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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

GEODESIST

Section 24.138 is added to read as follows:

§ 24.138 *Geodesist, GS–1372–5 through GS–15.*—(a) *Educational requirement.* (1) Applicants must meet the requirements specified under one of the following:

(i) Completion of a full 4-year course in an accredited college or university leading to a bachelor's degree in civil or electrical engineering; or in mathematics which includes a minimum of 15 semester hours of mathematics requiring differential and integral calculus as a prerequisite, and a minimum of 6 semester hours of geodesy, astronomy, physics or engineering sciences; or in any field in which the study includes courses in mathematics, physics (including geophysics), geodesy, astronomy and engineering sciences totaling at least 48 semester hours provided that a minimum of 24 semester hours of geodesy, mathematics, and/or physics is included.

(ii) Courses in geodesy, mathematics, and/or physics in an accredited college or university totaling 24 semester hours; plus additional appropriate progressive experience or education in scientific fields which when combined with the 24 semester hours in geodesy, mathematics, or physics will total 4 years of education and experience and give the applicant a technical and professional knowledge, comparable to that which would have been acquired through the successful completion of the 4-year college course described in subdivision (i) of this subparagraph.

(b) *Duties.* Geodesists perform professional work relevant to the determination of the size and shape of the earth, the direction and force of gravity, and the precise position and elevation of points on the earth, considering the curvature of the earth.

(c) *Knowledge and training requisite for performance of duties.* The geodesist cannot perform his function without a sound basic knowledge and understanding of fundamental theoretical concepts of mathematics and physics. Because of the systematic way in which the concepts involved must be learned, the required access to laboratory and library facilities and the necessity for continuing guidance and appraisal, the acquisition of the basic requisite knowledges and skills in an accredited college or university is necessary to assure thorough understanding of the fundamental theoretical concepts essential to work performance.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[P. R. Doc. 58–2029; Filed, Mar. 18, 1958; 8:50 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Subchapter B—Federal Farm Loan System

PART 10—FEDERAL LAND BANKS GENERALLY

INTEREST RATES ON LOANS MADE THROUGH ASSOCIATIONS

In order to reflect a change in interest rate on loans closed through national farm loan associations by the Federal Land Bank of Baltimore, § 10.41 of Title 6 of the Code of Federal Regulations, as amended (21 F. R. 10167; 22 F. R. 133, 653, 1318, 1586, 2095, 3863, 6214, 7129, 7833, 8847; 23 F. R. 1547, 1669), is hereby further amended, effective March 3, 1958, by substituting "5½" for "6" in the line with "Baltimore" therein.

(Sec. 6, 47 Stat. 14, as amended; 12 U. S. C. 665. Interprets or applies secs. 12 "Second", 17, 39 Stat. 370, 375, as amended; 12 U. S. C. 771 "Second", 831)

[SEAL] R. B. TOOTELL,
Governor,
Farm Credit Administration.

[P. R. Doc. 58–2016; Filed, Mar. 18, 1958; 8:48 a. m.]

CONTENTS

	Page
Agricultural Marketing Service	
Rules and regulations:	
Lemons grown in California and Arizona; limitation of handling	1825
Agriculture Department	
See also Agricultural Marketing Service.	
Notices:	
Farmers Home Administration; farm tenant-mortgage insurance fund; assignment of functions	1836
Alien Property Office	
Notices:	
Vested property; intention to return:	
Kratochvil, Rudolf	1852
Kux, Bloch & Co	1852
Civil Aeronautics Board	
Rules and regulations:	
Certificated air carriers; suspension of provisions regulating deferred tax accounting	1825
Civil Service Commission	
Rules and regulations:	
Geodesist; formal education requirements for appointment	1823
Commerce Department	
See Maritime Administration.	
Comptroller of the Currency	
Rules and regulations:	
National banks; loans secured by direct obligations of the United States	1825
Customs Bureau	
Rules and regulations:	
Importations by mail; articles conditionally free, subject to a reduced rate, etc.; miscellaneous amendments	1826
Farm Credit Administration	
Rules and regulations:	
Federal Land Banks; interest rates on loans made through associations	1823
Federal Communications Commission	
Notices:	
Class B FM broadcast stations; revised, tentative allocation plan; Sacramento and Santa Rosa, Calif	1838

FEDERAL REGISTER

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CFR SUPPLEMENTS
(As of January 1, 1958)

The following Supplement is now available:

Title 39 ($0.60)

Previously announced: Title 3, 1957 Supp. ($0.40); Titles 4–5 ($1.00); Titles 10–13 ($1.00); Title 17 ($0.65); Title 18 ($0.50); Title 20 ($1.00); Titles 30–31 ($1.50); Title 32, Part 1100 to end ($0.50); Titles 35–37 ($1.00); Title 46, Parts 146–149, Rev. Jan. 1, 1958 ($5.50)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Federal Communications Commission—Continued Page
Notices—Continued
Hearings, etc.:
L. E. U. Broadcasting Co. et al. 1838
Michels, Herbert P., and Century Radio Corp. 1837
Palm Springs Translator Station, Inc. 1836
Peninsula Broadcasting Corp. (WVEC-TV) et al. 1837
Segal, David M., et al. 1836
Sheffield Broadcasting Co. and J. B. Falt, Jr. 1837
International Telecommunication Union; revision of radio regulations 1836

CONTENTS—Continued

Federal Communications Commission—Continued Page
Notices—Continued
Statement of delegations of authority; authorization for Chief of Field Engineering and Monitoring Bureau to dismiss certain applications without prejudice 1839
Proposed rule making:
Experimental radio services; short term authorizations for use by students 1833
Frequency allocations and radio treaty matters; radiopositioning stations 1833
Incidental and restricted radiation devices; super-regenerative receivers; certification 1834
Rules and regulations:
Land transportation radio services; amortization period 1828
Practice and procedure; experimental radio services; applications 1828

Federal Power Commission
Notices:
Hearings, etc.:
Amerada Petroleum Corp. 1843
Chastain, M. B., et al. 1841
Columbia Minerals Corp. of Louisiana, Inc., et al. 1842
Durbin Bond & Co., Inc., et al. 1844
Hack Drilling Co. 1845
Magnolia Petroleum Co. et al. 1842
Odessa Natural Gasoline Co. 1841
Pacific Northwest Pipeline Corp. et al. 1840
Puget Sound Power & Light Co. 1842
Rodman, E. G., and W. D. Noel 1841
Scurlock, E. C. 1844
Sharples Oil Corp. et al. 1845
Southern Natural Gas Co. et al. 1839
Texas Co. et al. 1845

Federal Reserve System
Notices:
New Hampshire Bankshares, Inc.; order granting application for acquisition of voting shares of New Hampshire National Bank of Portsmouth 1846

Interior Department
See Land Management Bureau.

Internal Revenue Service
Proposed rule making:
Income tax; taxable years beginning after Dec. 31, 1953; items not deductible 1829

Interstate Commerce Commission
Notices:
Fourth section applications for relief 1851
Motor carrier alternate route deviations 1847

Justice Department
See Alien Property Office.

Labor Department
See Wage and Hour Division.

CONTENTS—Continued

Land Management Bureau Page
Notices:
Alaska; proposed withdrawal and reservation of lands (2 documents) 1835
Rules and regulations:
Alaska; public land order 1828

Maritime Administration
Notices:
Pacific Far East Line, Inc.; application to carry newsprint 1839

Securities and Exchange Commission
Notices:
Hearings, etc.:
Allied-Albany Paper Corp. 1847
Columbia Baking Co. and Voting Trustees 1847
Quintin Securities, Inc. 1846
United Dye & Chemical Corp. 1847

Treasury Department
See Comptroller of the Currency; Customs Bureau; Internal Revenue Service.

Wage and Hour Division
Notices:
Learner employment certificates; issuance to various industries 1851
Rules and regulations:
Puerto Rico; straw, hair, and related products industry; revocation and wage order giving effect to recommendations 1827

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Page
Title 5
Chapter I:
Part 24 1823
Title 6
Chapter I:
Part 10 1823
Title 7
Chapter IX:
Part 953 1825
Title 12
Chapter I:
Part 6 1825
Title 14
Chapter I:
Part 241 1825
Title 19
Chapter I:
Part 9 1826
Part 10 1826
Part 12 1827
Part 16 1827
Title 26 (1954)
Chapter I:
Part 1 (proposed) 1829
Title 29
Chapter V:
Part 613 1827
Part 708 1827

CODIFICATION GUIDE—Con.

Title 43	Page
Chapter I:	
Appendix (Public land orders):	
324 (see PLO 1600)	1828
806 (revoked by PLO 1600)	1828
1600	1828
Title 47	
Chapter I:	
Part 1	1828
Part 2 (proposed)	1833
Part 5	1828
Proposed rules	1833
Part 15 (proposed)	1834
Part 16	1828

TITLE 7—AGRICULTURE

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

[Lemon Reg. 729, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.836 (Lemon Regulation 729; 23 F. R. 1654) are hereby amended to read as follows:

(ii) District 2: 241,800 cartons.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: March 13, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-2012; Filed, Mar. 18, 1958; 8:47 a. m.]

TITLE 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 6—LOANS MADE BY NATIONAL BANKS SECURED BY DIRECT OBLIGATIONS OF THE UNITED STATES

GENERAL AUTHORIZATION

Section 6.2 is amended to read as follows:

§ 6.2 *General authorization.* The obligations to any national banking association in the form of notes of any person, copartnership, association, or corporation, secured by not less than a like amount of direct obligations of the United States which will mature in not exceeding eighteen months from the date such obligations to such national banking association are entered into shall not be subject to any limitation based upon the capital and surplus of the association.

Effective date. This part shall become effective 30 days from date of publication in the FEDERAL REGISTER.

(R. S. 5200, as amended; 12 U. S. C. 84)

[SEAL] RAY M. GIDNEY,
Comptroller of the Currency.

Approved: March 13, 1958.

ROBERT B. ANDERSON,
Secretary of the Treasury.

[F. R. Doc. 58-2024; Filed, Mar. 18, 1958; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Reg. ER-230]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

SPECIAL ECONOMIC REGULATION; SUSPENSION OF PROVISIONS REGULATING DEFERRED TAX ACCOUNTING OF CERTIFICATED AIR CARRIERS

The Uniform System of Accounts and Reports, effective January 1, 1957, prohibits, as a general rule, the accrual of Federal income taxes on differences between income recognized for financial statement purposes and income recognized for income tax purposes. Provision is made in the Uniform System of Accounts and Reports for waiver of this prohibition in circumstances where it can be demonstrated that a failure to accrue Federal income taxes on such income differences will result in such material misstatement of income as to undermine the integrity of the carrier's financial statements.

Waiver of the general prohibition has previously been requested by and granted to 8 air carriers insofar as it would prohibit the accrual of taxes on differences between financial statement income and income recognized for tax purposes resulting from the accelerated amortization of emergency facilities permitted for tax purposes under section 168 of the Internal Revenue Code. Additional requests have been filed by 13 air carriers for waiver of the regulations to permit accrual of income taxes on differences between financial statement and taxable incomes stemming from section 167 and other provisions of the Internal Revenue Code. The impact of section 167 of the Internal Revenue Code and other differences between financial accounting and tax practices upon the financial statements of air carriers has not yet been factually ascertained. These are matters to be considered in the pending passenger fare investigation, Docket No. 8008. It is apparent that the facts bearing upon the materiality of the income impact of divergent financial accounting and tax practices would be equally applicable to the accounting and rate issues. It would thus be inappropriate for the Board to pass upon matters bearing upon the determination of the rate issues until the record in the aforementioned proceeding has been completed and the Board reaches a final decision thereon. At the same time, equity to the industry requires that pending requests for accounting waivers not be prejudiced by the pendency of other litigated proceedings.

Under the superseded system of accounts, the carriers were permitted to accrue and did in fact commonly accrue taxes on differences between financial statement and taxable incomes. In view of the foregoing and in the interest of maintaining consistent accounting practices until such time as both the rate and accounting issues may be finally resolved on their merits, it is found to be in the public interest to suspend temporarily the provisions of Part 241 concerning the accrual of deferred Federal income taxes. In the event a carrier elects to follow deferred tax accounting in accordance with this regulation, it shall continue to do so on a consistent basis until, or unless, the Board approves a different treatment. In effecting these accruals, records with respect to reserves for deferred taxes on income shall be maintained in accordance with the present provisions of Account 2340, Deferred Federal Income Taxes. Pursuant to the provisions of this account, taxes are to be accrued at the rate at which payable. This will mean that insofar as income differences result from the application of different residual values in determining depreciation expense for financial accounting and tax purposes, the applicable deferred tax shall be accrued at the appropriate capital gain rate.

Since this regulation will serve to liberalize the present provisions of Part 241 and will not subject any person to any burden, the Board finds that notice and public procedure thereon are unnecessary and not required by the public interest.

In consideration of the foregoing, the Civil Aeronautics Board hereby suspends, until further order of the Board, the effectiveness of Part 241 of the Economic Regulations (14 CFR Part 241) insofar as it prohibits air carriers from accruing Federal income taxes on differences between financial statement and taxable income expenses arising from sections 167 and 168 of the Internal Revenue Code, or from the capitalization for fi-

nancial accounting (but not tax) purposes of pre-operating, new aircraft integration, or extension and development expenses: *Provided*, That any amounts so accrued (a) shall be recorded in accordance with the provisions of Account 2340, Deferred Federal Income Taxes as if a waiver of the provisions of section 2, item 6, of the manual were granted, and (b) shall be identified on the face of each affected income statement and balance sheet for the separate accruals attaching to sections 167 and 168 of the Internal Revenue Code and other differences between financial statement and taxable incomes. This suspension shall be effective retroactively to January 1, 1957.

NOTE: This document affects § 241.2-6 (b).

(Sec. 205, 52 Stat 984; 49 U. S. C. 425. Interpret or apply sec. 407, 52 Stat. 1000; 49 U. S. C. 487)

Effective: January 1, 1957.

Adopted: March 12, 1958.

By the Civil Aeronautics Board.[1]

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 58-2048; Filed, Mar. 18, 1958; 8:54 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54549]

PASSENGERS' BAGGAGE DECLARATIONS AND UNACCOMPANIED TOURIST PURCHASES

In recent years, as part of a search for ways to facilitate international travel, customs has been conducting intensive studies and experiments with forms and procedures involved in the customs processing of tourists and their purchases. As a result of these efforts, a simplified form of passengers' baggage declaration has been designed and improved procedures have been developed for processing shipments of articles acquired abroad by returning residents which are free of duty under the residents' exemptions but which do not accompany the residents upon their return. To give permanent effect to these improvements, to eliminate obsolete forms, and to provide for the new forms and procedures, the Customs Regulations are amended as follows:

PART 9—IMPORTATIONS BY MAIL

a. Section 9.3 is amended as follows:

1. Paragraph (b) is amended to read:

(b) No mail or other entry shall be issued for any shipment in the mails which is: (1) Unconditionally free of duty and does not exceed $250 in value; or (2) accompanied by a properly completed customs Form 3351, Release for Unaccompanied Tourist Shipment. In the case of articles which are unquestionably the growth, produce, or manufacture of the United States, and which have not been advanced in value or improved in condition, if the collector is satisfied from the character thereof or otherwise that they are free of duty under paragraph 1615, Tariff Act of 1930, as amended, and if the total value of the articles of American origin contained in the shipment does not exceed $250, no mail or other entry shall be issued and no declaration of the owner, importer, or agent on customs Form 3311 shall be required.

2. Paragraph (d) is amended by deleting "3420", in the first sentence.

(Secs. 201 (par. 1615, 1798), 315, 498 (a) 624, 46 Stat. 674, as amended, 683, as amended, 695, as amended, 728, as amended, 759; 19 U. S. C. 1201 (par. 1615, 1798), 1315, 1498 (a), 1624)

b. Section 9.4 is amended by substituting "10.20 (b) (4)" for "10.20 (b) (3)" in the first sentence.

(Secs. 484, 624, 46 Stat. 722, as amended, 759; 19 U. S. C. 1484, 1624)

c. Section 9.10 is amended as follows:

1. Paragraph (a) is amended to read:

(a) Except as provided in paragraph (c) of this section, if the addressee of a shipment covered by a mail entry is dissatisfied with the amount assessed, he may (1) elect to pay the amount, take delivery of the shipment and petition the collector of customs to reliquidate the entry; or (2) refuse to accept the shipment and provide the postmaster with a written statement of his objections. In the latter case, the postmaster shall forward the addressee's protest to the customs office that issued the entry, accompanied by such invoices or other evidence submitted by the addressee, and retain custody of the shipment until advice is received from the issuing customs office as to the disposition to be made.

2. Paragraph (b) is amended to read:

(b) If the collector of customs is satisfied that the protest of an addressee of a mail shipment against the amounts assessed is valid, the collector may reclassify the merchandise or amend the value, even though the merchandise has been delivered to the addressee. A mail entry may be reliquidated to allow a claim of the addressee after the expiration of 60 days after liquidation only if a protest has been filed in the form and manner prescribed in section 514, Tariff Act of 1930, or if the claim is allowable under section 520 (c) (2), Tariff Act of 1930, as amended.[2]

3. Paragraph (c) is amended to read:

(c) Postmasters and military mail personnel may release shipments covered by mail entries claimed to be free of duty under tourist exemptions without the payment of duty upon presentation of a declaration on customs Form 3351 executed by the addressee. If the addressee cannot produce a customs Form 3351, the shipment may be released without the collection of duty upon the execution by the addressee of the declaration printed on the reverse side of the duplicate copy of the mail entry.

(Secs. 514, 624, 46 Stat. 734, 759; 19 U. S. C. 1514, 1624)

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

a. Section 10.17 (k) is amended by changing the last sentence to read: "The supplemental declaration shall be made on customs Form 6059, 6063, or 6064, as the case may be, appropriately modified."

(Sec. 201 (par. 1798), 46 Stat. 683, as amended; 19 U. S. C. 1201 (par. 1798))

b. Section 10.19 (j) is amended to read:

(j) *Examination in foreign territory.* (1) The baggage of returning residents may be examined at places in foreign territory where United States customs offices have been established for that purpose (see § 1.3 of this chapter). When the baggage of a returning resident is examined at such a place, and the resident will return to the United States via train or ferry, the declaration, after completion and presentation to the customs office, shall be returned to the declarant for surrender to the customs officer on the train or ferry, or to the customs officer at the port of return, in order that such customs officer may determine what exemption, if any, has already been allowed. When the baggage of a passenger traveling by air is examined in foreign territory, the baggage declaration shall be surrendered to the customs officer at the airport of departure for the United States prior to boarding the aircraft.

(2) When a declarant, whose baggage has been examined and passed in foreign territory in accordance with subparagraph (1) of this paragraph, subsequently acquires additional articles before he returns to the United States, the customs officer to whom the declaration is surrendered as provided for in subparagraph (1) of this paragraph may permit the amendment of that declaration to include articles not previously declared.

(Sec. 498, 46 Stat. 728, as amended; 19 U. S. C. 1498)

c. Section 10.20 is amended as follows:

1. Paragraph (b) is amended to read:

(b) *Articles acquired abroad by returning resident.* (1) The declaration of a returning resident shall be in writing if it covers articles which do not accompany him, or which are to be shipped in bond to another port for clearance, and such articles are entitled to free entry under the $200 or $300 exemption. Effects of the returning resident entitled to free entry under paragraph 1798 (a) or (c) (1), as amended, (other than automobiles and other vehicles of residents returning from noncontiguous countries) need not be itemized in written declarations.

(2) Customs Form 3351 shall be issued to the returning resident for each shipment of declared articles not accompanying the resident upon arrival or to be shipped in bond to another port for clearance and for which a claim for free entry, in whole or in part, is likely to be made under the $200 or $300 exemption.

(3) Customs Form 3351 shall not be issued to a returning resident who has used his entire allowable exemption upon

[1] Member G. Joseph Minetti opposed the proposed suspension.

arrival, except for the replacement of an article to be exchanged as provided for in paragraph (c) of this section.

