:45 am]

[File No. 500-1]

FIRST WORLD CORP.

Order Suspending Trading

JANUARY 24, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the Class A and Class B Common stocks, \$0.15 par value,

and all other securities of First World Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from January 25, 1973 through February 3, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-1885 Filed 1-30-73;8:45 am]

[File No. 500-1]

LILAC TIME, INC.

Order Suspending Trading

JANUARY 24, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.05 par value, and all other securities of Lilac Time, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from January 25, 1973 through February 3, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-1886 Filed 1-30-73;8:45 am]

[File No. 500-1]

MARCON ELECTRONICS CORP.

Order Suspending Trading

JANUARY 23, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$1 par value, and all other securities of Marcon Electronics Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from 11 a.m. (e.s.t.) January 23, 1973 through February 1, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-1887 Filed 1-30-73;8:45 am]

[File No. 500-1]

PELOREX CORP.

Order Suspending Trading

JANUARY 24, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.10 par value, and all other securities of Pelorex Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from January 26, 1973 through February 4, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-1888 Filed 1-30-73;8:45 am]

[812-3344]

SIGMA TRUST SHARES AND WILLIAM L. KINGMAN

Filing of Application

JANUARY 24, 1973.

Notice is hereby given that Sigma Trust Shares (Fund), 10 Post Office Square, Boston, MA 02110, and William L. Kingman (Kingman), as Trustee for Charles F. Eaton Unitrust for Mary A. Alley Hospital (Alley Hospital Trust) and as Trustee for Charles F. Eaton Unitrust for The Middlesex School (Middlesex School Trust) (hereinafter referred to collectively as "Applicants"), c/o Franklin Management Co., 10 Post Office Square, Boston MA 02110, have filed an application pursuant to section 17(b) of the Investment Company Act of 1940 (Act) for an order exempting from section 17(a) of the Act a transaction whereby Kingman, as trustee for the Alley Hospital Trust and Middlesex School Trust, will sell to the Fund and then repurchase from the Fund an aggregate of \$12,000 face amount of 7½ percent debentures of H. P. Hood & Sons, Inc., due February 1, 2001 (the "Debentures"). The sale will be at a net price of \$82 per Debenture, and the repurchase at \$83.50 per Debenture. All interested persons are referred to the application on file with the Commission for a statement of Applicants' representations which are summarized below.

The Fund, a trust created under the laws of Massachusetts, is registered as an open-end, diversified, management investment company under the Act. Kingman is a member of the Board of Trustees of the Fund, and the sole trustee for two charitable unitrusts, the Alley Hospital Trust and the Middlesex School Trust. Kingman has no beneficial interest, direct or indirect, in either trust.

On December 31, 1971, the Fund owned \$80,000 face amount of Debentures,

which have not been registered with the Commission, and for which registration is not presently contemplated. As of December 31, 1971, the Debentures were evaluated by Paine, Webber, Jackson & Curtis at \$82 per \$100 face amount. This evaluation was ratified by the Trustees of the Fund at their regular quarterly meeting of January 25, 1972.

On January 8, 1972, Kingman purchased from the Fund \$9,000 face amount of Debentures for the Alley Hospital Trust. The purchase price of \$7,380 was at the value established for purposes of the Fund's December 31, 1971 financial statements (\$82 per Debenture) and ratified by the Trustees of the Fund on January 25, 1972.

On February 7, 1972, Kingman purchased from the Fund \$3,000 face amount of Debentures for the Middlesex School Trust. The purchase price of \$2,460 was also at the value ratified by the Fund's Trustees on January 25, 1972. Mr. Kingman thus purchased the Alley Hospital Trust and Middlesex School Trust for which he acted as sole trustee, an aggregate of \$12,000 face amount of Debentures from the Fund for \$9,840.

Section 17(a) of the Act provides, among other things, that it shall be unlawful for any affiliated person of a registered investment company, acting as principal, knowingly to purchase from such registered investment company any security or other property (except securities of which the seller is the issuer), unless an application regarding such transaction has been granted by the Commission.

Although Kingman, as trustee, was an affiliated person of the Fund at the time of these transactions, neither the Fund nor Kingman applied for an exemption from the provisions of section 17(a) since they believed that Kingman was not acting as "principal" as that term is used in section 17(a).

In order to avoid any question which might be raised as to the propriety of the two transactions which have taken place, Kingman now proposes to sell the Debentures back to the Fund at a net price of \$82 per Debenture, and further proposes immediately to repurchase said Debentures from the Fund at the appraised value most recently established on September 30, 1972, by Paine, Webber, Jackson & Curtis (\$83.50 per Debenture), and ratified by the Trustees of the Fund on October 17, 1972.

There will be no charges or fees associated with the sale and repurchase other than applicable state transfer fees which will be paid by the seller in each of the transactions and legal fees to be borne by each party. The proposed transactions were approved by the Fund's Board of Trustees on October 17, 1972 (Kingman abstaining).

Applicants believe that the issuance of an exemptive order in connection with this proposed sale and purchase is appropriate in the public interest because the terms of the proposed transaction are reasonable and fair to the Fund and

Kingman and do not involve any overreaching on the part of the Fund or Kingman for the reasons that:

(a) As restricted securities with little or no market, the Debentures are not considered an appropriate investment for the Fund by its Trustees.

(b) The proposed sale of the Debentures at the appraised value most recently established by Paine, Webber, Jackson & Curtis and ratified by the Trustees of the Fund is reasonable and fair to both parties.

(c) Kingman has no beneficial interest in either of the two charitable trusts for which he acts as trustee.

(d) The proposed transactions offer both parties an opportunity to confirm a transaction whereby Kingman acquired for the two charitable trusts and the Fund disposed of a substantial part of the Fund's holdings of Debentures at a price which was advantageous to both parties.

(e) The proposed transactions enable the parties to confirm a transaction which was negotiated at arms length between two separate distinct persons, and only involved a violation of the Act by reason of the misinterpretation of the term "principal."

The Fund represents that the prior sale was and that the proposed purchase and sale will be consistent with its policy as recited in its registration statement and reports filed under the Act and both Applicants believe that the transactions are consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than February 20, 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 of fact or law proposed to be controverted, or he may request that he be notified if the Commission should 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 (airmail 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 case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued 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 notice of further developments 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]

RONALD F. HUNT,
Secretary.

[FR Doc.73-1889 Filed 1-30-73;8:45 am]

SMALL BUSINESS ADMINISTRATION GULF INVESTMENT CORP.

Notice of Application for a License To Operate as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1972)) under the name of Gulf Investment Corp. (GIC), 115 East Van Buren Street, Harlingen, TX 78550, for a license to operate in Texas as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (the Act), and the rules and regulations promulgated thereunder.

The proposed officers, directors and shareholders are as follows:

Dial M. Dunkin, Chairman of the Board, 1009 East Parkwood, Harlingen, TX 78550.
Rollins M. Koppel, President, Director, 1616 Sam Houston, Harlingen, TX 78550.
Robert B. Dunkin, Vice President, Director, 410 Retama, Harlingen, TX 78550.
Griffith R. Tees, Jr., Secretary, Treasurer, Director, 602 East Arroyo Drive, Harlingen, TX 78550.
Robert A. McAllen, Director, Route 1, Box 190, Weslaco, TX 78596.
Edward H. Starr, Jr., Director, 1802 East Washington Street, Harlingen, TX 78550.

There will be two (2) classes of stock, namely common stock (1,800,000 shares authorized) and preferred stock (200,000 shares authorized). The voting power for the election of directors for the corporation and for all other purposes shall be vested exclusively in the holders of the common stock, and except as otherwise provided by law, the holders of the shares of preferred stock shall not have any voting power. The company proposes to commence operation with a capitalization of \$210,000 consisting of 210,000 shares of common stock. The proposed beneficial owners of the 210,000 shares of common stock are as follows:

Name	Number	Percent
Cameron Life Insurance Co. ¹	75,000	35.7
Rollins M. Koppel—Attorney—Harlingen	50,000	23.7
Mr. and Mrs. Alan Golden—(brother-in-law and sister of Koppel)	5,000	2.4
Mr. and Mrs. Charles Davis—(brother-in-law and sister of Koppel)	5,000	2.4
Jack Skaggs—Attorney—Harlingen	25,000	11.9
Albert Wolf—Harlingen	25,000	11.9
John Tucker—Doctor—San Benito	10,000	4.8
Hidalgo Bank & Trust Co.—Mercedes	10,000	4.8
Dan Miller—Brownsville	5,000	2.4

¹ Cameron Life Insurance is owned by Mr. Dial M. Dunkin, proposed Director and Chairman of the Board.

Applicant proposes to conduct its operations in the State of Texas and in other areas within the United States of America and its territories and possessions as may from time to time be approved by the SBA as its operating territory. Matters involved in SBA's consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company in accordance with the Act and regulations.

Notice is further given that any interested person may, not later than 15 days from the date of publication of this notice, submit to SBA, in writing, relevant comments on the proposed licensing of this company. Any such communications should be addressed to: Associate Administrator for Operations and Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416.

A copy of this notice shall be published by the proposed Licensee in a newspaper of general circulation in Harlingen, Tex.

Dated: January 18, 1973.

DAVID A. WOLLARD,
Associate Administrator
for Operations and Investment.

[FR Doc.73-1780 Filed 1-30-73;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-73-7]

CRANSTON PRINT WORKS CO.

Notice of Application for Variance

Notice is hereby given that Cranston Print Works Co., Fletcher, N.C. 28732, has made application pursuant to section 6(b)(6)(A) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1594; 29 U.S.C. 655) and 29 CFR 1905.10 for temporary variances from the standards prescribed in 29 CFR 1910.219 (e) and (f), pertaining to belt, rope, and chain drives, and to gears, sprockets, and chains, and in 29 CFR Part 1910.262(dd) (1) and (2), pertaining to nip guards and crown wheel and roller nip protection.

The applicant states that the addresses of the printing facilities that are directly affected by this application are as follows:

Cranston Print Works Co., Webster Division, Webster, Mass. 01570.
Cranston Print Works Co., Fletcher Division, Fletcher, N.C. 28732.

The applicant certifies that a summary of the application has been posted on a bulletin board in each printing machine area, and that a complete copy of the application has been sent to the personnel office at each plant and to the employee representatives at the following locations:

Webster Local 1751, Textile Workers Union of America, AFL-CIO, Webster, Mass.

Local 1355 T.W.U.A., AFL-CIO, Post Office Box 184, Skyland, NC 28776.
Machine Printers and Engravers Association, 172 Taunton Avenue, East Providence, RI 02914.

The applicant represents that due to the unusual design and construction of its roller type printing machines and due to the particular type of operations in which these machines are used, no protective devices which would guard these machines to the extent demanded by these regulations have ever been developed. Thus, the applicant is requesting a variance until February 15, 1973, for its Fletcher Division, and a variance until May 31, 1973, for its Webster Division, in order to have more time to develop effective guarding systems for the printing machines at each plant.

The following steps have been taken to provide temporary protection pending development of effective guarding systems.

1. Some fitting gears were provided with steel plates bolted to their outer edge and extending radially to a line beyond the line of engagement of the teeth of the fitting gear with the teeth of the star gear. This is alleged to provide protection against side entry into the nips;

2. The outer surfaces of all the fitting gears are painted bright red in order to call attention to the fact that there is a hazard and that caution should be exercised in working around the gears;

3. A "New Employee Safety Orientation" sheet is attached to every new employee's timecard. He takes this to his supervisor, who then discusses with him the various aspects of safety in the Print Room and in the operation of the print fitting gears.

The applicant further states that it has tried other means of protection which have either proved much less effective and/or interfered with the operation of the machines. Finally, the applicant states that it has contacted machinery manufacturing companies in its effort to develop a more effective means of protection.

A copy of the application will be made available for inspection and copying upon request at the Office of Standards, Room 500, 400 First Street NW., Washington, DC 20210, and at the following regional and area offices: U.S. Department of Labor, Occupational Safety and Health Administration, 1375 Peachtree Street NE., Suite 587, Atlanta, GA 30309; Occupational Safety and Health Administration, 1361 East Morehead Street, Charlotte, NC 28204; OSHA, JFK Federal Building, Room E-308, Boston, Mass. 02203; and OSHA, Custom House Building, State Street, Boston, Mass. 02109.

Interested persons are invited to submit written data, views, and arguments regarding the application for variances prior to March 2, 1973. In addition, employers and employees who believe they would be affected by a grant or denial of any of the variances may request a hearing on the application prior to March 2,

1973, in conformity with the requirements of 29 CFR 1905.15. Submissions of written comments and requests for a hearing should be in quadruplicate, and shall be addressed to the Office of Standards at the above address.

Signed at Washington, D.C., this 26th day of January 1973.

CHAIN ROBBINS,
Acting Assistant
Secretary of Labor.

[FR Doc.73-1898 Filed 1-30-73;8:45 am]

WISCONSIN DEVELOPMENTAL PLAN

Notice of Submission of Plan and Availability for Public Comment

1. *Submission and description of plan.* Pursuant to section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667 and § 1902.11 of Title 29, Code of Federal Regulations), notice is hereby given that an Occupational Safety and Health Plan for the State of Wisconsin has been submitted to the Assistant Secretary of Labor for Occupational Safety and Health. The Assistant Secretary has preliminarily reviewed the plan, and hereby gives notice that the question of approval of the plan is in issue before him.

The plan identifies the Department of Industry, Labor, and Human Relations as the State agency designated by the Governor of the State to administer the plan. It defines the covered occupational safety and health issues as defined by the Secretary of Labor in 29 CFR 1902.2 (c)(1). It provides a description of personnel employed under a merit system; the coverage of employees of political subdivisions; procedures for the prompt restraint or elimination of imminent danger situations; and procedures for the development and promulgation of standards, including standards for protection of employees against new and unforeseen hazards. Under the authority of existing legislation the Department of Industry, Labor, and Human Relations has full authority to enforce and administer laws respecting safety and health of employees in all workplaces of the State with the exception of domestic services and agriculture.

As stated in the plan, existing legislation further provides the State with the authority through the adoption of administrative rules to bring the plan into conformity with the requirements of 29 CFR Part 1902 in areas such as procedures for variances and the protection of employees from hazards; insuring inspections in response to complaints; giving employer and employee representatives an opportunity to accompany inspectors in order to aid inspections; notification of employees or their representatives when no compliance action is taken as a result of alleged violations, including informal review; notification of employees of their

protections and obligations; protection of employees against discharge or discrimination in terms and conditions of employment; adequate safeguards to protect trade secrets, and provision for prompt notice to employers and employees of alleged violations of standards and abatement requirements. The plan includes draft legislation to be considered by the Wisconsin Legislature during its 1973 session. Under the proposed legislation the State will revise its existing system of sanctions against employers for violations of standards; amend present procedures for employer right of review and employee participation in review proceedings; and authorize coverage of agriculture.

Included in the plan is a statement of the Governor's support for the proposed legislation and a statement of legal opinion that it will meet the requirements of the Occupational Safety and Health Act of 1970, and is consistent with the constitution and laws of Wisconsin. The plan sets out goals and provides a timetable for bringing it into full conformity with Part 1902.