(4) Unaccompanied shipments, except those containing prohibited or restricted merchandise, shall be released free of duty immediately after examination upon the presentation of properly completed customs Form 3351 by the consignee or his agent, or if the shipment or shipping papers are accompanied by a release on customs Form 3351, except that the collector may withhold release of the shipment until the claim for exemption is verified.

(5) In any case where the importer of a shipment arriving otherwise than by mail, claims any part of a shipment duty free under the $200 or $300 exemption, but is unable to produce a release on customs Form 3351, he shall be issued a customs Form 3351; upon completion of this form, the shipment shall be treated in the manner set forth in subparagraph (4) of this paragraph. Such shipments covered by mail entries shall be treated as set forth in § 9.10 (c) of this chapter.

(6) All claims for exemptions on customs Form 3351 and on the reverse side of duplicate copies of mail entries shall be subject to verification in the manner prescribed by the Commissioner of Customs. When the collector finds that a false claim for exemption has been made with intent to defraud the revenue, he shall take action under section 592 of the Tariff Act of 1930, in accordance with § 23.6 of this chapter.

2. Paragraph (c) is amended to read:

(c) *Replacements.* When any article declared by a returning resident is to be replaced under the provisions of § 10.17 (l), a release on customs Form 3351 shall be issued to the importer with appropriate instructions as to its use.

3. The citation of authority for § 10.20 is amended to read:

(Secs. 201 (par. 1798), 498, 46 Stat. 683, as amended, 728, as amended; 19 U. S. C. 1201 (par. 1798), 1498)

d. Section 10.21 (j) is amended to read:

(j) When duties are collected on articles in a passenger's baggage and the declaration is on customs Form 6064, the coupon receipt attached to the form shall be given to the passenger. When the declaration is on customs Form 6059 or 6063, a receipt on customs Form 5103 shall be issued.

(Sec. 201 (par. 1798), 46 Stat. 683, as amended, sec. 7, 52 Stat. 1081, as amended, sec. 498, 46 Stat. 728, as amended; 19 U. S. C. 1201 (par. 1798), 1321, 1498)

e. Section 10.25 (a) is amended by changing the last sentence to read: "Written baggage declarations shall be required of all cabin passengers."

(Sec. 498, 46 Stat. 728, as amended; 19 U. S. C. 1498)

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 66, 1624)

PART 12—SPECIAL CLASSES OF MERCHANDISE

Section 12.51 (d) is amended by deleting "or 3420" where it appears in the third sentence.

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 66, 1624)

PART 16—LIQUIDATION OF DUTIES

Footnote 11b appended to § 16.12 (b) is amended to read:

[11b] Baggage entries include entries on customs Form 3351, on the duplicate copy of customs Form 3419, and on customs Forms 5123, 6059, 6063, and 6064.

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 66, 1624)

To allow time for the printing and distribution of the new forms required for this change, these amendments shall become effective ninety days after publication in the FEDERAL REGISTER.

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

Approved: March 12, 1958.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F. R. Doc. 58-2025; Filed, Mar. 18, 1958; 8:50 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 613—STRAW, HAIR, AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

PART 708—STRAW, HAIR, AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

REVOCATION AND WAGE ORDER GIVING EFFECT TO RECOMMENDATIONS

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), the Secretary of Labor by Administrative Order No. 498 (23 F. R. 234), appointed, convened, and gave notice of the hearing of Industry Committee No. 37-D to recommend the minimum wage rate or rates to be paid under section 6 (c) of the act to employees in the straw, hair, and related products industry in Puerto Rico, who are engaged in commerce or in the production of goods for commerce.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee filed with the Administrator a report containing its findings with respect to the matters referred to it. The present wage order for this industry is contained in 29 CFR Part 708. Minor editorial changes in the definition of the industry in the new wage order have been made. No alteration in the application of the wage order was effected by the editorial changes in this definition. The recommendations of Industry Committee No. 37-D revised the classifications within the industry and recommended new rates of pay for such classifications.

Accordingly, as authorized and required by section 8 of the Act, Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), General Orders Nos. 45-A (15 F. R. 3290) and 85-A (22 F. R. 7614) of the Secretary of Labor, the recommendations of this committee are hereby published in this order amending Title 29 of the Code of Federal Regulations, effective April 4, 1958, as follows:

1. Part 708 is hereby revoked.

2. Part 613 is hereby added to read as follows:

Sec.
613.1 Definition.
613.2 Wage rates.
613.3 Notices.

AUTHORITY: §§ 613.1 to 613.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U. S. C. 208. Interpret or apply sec. 5, 52 Stat. 1062, as amended; 29 U. S. C. 205.

§ 613.1 *Definition.* The straw, hair, and related products industry in Puerto Rico, to which this part shall apply is defined as the manufacture of all products made wholly or chiefly of straw, raffia, sisal, maguey, palm leaves, rushes, grasses, hair, hair bristles, feathers, and similar materials: *Provided, however,* That the definition shall not cover products or activities included in the artificial flower, decoration, and party favor industry (Part 688 of this chapter), the button, jewelry, and lapidary work industry (Part 709 of this chapter), the children's dress and related products industry (Part 610 of this chapter), the men's and boys' clothing and related products industry (Part 703 of this chapter), the textile and textile products industry (Part 699 of this chapter), or the shoe and related products industry (Part 601 of this chapter).

§ 613.2 *Wage rates.* (a) Wages at a rate of not less than 70 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the hair piece and doll wig classification of the straw, hair, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce, and this classification shall be defined as the manufacture of hair pieces and doll wigs.

(b) Wages at a rate of not less than 45 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the artists' brush and native handicraft products classification of the straw, hair, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce, and this classification shall be defined as the manufacture of artists' brushes, hair pencils, and other miscellaneous brushes (excluding house painting brushes, toothbrushes, shaving brushes, and other toilet, clothes, or household brushes); and the manufacture of hand-made or handwoven products (including, but without limitation, handbags, mats, coasters, lamp and window shades, blinds, fans, and brooms) made wholly or chiefly of materials originating in Puerto Rico, including straw, raffia, maguey, palm leaves, rushes, grasses, hair, hair bristles, feathers, and similar materials.

(c) Wages at a rate of not less than 55 cents an hour shall be paid under section 6 of the Fair Labor Standards Act

of 1938 by every employer to each of his employees in the hair and bristles processing and other straw, hair, and related products classification of the straw, hair, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce, and this classification shall be defined as the processing of hair and bristles and the manufacture of all products included in the straw, hair, and related products industry, as defined in this order and not included in the hair piece and doll wig classification or the artists' brush and native handicraft products classification.

§ 613.3 *Notices.* Every employer subject to the provisions of § 613.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 613.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour Division of the United States Department of Labor, and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D. C., this 14th day of March 1958.

CLARENCE T. LUNDQUIST,
Acting Administrator.

[F. R. Doc. 58-2032; Filed, Mar. 18, 1958; 8:51 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1600]

[Fairbanks 013163]

ALASKA

WITHDRAWING LANDS FOR USE OF U. S. WEATHER BUREAU; REVOKING PUBLIC LAND ORDER NO. 806 OF FEBRUARY 16, 1952

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, and section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), it is ordered as follows:

1. Subject to valid existing rights the following-described lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, but not the act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U. S. C. 601–604) as amended, and reserved for use of the United States Weather Bureau, Department of Commerce, as a weather station:

BARROW AREA

Beginning at a point from which Corner No. 3, Tract A, U. S. Survey No. 2244 located near Barrow, Alaska, bears N. 27°51' E., 523.63 feet, thence

S. 30°00' E., 800 feet;
S. 60° W., 618 feet;
N. 30° W., 445 feet;
N. 60°00' E., 130 feet;
N. 30° W., 355 feet;
N. 60°00' E., 488 feet to the point of beginning.

The tract described contains 10.26 acres.

2. Public Land Order No. 806 of February 16, 1952, which withdrew a portion of the lands described in paragraph 1 of this order, for use of the Civil Aeronautics Administration, Department of Commerce, as Air Navigation Site Withdrawal No. 205, is hereby revoked.

3. The reservation made by this order shall be subject to the withdrawal made by Executive Order No. 3797–A of February 27, 1923, for oil and gas as Naval Petroleum Reserve No. 4, and to the jurisdiction granted to the Department of the Navy over Naval Petroleum Reserves by the act of August 10, 1956 (70A Stat. 457–462; 10 U. S. C. 7421–7438), and shall take precedence over but not otherwise affect the withdrawal made by Public Land Order No. 324 of August 14, 1946, which withdrew public lands for classification and proposed designation as a native reservation for the inhabitants of the Village of Barrow and vicinity, Alaska.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 13, 1958.

[F. R. Doc. 58-1997; Filed, Mar. 18, 1958; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 58-227]

[Rules Amdts. 1-1, 5-6]

PART 1—PRACTICE AND PROCEDURE

PART 5—EXPERIMENTAL RADIO SERVICES

APPLICATIONS

In re amendment of §§ 1.71 and 5.60 of the Commission's rules and regulations.

At a session of the Federal Communications Commission held at the offices in Washington, D. C. on the 12th day of March 1958;

The Commission having under consideration amendments to §§ 1.71 and 5.60 of its rules and regulations;

It appearing that the amendment of these sections is required by administrative expediency;

It further appearing that the amendments ordered herewith are procedural in nature and that therefore Notice of proposed rulemaking is not required by section 4 of the Administrative Procedure Act, and that, for the same reason, these amendments may be made effective immediately;

It is ordered, That pursuant to section 4 (i) and 303 (r) of the Communications Act of 1934, as amended, §§ 1.71 and 5.60 of the Commission's rules and regulations be, and herewith are amended effective March 12, 1958, as shown below.

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

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

1. Section 1.71 of the Commission's rules and regulations is amended by adding to that section the following paragraph (d):

(d) Failure to prosecute an application, or failure to respond to official correspondence or request for additional information, will be cause for dismissal. Such dismissal will be without prejudice where an application has not yet been designated for hearing; such dismissal may be made with prejudice after an application has been designated for hearing.

2. Section 5.60 of the Commission's rules and regulations is amended to read as follows:

§ 5.60 *Amendment or dismissal of applications.* (a) Any application may be amended or dismissed without prejudice upon request of the applicant prior to the time the application is granted or designated for hearing. Each amendment to, or request for dismissal of an application shall be signed, authenticated, and submitted in the same manner and with the same number of copies as required for the original application. All subsequent correspondence or other material which the applicant desires to have incorporated as a part of an application already filed shall be submitted in the form of an amendment to the application.

(b) Failure to prosecute an application, or failure to respond to official correspondence or request for additional information, will be cause for dismissal. Such dismissal will be without prejudice where an application has not yet been designated for hearing; such dismissal may be made with prejudice after an application has been designated for hearing.

[F. R. Doc. 58-2034; Filed, Mar. 18, 1958; 8:52 a. m.]

[Docket No. 12284; FCC 58-240]

[Rules Amdt. 16-25]

PART 16—LAND TRANSPORTATION RADIO SERVICES

AMORTIZATION PERIOD

In the matter of amendment of § 16.256 and deletion of § 16.257 of Part 16, Land Transportation Radio Services; Docket No. 12284.

1. On January 8, 1958, the Commission adopted a notice of proposed rule making, which was published in the FEDERAL REGISTER on January 14, 1958 (23 F. R. 259) in accordance with the provisions of section 4 (a) of the Administrative Procedures Act, proposing to amend § 16.256 and delete § 16.257 of Part 16, Land Transportation Radio Services. The

purpose of this amendment was to permit licensees in the former Highway Truck Radio Service, the former Intercity Bus Radio Service, and the former Urban Transit Radio Service, to continue to operate on the frequencies previously assigned to them until March 15, 1960 in order that such licensees may be assured of a reasonable period of time in which to amortize their equipment.

2. The period in which interested persons were afforded an opportunity to submit comments with respect thereto has expired. Comments in support of the Commission's proposal were received from the American Trucking Associations, Inc. No objection or adverse comments have been received.

3. The original proposal has been modified in certain respects to clarify the Commission's intent and to reflect the Commission's existing policies regarding assignment of licensees in those former services.

4. These amendments will relieve an existing restriction and may, therefore, under the provisions of section 4 (c) of the Administrative Procedure Act be made effective immediately, and in view of the foregoing considerations, and pursuant to authority contained in section 4 (i) and 303 of the Communications Act of 1934 as amended: *It is ordered*, That effective March 12, 1958, Part 16 of the Commission's rules is amended as set forth below.

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

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

1. Amend § 16.256 to read as follows:

§ 16.256 *Amortization period.* Persons now or previously authorized to operate in the former Highway Truck Radio Service, the former Intercity Bus Radio Service, and the former Urban Transit Radio Service, and who have not obtained licenses for their stations in some other service, may be authorized to operate on the frequencies formerly assigned to them until March 15, 1960. During this period, such persons may renew, modify reinstate or assign their licenses in those cases where such assignment accompanies a change of ownership of the licensees business to the assignee; however, they will not be authorized to expand their facilities by the addition of base or fixed stations.

2. Delete § 16.257.

[F. R. Doc. 58-2035; Filed, Mar. 18, 1958; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR (1954) Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

ITEMS NOT DEDUCTIBLE

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such a case, a public hearing will be held and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U. S. C. 7805).

[SEAL] O. GORDON DELK,
Acting Commissioner of Internal Revenue.

The following regulations for taxable years beginning after December 31, 1953, and ending after August 16, 1954, are hereby prescribed under sections 261, 262, 263, 265, 266, and 273 of the Internal Revenue Code of 1954:

ITEMS NOT DEDUCTIBLE

Sec.	
1.261	Statutory provisions; general rule for disallowance of deductions.
1.261-1	General rule for disallowance of deductions.
1.262	Statutory provisions; personal, living, and family expenses.
1.262-1	Personal, living, and family expenses.
1.263 (a)	Statutory provisions; capital expenditures; general rule.
1.263 (a)-1	Capital expenditures; in general.
1.263 (a)-2	Examples of capital expenditures.
1.263 (a)-3	Election to deduct or capitalize certain expenditures.
1.263 (b)	Statutory provisions; capital expenditures; expenditures for advertising and good will.
1.263 (b)-1	Expenditures for advertising or promotion of good will.
1.263 (c)	Statutory provisions; capital expenditures; intangible drilling and development costs in the case of oil and gas wells.
1.263 (c)-1	Intangible drilling and development costs in the case of oil and gas wells.
1.265	Statutory provisions; expenses and interest relating to tax-exempt income.
1.265-1	Expenses relating to tax-exempt income.
1.265-2	Interest relating to tax-exempt income.
1.266	Statutory provisions; carrying charges.
1.266-1	Taxes and carrying charges chargeable to capital account and treated as capital items.
1.273	Statutory provisions; holders of life or terminable interests.
1.273-1	Life or terminable interests.

ITEMS NOT DEDUCTIBLE

§ 1.261 *Statutory provisions; general rule for disallowance of deductions.*

SEC. 261. *General rule for disallowance of deductions.* In computing taxable income no deduction shall in any case be allowed in respect of the items specified in this part.

§ 1.261-1 *General rule for disallowance of deductions.* In computing taxable income, no deduction shall be allowed, except as otherwise expressly provided in chapter 1 of the Internal Revenue Code of 1954, in respect of any of the items specified in sections 262 to 273, inclusive, and the regulations thereunder.

§ 1.262 *Statutory provisions; personal, living, and family expenses.*

SEC. 262. *Personal, living, and family expenses.* Except as otherwise expressly provided in this chapter, no deduction shall be allowed for personal, living, or family expenses.

§ 1.262-1 *Personal, living, and family expenses*—(a) *In general.* In computing taxable income, no deduction shall be allowed, except as otherwise expressly provided in chapter 1 of the Internal Revenue Code of 1954, for personal, living, and family expenses.

(b) *Examples of personal, living, and family expenses.* Personal, living, and family expenses are illustrated in the following examples:

(1) Premiums paid for life insurance by the insured are not deductible. See also section 264 and the regulations thereunder.

(2) The cost of insuring a dwelling owned and occupied by the taxpayer as a personal residence is not deductible.

(3) Expenses of maintaining a household, including amounts paid for rent, water, utilities, domestic service, and the like, are not deductible. A taxpayer who rents a property for residential purposes, but incidentally conducts business there (his place of business being elsewhere) shall not deduct any part of the rent. If, however, he uses part of the house as his place of business, such portion of the rent and other similar expenses as is properly attributable to such place of business is deductible as a business expense.

(4) Losses sustained by the taxpayer upon the sale or other disposition of property held for personal, living, and family purposes are not deductible. But see section 165 and the regulations there-

under for deduction of losses sustained to such property by reason of casualty, etc.

(5) Expenses incurred in traveling away from home (which include transportation expenses, meals, and lodging) and any other transportation expenses are not deductible unless they qualify as expenses deductible under section 162 and the regulations thereunder (relating to trade or business expenses), section 212 and § 1.212–1 (relating to expenses for production of income), or under section 213 (e) and § 1.213–1 (e) (relating to medical expenses). The taxpayer's costs of commuting to his place of business or employment are personal expenses and do not qualify as deductible expenses. The costs of the taxpayer's meals and lodging not incurred in traveling away from home are personal expenses.

(6) Amounts paid as damages for breach of promise to marry, and attorney's fees and other costs of suit to recover such damages, are not deductible.

(7) Generally, attorney's fees and other costs paid in connection with a divorce, separation, or decree for support are not deductible by either the husband or the wife. However, the part of an attorney's fee and the part of the other costs paid in connection with a divorce, legal separation, written separation agreement, or a decree for support, which are properly attributable to the production or collection of amounts includible in gross income under section 71 are deductible by the wife under section 212.

(8) The cost of equipment of a member of the armed services is deductible only to the extent that it exceeds nontaxable allowances received for such equipment and to the extent that such equipment is especially required by his profession and does not merely take the place of articles required in civilian life. For example, the cost of a sword is an allowable deduction in computing taxable income, but the cost of a uniform is not. However, amounts expended by a reservist for the purchase and maintenance of uniforms which may be worn only when on active duty for training for temporary periods, when attending service school courses, or when attending training assemblies are deductible except to the extent that nontaxable allowances are received for such amounts.

(c) *Cross references.* Certain items of a personal, living, or family nature are deductible to the extent expressly provided under the following sections, and the regulations under those sections:

(1) Section 163 (interest).

(2) Section 164 (taxes).

(3) Section 165 (losses).

(4) Section 166 (bad debts).

(5) Section 170 (charitable, etc., contributions and gifts).

(6) Section 213 (medical, dental, etc., expenses).

(7) Section 214 (expenses for care of certain dependents).

(8) Section 215 (alimony, etc., payments).

(9) Section 216 (amounts representing taxes and interest paid to cooperative housing corporation).

§ 1.263 (a) *Statutory provisions; capital expenditures; general rule.*

SEC. 263. *Capital expenditures*—(a) *General rule.* No deduction shall be allowed for—

(1) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate. This paragraph shall not apply to—

(A) Expenditures for the development of mines or deposits deductible under section 616.

(B) Research and experimental expenditures deductible under section 174, or

(C) Soil and water conservation expenditures deductible under section 175.

(2) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made.

§ 1.263 (a)–1 *Capital expenditures; in general.* (a) Except as otherwise provided in chapter 1 of the Internal Revenue Code of 1954, no deduction shall be allowed for—

(1) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate, or

(2) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made in the form of a deduction for depreciation, amortization, or depletion.

(b) In general, the amounts referred to in paragraph (a) of this section include amounts paid or incurred (1) to replace, alter, develop, improve, or otherwise add to the value, or substantially prolong the useful life, of property owned by the taxpayer, such as plant or equipment, or (2) to adapt property to a new or different use. Amounts paid or incurred for incidental repairs and maintenance of property are not capital expenditures within the meaning of subparagraphs (1) and (2) of this paragraph. See section 162 and the regulations thereunder.

(c) The provisions of paragraph (a) (1) of this section shall not apply to expenditures deductible under—

(1) Section 616 and §§ 1.616–1 through 1.616–3, relating to the development of mines or deposits,

(2) Section 174 and §§ 1.174–1 through 1.174–4, relating to research and experimentation, and

(3) Section 175 and §§ 1.175–1 through 1.175–6, relating to soil and water conservation.