2. *Location of plan for inspection and copying.* A copy of the plan may be inspected and copied during normal business hours at the following locations: Office of Federal and State Operations, Occupational Safety and Health Administration, Room 305, Railway Labor Building, 400 First Street NW., Washington, DC 20210; Regional Administrator, Occupational Safety and Health Administration, Department of Labor, 300 South Wacker Drive, Room 1201, Chicago, IL 60606; and the Department of Industry, Labor, and Human Relations, Division of Industrial Safety and Buildings, 201 East Washington Avenue, Madison, WI 53702. Copies of the plan may be obtained at the expense of the person(s) requesting the copies.

3. *Public participation.* Interested persons are hereby given until February 28, 1973, in which to submit to the Assistant Secretary written data, views, and arguments concerning the plan. The submissions are to be addressed to the Director, Office of Federal and State Operations, Occupational Safety and Health Administration, Railway Labor Building, Room 305, U.S. Department of Labor, Washington, D.C. 20210. The written comments will be available for public inspection and copying, at the expense of the person(s) requesting such copies, at the above address.

Any interested person(s) may request an informal hearing concerning the proposed plan, or any part thereof, whenever particularized written objections thereto are filed by February 28, 1973. If the Assistant Secretary finds that substantial objections are filed, he shall hold a formal or informal hearing on the subjects and issues involved.

The Assistant Secretary of Labor for Occupational Safety and Health shall thereafter consider all relevant comments and arguments presented and issue his decision as to approval or disapproval of the plan.

Signed at Washington, D.C., this 23d day of January 1973.

CHAIN ROBBINS,
Acting Assistant Secretary
of Labor.

[FR Doc.73-1825 Filed 1-30-73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 166]

ASSIGNMENT OF HEARINGS

JANUARY 26, 1973.

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. No amendments will be entertained after the date of this publication.

Correction

MC-113843 Sub 184, Refrigerated Food Express, Inc., now being assigned hearing March 21, 1973 (3 days), at Boston, Mass., in a hearing room to be later designated, instead of March 23, 1973.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1867 Filed 1-30-73;8:45 am]

[Notice 167]

ASSIGNMENT OF HEARINGS

JANUARY 26, 1973.

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. No amendments will be entertained after the date of this publication.

MC-123383 Sub 61, Boyle Brothers, Inc., now assigned January 30, 1973, at Washington, D.C., is canceled and the application is dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1868 Filed 1-30-73;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 26, 1973.

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 § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed on or before February 15, 1973.

FSA No. 42608—Joint water-rail container rates—Orient Overseas Line, Inc. Filed by Orient Overseas Line, Inc. (No. 1), for itself and interested rail carriers. Rates on general commodities, between ports in Japan, Korea, Hong Kong, and Taiwan, on the one hand, and rail carriers terminals on the U.S. Atlantic and Gulf coasts, on the other.

Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1860 Filed 1-30-73;8:45 am]

[Notice No. 3]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 26, 1973.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before March 2, 1973.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-42487 (Deviation No. 98), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94015, filed January 16, 1973. Carrier's representative: V. R. Oldenburg, Post Office Box 5138, Chicago, IL 60680. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Interstate Highway 70 to junction U.S. Highway 63 at or near Columbia, Mo., thence over U.S. Highway 63 to Macon, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Kansas City, Kans., over U.S. Highway 69 to junction U.S. Highway 36, thence over U.S. Highway 36 via Monroe City, Mo., to Indianapolis, Ind., and return over the same route.

No. MC-42487 (Deviation No. 99), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94015, filed January 16, 1973. Carrier's representative: V. R. Oldenburg, Post Office Box 5138, Chicago, IL 60680. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Birmingham, Ala., over Interstate Highway 59 to junction Interstate Highway 24 to Chattanooga, Tenn., thence over U.S. Highway 27 to junction Tennessee Highway 61, near Little Emory, Tenn., thence over Tennessee Highway 61 to junction U.S. Highway 25W, at or near Clinton, Tenn., thence over U.S. Highway 25W to junction Interstate Highway 75, near Lake City, Tenn., thence over Interstate Highway 75 to Lexington, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: from Birmingham, Ala., over U.S. Highway 31 to Ardmore, Tenn., thence over Tennessee Highway 110 to Fayetteville, Tenn., thence over U.S. Highway 231 to Murfreesboro, Tenn., thence over U.S. Highway 41 to Nashville, Tenn., thence over U.S. Highway 31W to Elizabethtown, Ky., thence over U.S. Highway 62 to Lexington, Ky., and return over the same route.

No. MC-59957 (Deviation No. 13), MOTOR FREIGHT EXPRESS, Post Office Box 1029, York, PA 17405, filed January 16, 1973. Carrier's representative: Walter M. F. Neugebauer, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle,

of general commodities, with certain exceptions, over a deviation route as follows: From Port Matilda, Pa., over U.S. Highway 322 to Woodland, Pa., thence over Pennsylvania Highway 970 to junction Interstate Highway 80, thence over Interstate Highway 80 to Youngstown, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) from Youngstown, Ohio, over U.S. Highway 422 to Portersville, Pa., thence over U.S. Highway 19 to Pittsburgh, Pa., and (2) from Port Matilda, Pa., over U.S. Highway 220 to Hollidaysburg, Pa., thence over U.S. Highway 22 to Pittsburgh, Pa., and return over the same routes.

No. MC-59957 (Deviation No. 14), MOTOR FREIGHT EXPRESS, Post Office Box 1029, York, PA 17405, filed January 16, 1973. Carrier's representative: Walter M. F. Neugebauer, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Cleveland, Ohio, over Ohio Highway 14 to junction Ohio Highway 82 at or near Twinsburg, Ohio, thence over Ohio Highway 82 to Warren, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: Between Cleveland, Ohio, and Warren, Ohio, over U.S. Highway 422.

No. MC-89723 (Deviation No. 24), MISSOURI PACIFIC TRUCK LINES, INC., 210 North 13th Street, St. Louis, MO 63103, filed January 17, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Henderson, Tex., over U.S. Highway 259 to junction U.S. Highway 59 (north of Nacogdoches), thence over U.S. Highway 59 to Houston, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Longview, Tex., over U.S. Highway 259 to Henderson, Tex., thence over U.S. Highway 79 to Round Rock, Tex., thence over U.S. Highway 81 to Laredo, Tex., and (2) from Palestine, Tex., over U.S. Highway 287 to Crockett, Tex., thence over Texas Highway 19 to Huntsville, Tex., thence over U.S. Highway 75 to Houston, Tex., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1855 Filed 1-30-73;8:45 am]

[Notice No. 3]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 26, 1973.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before March 2, 1973.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC-44770 (Deviation No. 1), ZEPHYR LINES, INCORPORATED, 1114 Currie Avenue, Minneapolis, MN 55403, filed November 6, 1972, as amended January 16, 1973. Carrier's representative: Joseph J. Dudley, West 1260 First National Bank Building, St. Paul, Minn. 55101. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: (1) From Minneapolis, Minn., over Interstate Highway 94 to St. Paul, Minn., thence over Interstate Highway 35E to junction Minnesota Highway 36, thence over Minnesota Highway 36 to the St. Croix River, thence across the St. Croix River to junction Wisconsin Highway 64, (2) from St. Paul, Minn., over Interstate Highway 35E to junction Interstate Highway 694, thence east over Interstate Highway 694 to junction U.S. Highway 61, thence over U.S. Highway 61 to Forest Lake, Minn., (3) from Minneapolis, Minn., over U.S. Highway 12 to junction Interstate Highway 494, thence over Interstate Highway 494 to junction Minnesota Highway 5, thence over Minnesota Highway 5 to Gaylord, Minn., and (4) from Minneapolis, Minn., over Interstate Highway 35W to junction Minnesota Highway 62, thence over Minnesota Highway 62 to junction U.S. Highway 212.