§ 1.263 (a)–2 *Examples of capital expenditures.* The following paragraphs include examples of capital expenditures:

(a) The cost of acquisition, construction, or erection of buildings, machinery and equipment, furniture and fixtures, and similar property having a useful life substantially beyond the taxable year.

(b) Amounts expended for securing a copyright and plates, which remain the property of the person making the payments.

(c) The cost of defending or perfecting title to property.

(d) The amount expended for architect's services.

(e) Commissions paid in purchasing securities. Commissions paid in selling securities are an offset against the selling price, except that in the case of dealers in securities such commissions may be treated as an ordinary and necessary business expense. See section 162 and the regulations thereunder.

(f) Amounts assessed and paid under an agreement between bondholders or shareholders of a corporation to be used in a reorganization of the corporation or voluntary contributions by shareholders to the capital of the corporation for any corporate purpose. Such amounts are capital investments and are not deductible. See section 118 and § 1.118–1.

(g) A holding company which guarantees dividends at a specified rate on the stock of a subsidiary corporation for the purpose of securing new capital for the subsidiary and increasing the value of its stockholdings in the subsidiary shall not deduct amounts paid in carrying out this guaranty in computing its taxable income, but such payments are capital expenditures to be added to the cost of its stock in the subsidiary.

(h) The cost of good will in connection with the acquisition of the assets of a going concern is a capital expenditure.

§ 1.263 (a)–3 *Election to deduct or capitalize certain expenditures.* (a) Under certain provisions of the Internal Revenue Code, taxpayers may elect to treat capital expenditures as deductible expenses or as deferred expenses, or to treat deductible expenses as capital expenditures.

(b) The sections referred to in paragraph (a) of this section include:

(1) Section 173 (circulation expenditures).

(2) Section 174 (research and experimental expenditures).

(3) Section 175 (soil and water conservation expenditures).

(4) Section 177 (trademark and trade name expenditures).

(5) Section 248 (organizational expenditures of a corporation).

(6) Section 266 (carrying charges).

(7) Section 615 (exploration expenditures).

(8) Section 616 (development expenditures).

§ 1.263 (b) *Statutory provisions; capital expenditures; expenditures for advertising and good will.*

SEC. 263. *Capital expenditures.* * * *

(b) *Expenditures for advertising and good will.* If a corporation has, for the purpose of computing its excess profits tax credit under chapter 2E or subchapter D of chapter 1 of the Internal Revenue Code of 1939 claimed the benefits of the election provided in section 733 or section 451 of such code, as the case may be, no deduction shall be allowable under section 162 to such corporation for expenditures for advertising or the promotion of good will which, under the rules and regulations prescribed under section 733 or section 451 of such code, as the case may be, may be regarded as capital investments.

§ 1.263 (b)–1 *Expenditures for advertising or promotion of good will.* See the regulations under section 162 for the rules applicable to a corporation

which has elected to capitalize expenditures for advertising or the promotion of good will under the provisions of section 733 or section 451 of the Internal Revenue Code of 1939, in computing its excess profits tax credit under subchapter E of chapter 2, or subchapter D of chapter 1, of the Internal Revenue Code of 1939.

§ 1.263 (c) *Statutory provisions; capital expenditures; intangible drilling and development costs in the case of oil and gas wells.*

SEC. 263. *Capital expenditures.* * * *

(c) *Intangible drilling and development costs in the case of oil and gas wells.* Notwithstanding subsection (a), regulations shall be prescribed by the Secretary or his delegate under this subtitle corresponding to the regulations which granted the option to deduct as expenses intangible drilling and development costs in the case of oil and gas wells and which were recognized and approved by the Congress in House Concurrent Resolution 50, Seventy-ninth Congress.

§ 1.263 (c)–1 *Intangible drilling and development costs in the case of oil and gas wells.* For rules relating to the option to deduct as expenses intangible drilling and development costs in the case of oil and gas wells, see § 1.612–4.

§ 1.265 *Statutory provisions; expenses and interest relating to tax-exempt income.*

SEC. 265. *Expenses and interest relating to tax-exempt income.* No deduction shall be allowed for—

(1) *Expenses.* Any amount otherwise allowable as a deduction which is allocable to one or more classes of income other than interest (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this subtitle, or any amount otherwise allowable under section 212 (relating to expenses for production of income) which is allocable to interest (whether or not any amount of such interest is received or accrued) wholly exempt from the taxes imposed by this subtitle.

(2) *Interest.* Interest on indebtedness incurred or continued to purchase or carry obligations (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest on which is wholly exempt from the taxes imposed by this subtitle.

§ 1.265–1 *Expenses relating to tax-exempt income.*—(a) *Nondeductibility of expenses allocable to exempt income.* (1) No amount shall be allowed as a deduction under any provision of the Internal Revenue Code of 1954 for any expense or amount which is otherwise allowable as a deduction and which is allocable to a class or classes of exempt income other than a class or classes of exempt interest income.

(2) No amount shall be allowed as a deduction under section 212 (relating to expenses for production of income) for any expense or amount which is otherwise allowable as a deduction and which is allocable to a class or classes of exempt interest income.

(b) *Exempt income and nonexempt income.* (1) As used in this section, the term "class of exempt income" means any class of income (whether or not any amount of income of such class is received or accrued) wholly exempt from the taxes imposed by subtitle A of the Internal Revenue Code of 1954. For purposes of this section, a class of income which is considered as wholly exempt from the taxes imposed by subtitle A includes any class of income which is—

(i) Wholly excluded from gross income under any provision of subtitle A, or

(ii) Wholly exempt from the taxes imposed by subtitle A under the provisions of any other law.

(2) As used in this section the term "nonexempt income" means any income which is required to be included in gross income.

(c) *Allocation of expenses to a class or classes of exempt income.* Expenses and amounts otherwise allowable which are directly allocable to any class or classes of exempt income shall be allocated thereto; and expenses and amounts directly allocable to any class or classes of nonexempt income shall be allocated thereto. If an expense or amount otherwise allowable is indirectly allocable to both a class of nonexempt income and a class of exempt income, a reasonable proportion thereof determined in the light of all the facts and circumstances in each case shall be allocated to each.

(d) *Statement of classes of exempt income; records.* (1) A taxpayer receiving any class of exempt income or holding any property or engaging in any activity the income from which is exempt shall submit with his return as a part thereof an itemized statement, in detail, showing (i) the amount of each class of exempt income, and (ii) the amount of expenses and amounts otherwise allowable allocated to each such class (the amount allocated by apportionment being shown separately) as required by paragraph (c) of this section. If an item is apportioned between a class of exempt income and a class of nonexempt income, the statement shall show the basis of the apportionment. Such statement shall also recite that each deduction claimed in the return is not in any way attributable to a class of exempt income.

(2) The taxpayer shall keep such records as will enable him to make the allocations required by this section. See section 6001 and the regulations thereunder.

§ 1.265–2 *Interest relating to tax-exempt income.* No amount shall be allowed as a deduction for interest on any indebtedness incurred or continued to purchase or carry obligations, the interest on which is wholly exempt from tax under subtitle A of the Internal Revenue Code of 1954, such as municipal bonds, Panama Canal loan 3-percent bonds, or obligations of the United States, the interest on which is wholly exempt from tax under subtitle A, and which were issued after September 24, 1917, and not originally subscribed for by the taxpayer. Interest paid or accrued within the taxable year on indebtedness incurred or continued to purchase or carry (a) obligations of the United States issued after September 24, 1917, the interest on which is not wholly exempt from the taxes imposed under subtitle A of the Internal Revenue Code of 1954, or (b) obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer, the interest on which is wholly exempt from the taxes imposed by subtitle A of the Internal Revenue Code of 1954, is deductible. For rules as to the inclusion in gross income of interest on certain governmental obligations, see section 103 and §§ 1.103–1 through 1.103–6.

§ 1.266 *Statutory provisions; carrying charges.*

SEC. 266. *Carrying charges.* No deduction shall be allowed for amounts paid or accrued for such taxes and carrying charges as, under regulations prescribed by the Secretary or his delegate, are chargeable to capital account with respect to property, if the taxpayer elects, in accordance with such regulations, to treat such taxes or charges as so chargeable.

§ 1.266–1 *Taxes and carrying charges chargeable to capital account and treated as capital items.*—(a) *In general.* In accordance with section 266, items enumerated in paragraph (b) (1) of this section may be capitalized at the election of the taxpayer. Thus, taxes and carrying charges with respect to property of the type described in this section are chargeable to capital account at the election of the taxpayer, notwithstanding that they are otherwise expressly deductible under provisions of subtitle A of the Internal Revenue Code of 1954. No deduction is allowable for any items so treated.

(b) *Taxes and carrying charges.* (1) The taxpayer may elect, as provided in paragraph (c) of this section, to treat the items enumerated in this subparagraph which are otherwise expressly deductible under the provisions of subtitle A of the Internal Revenue Code of 1954 as chargeable to capital account either as a component of original cost or other basis, for the purposes of section 1012, or as an adjustment to basis, for the purposes of section 1016 (a) (1). The items thus chargeable to capital account are—

(i) In the case of unimproved and unproductive real property: Annual taxes, interest on a mortgage, and other carrying charges.

(ii) In the case of real property, whether improved or unimproved and whether productive or unproductive:

(*a*) Interest on a loan made or continued to furnish funds for such development or construction (but not theoretical interest of a taxpayer using his own funds),

(*b*) Taxes of the owner of such real property measured by compensation paid to his employees,

(*c*) Taxes of such owner imposed on the purchase of materials,

(*d*) Taxes of such owner imposed on the storage, use, or other consumption of materials, and

(*e*) Other necessary expenditures,

paid or incurred for the development of the real property or for the construction of an improvement or additional improvement to such real property, up to the time the development or construc-

tion work has been completed. The development or construction work with respect to which such items are incurred may relate to unimproved and unproductive real estate whether the construction work will make the property productive of income subject to tax (as in the case of a factory) or not (as in the case of a personal residence), or may relate to property already improved or productive (as in the case of a plant addition or improvement, such as the construction of another floor on a factory or the installation of insulation therein).

(iii) In the case of personal property:

(*a*) Taxes of an employer measured by compensation for services rendered in transporting machinery or other fixed assets to the plant or installing them therein.

(*b*) Interest on a loan to purchase such property or to pay for transporting or installing the same, and

(*c*) Taxes of the owner thereof imposed on the purchase of such property or on the storage, use, or other consumption of such property,

paid or incurred up to the date of installation or the date when such property is first put into use by the taxpayer, whichever date is later.

(iv) Any other taxes and carrying charges with respect to property, otherwise deductible, which in the opinion of the Commissioner are, under sound accounting principles, chargeable to capital account.

(2) The sole effect of section 266 is to permit the items enumerated in subparagraph (1) of this paragraph to be chargeable to capital account notwithstanding that such items are otherwise expressly deductible under the provisions of subtitle A of the Internal Revenue Code of 1954.

(3) In the absence of a provision in this section for treating a given item as a capital item, this section has no effect on the treatment otherwise accorded such item. Thus, items which are otherwise deductible are deductible notwithstanding the provisions of this section, and items which are otherwise treated as capital items are to be so treated. Similarly, an item not otherwise deductible is not made deductible by this section. Nor is the absence of a provision in this section for treating a given item as a capital item to be construed as withdrawing or modifying the right now given to the taxpayer under any other provisions of subtitle A of the Internal Revenue Code of 1954, or of the regulations thereunder, to elect to capitalize or to deduct a given item.

(c) *Election to charge taxes and carrying charges to capital account.* (1) If for any taxable year there are two or more items, such as social security taxes, sales taxes, or any other type of items described in paragraph (b) (1) of this section, which relate to the same project to which the election is applicable, the taxpayer may elect to capitalize any one or more of such items even though he does not elect to capitalize the remaining items or to capitalize items of the same type relating to other projects. However, if expenditures for several items of the same type are incurred with respect to a single project, the election to capitalize must, if exercised, be exercised as to all items of that type. For purposes of this section, a "project" means, in the case of items described in paragraph (b) (1) (ii) of this section, a particular development of, or construction of an improvement to, real property, and in the case of items described in paragraph (b) (1) (iii) of this section, the transportation and installation of machinery or other fixed assets.

(2) (i) An election with respect to an item described in paragraph (b) (1) (i) of this section is effective only for the year for which it is made.

(ii) An election with respect to an item described in—

(*a*) Paragraph (b) (1) (ii) of this section is effective until the development or construction work described in that subdivision has been completed;

(*b*) Paragraph (b) (1) (iii) of this section is effective until the later of either the date of installation of the property described in that subdivision, or the date when such property is first put into use by the taxpayer;

(*c*) Paragraph (b) (1) (iv) of this section is effective as determined by the Commissioner.

Thus, an item chargeable to capital account under this section must continue to be capitalized for the entire period described in this subdivision applicable to such election although such period may consist of more than one taxable year.

(3) If the taxpayer elects to capitalize an item or items under this section, such election shall be exercised by filing with the original return for the year for which the election is made a statement indicating the item or items (whether with respect to the same project or to different projects) which the taxpayer elects to treat as chargeable to capital account. Elections filed for taxable years beginning before January 1, 1954, and for taxable years ending before August 17, 1954, under section 24 (a) (7) of the Internal Revenue Code of 1939, and the regulations thereunder, shall have the same effect as if they were filed under this section. See section 7807 (b) (2).

(d) The following examples are illustrative of the application of the provisions of this section:

Example (1). In 1956 and 1957 A pays annual taxes and interest on a mortgage on a piece of real property. During 1956, the property is vacant and unproductive, but throughout 1957 A operates the property as a parking lot. A may capitalize the taxes and mortgage interest paid in 1956, but not the taxes and mortgage interest paid in 1957.

Example (2). In February 1957, B began the erection of an office building for himself. B in 1957, in connection with the erection of the building, paid $6,000 social security taxes, which in his 1957 return he elected to capitalize. B must continue to capitalize the social security taxes paid in connection with the erection of the building until its completion.

Example (3). Assume the same facts as in example (2) except that in November 1957, B also begins to build a hotel. In 1957 B pays $3,000 social security taxes in connection with the erection of the hotel. B's election to capitalize the social security taxes paid in erecting the office building started in February 1957 does not bind him to capitalize the social security taxes paid in erecting the hotel; he may deduct the $3,000 social security taxes paid in erecting the hotel.

Example (4). In 1957, M Corporation began the erection of a building for itself, which will take three years to complete. M Corporation in 1957 paid $4,000 social security taxes and $8,000 interest on a building loan in connection with this building. M Corporation may elect to capitalize the social security taxes although it deducts the interest charges.

Example (5). C purchases machinery in 1957 for use in his factory. He pays social security taxes on the labor for transportation and installation of the machinery, as well as interest on a loan to obtain funds to pay for the machinery and for transportation and installation costs. C may capitalize either the social security taxes or the interest, or both, up to the date of installation or until the machinery is first put into use by him, whichever date is later.

(e) *Allocation.* If any tax or carrying charge with respect to property is in part a type of item described in paragraph (b) of this section and in part a type of item or items with respect to which no election to treat as a capital item is given, a reasonable proportion of such tax or carrying charge, determined in the light of all the facts and circumstances in each case, shall be allocated to each item. The rule of this paragraph may be illustrated by the following example:

Example. N Corporation, the owner of a factory on which a new addition is under construction, in 1957 pays its general manager, B, a salary of $10,000 and also pays a social security tax of $94.50 on B's salary. B spends nine-tenths of his time in the general business of the firm and the remaining one-tenth in supervising the construction work. N Corporation treats as expenses $9,000 of B's salary, and charges the remaining $1,000 to capital account. N Corporation may elect to capitalize $9.45 of the $94.50 social security taxes.

§ 1.273 *Statutory provisions; holders of life or terminable interest.*

SEC. 273. *Holders of life or terminable interest.* Amounts paid under the laws of a State, a Territory, the District of Columbia, a possession of the United States, or a foreign country as income to the holder of a life or terminable interest acquired by gift, bequest, or inheritance shall not be reduced or diminished by any deduction for shrinkage (by whatever name called) in the value of such interest due to the lapse of time.

§ 1.273-1 *Life or terminable interests.* Amounts paid as income to the holder of a life or a terminable interest acquired by gift, bequest, or inheritance shall not be subject to any deduction for shrinkage (whether called by depreciation or any other name) in the value of such interest due to the lapse of time. In other words, the holder of such an interest so acquired may not set up the value of the expected future payments as corpus or principal and claim deduction for shrinkage or exhaustion thereof due to the passage of time. For the treatment generally of distributions to beneficiaries of an estate or trust, see sections 641 through 668, and the regulations thereunder. For basis of property acquired from a decedent and by gifts and trans-

fers in trust, see sections 1014 and 1015, and the regulations thereunder.

[F. R. Doc. 58-2026; Filed, Mar. 18, 1958; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 10988; FCC 58-222]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

RADIOPOSITIONING STATIONS

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the use of the frequency bands 10–14 kc and 90–110 kc by radiopositioning stations; and allocation of radio frequencies below 25 Mc for use by radiopositioning stations. FCC 58–222.

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

2. On March 31, 1954, the Commission issued a Notice of Proposed Rule Making in this docket which proposed to amend the rules to give secondary sharing rights to radiopositioning stations in the bands 10–14 kc and 90–110 kc. Comments were received and considered. Due to the nature of these comments, action in this Docket has been withheld. However, there has been a recent increase of interest in radiopositioning matters and, in addition, the Commission is giving consideration to the proposals which will be advanced on this subject by the United States and other administrations at the Administrative Radio Conference of the International Telecommunication Union, presently scheduled to convene at Geneva, Switzerland on July 1, 1959. This Conference will, among other things, consider the advisability of revising the International Table of Frequency Allocations, which does not now contain any allocations for radiopositioning.

3. In view of the above, the Commission desires at this time to undertake a general review of radiopositioning requirements and frequency allocations below approximately 25 Mc., (frequency allocations above 25 Mc. are the subject of separate Commission proceedings in Dockets 11866 and 11997). This will be, in part, the review of radiolocation matters which was promised in the Commission's final decision in Docket No. 9233, as released December 21, 1951. (The decision in this Docket established the Industrial Radiolocation Service on a developmental basis, and allocated frequencies to support the service).

4. With respect to the band 1750–1800 kc, now available for petroleum industry radiopositioning activities in the coastal areas of the Gulf of Mexico, comment is requested with respect to the following:

a. Have the operations which have been conducted been satisfactory from the standpoint of hours of operation and problems involving harmful interference?

b. Should provision be made for similar operations elsewhere in the United States? (Since extending availability of the 1750–1800 kc band for radiopositioning into areas not now authorized would present substantial allocation problems, new areas where such an allocation is desired should be identified with particularity.)

c. Are the characteristics of the 1750–1800 kc band and radiopositioning systems operating therein such that other methods of position-fixing are preferable for surveying operations over land?

d. Is lack of "lane identification" a serious operational deficiency of the continuous-wave phase-comparison radiopositioning systems presently operating in the 1750–1800 kc band? Is it feasible to incorporate lane identification into either of the two types of systems (LORAC and RAYDIST) now authorized in this band, if the systems continue to be restricted to the present 1750–1800 kc allocation?

e. If there is a requirement that these systems have lane identification, and if this requirement cannot be met by use of frequencies in the band 1750–1800 kc, how much spectrum space would be required outside of this band to provide for systems operating in this band? What portion or portions of the spectrum should be used to meet any such requirement? If space between 1605 and 1750 kc is suitable, which part of this band is preferred from a technical viewpoint? For other reasons? Are there any technical or economic reasons why a lane identification allocation between 1605 and 1750 kc (or in some other portion of the spectrum) should be a single block allocation, noting that making individual assignments on a case-by-case basis without a block allocation seems to be, at least for the present, more practical from an administrative standpoint?

5. What operational requirements are there for radiopositioning facilities operating on frequencies below 25 Mc, other than those of the petroleum industry? In this connection, the Commission has been informed that there may be such requirements for control of aerial photogrammetric operations and for the aerial application of insecticides and fungicides, particularly in forested areas. Further information in this regard is desired.

6. With respect to radiopositioning in general, are there substantial operational requirements for two or more systems, one or more working in the frequency range 1605–1800 kc, the other(s) on different frequencies below 25 Mc?

7. With respect to radiopositioning in general, to what extent are radiopositioning systems also useful for short-range, medium-range or long-range radionavigation?

8. To what extent can operational requirements for radiopositioning facilities operating on frequencies below 25 Mc be satisfied by radio aids to navigation operated by the Federal Government?

9. Are there parts of the spectrum below 25 Mc (in addition to 1750–1800 kc) which should be allocated for radiopositioning? If so, what are they?

10. Should portions of the spectrum below 25 Mc which may be allocated for radiopositioning be exclusive or shared with other radio services? If sharing is feasible, with which other services is it most feasible? Can radiopositioning share with radionavigation? Does the feasibility of sharing in any way depend upon the type of radiopositioning system which is used, or upon operational requirements of the user?

11. If there is a requirement for one or more radiopositioning allocations below 500 kc, the following questions are presented for comment:

a. Should the frequencies 70–72 kc, 84–86 kc, 112–115 kc and 126–129 kc, which frequently are referred to as the Decca bands, be made available in the U. S. for radiopositioning use? Note: Comment with respect to allocation of these bands for radionavigation service is not desired in this Docket.

b. If radiopositioning is allowed secondary sharing privileges in the band 90–110 kc, as originally proposed in this Docket, will it be feasible to provide lane identification within these frequency limits? To what extent would the provision of lane identification be facilitated by allocation of a small amount of spectrum space outside the band 90–110 kc? Also, how much space outside the band 90–110 kc would be required and what is the best technical location in the spectrum for such an allocation? Could it be shared, and if so with whom, and on what basis?

12. This notice is issued pursuant to the authority of sections 303 (c), (f), (g), and (r) of the Communications Act of 1934, as amended.

13. Any interested person is invited to file comments with the Commission concerning this matter on or before June 12, 1958. Comments in reply to the original comments may be filed within 10 days from the last day for filing said original comments. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is shown.

14. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, an original and 14 copies of all comments filed shall be furnished the Commission.

Adopted: March 12, 1958.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2036; Filed, Mar. 18, 1958; 8:52 a. m.]

[47 CFR Part 5]

[Docket No. 12347; FCC 58-226]

EXPERIMENTAL RADIO SERVICES

ISSUANCE OF SHORT TERM AUTHORIZATIONS FOR USE BY STUDENTS

In the matter of amendment of Part 5 of the Commission's Rules to provide for the issuance of short term authorizations for use by students.

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

2. In consideration of the importance currently being attached to a knowledge of science, and as a contribution toward encouraging the study of science, the Commission proposes to relax certain of its requirements in the Experimental Radio Service, in order to facilitate short term authorizations for students to operate radio equipment in connection with science projects in school or at science fairs. The proposed amendment to Part 5 of its rules is set forth below.

3. It is recognized that this relaxation entails a certain risk of interference to other services. However, it appears that the benefits to be derived by permitting student operation and demonstration of radio equipment at science fairs and for other similar projects under the regulations proposed herein, will outweigh the risks inherent in this proposal. Moreover, it is believed that the interference hazard will be mitigated due to the short term for which these authorizations will be issued and other limiting factors contained in the proposed rules.

4. The proposed amendments, set forth below, are issued pursuant to the authority contained in sections 4 (i), 303 (r), 318 and 319 (d) of the Communications Act of 1934, as amended (47 U. S. C. 4 (i), 303 (r), 318 and 319 (d)).

5. Any interested person may file with the Commission on or before April 18, 1958, a statement or brief setting forth his comments in regard to the proposed amendments of the Commission's rules. Comments in reply to the original comments may be filed within 20 days from the last day for filing original comments. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider all comments before taking action in the matter, and if any comments are submitted which appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.54 of the Commission's rules, an original and 14 copies of all statements, briefs or comments, in the form prescribed by § 1.52, shall be furnished to the Commission.

Adopted: March 12, 1958.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

Amend Part 5 of the Commission's rules, Experimental Radio Services, by adding the following Subpart:

SUBPART H—SPECIAL TEMPORARY AUTHORIZATIONS FOR STUDENTS

§ 5.401 *Eligibility for license.* The Commission may issue a special temporary authorization under this subpart to students for the purpose of presenting experiments or technical demonstrations for school or school approved projects which require the use of radio for a limited period of time. Such short-term special temporary authorizations may, in the discretion of the Commission, be granted to students of seventh grade or higher level.

§ 5.402 *Filing of applications.* (a) An application for a special temporary authorization for a school project may be filed in letter form, in duplicate, with the original signed under oath or affirmation. The application shall contain the information set out in paragraph (b) of this section.

(b) The application shall contain the following information:

(1) Name and address of applicant.

(2) A statement that the applicant is a citizen of the United States.

(3) Applicant's school and grade.

(4) A detailed description in narrative form of the project including the type and purpose of operation.

(5) Place of operation—street address, name of building, or other specific location.

(6) Date(s) of operation including the exact hours, when known, as well as the duration of each period of operation.

(7) Equipment to be used. If manufactured, list name of manufacturer and type number. For other equipment, describe in detail and furnish a circuit diagram.

(8) Frequency(ies) desired and range of frequencies which could be employed.

(9) The method by which the frequency of operation will be determined.

(10) Frequency tolerance.

(11) The means by which this tolerance will be maintained.

(12) DC plate power input to final radio frequency stage. If not known, indicate any known power rating of equipment and state whether this is power output of transmitter or radiated power and whether average or peak.

(13) Type of emission including a description of the modulation that will be applied, if modulated.

(14) Description of the antenna to be used, including height above ground.

(c) The application shall be accompanied by a signed statement from the principal of the school, or a member of its faculty, on appropriate letterhead, stating that the project has the approval of the school and indicating the person under whose general supervision the project will be conducted.

§ 5.403 *Waivers of construction permit and operator requirements.* (a) Subject to the requirements of §§ 5.401 and 5.402, the provisions contained in section 319 (d) of the Communications Act are waived insofar as such provisions require the issuanee of a construction permit prior to the issuance of the special temporary authorization provided for in this subpart.

(b) Subject to the requirements of §§ 5.401 and 5.402, the provisions contained in section 318 of the Communications Act are waived insofar as such provisions require that a station authorized under this subpart be operated by a person holding an operator's license: *Provided however,* That the Commission, in its discretion, may require that operations authorized pursuant to this subpart be conducted by, or in the presence of, a licensed operator of the appropriate grade.

§ 5.404 *Power limitation.* No authorization under this subpart will be issued unless the description of the project shows that the dc plate input to the final radio frequency stage does not exceed 5 watts: *Provided however,* That a greater power may be authorized if a satisfactory showing is made that such greater power is necessary and that appropriate measures will be taken to prevent interference.

§ 5.405 *Frequencies.* (a) Frequencies in the bands listed below are available for assignment in authorizations issued under this subpart:

27.23 Mc to 27.28 Mc.
460 Mc to 470 Mc.
2450 Mc to 2500 Mc.

(b) In each case, the carrier frequency must be far enough inside the band as to keep the sideband energy within the band limits specified.

§ 5.406 *Measurements required.* The frequency of operation must be measured or checked prior to each time of operation and the measured value must be recorded.

§ 5.407 *Non-interference condition.* Each authorization issued to a student under this subpart is subject to the condition that no harmful interference, as defined in § 5.4 (h), is caused to any authorized station.

§ 5.408 *Record of operation.* (a) The licensee holding an authorization issued under this subpart shall maintain a record of operation containing the following information:

(1) The date and time of each period of operation.

(2) The frequency of operation as measured at the beginning of each period of operation.

(3) A brief description of the experimentation being conducted.

(b) Each entry shall be signed by the person operating the equipment.

§ 5.409 *Notification.* (a) The licensee of an authorization issued under this subject shall notify the Engineer in Charge of the district in which the station will be operated in advance of each scheduled operation.

(b) The notice to the Engineer in Charge shall be in writing and shall contain the following information:

(1) Place of operation.

(2) Date(s) of operation, including exact time if known.

(3) Frequency(s) to be used.

(4) Call letters of station.

[F. R. Doc. 58-2037; Filed, Mar. 18, 1958; 8:52 a. m.]

[47 CFR Part 15]

[Docket No. 12340; FCC 58-232]

INCIDENTAL AND RESTRICTED RADIATION DEVICES

NOTICE OF PROPOSED RULE MAKING

In the matter of Amendment of § 15.68 of the Commission's rules governing Incidental and Restricted Radiation Devices.

1. The Commission has received a petition from Vocaline Company of America, Inc., a manufacturer of transceivers that operate in the 460–470 Mc band of the Citizens Radio Service, which includes a request that super-regenerative transceivers operating with power of three watts or less and tuning in the frequency range 30 to 890 Mc be exempted from the receiver radiation requirements of Part 15 of the rules.

2. Subpart C of Part 15 of the Commission's rules, adopted December 21, 1955, contains radiation limits that are applicable, without exception, to all radio receivers that tune in the frequency range 30 to 890 Mc. In general, all such receivers that were manufactured after October 1, 1956, are required to be certificated to demonstrate compliance with the Commission's radiation limits.

3. During the past two years, petitioner states that he has manufactured an estimated 25,000 transceivers for use in the 460–470 Mc band of the Citizens Radio Service. The receiver portion of the device is of the super-regenerative type and the radiation therefrom exceeds the Commission's radiation limitations. Petitioner states further that he has a substantial inventory of transceivers and parts on hand and alleges that the company, its dealers and employees would be adversely affected economically if the Commission does not exempt the subject equipment from the certification requirements of Part 15.

4. Petitioner pleads that he has not considered Part 15 to be applicable to Citizens Radio equipment since the Citizens Radio Service, insofar as technical requirements and regulatory philosophy are concerned, is fundamentally different from any of the other two-way communication services. Petitioner states that, in support of this opinion, he relied on the statements of technical objectives, requirements and restrictions for the Citizens Radio Service contained in the Commission's 1945 Report of Proposed Allocation [1] which statements are quoted at length in the subject petition.

5. Petitioner pleads further that the pending proceeding in Docket 11994 [2] which proposes to make extensive changes in the Citizens Radio Service, particularly in the technical standard for equipment, will, if adopted as proposed, obsolete its present equipment and seriously retard the development of the Citizens Radio Service.

6. The Commission believes that the language of Part 15 is sufficiently clear, and that the applicability of the Part 15 radiation limits to any receiver intended for use in the 460–470 Mc Citizens Radio band is beyond doubt. Moreover, the radiation limits are not unreasonable as evidenced by the fact that a number of super-regenerative receivers now in use in other services are complying with these limits. Moreover, it is undoubtedly probable that the technical changes proposed in Docket 11994, if adopted, may restrict or even preclude the use of equipment of the type manufactured by the petitioner unless suitable design changes are made to meet such standards. In view of the foregoing, the Commission believes that it should not require the petitioner to re-design the receiver portion of his transceiver at this time so that it would immediately comply with all of the receiver radiation limits set forth in Part 15 of the rules. Such action would unduly restrict the availability of equipment to the public for use in 460–470 Mc Citizens Radio band and would place an unreasonable economic hardship on the petitioner.

7. The Commission therefore proposes to relax its present receiver radiation limitation to the extent that no limitation will apply in the case of radiation in the 460–470 Mc band from super-regenerative receivers operating in that band. However, radiation on other frequencies by such receivers must not exceed the limits now set forth in Part 15 of the rules. It is emphasized that the relief proposed to be granted herein should be considered a temporary measure to permit the continued use of certain existing Citizens Radio equipment in the band 460–470 Mc. The Commission proposes further to review the matter of receiver radiation limitations for Citizens Radio equipment operating between 460 and 470 Mc concurrently with any further action in Docket No. 11994.

8. The text of the proposed amendment is set forth below.

9. This proposal to amend the Commission's rules is issued under the Authority of sections 4 (i), 301, and 303 (r) of the Communications Act of 1934, as amended.

10. Any interested person who is of the opinion that the proposed amendment should not be adopted in the form set forth herein, may file with the Commission on or before April 18, 1958, written data, views or arguments setting forth his comments. Comments in support of these proposals may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within ten days from the last day for filing said original comments or briefs. No additional comments may be filed unless specifically requested by the Commission or good cause for filing of such comments is established.

11. In accordance with the provisions of § 1.764 of the Commission's Rules, an original and 14 copies of all statements, briefs or comments, filed shall be furnished the Federal Communications Commission.

Adopted: March 12, 1958.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

Amend Part 15 as follows:

1. Change title of § 15.68 to read: *"Date when certification is required".*

2. Add a new paragraph (d) to § 15.68 which reads:

(d) Super-regenerative receivers manufactured after October 1, 1956, for operation in the Citizens Radio Service on the frequency 465 Mc, shall comply with the certification requirements of this subpart, except that radiation need not be limited within the band limits of the Citizens Radio frequency band centered on 465 Mc.

[F. R. Doc. 58-2038; Filed, Mar. 18, 1958; 8:53 a. m.]

[1] FCC Report of Proposed Allocations from 25,000 kc to 30,000,000 kc, January 15, 1945, Docket No. 6651.

[2] See Notice of Proposed Rule Making in Docket No. 11994 issued April 9, 1957, In the matter of complete revision of Part 19 Rules Governing the Citizens Radio Service.

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The University of Alaska has filed an application, Serial No. Anchorage 026446, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and mineral leasing laws. The applicant desires the land for Anchorage educational facilities of a college nature.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

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

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

The lands involved in the application are:

SEWARD MERIDIAN

T. 13 N., R. 3 W.,
Sec. 28: E½NW¼NW¼, E½NE¼SW¼NW¼, S½SW¼NW¼, SE¼NW¼, N½NE¼NW¼SW¼, N½NW¼NE¼SW¼.

Containing 95 acres more or less.

L. T. MAIN,
Operations Supervisor,
Anchorage.

[F. R. Doc. 58-2030; Filed, Mar. 18, 1958; 8:51 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Civil Aeronautics Administration has filed an application, Serial No. An-

chorage 041869, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including mining and the mineral leasing laws but excepting the disposal of materials under the Materials Act. The applicant desires the land for a VOR Navigation Aide Site.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

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

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

The lands involved in the application are:

SEWARD MERIDIAN

	Acres
T. 5 S., R. 13 W., S. M.,	
Sec. 27: NE¼SE¼	40
Sec. 35: NE¼NW¼	40
Sec. 34: NE¼NE¼	40
Sec. 26: S½S½SW¼NW¼	10

Containing approximately 130 acres more or less.

L. T. MAIN,
Operations Supervisor,
Anchorage.

[F. R. Doc. 58-2031; Filed, Mar. 18, 1958; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

FARM TENANT-MORTGAGE INSURANCE FUND; FARMERS HOME ADMINISTRATION

ASSIGNMENT OF FUNCTIONS

Pursuant to the authority contained in R. S. 161 (5 U. S. C. 22) and Reorganization Plan No. 2 of 1953, paragraph 1 in section 1400 of the Acting Secretary's Order dated October 10, 1957 (22 F. R. 8188), hereby is amended to increase the authority assigned to the Farmers Home Administration to issue notes to the Secretary of the Treasury in order to obtain cash for the farm tenant-mortgage insurance fund, and to read as follows:

SEC. 1400. *Assignment of functions.*

* * *

1. Authority to issue notes to the Secretary of the Treasury, authorized by sections 12 (j) and 13 (b) of the Bankhead-Jones Farm Tenant Act, as amended (7 U. S. C. 1005b (j), 1005c (b)), and section 10 (d) of the act of August 28, 1937, as amended (16 U. S. C. 590x-3 (d)), provided that the aggregate unpaid principal balance on notes issued and outstanding under this authorization shall not exceed $30,000,000.

Done at Washington, D. C., this 14th day of March 1958.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-2049; Filed, Mar. 18, 1958; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11973 etc.; FCC 58M-228]

PALM SPRINGS TRANSLATOR STATION, INC.

ORDER SCHEDULING HEARING

In re applications of Palm Springs Translator Station, Inc., Palm Springs, California, Docket No. 11973, File No. BPTT-12; Palm Springs Translator Station, Inc., Palm Springs, California, Docket No. 11974, File No. BPTT-13; for construction permits for new television broadcast translator stations; Palm Springs Translator Station, Inc., Palm Springs, California, Docket No. 12149, File No. BMPTT-5; Palm Springs Translator Station, Inc., Palm Springs, California, Docket No. 12150, File No. BMPTT-6; for modification of construction permits to increase effective radiated power and to make changes in antenna system; Palm Springs Translator Station, Inc., Palm Springs, California, Docket No. 12151, File No. BLTT-11; Palm Springs Translator Station, Inc., Palm Springs, California, Docket No. 12152, File No. BLTT-12; for television broadcast translator station licenses to cover translator stations K-70-AL and K-73-AD, Palm Springs, California.

The Hearing Examiner having under consideration the above-entitled proceeding;

It is ordered, This 12th day of March 1958, that a further prehearing conference is scheduled herein for April 1, 1958, at 10:00 a.m., and that the hearing herein, which was previously continued without date, is scheduled for April 21, 1958, at 10:00 a. m.

Released: March 12, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2039; Filed, Mar. 18, 1958; 8:53 a. m.]

[Docket Nos. 12209, 12210; FCC 58-217]

DAVID M. SEGAL ET AL.

ORDER AMENDING ISSUES

In re applications of David M. Segal, Boulder, Colorado, Docket No. 12209, File No. BP-10427; Kenneth G. Prather and Misha S. Prather, Boulder, Colorado, Docket No. 12210, File No. BP-11289; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of March 1958;

The Commission having under consideration (1) a motion to enlarge the issues filed on December 24, 1957, by KDEN Broadcasting Company and (2) a statement of the Commission's Broadcast Bureau in support of subject motion filed on January 3, 1958;

It appearing that Station KDEN, Denver, Colorado, has made measurements which show that if either of the two proposals herein is granted, there may be a possible overlap of its 2 mv/m contour with the 25 mv/m contour of a new station in Boulder, Colorado, which would contravene the provisions of § 3.37 of the rules;

It further appearing that it will be necessary for both applicants to prove by measurements that their proposed 25 mv/m contours will not overlap the 2 mv/m contour of Station KDEN for a satisfactory resolution of the question raised by the movant; and

It further appearing that although the motion to enlarge the issues was not filed within the time limit set forth in § 1.389 (now § 1.141) of the rules, a good cause for the delay in filing the said motion has been shown in that the knowledge of the possible overlap did not become known until the measurements were taken in the preparation for the hearing soon after the order of designation of application for hearing was received by the movant;

It is ordered, That the motion to enlarge the issues filed by KDEN Broadcasting Company is granted; and

It is further ordered, That hearing issues Nos. 5 and 6 in the above-entitled proceeding are renumbered Nos. 6 and 7, and the hearing issues are enlarged to include as Issue No. 5, the following:

To determine whether the 25 mv/m contour of either of the proposed operations would overlap the 2 mv/m contour of standard broadcast station KDEN, Denver, Colorado, in violation of § 3.37 of the rules.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2040; Filed, Mar. 18, 1958; 8:53 a. m.]

[Docket No. 12263; FCC 58-224]

RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATION UNION

THIRD NOTICE OF INQUIRY

In the matter of revision of Radio Regulations of International Telecommunication Union.

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, inviting interested persons to file comments on or before January 23, 1958, setting forth their views with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comment some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a

stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

Accordingly, the Commission has set forth in the attachment [1] certain proposed changes to the Radio Regulations. Proposals concerning the following Articles and Appendices are included:

Article 2—Designation of Emissions.
Article 10—General Provisions.
Article 10 bis—The Master International Frequency Register.
Article 11—Procedure for the Notification, Processing and Recording of Frequency Assignments.
Article 12—Internal Regulations of the International Frequency Registration Board.
Article 13—Interference and Tests.
Article 14—Procedure in Case of Harmful Interference.
Article 15—Reports of Infringements.
Appendix 1—Form of Notice.
Appendix 1 bis—Form of Notice for use when submitting schedules of broadcasting stations in the bands between 5950 and 26,100 kc.
Appendix 17—Frequency Allotment Plan for the Aeronautical Mobile Service and Related Information.