Thence over U.S. Highway 212 to junction Minnesota Highway 5, thence over

Minnesota Highway 5 to Gaylord, Minn., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows:

(1) From Minneapolis, Minn., over Minnesota Highway 212 to the St. Croix River, thence across the St. Croix River to junction Wisconsin Highway 64, thence over Wisconsin Highway 64 to junction U.S. Highway 63, thence over U.S. Highway 63 to Ashland, Wis., (2) from St. Paul, Minn., over U.S. Highway 61 to Forest Lake, Minn., thence over U.S. Highway 8 to junction Wisconsin Highway 35, thence over Wisconsin Highway 35 to Webster, Wis., and (3) from Minneapolis, Minn., over Minnesota Highway 7 to junction Minnesota Highway 41, thence over Minnesota Highway 41 to junction Minnesota Highway 5, thence over Minnesota Highway 5 to Gaylord, Minn., thence over Minnesota Highway 19 to Marshall, Minn., thence over Minnesota Highway 68 to Canby, Minn., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1854 Filed 1-30-73;8:45 am]

[Notice No. 8]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 26, 1973.

The following publications¹ are governed by the new § 1100.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 128944 (Sub-No. 12) (clarification), filed July 10, 1972, published FEDERAL REGISTER, issue of August 17, 1972, and republished as clarified this issue. Applicant: RELIABLE TRUCK LINES, INC., 402 Maplewood Avenue, Nashville,

¹ Except as otherwise specifically noted, each applicant (on applications filed after Mar. 27, 1972) states that there will be no significant effect on the quality on the human environment resulting from approval of its application.

TN 37210. Applicant's representative: James Clarence Evans, 1800 Third National Bank Building, Nashville, Tenn. 37219. Note: The application as originally published, sought authority over 4 specified regular routes: 1. between Atlanta, Ga., and Tupelo, Miss.; 2. between Guin, Ala., and Tupelo, Miss.; 3. between Birmingham, Ala., and all points within 15 miles thereof, and Tupelo, Miss., and 4. between Tusculumbia, Ala., and Tupelo, Miss. The original publication failed to set forth that applicant seeks to serve all intermediate points on specified routes in the State of Mississippi, and the off-route point of plantsite of Blue Bell, Inc., located about 3 miles north of Tupelo, Miss. The rest of the application remains as previously published, except application has been restrictively amended to delete therefrom any reference to off-route points in the Mississippi counties of Tishomingo, Alcorn, and Prentiss.

HEARING: Remains as assigned before Joint Board No. 340, on the 12th day of February 1973 (1 week), at 9:30 a.m., U.S. standard time, at the Natchez Trace Inn, 3400 West Main Street, at Tupelo, MS, and on the 20th day of February 1973 (1 week), at 9:30 a.m., U.S. standard time, at the Guest House Motor Inn, 18th Street at 10th Avenue, Birmingham, Ala.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1100.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-11618. (Amendment) (O'DONNELL'S EXPRESS—Purchase (Portion)—E. J. SCANNELL, INC.), published in the January 16, 1972, issue of the FEDERAL REGISTER on page 16582. By amendment filed January 17, 1973. Operating rights sought to be transferred: *General commodities*, with exceptions, as a *common carrier*, over regular routes, between Boston, and Haverhill, Mass., between Boston, and Lowell, Mass., between Boston, and Attleboro, Mass., between Boston, and Blackstone, Mass., between Boston, and Beverly, Mass., between Boston, and New Bedford, Mass., between Boston, and Webster, Mass., between Providence, and Woonsocket, R.I., between Providence, and Bristol, R.I., between Providence, and Westerly, R.I., between Lowell, Mass., and Providence, R.I., between Lawrence, Mass., and Woonsocket, R.I., between Boston, Mass., and Westerly, R.I., between New Bedford, Mass., and Providence, R.I., between Boston, Mass., and Providence, R.I., between Haverhill, Mass., and Putnam, Conn., between New Bedford, Mass., and New London, Conn.; *general commodities*, with exceptions, over irregular routes, between Boston, Mass., on the one hand, and, on the other, points and

places in Massachusetts, between Boston, Mass., and points and places within 12 miles of Boston, on the one hand, and, on the other, points and places in Connecticut and Rhode Island.

NOTICE

M V R HOLDING CORPORATION; BERNARD J. O'TOOLE AND MARY A. O'TOOLE of 290 Armistice Boulevard, Pawtucket, RI 02861, represented by Mr. Neal Holland, Sherburne, Powers & Needham, 225 Franklin Street, Boston, MA 02110, seeks by the application in Finance Docket No. 27260, to purchase the stock and acquire control of the Moshassuck Valley Railroad Co. Applicants' will continue to operate the 1.9 miles of the main line between Pawtucket and Lincoln, R.I. In the opinion of the applicants' this proposal will have no ascertainable effect on the quality of the human environment. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the date of first publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 73-1858 Filed 1-30-73; 8:45 am]

[Notice No. 9]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 23, 1973.

The following are notices of filing of applications² for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

² 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.

MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Sub-No. 429 TA) filed January 10, 1973. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44302. Applicant's representative: James W. Conner (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving the facilities of the Tappan Co. at or near Oberlin, Ohio as an off-route point, for 180 days. Note: Applicant states it will tack with lead certificate MC 2202 and all subs thereto and will effect interchange at all points served. Supporting shipper: Tappan, Air Conditioning Division, 206 Woodford Avenue, Elyria, Ohio 44035. Send protests to: Franklin D. Bail, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 29886 (Sub-No. 290 TA) filed January 11, 1973. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, IN 46621. Applicant's representative: Charles Pieroni (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck tractors* in initial truckaway service; from the plantsite of Daybrook-Ottawa Division Gulf & Western Metals Forming Co., in Bowling Green, Ohio to points in the United States (except Alaska and Hawaii) for 180 days. Supporting shipper: Daybrook-Ottawa Division Gulf & Western Metals Forming Co., 1175 North Main Street, Bowling Green, Ohio 43402. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 26296 (Sub-No. 69 TA) filed January 11, 1973. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, Post Office Box 990, Livingston, MT 59047. Applicant's representative: Wayne Waggoner (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products*, from points in Mineral County, Mont., to points in California and Nevada, for 180 days. Supporting shipper: Superior Wood Treat Products, Post Office Box 493, Superior, MT 59872. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 112801 (Sub-No. 140 TA) filed January 11, 1973. Applicant: TRANSPORT SERVICE CO. (a corporation), Post Office Box 50272, 5100 West 41st Street, Chicago, IL 60650. Applicant's representative: Albert A. Andrin, 29 South

La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Residual fuel oil*, from Kansas City, Kans., to Lincoln, Nebr., for 180 days. Supporting shipper: Richard Gillis, regional production manager, Archer Daniels Midland Co., Lincoln, Nebr. Send protests to: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 113908 (Sub-No. 252 TA) filed January 11, 1973. Applicant: ERICKSON TRANSPORT CORPORATION, Post Office Box 3180, Glenstone Station, 2105 East Dale Street, Springfield, MO 65804. Applicant's representative: B. B. Whitehead (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage spirits, alcoholic liquors and neutral spirits*, in bulk, in tank vehicles, from Auburndale and Lake Alfred, Fla., to points in Connecticut, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, Ohio, and Pennsylvania, *None*: (Applicant does not intend to transport (1) Brandy and wine, from Lake Alfred, Fla., to points in Illinois, Indiana, Michigan, Minnesota, New Jersey, and Ohio; (2) brandy and wine and rum, from Lake Alfred, Fla., to points in Pennsylvania; (3) brandy and rum, from Lake Alfred, Fla., to Baltimore, Gwynnbrook, and Relay, Md.; (4) alcoholic liquors, from Auburndale, Lake Alfred, and Winterhaven, Fla., to Peoria, Ill., and Schaefferstown, Pa.; (5) alcoholic liquors (rum), from Lake Alfred, Fla., to Cincinnati, Ohio; and (6) beverage spirits, from Lake Alfred, Fla., to Linden, N.J.), for 180 days. Supporting shipper: Jacquelin-Florida Distilling Co., Auburndale, Fla. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 116763 (Sub-No. 234 TA), filed January 8, 1973. Applicant: CARL SUBLER TRUCKING, INC., Route 92, Box 215, Auburndale, FL 33823. Applicant's representative: H. M. Richters, North West Street, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs*, except frozen and commodities in bulk, from the plantsite of the J. M. Smucker Co. at Memphis, Tenn., to points in Iowa and Nebraska, for 180 days. Supporting shipper: The J. M. Smucker Co., Orrville, Ohio 44667. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Building, 550 Main Street, Cincinnati, OH 45202.