New material proposed is underscored while existing material proposed to be deleted has been struck through. The numbers in the left margin refer to the paragraphs of the existing Atlantic City Radio Regulations. The reasons for the various proposals are set forth following each paragraph, section or article. In those cases where no proposal is contained in the attachment for an article or portion of an article, that article or portion is marked as "Under study". It is expected that proposals with respect to these items will be made available for comment at a later date.

It is expected that Notices similar to this one will be released with respect to other Articles in the Radio Regulations as soon as possible.

The Commission wishes to reiterate that it has not yet taken a final position with respect to any of the proposals which are under consideration to revise the Radio Regulations.

Any interested person is invited to file comments with the Commission concerning this matter on or before April 12, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: March 12, 1958.

Released: March 13, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2041; Filed, Mar. 18, 1857; 8:53 a. m.]

[1] Filed as part of the original document. Copies may be obtained from the Federal Communications Commission, Washington 25, D. C.

[Docket Nos. 12315, 12316; FCC 58M-232]

SHEFFIELD BROADCASTING CO. AND J. B. FALT, JR.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Iralee W. Benns, tr/as Sheffield Broadcasting Co., Sheffield, Alabama, Docket No. 12315, File No. BP-11130; J. B. Falt, Jr., Sheffield, Alabama, Docket No. 12316, File No. BP-11559; for construction permits.

It is ordered, This 12th day of March 1958, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a pre-hearing conference pursuant to the provisions of § 1.111 of the Commission's rules at the offices of the Commission in Washington, D. C., at 10 o'clock a. m., April 1, 1958.

Released: March 13, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2042; Filed, Mar. 18, 1958; 8:54 a. m.]

[Docket Nos. 12332-12335; FCC 58M-230]

PENINSULA BROADCASTING CORP. (WVEC-TV)

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Peninsula Broadcasting Corporation (WVEC-TV), Hampton, Virginia, Docket No. 12332, File No. BMPCT-4721; Tim Brite, Inc. (WTOV-TV), Norfolk, Virginia, Docket No. 12333, File No. BMPCT-4778; for modification of construction permits, Norfolk-Newport News Television Corporation, Norfolk, Virginia, Docket No. 12334, File No. BPCT-2363; Virginian Television Corporation, Norfolk, Virginia, Docket No. 12335, File No. BPCT-2413; for construction permits for new television broadcast stations (Channel 13).

The Hearing Examiner having under consideration the procedure to be followed in the above-entitled matter which is scheduled for hearing on April 30, 1958; and

It appearing, that counsel for all parties have informally agreed to the prehearing conference date hereinafter ordered;

Now therefore, it is ordered, This 12th day of March 1958, pursuant to § 1.111 of the Commission's rules, that the parties or their attorneys shall appear at the offices of the Commission in Washington, D. C. at 10:00 a. m. on Tuesday, April 8, 1958, for a prehearing conference to consider:

1. The necessity or desirability of simplification, clarification, amplification, or limitation of the issues;
2. The possibility of stipulating with respect to facts;
3. The procedures to be followed prior to and at the hearing;
4. The limitation of the number of witnesses;
5. The procedures and schedules for the prior mutual exchange between the parties of prepared testimony and exhibits; and
6. Such other matters as may aid in the disposition of this proceeding.

Released: March 13, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2043; Filed, Mar. 18, 1958; 8:54 a. m.]

[Docket Nos. 12341, 12342; FCC 58-234]

HERBERT P. MICHELS AND CENTURY RADIO CORP.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Herbert P. Michels, Auburn, New York, Docket No. 12341, File No. BP-10994; Century Radio Corporation, Baldwinsville, New York, Docket No. 12342, File No. BP-11728; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of March 1958;

The Commission having under consideration the above-captioned applications of Herbert P. Michels and of the Century Radio Corporation, each for a construction permit for a new standard broadcast station to operate on 1050 kilocycles with a power of 250 watts, daytime only, at Auburn and Baldwinsville, New York, respectively;

It appearing that, except as indicated by the issues specified below, both applicants are legally, technically, financially and otherwise qualified to operate the proposed stations but that the operation of both stations as proposed would result in mutually destructive interference; and

It further appearing that, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letter dated February 7, 1958, of the aforementioned interference and that the Commission was unable to conclude that a grant of either application would be in the public interest; and

It further appearing that timely replies to the Commission's letter were filed by both applicants; and

It further appearing that the Commission, after consideration of the replies, is of the opinion that a hearing is necessary;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of

1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the proposed operations and the availability of other primary service to such areas and populations.

2. To determine, in the light of section 307 (b) of the Communications Act of 1934, as amended, which of the operations in the above-captioned applications would better provide a fair, efficient and equitable distribution of radio service.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.140 (c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the issues in this proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2044; Filed, Mar. 18, 1958; 8:54 a. m.]

[Docket Nos. 12344-12346; FCC 58-238]

L. E. U. BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of L. E. U. Broadcasting Co., Erie, Pennsylvania, Docket No. 12344, File No. BPCT-2362; The Jet Broadcasting Company, Inc., Erie, Pennsylvania, Docket No. 12345, File No. BPCT-2388; WERC Broadcasting Corporation, Erie, Pennsylvania, Docket No. 12346, File No. BPCT-2402; for construction permits for new television broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of March 1958;

The Commission having under consideration the above-captioned applications each requesting a construction permit for a new television broadcast station to operate on Channel 66 in Erie, Pennsylvania; and

It appearing that the above-captioned applications are mutually exclusive, in that operation by all of the applicants, as proposed, would result in mutually destructive interference; and

It further appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters that their applications are mutually exclusive, of the necessity for a hearing, and were advised of all objections to their applications, and were given an opportunity to reply; and

It further appearing that upon due consideration of the above-captioned applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that L. E. U. Broadcasting Co. is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television broadcast station; and that The Jet Broadcasting Company, Inc. and WERC Broadcasting Corporation are legally and technically qualified to construct, own and operate the proposed television broadcast station;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-captioned applications of L. E. U. Broadcasting Co., The Jet Broadcasting Company, Inc. and WERC Broadcasting Corporation, are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether The Jet Broadcasting Company, Inc., and WERC Broadcasting Corporation are financially qualified to construct, own and operate the proposed television broadcast stations.

2. To determine on a comparative basis which of the operations proposed in the above-captioned applications would best serve the public interest, convenience and necessity in light of the record made with respect to the significant differences among the applicants as to:

a. The background and experience of each having a bearing on its ability to own and operate the proposed television broadcast station.

b. The proposals of each with respect to the management and operation of the proposed television broadcast station.

c. The programming service proposed in each of the above-captioned applications.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner, upon his own motion or upon petition properly filed by a party to the proceeding and upon a sufficient allegation of facts in support thereof, by the addition of the following issue: To determine whether the funds available to the applicants will give reasonable assurance that the proposals set forth in their applications will be effectuated.

It is further ordered, That to avail themselves of the opportunity to be heard, L. E. U. Broadcasting Co., The Jet Broadcasting Company, Inc., and WERC Broadcasting Corporation, pursuant to § 1.140 (c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2045; Filed, Mar. 18, 1958; 8:54 a. m.]

[Docket No. 12343; FCC 58-237]

CLASS B FM BROADCAST STATIONS

NOTICE OF PROPOSED ALLOCATION

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

2. It is proposed to amend the Revised Tentative Allocation Plan in the following manner:

General area	Channels	
	Delete	Add
Sacramento, Calif.	203	229
Santa Rosa, Calif.	229	293

3. The purpose of the proposed amendment is to make available Channel 229 in Sacramento for assignment to Station KJML (FM), Town & Country Broadcasters, licensee, in accordance with a request submitted by KJML (FM).

4. Authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r), and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein, may file with the Commission on or before April 11, 1958 a written statement or brief setting forth his comments. Comments in support of the proposed amendment also may be filed on or before that same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking any action in this matter, and if any comments appear to warrant the holding or a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: March 12, 1958.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2046; Filed, Mar. 18, 1958; 8:54 a. m.]

[FCC 58-225]

[Amdt. 0-40]

CHIEF, FIELD ENGINEERING AND MONITORING BUREAU

DELEGATION OF AUTHORITY WITH RESPECT TO DISMISSAL OF APPLICATIONS WITHOUT PREJUDICE UNDER CERTAIN CIRCUMSTANCES

In the matter of amendment of section 0.271 of the Commission's statement of delegations of authority to provide authorization for Chief of Field Engineering and Monitoring Bureau to dismiss applications without prejudice under certain circumstances.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 12th day of March 1958;

The Commission having under consideration an amendment of section 0.271 of its statement of delegations of authority; and

It appearing that by an order adopted on April 23, 1952, 17 F. R. 4187, the Commission delegated authority to the Chiefs of the Operating Bureaus authorized to process applications to dismiss such applications without prejudice where an applicant has failed to answer official correspondence or a request for additional material from the Commission as provided in § 1.381 (a) of the Commission's rules in effect at that time; and

It further appearing that it is administratively convenient and in the public interest to have this delegation of authority set forth in Part 0 of the Commission's Statement of Delegations of Authority; and

It further appearing that the amendment adopted herein is procedural in nature, and, therefore, prior publication of notice of proposed rule making pursuant to the provisions of section 4 (a) of the Administrative Procedure Act is unnecessary, and the amendment may become effective immediately; and

It further appearing that the amendment adopted herein is issued pursuant to authority contained in sections 4 (i), 5 (d) (1), and 303 (r) of the Communications Act of 1934, as amended.

It is ordered, That effective March 14, 1958, section 0.271 of the Commission's statement of delegations of authority is amended by the addition of subparagraph (a) (7) to read as follows:

(7) To dismiss without prejudice applications for new and renewal commercial radio operator licenses in cases where prior to designation of such applications for hearing an applicant has failed to answer official correspondence or a request for additional information from the Commission.

Released: March 14, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-2047; Filed, Mar. 18, 1958; 8:54 a. m.]

DEPARTMENT OF COMMERCE

Maritime Administration

PACIFIC FAR EAST LINE, INC.

NOTICE OF APPLICATION

Notice is hereby given of the application of Pacific Far East Line, Inc., for written permission under section 805 (a) of the Merchant Marine Act, 1936, as amended, 46 U. S. C. 1223, to carry approximately 3,000 tons newsprint from Portland, Oregon, to Long Beach, California, on the "SS William Luckenbach," scheduled to commence loading on or about March 24, 1958.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 805 (a) should, within three (3) days from the date of publication of this notice in the FEDERAL REGISTER, notify the Secretary, Maritime Administration, and file petition (in duplicate) for leave to intervene in accordance with the rules of practice and procedure.

If no request for hearing and petition for leave to intervene is received within the specified time, the requested permission will be granted.

Dated: March 18, 1958.

By order of the Maritime Administrator.

[SEAL] JAMES L. PIMPER,
Secretary.

[F. R. Doc. 58-2091; Filed, Mar. 18, 1958; 10:07 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-13082 etc.]

SOUTHERN NATURAL GAS CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

MARCH 12, 1958.

In the matters of Southern Natural Gas Company, Docket Nos. G-13082 and G-13379; Aluminum Company of America, Docket No. G-13290; Howell & Howell,[1] Docket No. G-13115; Sohio Petroleum Company,[2] Docket No. G-13135; Tidewater Oil Company, Docket No. G-13051; Shell Oil Company,[3] Docket No. G-13256; Continental Oil Company,[3] Docket No. G-13301; John W. Mecom,[4] Docket No. G-13110; The California Company, Docket No. G-13222; Lyons A. Logan,[5] Docket No. G-13487; C. G. Glasscock-Tidelands Oil Company et. al.,[6] Docket No. G-13781; Berkshire Oil Company and R. R. Frankel, Docket No. G-13224.

Take notice that Southern Natural Gas Company (Southern Natural), a Delaware corporation, with its principal place of business in Birmingham, Alabama, filed applications on August 19 and October 7, 1957, in Docket Nos. G-13082 and G-13379, respectively, for certificates of public convenience and necessity, authorizing the construction and operation of certain facilities hereinafter described and as more fully described in the applications.

The facilities proposed in Docket No. G-13082 are as follows:

136.8 miles of 24 and 26-inch pipelines (Toca-Gwinville), the estimated cost of which is $15,666,690.

198.2 miles of 4½-inch to 20-inch supply lines, the estimated cost of which is $20,057,010.

3,650 horsepower compressor additions to its White Castle and Toca stations, the estimated cost of which is $1,160,800.

18 measuring stations, the estimated cost of which is $278,000.

The facilities proposed in Docket No. G-13379 are as follows:

7.19 miles of 20-inch line loops on Gwinville-Pickens line, the cost of which is estimated at $598,310.

660 horsepower compressor addition at Franklinton station, the estimated cost of which is $211,100.

17.3 miles of 6⅝ to 16-inch supply lines, the estimated cost of which is $1,751,890.

5 measuring stations, the estimated cost of which is $44,000.

The proposed facilities above described will constitute extension of the South Louisiana supply system or loopings of that system, designed to increase the capacity of the system leading into the Pickens and Gwinville Station of Southern Natural. The volume of increase is represented to be 298,030 Mcf per day in the capacity of this supply system.

Southern Natural does not propose to increase the volumes of gas to its existing customers, not to extend its markets to new customers by use of the proposed facilities. It proposes to meet its current obligations to its existing customers.

All of the proposed facilities above described will become integral parts of Southern Natural's natural gas pipeline system and the natural gas to be transported through the system by operation of the facilities will be resold to existing customers in interstate commerce for ultimate distribution for domestic, commercial and other uses.

Applications for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing each of them to sell natural gas in interstate commerce to Southern Natural for resale, have been filed by the eleven independent producers named in the caption hereof and listed below.

Aluminum Company of America filed application in Docket No. G-13290 on September 18, 1957, for authorization of the sale by it of gas produced from properties in the South Section 28 Field St. Martin Parish, Louisiana, under a contract dated May 16, 1957, all as more fully described in the application.

Howell & Howell, formerly Howell, Holloway & Howell, a partnership, composed of G. B. Howell and Vernon C. Howell, of Dallas, Texas, filed application in Docket No. G-13115 for authorization of the sale of gas produced from properties in the North Bayou Boullion and East Happytown Fields, St. Martin and Iberville Parishes, Louisiana, all as more fully described in the application.

Sohio Petroleum Company filed application in Docket No. G-13135 on August

See footnotes at end of document.

26, 1957, for authorization of the sale by it of gas produced from the Bayou Boullion Field, Iberville and St. Martin Parishes, Louisiana, all as more fully described in the application.

Tidewater Oil Company filed application in Docket No. G–13051 on August 12, 1957 for authorization of the sale of gas produced from properties in the Bayou Boullion Field, St. Martin Parish, Louisiana, under contract dated July 29, 1957, all as more fully described in the application.

Shell Oil Company filed application in Docket No. G–13256 on September 11, 1957, for authorization of the sale by it of gas produced in Loisel Field, Martinville, St. Mary and Iberia Parishes, Louisiana, under contract dated June 1, 1957, as more fully described in the application.

Continental Oil Company filed application in Docket No. G–13301 on September 20, 1957, for authorization of the sale by it of gas produced in Loisel Field, St. Mary and Iberia Parishes, Louisiana, under contract dated June 1, 1957, as more fully described in the application.

John W. Mecom of Houston, Texas, filed application in Docket No. G–13110 on August 21, 1957, for authorization of the sale by him of gas produced in the Lake Washington Field area, Plaquemines Parish, Louisiana, under contract dated July 22, 1957, as more fully described in the application.

The California Company filed application in Docket No. G–13222 on September 5, 1957, for authorization of the sale by it of gas produced in eight different gas fields located in eight parishes as Offshore Blocks 30 and 45 in southern Louisiana, under eight contracts dated August 7, 1957, all as more fully described in the application.

Lyons & Logan, a co-partnership, of Shreveport, Louisiana, filed application on October 16, 1957 in Docket No. G–13487, for authorization of the sale by them of gas produced in Bayou Long, Iberia Parish, and Mystic Bayou, St. Martin Parish, Louisiana, under contract dated August 18, 1957, all as more fully described in the application.

C. G. Glasscock-Tidelands Oil Company, et al., filed application in Docket No. G–13781 on November 21, 1957, for authorization of the sale by it of gas produced in East Bayou Pigeon Field, Iberia Parish, Louisiana, under contract dated September 6, 1957, as more fully described in the application.

Berkshire Oil Company and R. R. Frankel, filed application in Docket No. G–13224 on September 5, 1957, for authorization of the sale by them of gas produced in Bayou Pigeon Field, Iberia Parish, Louisiana, under contract dated August 5, 1957, as more fully described in the application.

All of the foregoing applications and contracts are on file with the Commission and open to public inspection.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations, and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held on April 7, 1958, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before April 1, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[1] W. L. Pickens, Trustee, 25 percent interest; Howell & Howell, formerly Howell, Holloway & Howell (Operator), 46.91186 percent interest; Magna Oil Corporation, 28.00814 percent interest.

[2] Sohio Petroleum Company (Operator), 48.63 percent interest; Rycade Oil Corporation, 6.95 percent interest; Howell & Howell, formerly Howell, Holloway & Howell, 44.42 percent interest.

[3] Shell Oil Company (Operator), 80 percent interest; Continental Oil Company, 20 percent interest.

[4] John W. Mecom (Operator), 50 percent interest; Freeport Oil Company, 50 percent interest.

[5] Lyons & Logan, a co-partnership, consisting of C. H. Lyons, Sr., C. H. Lyons, Jr., Hall M. Lyons, G. L. Logan, E. L. Hilliard, G. F. Abendroth and J. P. Palmer (Operators), W. H. Cocke, Sr., and W. H. Cocke, Jr., (non-operators).

[6] C. G. Glasscock-Tidelands Oil Company, Petroleum, Inc., Don C. Wiley and Buel Humphreys, Jr.

[F. R. Doc. 58–1998; Filed, Mar. 18, 1958; 8:45 a. m.]

[Docket No. G–13456 etc.]

PACIFIC NORTHWEST PIPELINE CORP. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

MARCH 12, 1958.

In the matters of Pacific Northwest Pipeline Corporation, Docket No. G–13456; G. E. Kadane & Sons, Docket No. G–13461; Vanson Production Corporation, Docket No. G–13462; James W. Vandeveer, Docket No. G–13463; Phillips Petroleum Company, Operator, Docket No. G–13559; Gulf Oil Corporation, Docket No. G–13571; W. W. Vendeveer, Docket No. G–13728; Murphy Corporation, Docket No. G–13872.

Take notice that (1) on October 15, 1957, Pacific Northwest Pipeline Corporation (Pacific), a Delaware corporation, having its principal place of business in Salt Lake City, Utah, filed in Docket No. G–13456, an application, as amended December 23, 1957, for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of a main line tap to be installed at a point on its existing 26-inch main transmission pipeline in Rio Blanco County, Colorado, and 225 feet of 4½ inch O. D. lateral supply pipeline to extend from the proposed tap to the Phillips-Kadane-Moran Government No. 1 well in the field, together with a dehydration unit and appurtenances, in order to purchase, receive and transport in interstate commerce, natural gas produced in the South Rangely Pool in Rio Blanco County, Colorado, by G. E. Kadane & Sons (Kadane), Vanson Production Corporation (Vanson), James W. Vandeveer (J. W. Vandeveer), Phillips Petroleum Company (Phillips), Operator, Gulf Oil Corporation (Gulf), W. W. Vandeveer and Murphy Corporation (Murphy), subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection, and (2) the respective applicants listed in the table below, filed applications on the dates shown for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas to Pacific, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection:

Docket No.; Applicant; Date Filed; and Contract Date [1]
G–13461; Kadane; October 16, 1957; September 20, 1957.
G–13462; Vanson; October 16, 1957; September 20, 1957.
G–13463; J. W. Vandeveer; October 16, 1957; September 20, 1957.
G–13559; Phillips; October 21, 1957, as amended October 31, 1957; October 8, 1957.
G–13571; Gulf; October 24, 1957; October 1, 1957.
G–13728; W. W. Vandeveer; October 16, 1957; September 20, 1957.
G–13872; Murphy; December 6, 1957; November 15, 1957.

Each of the above producer applicants are sole signatory seller parties to their respective sales contracts with Pacific, and each of the above producers filed their respective applications to cover only their own interests in the leases involved. The applications indicate that the leases are jointly owned by the producers and are to be operated by Phillips.

Proposed deliveries will be made at or near the wellhead and will commence upon receipt of authorization and completion of Pacific's facilities proposed herein. Producers' facilities consist of customary lease equipment.

Concurrently with their certificate applications, each of the above producers filed their respective gas sales con-

[1] The date upon which each producer applicant entered into its gas sales contract with Pacific.

tracts as initial rate schedules to cover the proposed service.

The estimated total initial cost of the facilities proposed to be constructed and operated by Pacific is $11,170, which cost will be financed from company funds.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 5, 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on April 15, 1958 at 10 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved in and the issues presented by such applications.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before April 7, 1958.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-1999; Filed, Mar. 18, 1958; 8:45 a. m.]

[Docket No. G-13179]

M. B. CHASTAIN ET AL.

ORDER ACCEPTING SUPERSEDING SUPPLEMENT AND TERMINATING PROCEEDING

MARCH 12, 1958.

M. B. Chastain et al. (Chastain), on August 1, 1957, tendered for filing a proposed change in rate which was designated Supplement No. 6 to Chastain's FPC Gas Rate Schedule No. 2, pertaining to sales of natural gas to Texas Gas Transmission Corporation, whereby Chastain proposed to increase its rate from 10.6036 cents to 14.2614 cents per Mcf. By order issued herein August 30, 1957, the Commission, among other things, suspended and deferred the use of the proposed change in rates until February 1, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

On February 10, 1958, Chastain tendered for filing a proposed change in rate to become effective March 13, 1958, which has been designated as Supplement No. 7 to Chastain's FPC Gas Rate Schedule No. 2. By means of said supplement, Chastain proposes to supersede the aforementioned Supplement No. 6 and to increase the rate for gas sold to Texas Gas from 10.6036 cents to 13.1316 cents per Mcf, including Texas Occupation Tax, reflecting a reduction in the redetermined base rate under the provisions of the sale contract from the increased rate of 14.2614 cents proposed by Supplement No. 6. Texas Gas Transmission Corporation, intervener herein, has agreed to treat the rate contained in Supplement No. 7 as such redetermined rate.

The Commission finds:

(1) Good cause exists to permit the filing of Supplement No. 7 to Chastain's FPC Gas Rate Schedule No. 2, which was tendered for filing on February 10, 1958, to supersede Supplement No. 6 to said Rate Schedule.

(2) It is appropriate and in the public interest to permit Supplement No. 7 to Chastain's FPC Gas Rate Schedule No. 2 to supersede Supplement No. 6 and to become effective on March 13, 1958.

(3) This proceeding should be terminated.

The Commission orders:

(A) Supplement No. 7 to Chastain's FPC Gas Rate Schedule No. 2 is accepted for filing and made effective on March 13, 1958, superseding Supplement No. 6 to the said rate schedule.

(B) This proceeding is hereby terminated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2000; Filed, Mar. 18, 1958; 8:45 a. m.]

[Docket No. G-14622]

E. G. RODMAN AND W. D. NOEL

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 12, 1958.

E. G. Rodman and W. D. Noel (Rodman and Noel) on February 10, 1958, tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 1 to Rodman and Noel's FPC Gas Rate Schedule No. 1.
Effective date: March 13, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed periodic rate increase, Rodman and Noel state that the increase results from a contract negotiated through arm's length bargaining; that the contract rate provisions should be respected and enforced, and that the rate is the same the purchaser will pay other producers in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 1 to Rodman and Noel's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Rodman and Noel's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until August 13, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2001; Filed, Mar. 18, 1958; 8:46 a. m.]

[Docket No. G-14623]

ODESSA NATURAL GASOLINE CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 12, 1958.

Odessa Natural Gasoline Company (Odessa) on February 10, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 2 to Odessa's FPC Gas Rate Schedule No. 1.
Effective date: March 13, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed periodic rate increase, Odessa states that the increase results from a contract negotiated through arm's-length bargaining; that the contract rate provision should be respected and enforced, and that the rate is the same the purchaser will pay other producers in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

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

aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 2 to Odessa's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Odessa's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until August 13, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission. (Commissioners Digby and Kline dissenting.)

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2002; Filed, Mar. 18, 1958; 8:46 a. m.]

[Docket No. G-14656]

COLUMBIA MINERALS CORPORATION OF LOUISIANA, INC., ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 12, 1958.

Columbia Minerals Corporation of Louisiana, Inc. (Operator) et al., (Columbia Minerals),[1] on February 10, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated findings:

Designation: (1) Contract, dated April 23, 1951; (2) Supplemental Agreement, dated December 27, 1952; (3) Letter, dated July 23, 1952; (4) Letter, dated April 6, 1956; (5) Assignment, dated February 8, 1958.

Purchaser: Mississippi River Fuel Corporation.

Rate schedule designation: (1) Columbia Minerals' FPC Gas Rate Schedule No. 2; (2) Supplement No. 1 to Columbia Minerals' FPC Gas Rate Schedule No. 2; (3) Supplement No. 2 to Columbia Minerals' FPC Gas Rate Schedule No. 2; (4) Supplement No. 3 to Columbia Minerals' FPC Gas Rate Schedule No. 2; (5) Supplement No. 4 to Columbia Minerals' FPC Gas Rate Schedule No. 2.

Effective date: March 13, 1958 (effective date is the first day after expiration of the required thirty days' notice).

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Columbia Minerals' FPC Gas Rate Schedule No. 2, and Supplement Nos. 1, 2, 3 and 4 thereto, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Columbia Minerals' FPC Gas Rate Schedule No. 2, and Supplement Nos. 1, 2, 3 and 4 thereto.

(B) Pending such hearing and decision thereon, said rate schedule and supplements thereto be and they are each hereby suspended and the use thereof deferred until March 26, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

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

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2003; Filed, Mar. 18, 1958; 8:46 a. m.]

[Docket No. E-6805]

PUGET SOUND POWER & LIGHT CO.

NOTICE OF APPLICATION

MARCH 13, 1958.

Take notice that on March 11, 1958, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Puget Sound Power & Light Company ("Applicant"), a corporation organized under the laws of the State of Massachusetts and doing business in the State of Washington, with its principal business office at Seattle, Washington, seeking an order authorizing the issuance of $30,000,000 principal amount of First Mortgage Bonds, __ percent Series, due 1988, and not to exceed $10,000,000 principal amount of unsecured Promissory Notes. Applicant proposes to sell the proposed Bonds at competitive bidding. The aforesaid Bonds are to be dated May 1, 1958, and will be issued under the Applicant's Indenture of First Mortgage, dated as of June 2, 1924, as heretofore supplemented and modified and as to be further supplemented and modified by the Forty-third Supplemental Indenture to be dated as of May 1, 1958. Applicant proposes to issue the aforesaid Promissory Notes pursuant to a Credit Agreement, dated May 20, 1957, as modified, with various commercial banks. The said Notes will be issued to the banks for loans to be made, will be dated as of date of borrowing, and will mature on January 31, 1959. Each Note will bear interest at the prime rate in effect in New York, N. Y., at the time of the borrowing which the Note evidences. The proceeds from the sale of the proposed Bonds will be used to (1) refund $20,000,000, 6¼ percent First Mortgage Bonds due 1987 and to (2) prepay approximately $8,849,000 of bank notes. The proceeds of the proposed Promissory Notes will be used to repay Applicant's treasury, to the extent such proceeds are sufficient, for actual expenditures for construction, completion and improvement of Applicant's facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 3d day of April 1958, file with the Federal Power Commission, Washington 25, D. C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2004; Filed, Mar. 18, 1958; 8:46 a. m.]

[Docket No. G-12095 etc.]

MAGNOLIA PETROLEUM CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

MARCH 13, 1958.

In the matters of Magnolia Petroleum Company, Docket Nos. G-12095, G-12904, G-12364; Frank A. Schultz, Jr., Glenn Turner and William G. Webb,[1] Docket No. G-13109; The Ohio Oil Company, Docket No. G-13217; Michel T. Halbouty, Docket No. G-13225; Mathews Hrs. Gas Company, Docket No. G-13241; Southwestern Development Company, Docket No. G-13250; J. F. Deem, Docket No. G-13251; M. T. Reed and T. L. Reed, Jr.,[2] Docket No. G-13270; McClelland Taylor, Docket No. G-13276; Midstates Oil Corporation, Operator,[3] Docket No. G-13306; J. W. Ayers Gas and Oil Company (by Glen B. Keller, Agent), Docket

[1] Successor by assignment from Bayview Oil Corporation (Operator), et al., of certain interests under Bayview's FPC Gas Rate Schedule No. 7 now subject to suspension proceedings in Docket Nos. G-9417 and G-13421.

See footnotes at end of document.

No. G–13319; Palmer Hill, Docket No. G–13320; Osbourn Gas Company (by Glenn L. Haught, Agent),[4] Docket No. G–13321; Patricia Leigh Gas Company (by C. C. Lacy and H. G. Ferguson, Agents),[5] Docket No. G–13327; Charles F. Buckwalter, Docket No. G–13688; Mrs. Douglas Havard Taylor, Docket No. G–14122; Crescent Oil & Gas Corporation, Operator, et al.,[6] Docket No. G–14125; White Eagle Oil Company and/or Helmerich & Payne, Inc., Operator, et al.,[7] Docket No. G–14130; Phillips Petroleum Company,[8] Docket No. G–14160.

Take notice that each of the above-designated parties, hereinafter referred to as Applicants, has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

Applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below.

Docket No. G–; Location of Field; and Buyer

12095, 12904; Greenwood and Sparks Field, Morton County, Kans.; Colorado Interstate Gas Company.

12364; S. W. Camp Creek Field, Beaver County, Okla.; Northern Natural Gas Company.

13109; Blanco Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Company.

13217; Kutz Canyon Field, San Juan County, N. Mex.; El Paso Natural Gas Company.

13225; South Garwood Field, Colorado County, Tex.; Texas Eastern Transmission Corporation.

13241; Sinking Creek, De Kalb District, Gilmer County, W. Va.; Hope Natural Gas Company.

13250; Cool Fork, Sheridan District, Calhoun County, W. Va.; Hope Natural Gas Company.

13251, 13319, 13321; Murphy District, Ritchie County, W. Va.; Hope Natural Gas Company.

13270, 13276; Maxie-Pistol Ridge Field, Forrest County, Miss.; United Gas Pipe Line Company.

13306; N. E. Clyde Field, Grant and Alfalfa Counties, Okla.; Cities Service Gas Company.

13320; Annamoriah (Lee District), Calhoun County, W. Va.; Hope Natural Gas Company.

13327; Triadelphia District, Logan County, W. Va.; Hope Natural Gas Company.

13688, 14122; Maxie-Pistol Ridge Field, Pearl River County, Miss.; United Gas Pipe Line Company.

14125; Iota Field, Acadia Parish, La.; Texas Gas Transmission Corporation.

14130; Northeast Clyde Cherokee Field, Grant County, Okla.; Cities Service Gas Company.

14160; Camrick Southeast Pool, Texas County, Okla.; Natural Gas Pipeline Company of America.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on April 21, 1958, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised it will be unnecessary for Applicants to appear or be received at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before April 16, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[1] Frank A. Schultz, J. Glenn Turner, and William G. Webb, non-operators, are filing for their combined interest in an aggregate of 7,378.36 acres, production from which is proposed to be sold to El Paso Natural Gas Company (Buyer and Operator of the aforesaid acreage) under a basic contract dated March 18, 1957. Atlantic Refining Company and Delhi-Taylor Oil Corporation, non-operating owners of the remaining interest, will make separate contracts for the disposition of their shares of gas. Production is limited to horizons down to and including the Pictured Cliffs Formation.

[2] M. T. Reed and T. L. Reed, Jr., are filing jointly for their interest in 360 acres. Both are signatory seller parties to the gas sales contract dated August 12, 1957. Production is limited to depths down to the base of the Tuscaloosa Formation.

[3] Midstates Oil Corporation, Operator, is filing for itself and is the only signatory seller party to the gas sales contract dated September 9, 1957. Applicant is the operator of the Melka Unit No. 1, which unit includes one of Applicant's six subject leases. As operator of the Melka Unit, Applicant filed on September 23, 1957, a supplement showing the following nonoperating owners of working interests: Oklahoma Natural Gas Company, 18.998 percent, and Champlin Oil & Refining Company, 54.001 percent.

[4] Osbourn Gas Company is a partnership composed of Glenn L. Haught, Warren Haught, Eldon J. Haught, and Richard Lynch. All partners are signatory seller parties to the gas sales contract dated August 19, 1957.

[5] Patricia Leigh Gas Company is a partnership consisting of 40 partners listed in the sales contract. C. C. Lacy and H. B. Ferguson are signatory seller parties to the gas sales contract dated August 30, 1957, and the remaining 38 partners are also signatory seller parties to the subject contract through the signatures of C. C. Lacy and H. B. Ferguson who have signed the contract as Attorneys-in-Fact for said partners.

[6] Crescent Oil and Gas Corporation, Operator, is filing for its working interest and on behalf of Yates Drilling Company (partnership composed of Elge Rasberry and Lewis W. Yates), nonoperator, which company owns the remaining 6.25 percent working interest in the subject 40 acres, production from which is proposed to be sold pursuant to gas sales contract dated November 7, 1951, between Southern Six Drilling Company and T. J. McIntyre, Sellers, and Louisiana Natural Gas Corporation (predecessor in interest to Texas Gas), Buyer. Applicants became parties to subject contract by assignment. The application states that Crescent has been operating the subject acreage for oil production and recent workover of the well located thereon has resulted in conversion from an oil well to a gas well. T. J. McIntyre was authorized in Docket No. G–7092 to sell gas under the basic contract but not from the subject acreage.

[7] White Eagle Oil Company and/or Helmerich & Payne, Inc., Operator, and Freeport Sulphur Company are filing jointly for their aggregate 100 percent interest in 400 acres (R. R. Wilson and Edith H. Elliot Leases) and in addition, as nonoperators, Applicants are filing for their aggregate 25 percent interest in the Yerian Unit, and are both signatory seller parties to gas sales contract dated December 4, 1957. Production is limited to horizons down to base of Mississippian Formation. Applicants' shares of gas from well drilled on Yerian Unit are presently being delivered to Buyer by Atlantic Refining Company, Operator, pursuant to the terms of an operating agreement.

[8] Phillips Petroleum Company, nonoperator, is filing for its interest in the Atlantic-Sheets Unit, production from which is proposed to be sold pursuant to a ratification agreement dated July 29, 1957, of a basic contract dated January 6, 1956, as amended, between The Atlantic Refining Company (Operator of subject unit) and Natural Gas Pipeline Company of America. Both Phillips and the buyer are signatory parties to said ratification agreement. Atlantic was authorized in Docket No. G–9980 covering sale of gas under the basic contract.

[F. R. Doc. 58–2017; Filed, Mar. 18, 1958; 8:48 a. m.]

[Docket No. G–14618]

AMERADA PETROLEUM CORP.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 13, 1958.

Amerada Petroleum Corporation (Amerada) on February 12, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated February 10, 1958.

Purchaser: Texas Eastern Transmission Corporation.

Rate schedule designation: Supplement No. 21 to Amerada's FPC Gas Rate Schedule No. 6.

Effective date: March 15, 1958 (effective date is the effective date proposed by Amerada).

In support of the proposed redetermined rate increase, Amerada states that the proposed rate results from a contract provision derived through arm's-length bargaining in good faith.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

See footnotes at end of document.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 21 to Amerada's FPC Gas Rate Schedule No. 6 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 21 to Amerada's FPC Gas Rate Schedule No. 6.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until August 15, 1958, and until such further time as it is made effective in the manner prescribed by the natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2018; Filed, Mar. 18, 1958; 8:49 a. m.]

[Docket No. G-14619]

DURBIN BOND & COMPANY, INC., ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 13, 1958.

Durbin Bond & Company, Inc. (Operator) et al. (Durbin Bond), on February 13, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filings:

Description: (1) Letter,[1] dated November 15, 1957; (2) Notice of Change, undated.

Purchaser: Southern Natural Gas Company.

Rate schedule designation: (1) Supplement No. 1 to Durbin Bond's FPC Gas Rate Schedule No. 4; (2) Supplement No. 2 to Durbin Bond's FPC Gas Rate Schedule No. 4.

Effective date: March 16, 1958 (effective date is the first day after expiration of the required thirty days' notice).

[1] Parties agree to redetermined rate of 20.0 cents per Mcf at 15.025 psia.

In support of the proposed redetermined rate increase, Durbin Bond states the present 7.19 cents per Mcf rate was recognized as low at the time of negotiation and the redetermined provision as of January 1, 1958, was regarded as means of placing the rate in accordance with the increasing market value of gas. Durbin Bond further states both parties consider the proposed rate fair and reasonable and it would be unjust and confiscatory to require the seller to continue deliveries of gas at the lower rate.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement Nos. 1 and 2 to Durbin Bond's FPC Gas Rate Schedule No. 4 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement Nos. 1 and 2 to Durbin Bond's FPC Gas Rate Schedule No. 4.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until August 16, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

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

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2019; Filed, Mar. 18, 1958; 8:49 a. m.]

[Docket No. G-14621]

E. C. SCURLOCK

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 13, 1958.

E. C. Scurlock (Scurlock) on February 13, 1958, tendered for filing a proposed change in his presently effective rate schedule for sales of natural-gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filings:

Description: (1) Supplemental Agreement,[1] dated January 10, 1958; (2) Notice of Change, undated.

Purchaser: United Gas Pipe Line Company.

Rate schedule designation: (1) Supplement No. 7 to Scurlock's FPC Gas Rate Schedule No. 1; (2) Supplement No. 8 to Scurlock's FPC Gas Rate Schedule No. 1.

Effective date: March 16, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed renegotiated rate increase, Scurlock states that the purchaser proposed the amendment to the contract and the parties negotiated the increased price in recognition of the increasing value of natural gas. Scurlock further states that the price is the same as the purchaser pays other sellers in the area; it does not exceed the fair market value of gas and is consistent with the increasing costs of production.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement Nos. 7 and 8 to Scurlock's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement Nos. 7 and 8 to Scurlock's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until August 16, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

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

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

[1] Parties agree to increase base rate to 13.75 cents per Mcf and cancel Supplement Nos. 3, 5 and 6.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2021; Filed, Mar. 18, 1958; 8:49 a. m.]

[Docket No. G-14620]

TEXAS CO. ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 13, 1958.

The Texas Company (Operator) et al. (Texas), on February 13, 1958, tendered for filing a proposed change in its presently effective rate schedule [1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Natural Gas Pipeline Company of America.
Rate schedule designation: Supplement No. 15 to Texas' FPC Gas Rate Schedule No. 133.
Effective date: March 21, 1958 (effective date is the effective date proposed by Texas).

In support of the proposed periodic rate increase, Texas cites the contract provision agreed upon after arm's-length bargaining. Texas states that increase in actual expenses as shown in its exhibits in Docket No. G-8969 (a suspension proceeding) more than justify the rate increase. Texas further states that increased gas rates are necessary to replace gas reserves at the increased level of current expenditures.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 15 to Texas' FPC Gas Rate Schedule No. 133 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 15 to Texas' FPC Gas Rate Schedule No. 133.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until August 21, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2020; Filed, Mar. 18, 1958; 8:49 a. m.]

[1] Present rate previously suspended and is in effect subject to refund in Docket No. G-12207.

[Docket No. G-14624]

SHARPLES OIL CORP. ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 13, 1958.

The Sharples Oil Corporation et al. (Sharples), on February 12, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 2 to Sharples' FPC Gas Rate Schedule No. 3.
Effective date: March 15, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed favored-nations rate increase, Sharples states that the increase results from a contract negotiated through arm's-length bargaining; that the contract rate provision should be respected and enforced, and that the rate is the same the purchaser will pay other producers in the area. Sharples also cites the buyer's willingness to pay the increased rate.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 2 to Sharples' FPC Gas Rate Schedule No. 3 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Sharples' FPC Gas Rate Schedule No. 3.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until August 15, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission (Commissioner Kline dissenting).