No. MC 127239 (Sub-No. 12 TA), filed January 11, 1973. Applicant: UNIVERSAL BOW TRANSPORT, INC., Post Office Box 276, Concord Industrial Park (business address), Concord, NH 03301. Applicant's representative: Francis E.

Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Packaging and paperboard cartons*, knocked down, from Lumberton, N.C., to points in the United States (except Alaska and Hawaii); (2) *paperboard*, from Demopolis, Ala., and Silsbee, Tex., to Lumberton, N.C.; and (3) *wax* (except in bulk), from Beaumont, Tex., and Cicero, Ill., to Lumberton, N.C., restricted to a transportation service to be performed under a continuing contract with Universal Packaging Corp. of Bow, N.H., for 180 days. Supporting shipper: Universal Packaging Corp., Post Office Box 176, Concord, NH 03301. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, Concord, N.H. 03301.

No. MC 129350 (Sub-No. 24 TA), filed January 10, 1973. Applicant: CHARLES E. WOLFER, doing business as EVERGREEN EXPRESS, 410 North 10th Street, 59101, Post Office Box 212, Billings, MT 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires, tubes*, from Dayton, Ohio, to Butte, Helena, and Missoula, Mont., with return or rejected and returnable tires and tubes, from Butte, Missoula, and Helena, Mont., to Dayton, Ohio, for 180 days. *None*: Applicant does intend to join with service as proposed in this application to be joined with service now rendered under MC 129350 Sub-No. 4. Supporting shipper: B. L. M. Tires, Inc., Post Office Box 12, Billings, MT 59103. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 73-1856 Filed 1-30-73; 8:45 am]

[Notice No. 10]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 24, 1973.

The following are notices of filing of applications¹ for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FED-

¹ 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.

ERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 75830 (Sub-No. 11 TA), filed January 15, 1973. Applicant: INTERCITY TRANSPORT & MOTOR CO., Liggett Avenue, Box 88, Buckhannon, WV 26201. Applicant's representative: John A. Pillar, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail variety stores, and equipment, materials and supplies used in the conduct of such business (except commodities in bulk), from the facilities of G. C. Murphy Co. located in the city of McKeesport, Allegheny County, Pa., to the District of Columbia; Annapolis, Baltimore, Bel Air, Cumberland, Frostburg, Glen Burnie, Hancock, Hyattsville, Landover, Oxon Hill, Rockville, Salisbury, Silver Spring, Westernport, and Westminster, Md.; and Alexandria, Annandale, Arlington, Culpeper, Danville, Franklin, Hampton, Lynchburg, Manassas, Newport News, Richmond, Roanoke, Vinton, Virginia Beach, and Woodbridge, Va.; and the commercial zone of each of the above named points, under a continuing contract or contracts with G. C. Murphy Co. of McKeesport, Pa., for 180 days. Supporting shipper: G. C. Murphy Co., 531 Fifth Avenue, McKeesport, PA, Attention: Oscar C. Lindecamp, general traffic manager. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3108 Federal Building, 500 Quarrier Street, Charleston, WV 25301.

No. MC 115924 (Sub-No. 21 TA), filed January 16, 1973. Applicant: SUGAR TRANSPORT, INC., Post Office Box 4063, Port Wentworth, GA 31407. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molasses*, in bulk, in tank vehicles, from Mobile, Ala., New Orleans, La., and Wilmington, N.C., to Port Wentworth, Ga., under continuing contract, or contracts with Savannah Food & Industries, Inc., Savannah, Ga., for 180 days. Supporting shipper: Savannah Foods & Industries, Inc., Savannah, Ga. 31402. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 117799 (Sub-No. 46 TA), filed January 10, 1973. Applicant: BEST WAY FROZEN EXPRESS, INC., Room 205,

3033 Excelsior Boulevard, Minneapolis, MN 55416. Applicant's representative: K. O. Petrick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, in U.S. Lines Trailers, from New York, N.Y., and Baltimore, Md., to Carthage, Mo., restricted to traffic having a prior movement by water and to shipments destined to Safeway Stores, Inc., Carthage, Mo., for 150 days. Supporting shipper: Safeway Stores, Inc., Post Office Box 2225, Fitchburg Station, Oakland, Calif. 94621. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building, and U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 117815 (Sub-No. 201 TA), filed January 12, 1973. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, IA 50317. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale retail, and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business (except in bulk) between Plainfield, Ill., on the one hand, and, on the other, Benton Harbor, Kalamazoo, Portage, and St. Joseph, Mich., for 180 days.* Supporting shipper: Super Valu Stores, Inc., Post Office Box 990, Minneapolis, MN 55440. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 119961 (Sub-No. 4 TA), filed January 12, 1973. Applicant: MARSHALL MOTOR COACH, INC., 10 South 8th Avenue, Post Office Box 481, Marshalltown, IA 50158. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, except commodities in bulk, between Marshalltown, Iowa, on the one hand, and, on the other, Eldora and Steamboat Rock, Iowa, restricted to shipments having a prior or subsequent movement in rail TOFC service, for 150 days.* Supporting shippers: Whink Products Co., Eldora, Iowa 50627; Harold H. Luiken & Sons, Inc., Steamboat Rock, Iowa 50672. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 125049 (Sub-No. 4 TA), filed January 15, 1973. Applicant: TROINA TRUCKING COMPANY, INC., 24 Entwistle Avenue, Nutley, NJ 07110. Applicant's representative: Bowes & Millner, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular

routes, transporting: *Automobile parts and tools used in the installation of automobile parts, crated and uncrated and display materials used in connection with the sale of automobile parts, from Dayton, N.J., to New York, N.Y., and points in Nassau, Suffolk, Rockland, and Westchester Counties, N.Y., Bucks, Chester, Delaware, Lehigh, Monroe, Montgomery, Northampton, and Philadelphia Counties, Pa., and points in Connecticut, with no transportation for compensation on return except as otherwise authorized, for 180 days.* Restrictions: The operations authorized herein are limited to the transportation service to be performed under a continuing contract, or contracts with Goerlich's Division of Questor Corp.; AP Parts Corp., a subsidiary of Questor Corp.; Columbus Parts Division of AP Parts Corp., and Merit Industries, Division of AP Parts Corp., Toledo, Ohio and Dayton, N.J. Note: Applicant presently provides transportation service to the points involved from Clifton, N.J. Applicant also has temporary authority to continue such service from Dayton, N.J., as it relates to New York and Connecticut points and to Philadelphia and King of Prussia, Pa., limited to service under contract with Goerlich's, Division of Questor Corp. only. Instant application seeks (1) to cover eight named counties in Pennsylvania and (2) to include additional divisions and subsidiaries of Questor Corp. as contracting shippers. Supporting shipper: Automotive Replacement Parts Group, Questor Corp., Toledo, Ohio 43694. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 12547 (Sub-No. 7 TA), filed January 10, 1973. Applicant: ARNOLD SCHMITZ, INC., 1724 East Pioneer Road, Fond du Lac, WI 54935. Applicant's representative: William J. Nuss, Attorney at Law, 104 South Main Street, Fond du Lac, WI 54935. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fruit based beverages and fruit based concentrates and soap products from West Allis, Wis., to Menominee, Mich., including delivery or pickup of Borden products to West Allis, Wis., including delivery or pickup at Borden stations between said points, for 180 days.* Supporting shipper: Borden, Inc., Dairy & Services Division, 1540 South 108th Street, Post Office Box 2600, Milwaukee, WI 53214 (D. K. Baskerville, Vice President, Northern Division). Send protests to: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 134783 (Sub-No. 1 TA), filed January 15, 1973. Applicant: DIRECT SERVICE, INC., Post Office Box 786, Plainview, TX 79092. Applicant's representative: Ronald V. Dreckman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat byproducts and articles distributed by meat processing plants, as*

described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the plant site and storage facility of Plainview Rendering at or near Plainview, Tex., to points in Ohio, Illinois, and Pennsylvania, for 180 days. Supporting shipper: Plainview Rendering, Plainview, Tex. 79072. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395 Herring Plaza, Amarillo, TX 79101.