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2022; Filed, Mar. 18, 1958; 8:49 a. m.]

[Docket No. G-14625]

HACK DRILLING CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 13, 1958.

Hack Drilling Company (Hack) on February 12, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated February 11, 1958.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 1 to Hack's FPC Gas Rate Schedule No. 1.
Effective date: March 15, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed periodic rate increase, Hack states that the increase results from a contract negotiated through arm's-length bargaining; that the contract rate provision should be respected and enforced, and that the rate is the same the purchaser will pay other producers in the area. Hack further states that the contract rate provisions are just and reasonable and will do no more than enable the producer to recover its cost of service including a reasonable return on its investment over the life of the contract.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Com-

mission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 1 to Hack's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Hack's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until August 15, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-2023; Filed, Mar. 18, 1958; 8:50 a. m.]

FEDERAL RESERVE SYSTEM

NEW HAMPSHIRE BANKSHARES, INC.

ORDER GRANTING APPLICATION FOR ACQUISITION OF VOTING SHARES OF THE NEW HAMPSHIRE NATIONAL BANK OF PORTSMOUTH

In the matter of the application of New Hampshire Bankshares, Inc., for approval of acquisition of voting shares of The New Hampshire National Bank of Portsmouth, Portsmouth, New Hampshire.

The above matter having come before the Board on the application of New Hampshire Bankshares, Inc., Nashua, New Hampshire, dated November 14, 1957, filed pursuant to the provisions of section 3 (a) (2) of the Bank Holding Company Act of 1956, for prior approval of the acquisition of up to 60 percent of the voting shares of The New Hampshire National Bank of Portsmouth, Portsmouth, New Hampshire, and it appearing after due consideration thereof pursuant to the requirements of the Bank Holding Company Act of 1956 that such application should be approved,

It is ordered, That the said application be and hereby is granted and the acquisition by New Hampshire Bankshares, Inc., of up to 60 percent of the voting shares of The New Hampshire National Bank of Portsmouth is hereby approved, provided that such acquisition is completed within three months from the date hereof.

This 12th day of March 1958.

By order of the Board of Governors.[1]

[SEAL] S. R. CARPENTER, *Secretary.*

[F. R. Doc. 58-2005; Filed, Mar. 18, 1958; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 8-5825]

QUINTIN SECURITIES, INC.

MEMORANDUM OPINION AND ORDER REVOKING BROKER-DEALER REGISTRATION

MARCH 13, 1958.

In the matter of Quintin Securities, Inc., 32 Broadway, New York, N. Y.; File No. 8-5825.

BROKER-DEALER REGISTRATION

GROUNDS FOR REVOCATION OF REGISTRATION

Violation of Net Capital Rule

Where registered broker and dealer failed to comply with net capital requirements in willful violation of section 15 (c) (3) of the Securities Exchange Act of 1934 and Rule 15c3-1 thereunder, held, under all the circumstances it is in the public interest to revoke broker-dealer registration.

Appearances: John J. Devaney, Jr., Irwin L. Germaise, and John Gallagher, of the New York Regional Office of the Commission, for the Division of Trading and Exchanges. Sidney B. Josephson, for Quintin Securities, Inc., and Quintin A. Murray.

These are proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 ("Act") to determine whether to revoke the registration as a broker and dealer of Quintin Securities, Inc. ("registrant"), and whether under section 15A (b) (4) of the Act, Quintin A. Murray, president, treasurer, a director, and the principal stockholder of registrant, is a cause of any order of revocation which might be entered.[2]

The order for proceedings alleges that between August 31, 1957 and September 16, 1957, registrant, aided and abetted by Murray, violated section 15 (c) (3) of the act and Rule 15c3-1 (17 CFR 240.15c3-1) thereunder by trading in securities when its aggregate indebtedness exceeded 2,000 percent of its net capital.[3]

After appropriate notice a private hearing was held at which registrant and the Division of Trading and Exchanges ("Division") entered into a stipulation of facts and registrant consented to revocation of its registration. A recommended decision by the hearing examiner was waived. Our findings are based upon an independent review of the record.

Registrant's trial balance as of August 31, 1957 showed a deficiency in registrant's required net capital as computed under Rule 15c3-1 of $6,973. The Division also computed that registrant had a net capital deficiency as of September 9, 1957 in the amount of $8,703. It arrived at that figure after excluding from registrant's net capital two items entered on registrant's books that day: a deposit to registrant's capital account of $2,000 in cash which Murray stated he borrowed from others, and a credit to registrant's proprietary account of 15,000 shares of stock having a market value of $12,000 which according to registrant's books were received free and which it was indicated were received from Canadian dealers without proof of ownership. Registrant raised no objection to the exclusion of either of these items in the Division's computation and offered no proof as to ownership of the securities. Under these circumstances we are of the opinion that the exclusion of at least those securities was appropriate. Excluding such securities but giving credit for the cash deposit as a capital contribution on the assumption that there was no indebtedness created by registrant to Murray thereby, registrant was still deficient in its net capital requirements on September 9, 1957, by $6,603.

During the period beginning August 31 and continuing through September 9, 1957, registrant engaged in the business of a securities broker-dealer and used the mails and means of transportation and communication in interstate commerce in conducting such business. We, therefore, find that registrant willfully violated section 15 (c) (3) of the act and Rule 15c3-1 thereunder.

Registrant states that as of September 9, 1957, it liquidated its business and paid its liabilities and that as of November 22, 1957, it had a net worth of approximately $103. However, the fact remains that registrant subjected its customers to undue financial risks by conducting its business while in violation of our rules which are designed to protect public investors from financial losses due to the financial irresponsibility of a broker-

[1] Voting for this action: Chairman Martin and Governors Szymczak, Vardaman and Mills; absent and not voting: Governors Robertson and Shepardson. Vice Chairman Balderston disqualified himself and did not participate in the consideration or decision of this matter.

[2] Section 15 (b) of the act, as here pertinent, provides that we may revoke the registration of a broker or dealer if we find it is in the public interest and that such broker or dealer has willfully violated any provision of the act or of any rule or regulation thereunder.

Under section 15A (b) (4) of the act, in the absence of our approval or direction, no broker or dealer may be admitted to or continued in membership in a national securities association if the broker or dealer or any partner, officer or director of, or any person controlling or controlled by, such broker or dealer, was a cause of any order of revocation which is in effect.

[3] Section 15 (c) (3) of the act prohibits the use of the mails or interstate facilities by a broker or dealer in securities transactions otherwise than on a national securities exchange, in contravention of our rules prescribed thereunder providing safeguards with respect to the financial responsibility of brokers and dealers.

Rule 15c3-1 provides that no broker or dealer, with certain exceptions not applicable here, shall permit his aggregate indebtedness to all other persons to exceed 2,000 percent of his net capital computed as specified in the rule.

dealer. In view of this conduct we conclude that the public interest and the protection of investors require revocation of registrant's broker-dealer registration. In light of Murray's position in registrant we also find that he is a cause of such revocation.

Accordingly, *it is ordered*, That the registration of Quintin Securities, Inc., as a broker and dealer be, and it hereby is, revoked, and it is found that Quintin A. Murray is a cause of such revocation.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 58-2006; Filed, Mar. 18, 1958; 8:47 a. m.]

[File No. 2-12713]

COLUMBIA BAKING CO. AND VOTING TRUSTEES

ORDER CONSENTING TO WITHDRAWAL OF REGISTRATION STATEMENT AND DISMISSING PROCEEDINGS

MARCH 13, 1958.

The Commission having instituted proceedings pursuant to section 8 (d) of the Securities Act of 1933 to determine whether a stop order should issue suspending the effectiveness of a registration statement filed by Columbia Baking Company and the Voting Trustees under the Columbia Baking Company Voting Trust Agreement;

Hearings having been held after appropriate notice and the hearing examiner having filed a recommended decision;

Registrants having subsequently requested withdrawal of the registration statement and dismissal of the proceedings;

The Commission having this day issued its findings and opinion; on the basis of such findings and opinion:

It is ordered, That the application for withdrawal of the said registration statement be, and it hereby is, granted and that these proceedings be, and they hereby are, dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 58-2007; Filed, Mar. 18, 1958; 8:47 a. m.]

[File No. 1-1296]

ALLIED-ALBANY PAPER CORP.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

MARCH 12, 1958.

In the matter of Allied-Albany Paper Corporation common stock, File No. 1-1296. New York Stock Exchange has made application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, to strike the above named security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

The aggregate market value of the Company's common stock has fallen below $2,000,000 and its average net earnings after taxes for the last 3 years have been below $200,000, and accordingly the company does not meet the Exchange's requirements for continued listing. Dealings in the stock on the Exchange floor were suspended before the opening March 3, 1958.

Upon receipt of a request, on or before March 28, 1958, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 58-2008; Filed, Mar. 18, 1958; 8:47 a. m.]

[File No. 1-72]

UNITED DYE & CHEMICAL CORP.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

MARCH 12, 1958.

In the matter of United Dye & Chemical Corporation common stock, File No. 1-72.

New York Stock Exchange has made application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, to strike the above named security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

The aggregate market value of the Company's common stock has fallen below $2,000,000 and its average net earnings after taxes for the last 3 years have been below $200,000, and accordingly the Company does not meet the Exchange's requirements for continued listing. Dealings in the stock on the Exchange floor were suspended before the opening March 3, 1958.

Upon receipt of a request, on or before March 28, 1958, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 58-2009; Filed, Mar. 18, 1958; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 28]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MARCH 14, 1958.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1 (e)) at any time but will not operate to stay commencement of the proposed operation unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-2309 (Deviation No. 1), GILLETTE MOTOR TRANSPORT, INC., 2311 Butler Street, Dallas 19, Tex., filed February 21, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Houston, Tex., and Virginia Point, Tex., as follows: From Houston over the Gulf Freeway to Virginia Point and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Houston, Tex., and Virginia Point, Tex., over Texas Highway 3 (formerly U. S. Highway 75).

No. MC–18264 (Deviation No. 1), HARTFORD TRANSPORTATION CO., INCORPORATED, 2434 Berlin Turnpike, Newington, Conn., filed February 26, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Western Terminus of the Connecticut Turnpike at the Connecticut-New York State line and the New Haven, Conn., exit of the said Turnpike, as follows: from the Western Terminus of the Connecticut Turnpike over the Connecticut Turnpike and access routes to the New Haven exit of said Turnpike and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Berlin, Conn., and New York, N. Y., over the following pertinent route: from Berlin over Alternate U. S. Highway 5 to junction U. S. Highway 5, thence over U. S. Highway 5 to junction Alternate U. S. Highway 5, thence over Alternate U. S. Highway 5 via Meriden, Conn., to junction U. S. Highway 5, thence over U. S. Highway 5 to New Haven, Conn., and thence over U. S. Highway 1 to New York.

No. MC–31600 (Deviation No. 2), P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass., filed March 6, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Old Saybrook, Conn., and the western terminus of the Connecticut Turnpike at the Connecticut-New York State line as follows: from Old Saybrook over the Connecticut Turnpike and access routes to the Connecticut-New York State line, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between Boston, Mass., and New York, N. Y., from Boston over U. S. Highway 1 to Providence, R. I., thence over Rhode Island Highway 3 via Hopkinton, R. I., to Westerly, R. I., and thence over U. S. Highway 1 via New London, Conn., to New York; from Boston over U. S. Highway 1 to Dedham, Mass., thence over Massachusetts Highway 1A to North Attleboro, Mass., thence over U. S. Highway 1 to Providence, R. I., and thence to New York as specified above; from Boston to Hopkinton as specified above, thence over Rhode Island Highway 84 to the Rhode Island-Connecticut State lime, thence over Connecticut Highway 84 to junction U. S. Highway 1 and thence over U. S. Highway 1 to New York.

No. MC–31919 (Deviation No. 1), CROWE & CO., INC., 60 Meadow Street, Waterbury, Conn., filed February 25, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Western Terminus of the Connecticut Turnpike at the Connecticut-New York State line and the Eastern Terminus of the said Turnpike at the Connecticut-Rhode Island State line, as follows: from the Western Terminus of the Connecticut Turnpike over the Connecticut Turnpike and access routes to the Eastern Terminus of the said Turnpike and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between Newark, N. J., and Holyoke, Mass., as follows: from Newark over U. S. Highway 1 to New Haven, Conn., and thence over U. S. Highway 5 to Holyoke; and between Waterbury, Conn., and New London, Conn., as follows: from Waterbury over Alternate U. S. Highway 6 to Cobolt, Conn., thence over Connecticut Highway 2 to Norwich, Conn., and thence over Connecticut Highway 32 to New London; and return from New London over U. S. Highway 1 to New Haven, thence over Connecticut Highway 67 to Junction Connecticut Highway 63, thence over Connecticut Highway 63 to Naugatuck, Conn., and thence over Connecticut Highway 8 to Waterbury.

No. MC–42380 (Deviation No. 1), MINNESOTA-WISCONSIN TRUCK LINES, INCORPORATED, 2280 Ellis Avenue, St. Paul 14, Minn., filed February 10, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Tomah, Wis., and Minneapolis-St. Paul, Minn., as follows: from Tomah over U. S. Highway 12 to Minneapolis-St. Paul, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent route: between Tomah, Wis., and Minneapolis-St. Paul; from Tomah over U. S. Highway 16 to La Crosse, Wis., thence over U. S. Highway 14 to Rochester, Minn., and thence over U. S. Highway 52 to Minneapolis-St. Paul.

No. MC–44592 Sub 1 (Deviation No. 3), MIDDLE ATLANTIC TRANSPORTATION CO., INC., 10720 Memphis Avenue, Cleveland, Ohio, filed March 3, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Niagara Falls, N. Y., and Syracuse, N. Y., as follows: from Niagara Falls, to Rochester, N. Y. over U. S. Highway 104, thence to junction New York Highway 370 and U. S. Highway 104 over U. S. Highway 104, thence over New York Highway 370 to Syracuse. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between New York, N. Y., and Rochester, N. Y., as follows: from New York City over U. S. Highway 9 through Valatie and Schodack Center, N. Y., to Albany, N. Y., thence over New York Highway 5 to Chittenango, N. Y., thence over New York Highway 173 through Syracuse, N. Y., to junction (just east of Jacks Reef, N. Y.), New York Highway 31, thence over New York Highway 31 to Rochester, N. Y.; and between Rochester, N. Y., and Niagara Falls, N. Y., as follows: from Rochester over New York Highway 31 to Niagara Falls.

No. MC–44592 Sub 1 (Deviation No. 4), MIDDLE ATLANTIC TRANSPORTATION CO., INC., 10720 Memphis Avenue, Cleveland, Ohio, filed March 3, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Interchange No. 18 of the New Jersey Turnpike and Interchange No. 6 of said Turnpike, as follows: from Interchange No. 18 over the New Jersey Turnpike and access routes to Interchange No. 6, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between New York, N. Y., and Cleveland, Ohio, as follows: from New York City over U. S. Highway 1 to Philadelphia, Pa., thence over U. S Highway 30 to Lancaster, Pa., thence over U. S. Highway 230 to Harrisburg, Pa., thence over U. S. Highway 22 through Amity Hall and Ebensburg, Pa., to Pittsburgh, Pa., thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State Line, and thence over Ohio Highway 14 to Cleveland.

No. MC–52629 (Deviation No. 1), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eight Street, Louisville, Ky., filed February 17, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the junction of U. S. Highways 41 and 52 three miles south of Earl Park, Ind., and the junction of U. S. Highway 41 and Georgia Highway 71 at Dalton, Ga., as follows: from the junction of U. S. Highways 41 and 52 over U. S. Highway 41 to Hopkinsville, Ky., thence over U. S. Highway 41–A to Nashville, Tenn., thence over U. S. Highway 41 to Dalton, Ga., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is authorized to transport the same commodities over the following pertinent routes: between Chicago, Ill., and Louisville, Ky., over U. S. Highways 41, 52, 31, 31–E and Indiana Highways 135, 144, and 7; between Louisville, Ky., and Knoxville, Tenn., over U. S. Highways 60, 150, 25, 25–W and Kentucky Highways 151 and 35; and between Knoxville, Tenn., and Atlanta, Ga., over U. S. Highways 11 and 41, and Tennessee Highway 60 and Georgia Highway 71.

No. MC–59120 (Deviation No. 1), EAZOR EXPRESS, INC., 15 26th Street, Pittsburgh 22, Pa., filed February 28, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Interchange No. 46 of the New York State Thruway at Rochester, N. Y., and Interchange No. 61 of said Thruway at Ripley, N. Y. (New York-Pennsylvania State line), as follows: from Interchange No. 46 of the New York State Thruway over the New York State Thruway and access routes to Interchange

No. 61 of said Thruway and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: From Erie, Pa., over U. S. Highway 20 to junction U. S. Highway 18, thence over U. S. Highway 18 to Buffalo; from Pennsylvania-New York State line over New York Highway 5 to Buffalo, N. Y.; from Buffalo, N. Y., over New York Highway 16 to East Aurora, N. Y., thence over U. S. Highway 20-A to Warsaw, N. Y., thence over New York Highway 19 to junction New York Highway 33, thence over New York Highway 33 to Rochester, N. Y.; from Buffalo, N. Y., over New York Highway 5 to Batavia, N. Y., thence over New York Highway 33 to Rochester, N. Y.; and return over the same routes.

No. MC-61440 (Deviation No. 3), LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, P. O. Box 2488, Oklahoma City, Okla., filed March 3, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Kansas City, Mo., and South Haven, Kans., as follows: from Kansas City over the Kansas Turnpike and access routes to South Haven, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Kansas City, Mo., and Arkansas City, Kans.: from Kansas City over U. S. Highway 40 to Topeka, Kans.; thence over U. S. Highway 75 to junction U. S. Highway 50 South, thence over U. S. Highway 50 South to Florence, Kans., and thence over U. S. Highway 77 to Arkansas City (also from Florence over U.S. Highway 50 South to Newton, Kans.) thence over U. S. Highway 81 via Wichita, Kans., to South Haven and thence over U. S. Highway 166 to Arkansas City.

No. MC-69275 (Deviation No. 1), M & M TRANSPORTATION COMPANY, 250 Mystic Avenue, Somerville, Mass., filed February 28, 1958. Attorneys for said carrier, Francis E. Barrett and Francis E. Barrett, Jr., 7 Water Street, Boston 9, Mass. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Eastern Terminus of the Massachusetts Turnpike at Weston, Mass., and East Lee, Mass., as follows: from the Eastern Terminus of the Massachusetts Turnpike over the Massachusetts Turnpike and access routes to East Lee and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent route: between Boston, Mass., and Philadelphia, Pa.: from Boston over Massachusetts Highway 9 to junction U. S. Highway 20, thence over U. S. Highway 20 to Springfield, Mass., thence over U. S. Highway 20 via East Lee, Mass., to Lee, Mass., thence over unnumbered highway to junction U. S. Highway 7 (also from East Lee over Massachusetts Highway 102 to Stockbridge, Mass.), thence over U. S. Highway 7 to Great Barrington, Mass., thence over Massachusetts Highway 23 to the Massachusetts-New York State line, thence over New York Highway 23 to Hudson, N. Y., thence over U. S. Highway 9 to Newark, N. J., and thence over U. S. Highway 1 to Philadelphia.

No. MC-69275 (Deviation No. 2), M & M TRANSPORTATION COMPANY, 250 Mystic Avenue, Somerville, Mass., filed February 28, 1958. Attorneys for said carrier, Francis E. Barrett and Francis E. Barrett, Jr., 7 Water Street, Boston 9, Mass. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Old Saybrook, Conn., and the Western Terminus of the Connecticut Turnpike at the Connecticut-New York State line, as follows: From Old Saybrook over the Connecticut Turnpike and access routes to the Western Terminus of said Turnpike and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between Boston, Mass., and Philadelphia, Pa., as follows: from Boston over U. S. Highway 1 to Providence, R. I., thence over Rhode Island Highway 3 to Westerly, R. I., and thence over U. S. Highway 1 via Groton, Conn., to Philadelphia; from Boston, over Massachusetts Highway 1A to North Attleboro, Mass., thence over U. S. Highway 1 to Providence, R. I., thence over Rhode Island Highway 3 to Hopkinton, R. I., thence over Rhode Island Highway 84 to the Rhode Island-Connecticut State line, thence over Connecticut Highway 84 to Groton, and thence over U. S. Highway 1 to Philadelphia.