No. MC 135936 (Sub-No. 13 TA), filed January 12, 1973. Applicant: LIEBMANN TRANSPORTATION CO., INC., Post Office Box 1022, Off. U.S. Highway 65 North, Iowa Falls, IA 50126. Applicant's representative: R. F. Kosek (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packing houses, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from Perry, Iowa, to points in New York, New Jersey, Pennsylvania, Virginia, West Virginia, Connecticut, Rhode Island, Delaware, Vermont, New Hampshire, Massachusetts, Maine, Maryland, and the District of Columbia, for 180 days.* Supporting shipper: Oscar Mayer & Co., Inc., 910 Mayer Avenue, Madison, WI 53701. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 138301 TA, filed January 9, 1973. Applicant: L. & W. QUADE, INC., 4300 East 65th Street, Inver Grove Heights, MN 55075. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, MN 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, such as: dog foods, expanded, milk replacer, from Mankato, Minn., to Fresno, Calif., for 180 days.* Supporting shipper: Hubbard Milling Co., 424 North Front Street, Mankato, MN 56001. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building, and U.S. Courthouse, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 138305 TA, filed January 11, 1973. Applicant: SUN TRUCKING, INC., Building T106, Big Pasco Industrial Park, Pasco, Wash. 99302. Applicant's representative: Hovis, Cockrill & Roy, 316 North Third Street, Post Office Box 437, Yakima, WA 98907. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tobacco products, from Lewiston, Idaho, to Toppenish, Wash., for 180 days.* Note: Applicant states that it does intend to tack with the authority in MC 138305. Supporting shipper: The Confederated Bands and Tribes of the

Yakima Indian Nation, Yakima Indian Reservation, Yakima, Wash. Send protests to: L. D. Boone, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 138313 TA, filed January 15, 1973. Applicant: MACK E. BURGESS, doing business as BUILDERS TRANSPORT, Post Office Box 2805, 409 14th Street SW., 59404, Great Falls, MT 59403. Applicant's representative: Howard C. Burton, Post Office Box 2265, Great Falls, MT 59403. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lignite coal and treated lignite*, in bags or in bulk, from the plantsite of American Colloid Co. at Gascoyne, N. Dak., to points in Montana, with the return of rejected or contaminated shipments, for 180 days. Supporting shipper: American Colloid Co., 5100 Safford Court, Skokie, Ill. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 138315 TA, filed January 12, 1973. Applicant: IRVIN WALTER TRUITT, doing business as TRUITT'S EXPRESS, 308 East Umstead Street, Durham, NC 27707. Applicant's representative: Irvin Walter Truitt (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Laboratory equipment, office supplies*, including but not limited to glassware, chemicals, and animal food, between Research Triangle Park, Durham, N.C., and Rockville and Bethesda, Md., for 180 days. Supporting shipper: National Institute of Environment Health Sciences, Department of Health, Education, and Welfare, Post Office Box 12233, Research Triangle Park, NC 27709. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 26896, Raleigh, NC 27611.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1859 Filed 1-30-73; 8:45 am]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 26, 1973.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings

or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

North Carolina Docket No. T-681 (Sub-No. 38) (Correction), filed December 8, 1972, published in the FEDERAL REGISTER issue of January 17, 1973, and republished as corrected, this issue. Applicant: HELMS MOTOR EXPRESS, INC., Post Office Drawer 700, Albemarle, NC. Applicant's representative: J. Ruffin Bailey, Post Office Box 2246, Raleigh, NC. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities* (except those requiring special equipment), over the following regular routes: (A) From the junction of U.S. Highway 74 and North Carolina Highway 381 near Hamlet, N.C., over North Carolina Highway 381 to Gibson, N.C.; thence over North Carolina Highway 79 to Laurinburg, N.C., and return over the same route serving all intermediate points. (B) From Laurinburg, N.C., over U.S. Highway 501 to Rowland, N.C.; thence over U.S. Highway 301 to Lumberton, N.C., and return over the same route serving all intermediate points. (C) Between Maxton, N.C., and Raemon, N.C., over North Carolina Highway 130 serving all intermediate points. (D) Between Rowland, N.C., and Whiteville, N.C., over North Carolina Highway 130 serving all intermediate points. (E) From the junction of North Carolina Highway 130 and North Carolina Highway 904 over North Carolina Highway 904 to Fair Bluff, N.C., thence over U.S. Highway 76 to Chadbourne, N.C., and return over the same route serving all intermediate points and serving Cerro Gordo, N.C., as an off-route point. (F) From Fair Bluff, N.C., over North Carolina Highway 904 to Tabor City, N.C., thence over U.S. Highway 701 to its junction with North Carolina Highway 130 and return over the same route serving all intermediate points. (G) Between Chadbourne, N.C., and Tabor City, N.C., over North Carolina Highway 410 serving all intermediate points. (H) Between Lumberton, N.C., and Fairmont, N.C., over North Carolina Highway 41 serving all intermediate points. Both intrastate and interstate authority sought. NOTE: The purpose of this republication is to correctly reflect the authority sought. The previous publication inadvertently omitted routes C, D, E, F, G, and H. HEARING: February 15, 1973, at the hearing room, North Carolina Utilities Commission, Ruffin Building, 1 West Morgan Street, Raleigh, NC, at 10 a.m. Requests for procedural information should be addressed to the North Carolina Utilities Commission, Post Office Box 991, Raleigh, NC 27602, and should not be directed to the Interstate Commerce Commission.

New York Docket No. T-9108, filed December 26, 1972. Applicant: SYRACUSE PICKUP & DELIVERY, INC., 559

East Brighton Avenue, Syracuse, NY 12310. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *undeveloped film, general interoffice paperwork and pharmaceutical products* (nonnarcotic), between Syracuse and Auburn, Cortland, Vestal, Fulton, Elmira, Massena, Oneida, Endwell, Johnstown, Oswego, Batavia, Potsdam, Oneonta, Ogdensburg, Horseheads, Ithaca, Rochester, Watertown, and New Hartford, N.Y. Both intrastate and interstate authority sought.

HEARING: Date, time, and place not shown. Requests for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, NY 12226, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1853 Filed 1-30-73; 8:45 am]

[Notice No. 7]

APPLICATIONS BY MOTOR CARRIERS OF PROPERTY OR PASSENGERS

JANUARY 23, 1973.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5 and 210a(b) of the Interstate Commerce Act, and certain other proceedings with respect thereto (49 CFR 1100.240).