No. MC-69275 (Deviation No. 3), M & M TRANSPORTATION COMPANY, 250 Mystic Avenue, Somerville, Mass., filed February 28, 1958. Attorneys for said carrier, Francis E. Barrett and Francis E. Barrett, Jr., 7 Water Street, Boston 9, Mass. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Palisades Park, N. J., and Philadelphia, Pa., as follows: from Palisades Park over the New Jersey Turnpike and access routes to Philadelphia, Pa., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent route: between New Haven, Conn., and Philadelphia, Pa., over U. S. Highway 1.

No. MC-69275 (Deviation No. 4), M & M TRANSPORTATION COMPANY, 250 Mystic Avenue, Somerville, Mass., filed February 28, 1958. Attorneys for said carrier, Francis E. Barrett and Francis E. Barrett, Jr., 7 Water Street, Boston 9, Mass. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Eastern Terminus of the Trenton Freeway in Trenton, N. J., and the Western Terminus of the said Freeway in Morrisville, Pa., as follows: from the Eastern Terminus of the Trenton Freeway over the Trenton Freeway to the Western Terminus and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between Boston, Mass., and Philadelphia, Pa., as follows: from Boston over U. S. Highway 20 to Springfield, Mass., thence over U. S. Highway 5 via Hartford, Conn., to New Haven, Conn., and thence over U. S. Highway 1 to Philadelphia; from Boston over U. S. Highway 20 to junction Massachusetts Highway 15, thence over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 15 to Hartford, Conn., thence over Connecticut Highway 9 to Middletown, Conn., thence over Connecticut Highway 15 to New Haven, Conn., thence over U. S. Highway 1 to Morrisville, Pa., and thence over U. S. Highway 13 to Philadelphia; from Boston over U. S. Highway 1 to Providence, R. I., thence over Rhode Island Highway 3 to Westerly, R. I., and thence over U. S. Highway 1 via Groton, Conn., to Philadelphia; from Boston over Massachusetts Highway 1A to North Attleboro, Mass., thence over U. S. Highway 1 to Providence, R. I., thence over Rhode Island Highway 3 to Hopkinton, R. I., thence over Rhode Island Highway 84 to the Rhode Island-Connecticut State line, thence over Connecticut Highway 84 to Groton, and thence to Philadelphia as specified above; from Boston over Massachusetts Highway 9 to junction U. S. Highway 20, thence over U. S. Highway 20 to Springfield, Mass., and thence to Philadelphia as specified above; from Boston over U. S. Highway 20 to junction Massachusetts Highway 15, thence over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 15 to New Haven, and thence to Philadelphia as specified above; and from Boston to Springfield as specified above, thence over U. S. Highway 20 via East Lee, Mass., to Lee, Mass., thence over unnumbered highway to junction U. S. Highway 7 (also from East Lee over Massachusetts Highway 102 to Stockbridge, Mass.) thence over U. S. Highway 7 to Great Barrington, Mass., thence over Massachusetts Highway 23 to the Massachusetts-New York State line, thence over New York Highway 23 to Hudson, N. Y., thence over U. S. Highway 9 to Newark, N. J., and thence to Philadelphia as specified above.

No. MC-69275 (Deviation No. 5), M & M TRANSPORTATION COMPANY, 250 Mystic Avenue, Somerville, Mass., filed March 3, 1958. Attorneys for said carrier, Francis E. Barrett and Francis E. Barrett, Jr., 7 Water Street, Boston 9, Mass. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Catskill, N. Y., and New York, N. Y., as follows: from Catskill over the New York Thruway to New York and return over the same route, for operating conven-

ience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between Boston, Mass., and Philadelphia, Pa.; from Boston over U. S. Highway 20 to Springfield, Mass., thence over U. S. Highway 5 via Hartford, Conn., to New Haven, Conn., and thence over U. S. Highway 1 to Philadelphia; from Boston to Springfield as specified above, thence over U. S. Highway 20 via East Lee, Mass., to Lee, Mass., thence over unnumbered highway to junction U. S. Highway 7 (also from East Lee over Massachusetts Highway 102 to Stockbridge, Mass.) thence over U. S. Highway 7 to Great Barrington, Mass., thence over Massachusetts Highway 23 to the Massachusetts-New York State line, thence over New York Highway 23 to Hudson, N. Y., thence over U. S. Highway 9 to Newark, N. J., and thence to Philadelphia, as specified above.

No. MC-76032 (Deviation No. 1), NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo., filed February 21, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Walsenburg, Colo., and Gallup, N. Mex., as follows: from Walsenburg over U. S. Highway 160 to the junction of U. S. Highway 550, approximately 5 miles southeast of Durango, Colo., thence over U. S. Highway 550 to Shiprock, N. Mex., thence over U. S. Highway 666 to Gallup and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Walsenburg, Colo., and Gallup, N. Mex., over the following pertinent route: from Walsenburg over U. S. Highway 85 to Albuquerque, N. Mex., thence over U. S. Highway 66 to Gallup.

No. MC-76177 (Deviation No. 1), BAGGETT TRANSPORTATION COMPANY, 2 South 32d Street, Birmingham, Ala., filed May 6, 1958. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Chattanooga, Tenn., and Attalla, Ala., as follows: from Chattanooga over U. S. Highway 11 to Attalla, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: from Birmingham over U. S. Highway 11 to Junction U. S. Highway 411 thence over U. S. Highway 411 via Gadsden, Ala., to Centre, Ala.; from Centre, Ala., over Alabama Highway 9 (formerly Alabama Highway 23) to Cedar Bluff, Ala.; from Cedar Bluff, Ala., to Summerville, Ga., over Alabama Highway 68 (formerly Alabama Highway 69) to the Georgia-Alabama State line thence over Georgia Highway 114 to Summerville, Ga.; from Summerville, Ga., to Chattanooga, Tenn., over U. S. Highway 27, via Rossville, Ga.; and return over the same routes.

No. MC-112107 (Sub No. 1) (Deviation No. 1), NEW ENGLAND MOTOR FREIGHT, INC., Grove Street and Erie R. R., P. O. Box 1706, Paterson, N. J., filed February 27, 1958. Representatives for said carrier, Bert Collins and Morton E. Kiel, 140 Cedar Street, New York, N. Y. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Western Terminus of the Connecticut Turnpike at the Connecticut-New York State line and the Eastern Terminus of the said Turnpike at the Connecticut-Rhode Island State line, as follows: from the Western Terminus of the Connecticut Turnpike over the Connecticut Turnpike and access routes to the Eastern Terminus of the said Turnpike at the Connecticut-Rhode Island State line, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: between Paterson, N. J., and Providence, R. I., as follows: from Paterson over New Jersey Highway 4 to junction U. S. Highway 1 (also from Paterson over New Jersey Highway 6 to junction U. S. Highway 1), thence over U. S. Highway 1 via New York, N. Y., to Providence; and between New London, Conn., and Providence, R. I., as follows: from New London over Connecticut Highway 84 to the Connecticut-Rhode Island State line, thence over Rhode Island Highway 3 to Providence; and return over the same routes.

No. MC-116365 (Deviation No. 1), DEPENDABLE FREIGHT LINES, INC. OF BURLINGTON, 4501 North Howard Street, Philadelphia 40, Pa., filed February 25, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over two deviation routes, between Trenton, N. J., and Philadelphia, Pa., as follows: (A) from Trenton over U. S. Highway 206 to junction U. S. Highway 130, thence over U. S. Highway 130 to junction U. S. Highway 30, thence over U. S. Highway 30 to the Benjamin Franklin Bridge, and thence across the Benjamin Franklin Bridge to Philadelphia; and (B) from Trenton over U. S. Highway 206 to junction U. S. Highway 130, thence over U. S. Highway 130 to junction New Jersey Highway 73, thence over New Jersey Highway 73 to the Tacony-Palmyra Bridge, and thence across the Tacony-Bridge to Philadelphia; and return over the same routes, serving no intermediate points, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities between Trenton, N. J., and Philadelphia, Pa., over U. S. Highway 1.

MOTOR CARRIERS OF PASSENGERS

No. MC-1510 (Deviation No. 4), SOUTHWESTERN GREYHOUND LINES, INC., 210 East Ninth Street, Fort Worth 2, Tex., filed February 24, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *passengers*, over a deviation route, between junction U. S. Highways 75 and 169, in or near Red Fork, Okla., and junction U. S. Highways 75 and 169, in or near Okmulgee, Okla., as follows: from junction U. S. Highways 75 and 169 in or near Red Fork over U. S. Highway 169, commonly known as the "Beeline Highway" to junction U. S. Highway 75 in or near Okmulgee, and return over the same route, for operating conveniences only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers between junction U. S. Highways 75 and 169 in or near Red Fork, Okla., and junction U. S. Highways 75 and 169 in or near Okmulgee, Okla., over U. S. Highway 75.

No. MC-2890 (Deviation No. 4), AMERICAN BUSLINES, INC., 1341 P Street, Lincoln 8, Nebr., filed February 24, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *passengers*, over two deviation routes, (A) between the "Valley Forge Interchange" (Interchange No. 24) of the Pennsylvania Turnpike (at King of Prussia, Pa.), and the "Philadelphia Interchange" (Interchange No. 28) of the Pennsylvania Turnpike, as follows: from Interchange No. 24 of the Pennsylvania Turnpike over the Pennsylvania Turnpike to Interchange No. 28; and (B) between the "Valley Forge Interchange" (Interchange No. 24) of the Pennsylvania Turnpike (at King of Prussia, Pa.), and the "Pennsylvania Turnpike" Interchange (Interchange No. 6) of the New Jersey Turnpike, as follows: from Interchange No. 24 over the Pennsylvania Turnpike to the Pennsylvania-New Jersey State line, thence over the "Pennsylvania extension" of the New Jersey Turnpike to Interchange No. 6; and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers over the following pertinent routes: from the "Philadelphia Interchange" of the Pennsylvania Turnpike, over U. S. Highway 1 to Philadelphia; thence over Pennsylvania Highway 23 to King of Prussia, Pa.; and from the "Pennsylvania Turnpike Interchange" of the New Jersey Turnpike, over the New Jersey Turnpike to the Camden Interchange of said Turnpike, thence over New Jersey Highways 73 and 38 to the traffic circle in Pennsauken, N. J., thence over Admiral Wilson Boulevard to Penn Street, thence over Penn Street and bridge approach roads to Camden, N. J., thence over the Philadelphia-Camden Bridge to Philadelphia, Pa., thence over Pennsylvania Highway 23 to King of Prussia, Pa.; and return over the same routes.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary*.

[F. R. Doc. 58-2014; Filed, Mar. 18, 1958; 8:48 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 14, 1958.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 34540: *Iron or steel slabs—Cincinnati, Ohio and Newport, Ky., to Riverdale, Ill.* Filed by H. R. Hinsch, Agent (CTR No. 2366), for interested rail carriers. Rates on slabs, unfinished, iron or steel, carloads from Cincinnati, Ohio, and Newport, Ky., to Riverdale, Ill.

Grounds for relief: Barge competition.

Tariffs: Supplement 53 to Agent Hinsch's tariff I. C. C. 4251. Supplement 6 to Agent Hinsch's tariff I. C. C. 4807.

FSA No. 34541: *Substituted service—Motor and rail, Erie Railroad Company.* Filed by The Eastern Central Motor Carriers Association (No. 84), for interested carriers. Rates on freight of various kinds loaded in highway trailers and transported on railroad flat cars between Chicago, Ill., or Hammond, Ill., on the one hand, and Jersey City, N. J., on the other.

Grounds for relief: Motor truck competition.

Tariff: Supplement 2 to The Eastern Central Motor Carriers Association, Inc., Agent, tariff MF-I. C. C. A-148.

FSA No. 34542: *Acrylate and methacrylate—Houston, Tex., to Knoxville, Tenn.* Filed by F. C. Kratzmeir, Agent (SWFB No. B-7243), for interested carriers. Rates on ethyl acrylate, methyl acrylate, and methyl methacrylate, tank-car loads from Houston, Tex., to Knoxville, Tenn.

Grounds for relief: Potential barge competition.

Tariff: Supplement 444 to Agent Kratzmeir's tariff I. C. C. 4139.

FSA No. 34543: *Vinyl chloride—Baton Rouge, La., group to Pottstown, Pa.* Filed by O. W. South, Jr., Agent (SFA No. A3627), for interested rail carriers. Rates on gas, compressed, namely, vinyl chloride, inhibited, tank-car loads from Baton Rouge and North Baton Rouge, La., to Pottstown, Pa.

Grounds for relief: Water-truck competition.

Tariff: Supplement 79 to Alternate Agent J. H. Marque's tariff I. C. C. 442.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 58-2013; Filed, Mar. 18, 1958; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 414 (16 F. R. 7367), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Belton Shirt Co., Inc., Belton, S. C.; effective 3-7-58 to 3-6-59 (men's sport shirts).

Clinton Garment Manufacturing Co., Clinton, Ky.; effective 3-7-58 to 3-6-59 (parka jackets for men and boys).

Eising Manufacturing Co., South on Highway 69, McAlester, Okla.; effective 3-7-58 to 3-6-59. Learners may not be employed at special minimum wage rates in the production of separate skirts (women's and children's wear).

Monticello Manufacturing Co., Monticello, Ky.; effective 3-10-58 to 3-9-59 (men's and boys' sport shirts).

Oberman Manufacturing Co., Arkadelphia, Ark.; effective 3-10-58 to 3-9-59 (men's and boys' single pants).

Oberman Manufacturing Co., Fayetteville, Ark.; effective 3-10-58 to 3-9-59 (pants, shirts and jackets).

Oberman Manufacturing Co., Harrison, Ark.; effective 3-10-58 to 3-9-59 (men's and boys' single pants).

Oberman Manufacturing Co., Morrilton, Ark.; effective 3-10-58 to 3-9-59 (men's and boys' single pants).

Princess Kent, Inc., P. O. Box 161, Fort Kent, Maine; effective 3-7-58 to 3-6-59 (girls' gowns and pajamas).

Reliance Manufacturing Co., Factory No. 47, Farmington, Mo.; effective 3-15-58 to 3-14-59 (ladies' sportswear).

Southeastern Shirt Corp., 110 North Indiana Avenue, LaFollette, Tenn.; effective 3-11-58 to 3-10-59 (dress and sport shirts).

Standard Garments, Inc., 123 Fayette Street, 118 Elizabeth Street, 34 High Street, Martinsville, Va.; effective 3-5-58 to 3-4-59 (men's and boys' pants and jackets).

Terre Hill Manufacturing Co., Inc., Lancaster County, Blue Ball, Pa.; effective 4-1-58 to 3-31-59; learners engaged in the production of ladies' and children's slips and ladies' nightwear of woven fabric (children's slips).

Walterboro Dress Corp., 208 Sanders Street, Walterboro, S. C.; effective 3-11-58 to 3-10-59 (women's and children's dresses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Eileen Hope, Inc., Liverpool, Pa.; effective 3-7-58 to 3-6-59; 10 learners (dresses and dusters).

Modelrite Dress Co., 147 Chestnut Street, Dunmore, Pa.; effective 3-7-58 to 3-6-59; five learners (women's dresses, housecoats).

Oneonta Plains Manufacturing Co., Inc., Country Club Road, Oneonta, N. Y.; effective 3-6-58 to 3-5-59; 10 learners (ladies' dresses).

Pamplin Dress Corp., Pamplin, Va.; effective 3-4-58 to 3-3-59; six learners (children's dresses).

The following certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Blue Bell, Inc., Red Bay, Ala.; effective 3-7-58 to 9-6-58; 150 learners (men's and boys' work and sport pants and trousers).

Emerald Duster Co., Roseboro, N. C.; effective 3-17-58 to 9-16-58; 40 learners (dusters and brunch dresses).

Sussex Sportswear, Inc., 419 West Third Street, Lewes, Del.; effective 3-6-58 to 9-5-58; 10 learners. Learners may not be employed at special minimum wage rates in the production of separate skirts (ladies' blouses).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.65, as amended).

The Galena Glove and Mitten Co., 430 Garfield Avenue, Dubuque, Iowa; effective 3-3-58 to 3-2-59; 10 learners for normal labor turnover purposes (work gloves).

Good Luck Glove Co., Metropolis, Ill.; effective 3-10-58 to 3-9-59; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Racine Glove Co., Inc., Rio, Wis.; effective 3-14-58 to 3-13-59; 10 learners for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.43, as amended).

Van Raalte Co., Inc., Blue Ridge, Ga.; effective 3-7-58 to 9-6-58; 15 learners for plant expansion purposes (seamless).

Independent Telephone Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.70 to 522.74, as amended).

Fort Kent Telephone Co., Fort Kent, Maine; effective 3-1-58 to 2-28-59.

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Pons Full Fashion Mills, Inc., Valdese, N. C.; effective 3-3-58 to 3-2-59; five learners for normal labor turnover purposes (sweaters).

Sylvester Textile Corp., Sylvester, Ga.; effective 3-18-58 to 9-17-58; 60 learners for plant expansion purposes (ladies' and children's lingerie).

Terre Hill Manufacturing Co., Inc., Lancaster County, Blue Ball, Pa., Plant No. 2, Terre Hill, Pa.; effective 4-1-58 to 3-31-59; 5 percent of the total number of factory production workers engaged in the production of slips and nightgowns of knitted fabric for normal labor turnover purposes (ladies' slips, etc.).

Shoe Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55, as amended).

Moose River Shoe Co., Inc., 417 North Main Street, Old Town, Maine; effective 3-6-58 to 3-5-59; 10 percent of the total number of factory production workers for normal labor turnover purposes (moccasins and loafers).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Finger Lakes HandCrafts, Inc., Canandaigua, N. Y.; effective 3-6-58 to 9-5-58; 35

learners for plant expansion purposes, in the occupations of hand sewer and hand embroiderer, each for a learning period of 320 hours at the rates of at least 85 cents an hour for the first 160 hours, and not less than 90 cents an hour for remaining 160 hours (slipper socks—hand embroidery).

Hardwick Clothes, Cleveland, Tenn.; effective 3-10-58 to 8-31-58; 60 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rate of at least 85 cents an hour for the first 280 hours, and not less than 90 cents an hour for the remaining 200 hours (men's and boys' tailored garments).

The following learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Continental Products, Inc., P. O. Box 623, Camuy, P. R.; effective 2-24-58 to 8-23-58; authorizing the employment of 31 learners for plant expansion purposes, in the occupations of hollow grinding, fine edging, mirror polishing, tool and die making, blanking, handle slotting, punching, stamping, heat treating, swedging, sand blasting, handle shaping, drilling and polishing, riveting, sanding, serrating, assembly and machinist, each for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (cutlery manufacturing).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D. C., this 13th day of March 1958.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 58-2033; Filed, Mar. 18, 1958; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

RUDOLF KRATOCHVIL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Rudolf Kratochvil, Graz, Austria; $5,014.40 in the Treasury of the United States.
Vesting Order No. 16785; Claim No. 61447.

Executed at Washington, D. C., on March 12, 1958.

For the Attorney General.

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

[F. R. Doc. 58-2027; Filed, Mar. 18, 1958; 8:50 a. m.]

KUX, BLOCH & CO.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Kux, Bloch & Co., in liquidation, Suppegasse 7, Vienna XIII, Austria; $219.14 in the Treasury of the United States.
Vesting Order No. 6215; Claim No. 42846.

Executed at Washington, D. C., on March 12, 1958.

For the Attorney General.

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

[F. R. Doc. 58-2028; Filed, Mar. 18, 1958; 8:50 a. m.]