MOTOR CARRIERS OF PROPERTY

No. MCF-11632. Authority sought for control by EASTERN FREIGHT WAYS, INC., Eastern and Moonachie Avenues, Carlstadt, N.J. 07072, of ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, NY 10017, and for acquisition by DANIEL E. SHEVELL AND MYRON P. SHEVELL, both of Carlstadt, N.J. 07072, of control through the acquisition by EASTERN FREIGHT WAYS, INC. Applicants' attorneys: Ralph E. Becker, J. Thomas Schneider, and Howard J. Feldman, 1819 H Street NW., Suite 950, Washington, DC 20006. Operating rights sought to be controlled: ASSOCIATED TRANSPORT, INC., operates as a common carrier, primarily over regular routes, between Atlanta, Ga., and Charleston, S.C., on the south, Nashville, Tenn., St. Louis, Mo., and Chicago, Ill., on the west, Detroit, Mich., Buffalo, N.Y., and Champlain, N.Y., and Portland, Maine, on the north, and Boston, Mass., on the east. ASSOCIATED controls SCHERER FREIGHT LINES, CO., which operates as a common carrier over regular and irregular routes in Illinois and Wisconsin extending generally between St. Louis, Mo., and Sheboygan, Wis. Eastern Freight Ways, Inc., is a common carrier operating primarily over regular routes in Delaware, District of

Columbia, New Jersey, New York, Connecticut, Massachusetts, Maryland, Pennsylvania, Rhode Island, Vermont, and Virginia. Application has not been filed for temporary authority under section 210a(b). **NOTE:** A proposed amendment to the application for a merger of

the two carriers has been submitted by Eastern Freight Ways, Inc. Associate Transport, Inc., has not joined in.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.73-1857 Filed 1-30-73;8:45 am]

CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during January.

3 CFR

PROCLAMATIONS:

3279 (amended by Proc. 4178) -	1719
3548 (see Proc. 4177) -	7
3558 (see Proc. 4177) -	7
3562 (see Proc. 4177) -	7
3597 (see Proc. 4177) -	7
3709 (see Proc. 4177) -	7
3790 (see Proc. 4177) -	7
3822 (see Proc. 4177) -	7
3856 (see Proc. 4177) -	7
3870 (see Proc. 4177) -	7
3884 (see Proc. 4177) -	7
4026 (see Proc. 4177) -	7
4138 (see Proc. 4177) -	7
4177 -	7
4178 -	1719
4179 -	2319
4180 -	2321
4181 -	2737
4182 -	2739
4183 -	2951
4184 -	2953
4185 -	2955

EXECUTIVE ORDERS:

July 26, 1911 (partially revoked by PLO 5327) -	2429
July 10, 1913 (partially revoked by PLO 5327) -	2429
Dec. 15, 1914 (partially revoked by PLO 5327) -	2429
Feb. 23, 1915 (partially revoked by PLO 5327) -	2429
3256 (see PLO 5323) -	735
11248 (amended by EO 11699) -	2323
11453 (revoked by EO 11702) -	2957
11582 (see EO 11696) -	1722
11583 (see EO 11702) -	2957
11588 (superseded by EO 11695) -	1473
11595 (see EO 11702) -	2957
11598 (superseded by EO 11701) -	2675
11615 (see EO 11695) -	1473
11627 (see EO 11695) -	1473
11640 (superseded by EO 11695) -	1473
11660 (superseded by EO 11695) -	1473
11674 (superseded by EO 11695) -	1473
11694 -	729
11695 -	1473
11696 -	1722
11697 -	1723
11698 -	2207
11699 -	2323
11700 -	2325

3 CFR—Continued

EXECUTIVE ORDERS—Continued

11701 -	2675
11702 -	2957
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Letter of January 22, 1973 -	2677

5 CFR

213, 953, 1115, 1269, 1635, 2327, 2741, 2959	
351 -	2696
352 -	2327

6 CFR

101 -	962
130 -	1479, 2762
300 -	1173, 1269, 1377
401 -	2983
Rulings -	1115, 1270, 1497-1499

7 CFR

2 -	2697
10 -	963
32 -	964
51 -	2439
52 -	1640
53 -	2209
301 -	843, 1725
354 -	1377
401 -	1726
711 -	967
722 -	967, 2697
730 -	844, 2439
811 -	844
812 -	845
814 -	846
818 -	2328
907, 744, 1270, 1500, 1728, 2209, 2441, 2959	
910, 847, 1115, 1378, 1575, 2169, 2329, 2697	
912 -	847, 1378, 1920
913 -	848
915 -	1640, 1921
928 -	2959
971 -	1116, 1641
1032 -	2741
1050 -	849, 2743
1062 -	2745
1064 -	2747
1065 -	2749, 2960
1421 -	968, 1379, 1575
1474 -	1575
1822 -	1174
1832 -	2169
1864 -	1174
PROPOSED RULES:	
44 -	885

7 CFR—Continued

PROPOSED RULES—Continued

51 -	799
722 -	1053
Ch. IX -	1197
918 -	1395
928 -	1395, 2701
982 -	2178
1032 -	1202
1040 -	2374
1043 -	2374
1049 -	1892
1050 -	1202
1062 -	1202, 1281
1064 -	1202
1065 -	1202
1421 -	1054
1427 -	1053, 2766
1430 -	799
1434 -	2334
1701 -	1055, 1395, 2178, 2464

8 CFR

212 -	1379
299 -	1379

PROPOSED RULES:

103 -	2699
211 -	2699
223a -	2699
235 -	2699
242 -	2699
299 -	2699

9 CFR

73 -	2679
76, 849, 1116, 1577, 1578, 1922, 2441, 2960	
82 -	1578
92 -	1578, 2961
94 -	1729, 2751
97 -	1380, 2442

PROPOSED RULES:

92 -	2463
317 -	1746
318 -	1746
445 -	1104
446 -	1104
447 -	1104

10 CFR

0 -	1271
1 -	2330
2 -	1500, 2330
4 -	2330
20 -	1271
30 -	1271, 2330
31 -	1271
32 -	1271
34 -	1271

10 CFR—Continued

	Page
35	1272
36	1272
40	1272, 2330
50	1272, 2679
55	1272
70	1272, 2330
73	1272
100	1273
115	1273
140	1273, 2983
150	1273, 2330

PROPOSED RULES:

19	802
20	805
50	49

12 CFR

201	2330
220	1500
265	2442
270	2753
271	2754
272	2754

PROPOSED RULES:

21	31
216	54
326	51
545	891
546	1334
563	1334
563a	53
563b	1334
571	1334
613	2336
614	2336
619	2336

13 CFR

123	2209
Ch. III	2260
301	1174

14 CFR

39	850
	851, 1117, 1381, 1501, 1579, 2210, 2330, 2331, 2961, 2962
71	298
	851, 852, 1118, 1273, 1381, 1382, 1501, 1579-1581, 1730, 1922, 1923, 2170, 2331, 2332, 2443, 2755, 2962, 2963
73	298, 1273, 1501, 1502, 1923, 2210
75	298, 1635, 1924
91	852, 1175, 2963
93	2170
97	852, 1176, 1924, 2443, 2964
212	2755
242	744
288	745
385	1118
389	1119
399	754

PROPOSED RULES:

23	2985
39	888, 1124, 1396, 1593, 2704
71	889-891, 1124, 1125, 1510, 1511, 1644, 1747, 1937-1940, 2219, 2335, 2704, 2987
73	891, 1283, 1511, 1747, 2988
91	800, 2985
93	2178
121	2769
135	2988
207	1396
212	1396
241	1125
298	50

14 CFR—Continued

	Page
PROPOSED RULES—Continued	
378	1396

15 CFR

4a	1383
1000	9

16 CFR

4	1730, 2210
13	968-971, 1120, 1273, 1502, 1581, 1635, 2444, 2445
15	1732

PROPOSED RULES:

433	892
-----	-----

17 CFR

19	2445
210	1733
211	1733-1735, 2446
231	1733-1735
239	1736, 2446
240	1121
241	1733-1735, 1737
249	2446
251	1734
271	1734, 1735

PROPOSED RULES:

Ch. II	2220
210	1747, 1748
230	2468
231	1748
240	56, 894, 1125, 1646-1648
241	1749
249a	1125
250	2220
259	2220
270	1284, 2180
275	1649

18 CFR

2	1503, 2170
154	1388, 1504
201	755, 1388, 1585, 2171
204	755, 1586, 2171
205	755
260	1389, 1586, 2173

PROPOSED RULES:

2	809, 1517
35	2336
141	1652
153	1519
154	1055, 1519, 2768
156	1519
157	1519
201	1055
260	1055, 1125

19 CFR

4	1587, 2448
6	2449
8	2449
9	2449
10	2449
11	2449
16	1018
23	2449
123	2449
148	2449
153	2210, 2756

PROPOSED RULES:

4	1936
10	1936
12	1642
132	1642
145	2985

20 CFR

Ch. I	2650
614	2211
615	1925
701	2650
702	2651
703	2662
704	2667

PROPOSED RULES:

726	1591
-----	------

21 CFR

1	2124, 2125, 2132
2	1925
3	853, 2132, 2137
19	1176, 1925
51	1177
121	11, 1177, 1635, 1925, 2681
128	854
128b	2398
131	853
132	2965
135	1274
135a	1739, 2173
135b	1273, 2173, 2174, 2398
135c	856, 1273, 1505, 2174, 2332
135e	1274, 1739
135g	1274
146c	1178
147	2756
273	2965
278	1926
295	2757
301	756
308	757, 856, 857, 953
316	757

PROPOSED RULES:

1	2138, 2139, 2141, 2143
3	799, 2141, 2143, 2150
5	2141
11	1019, 2219
15	2334
18	2143, 2152
19	1218, 2152
20	2150, 2152
27	2152
45	2152
80	2152
121	47
125	2143
130	885
135c	1219
141a	1219
146a	1219
191	799, 2179
273	48
295	1510

22 CFR

41	1389
42	1389

PROPOSED RULES:

86	30
----	----

24 CFR

200	2759
203	2417
207	2417
220	2417
275	1926
300	2967
1910	1001
1914	859, 1001, 1390, 1391, 1740
1915	1002, 1391, 1392

25 CFR

233	758
-----	-----

26 CFR

	Page
1	12, 21, 758, 767, 860, 2417, 2759
13	767, 860
31	866
48	1505
53	768, 868
301	2332

PROPOSED RULES:

1	774, 776, 883, 2336
20	776
25	776
53	32
301	776

28 CFR

0	1018
16	1741

29 CFR

14	2418
40	1636
55	2211
1604	2428
1622	2428
1623	2428
1625	2428
1628	2428
1630	2428
1631	2428
1680	2428
1915	2967
1952	1178, 2421, 2423, 2426
1977	2681

PROPOSED RULES:

1910	1593, 2465
1923	1746
1999	2465

30 CFR

82	2762
----	------

PROPOSED RULES:

55	2219
56	2219
57	2199
90	1520

31 CFR

0	972
103	2174
128	1637
344	1739

32 CFR

274	858
505	1742
807	973
809	973
809b	981
811	982
811a	983
872	984
889	986
890	989
905	990
907	991
1604	731, 2428
1621	731
1622	731, 732, 2428
1623	732, 733, 2428
1625	731, 2428
1628	731, 2428
1630	733, 2428
1631	732, 733, 2428
1660	734
1680	733, 2428

32 CFR—Continued

	Page
1705	1927
1710	2333
PROPOSED RULES:	
1460	2219

32A CFR

Ch. X:	
OI Reg. 1	1274, 1928
Ch. XI	2684

33 CFR

3	860
92	1587, 2686
110	23, 1928
117	2428
209	1637, 1928

PROPOSED RULES:

110	1937
117	1510, 2466

36 CFR

175	887
-----	-----

PROPOSED RULES:

4	2765
7	1123

38 CFR

3	871, 872
13	872

PROPOSED RULES:

1	1058
14	1058
21	2337
36	2709

39 CFR

122	1931
134	1566
510	1275
520	1275
530	1275
540	1275
550	1275
560	1275
570	1275
601	1275
619	1275

40 CFR

6	1696
80	1254
180	23, 1275, 1742, 2428, 2687

PROPOSED RULES:

45	2705
46	2705
48	2705
51	1464
52	2194
80	1258
125	1362
180	2708

41 CFR

1-7	991
1-16	993
1-19	993
3-1	1392
3-3	1392, 2212
3-75	2214
5A-2	1931
5A-3	735, 2759
5A-5	2688
5A-16	1932, 2760

41 CFR—Continued

	Page
5A-53	735
5A-76	1932, 2688
5B-2	1276
5B-16	1276
9-5	2429
9-7	1276
9-59	1276
50-250	2968
60-1	1932
60-2	2970
60-50	1932
101-26	2176

PROPOSED RULES:

15-16	1219
60-1	1124, 2985

42 CFR

78	1933
----	------

43 CFR

2800	1587
------	------

PUBLIC LAND ORDERS:

5322	735
5323	735
5324	736
5325	1588
5326	1588
5327	2429
5328	2429
5329	2429
5330	2430

PROPOSED RULES:

3110	1281, 1746
3540	1591

45 CFR

82	997
177	24, 1509
1060	736

PROPOSED RULES:

233	49
1400	1021
1403	1022
1406	1023
1408	1025
1410	1026
1412	1027
1414	1081

46 CFR

25	1000
146	1276
184	1000
294	1277
310	2215
390	2430

PROPOSED RULES:

Ch. I	2467
146	1937
278	2701
Ch. IV	2468
505	892
506	2468

47 CFR

0	998, 1505
1	1913, 2689
15	2689
17	739
25	1180
73	26
	2180
27, 739, 1195, 1913, 1918, 2430, 2689	743
74	

47 CFR—Continued

76	1195, 2970
78	1920
81	1196, 1505
83	1196
97	1505

PROPOSED RULES:

1	1511, 2766
2	1513, 1941, 2766
21	2766
43	2766
61	1223
73	805
	1223, 1511, 1516, 1941, 2180, 2780, 2766
74	1941, 2766
76	2766
78	807
81	1513, 1941
83	1513, 1941
89	808, 1516
91	1513, 1516
93	1516, 1517

49 CFR

1	2692
172	1507
173	1507
195	2977
213	873, 1508
252	2435
392	1589
394	2177
395	1589, 1934
555	2693
571	743, 2760, 2980-2982
577	2215
580	2978
1033	876-878, 1508, 1742, 2217, 2761
1201	2761
1280	1393
1311	2177

PROPOSED RULES:

215	2467
393	800

49 CFR—Continued

PROPOSED RULES—Continued

571	1055, 1645
1048	2990

50 CFR

10	879
18	1743
28	879, 1743, 1744, 2437, 2982
32	2437
33	880
	881, 1279, 1280, 1744, 1745, 1934, 2438, 2762, 2982, 2983
240	882

PROPOSED RULES:

10	2765
12	1936
16	2765
17	1521, 2178
240	2703
275	1122
280	1521

FEDERAL REGISTER PAGES AND DATES—JANUARY

Pages	Date	Pages	Date
1-721	Jan. 3	1629-1712	Jan. 17
723-835	4	1713-1905	18
837-945	5	1907-2164	19
947-1107	8	2165-2200	22
1109-1165	9	2201-2311	23
1167-1261	10	2313-2410	24
1263-1370	11	2411-2668	26
1371-1490	12	2669-2729	29
1491-1567	15	2731-2944	30
1569-1627	16	2945-3029	31

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Revised as of January 1, 1973)

Title 1—General Provisions----- \$. 55

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